

# The Advertising Standards Council of India

## SEVENTEENTH REPORT AND ACCOUNTS

### FOR THE YEAR

### 2002-2003

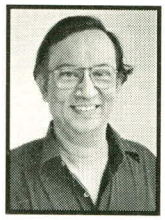
# The Advertising Standards Council of India

## SEVENTEENTH REPORT AND ACCOUNTS FOR THE YEAR 2002-2003

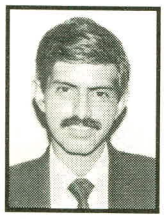
## BOARD OF GOVERNORS :

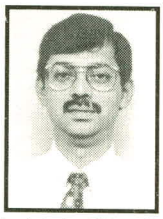

Mr. Ravi Kant
Chairman

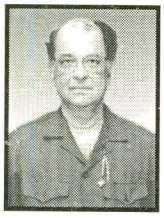

Mr. N. Murali
Vice-Chairman


Mr. Goutam Rakshit
Hon. Treasurer


Mr. Arun Adhikari

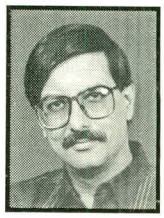

Mr. Sam Balsara


Mr. Ashoke Bijapurkar


Mr. C. R. Irani


Ms. Urmila Jain


Mr. Madhukar Kamath

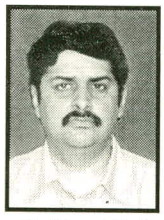

Mr. Bharat Kapadia


Mr. G. Krishnan


Ms. Zia Mody


Mr. Bharat V.Patel

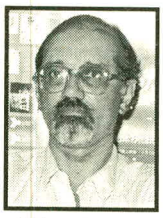

Mr. R. A. Poddar


Mr. Bharat Puri

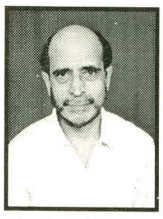

Mr. Ram Sehgal


Mr. Dorab
R. Sopariwala

## CONSUMER COMPLAINTS COUNCIL MEMBERS :


Prof. U. A. Athavankar


Dr. (Ms.) Suma
Chitnis

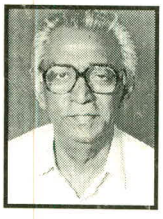

Mr. Darryl D'Monte

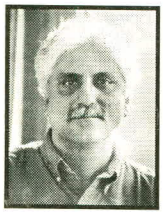

Dr. (Ms.) Camille
Gonsalves


Mr. Sanjay Kher


Ms. Swarn Kohli

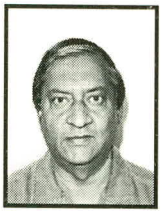

Mr. E.A. Kshirsagar


Mr. K. Kurian


Mr. Ayaz Memon


Mr. N. Murali


Mr. Rajesh Pant


Dr. Udayan Patel

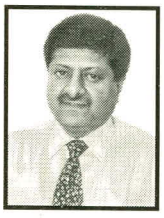

Mr. Ravi Pisharody


Dr. (Ms.) Angela
Rodrigues


Mr. Madhukar
Sabnavis


Mr. Sumedh Shah


Ms. Ingrid Srinath


Mr. Shashi Sinha


Mr. G.E. Vahanvati


Mr. N.G. Wagle

**REGISTERED OFFICE & SECRETARIAT** 205, Bombay Market, Tardeo Road, Mumbai 400 034.
Tel.: 23521066/23516863 • Fax: 23516863 • e-mail: asci@vsnl.com • website: www.asci.co.in

# The Advertising Standards Council of India

## 17th Report and Accounts of 2002-03

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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: 23521066, 23516863 Fax: 23516863
e-mail: asci@vsnl.com website: www.asci.co.in

**Attendance of the members of the Board of Governors of The Advertising Standards Council of India at Board Meetings from 187th meeting held on April 11th, 2002 to the 196th Meeting held on March 13th, 2003. (10 Meetings held)**

| Name of Member | | Meetings Applicable | Meetings Attended |
|---|---|---|---|
| Mr. Ravi Kant | | 10 | 8 |
| Mr. N. Murali | | 10 | 7 |
| Mr. Goutam Rakshit | | 10 | 6 |
| Mr. Arun Adhikari | | 10 | 6 |
| Mr. Sam Balsara | | 10 | 7 |
| Mr. Ashoke Bijapurkar | (a) | 9 | 8 |
| Mr. Sandeep Goyal | (b) | 8 | 3 |
| Mr. C.R. Irani | | 10 | 3 |
| Ms. Urmila Jain | | 10 | 7 |
| Mr. Madhukar Kamath | (c) | 9 | 4 |
| Mr. Bharat Kapadia | | 10 | 7 |
| Mr. G. Krishnan | (d) | 1 | 0 |
| Ms. Zia Mody | | 10 | 1 |
| Mr. Bharat V. Patel | | 10 | 8 |
| Mr. R.A. Poddar | | 10 | 4 |
| Mr. Bharat Puri | (e) | 9 | 8 |
| Mr. Derrick Samuel | (f) | 1 | 1 |
| Mr. Ram Sehgal | | 10 | 1 |
| Mr. Dorab R. Sopariwala | | 10 | 9 |

(a) resigned 3/2003
(b) resigned 12/2002
(c) resigned 3/2003
(d) w.e.f. 3/2003
(e) w.e.f. 5/2002
(f) resigned 5/2002

**Attendance of the members of the Consumer Complaints Council (CCC) from the 184th Meeting held on April 18th, 2002 to the 194th Meeting held on March 11th, 2003. (11 Meetings held)**

| Name of Member | | Meetings Applicable | Meetings Attended |
|---|---|---|---|
| Mr. Rajiv Agarwal | (a) | 7 | 2 |
| Prof. U.A. Athavankar | | 11 | 5 |
| Dr.(Ms.) Suma Chitnis | (b) | 2 | 1 |
| Mr. Darryl D'Monte | | 11 | 7 |
| Dr. (Ms.) Camille Gonsalves | (c) | 4 | 3 |
| Mr. Ravi Kant | (d) | 3 | 0 |
| Mr. Sanjay Kher | (f) | 2 | 2 |
| Ms. Swarn Kohli | | 11 | 5 |
| Mr. E.A. Kshirsagar | | 11 | 4 |
| Mr. K. Kurian | | 11 | 11 |
| Mr. Ayaz Memon | | 11 | 2 |
| Mr. N. Murali | (g) | 7 | 0 |
| Mr. Raj Nayak | (h) | 7 | 0 |
| Mr. Rajesh Pant | (i) | 3 | 2 |
| Dr. Udayan Patel | (j) | 4 | 1 |
| Mr. Ravi Pisharody | | 11 | 6 |
| Dr.(Ms.) Angela Rodrigues | | 11 | 7 |
| Mr. Madhukar Sabnavis | (k) | 6 | 5 |
| Mr. Derrick Samuel | (m) | 1 | 0 |
| Mr. Sumedh Shah | (l) | 6 | 5 |
| Mr. Shashi Sinha | (o) | 6 | 4 |
| Ms. Ingrid Srinath | (n) | 4 | 2 |
| Ms. Usha Sukthankar | (p) | 7 | 3 |
| Mr. G.E. Vahanvati | (q) | 11 | 1 |
| Mr. N.G. Wagle | | 11 | 11 |

(a) resigned 12/2002
(b) w.e.f. 2/2003
(c) w.e.f. 12/2002
(d) retired 9/2002
(f) w.e.f. 2/2003
(g) w.e.f. 10/2002
(h) resigned 12/2002
(i) w.e.f. 1/2003
(j) w.e.f. 12/2002
(k) w.e.f. 10/2002
(l) w.e.f. 10/2002
(m) resigned 5/2002
(n) w.e.f. 12/2002
(o) w.e.f.10/2002
(p) expired 11/2002
(q) resigned 3/2003

## BOARD OF GOVERNORS – TENURE SINCE INCEPTION OF ASCI (1985)

| | | | |
|---|---|---|---|
| Adhikari Arun | 5/2000 | - | |
| Agarwal Rajiv | 9/95 | - | 9/97 |
| Ansari Tarique | 2/93 | - | 3/95 |
| Bakshi Jayant | 9/91 | - | 5/93 |
| Balsara Sam | 9/96 | - | |
| Banga M.S. | 6/97 | - | 2/99 |
| Bhullar Mohini | 12/90 | - | 12/92 |
| Bijapurkar Ashoke | 7/2001 | - | 3/2003 |
| Bijlani Lalit | 10/85 | - | 6/88 |
| Bilimoria Pheroza | 1988 | - | 9/97 |
| Bose Amol Kumar | 1987 | - | 10/94 |
| Chopra J.C. | 10/85 | - | 12/93 |
| Dasgupta A. | 8/96 | - | 8/2000 |
| Desai Noshir | 9/94 | - | 7/95 |
| Desai Xerxes | 10/85 | - | 3/89 |
| D'Souza J.B. | 11/94 | - | 8/96 |
| Deshpande M.B. | 10/85 | - | 12/86 |
| Dharmadhikari C.S. | 11/94 | - | 8/96 |
| Engineer Gul | 10/85 | - | 9/94 |
| Ghosal Subash | 10/85 | - | 6/88 |
| Gore Anil | 1988 | - | 9/91 |
| Goyal Sandeep | 3/2002 | - | 1/2003 |
| Guha Pradeep | 9/94 | - | 9/98 |
| Irani C.R. | 9/99 | - | |
| Jain Harish | 10/85 | - | 6/88 |
| Jain Urmila | 12/95 | - | |
| Kamath Madhukar | 9/97 | - | 2/99 |
| | 11/2001 | - | |
| Kant Ravi | 1/2000 | | |
| Kapur Ranjan | 5/94 | - | 4/95 |
| Kapadia Bharat | 4/95 | - | |
| Khalap Kiran | 9/98 | - | 9/99 |
| Khanna M.K. | 9/92 | - | 9/93 |
| Khorakiwala F.T. | 8/89 | - | 9/99 |
| Kurian K. | 10/85 | - | 6/88 |
| Krishnan G. | 1/2003 | - | |
| Mahindra Harish | 10/85 | - | 12/86 |
| Manerikar V.V. | 9/97 | - | 5/2001 |
| Manwani Harish | 3/99 | - | 3/2000 |
| Mariwala Harsh | 6/96 | - | 9/96 |
| Mathew Jacob | 3/90 | - | 9/2000 |
| Mehta Karl | 10/85 | - | 7/88 |
| Mody Zia | 8/99 | - | |
| Murali N. | 10/85 | - | 6/88 |
| | 9/98 | - | |
| Nanjundaiah S. | 6/2003 | - | |
| Nerker Ashok | 8/89 | - | 9/98 |
| Patel Bharat V. | 8/95 | - | |
| Peerbhoy Bunty | 8/93 | - | 7/95 |
| Pereira Roger | 10/85 | - | 9/97 |
| Poddar R.A. | 11/98 | - | |
| Poonawala B. | 7/95 | - | 10/95 |
| Puri Bharat | 5/2002 | | |
| Rakshit Goutam | 9/95 | - | 9/98 |
| | 3/99 | | |
| Saldanha Conrad | 9/99 | - | 6/2001 |
| Samuel Derrick | 9/2000 | - | 4/2002 |
| Sayani Ameen | 10/85 | - | 2/87 |
| | 6/88 | - | 7/95 |
| Sehgal Ram | 7/95 | - | 10/2000 |
| | 12/2000 | - | |
| Sen Siddharth | 1/87 | - | 8/89 |
| Sheopuri R.C. | 9/90 | - | 9/94 |
| Shourie Deepak | 9/97 | - | 9/99 |
| Singh R.K. | 10/2000 | - | 2/2002 |
| Sinha Tara | 1/87 | - | 9/91 |
| Sista S.V. | 3/93 | - | 9/96 |
| Soman D.S. | 1/95 | - | 9/98 |
| Sopariwala Dorab | 9/94 | - | |
| Srinivasan K.B. | 1/97 | - | 9/97 |
| Swamy R.K. | 1988 | - | 3/92 |
| Syed Munawar | 1988 | - | 1/91 |
| Tandan Atul | 3/94 | - | 8/96 |
| Tarneja Ram | 10/85 | - | 6/90 |
| Upadhyaya Mukul | 10/85 | - | 4/97 |
| Vasudeva Brahm | 10/85 | - | 7/95 |

**THE ADVERTISING STANDARDS COUNCIL OF INDIA**

Secretariat : 205 Bombay Market, Tardeo Road, Mumbai 400 034.
Tel : 23521066/23516863 Fax : 23516863 e-mail: asci@vsnl.com website: www.asci.co.in

## CONSUMER COMPLAINTS COUNCIL - TENURE SINCE INCEPTION OF ASCI (1985)

| | | | |
|---|---|---|---|
| Agarwal Rajiv | 9/90 | - | 7/95 |
| | 7/99 | - | 12/2001 |
| | 2/02 | - | 12/2002 |
| Ansari Tarique | 10/94 | - | 3/95 |
| Athavankar U.A. | 7/86 | - | |
| Ayer S.R. | 7/88 | - | 9/90 |
| Balsara Sam | 9/99 | - | 8/2000 |
| Bhandari L. | 10/85 | - | 4/88 |
| Bilimoria Pheroza | 9/90 | - | 10/91 |
| Bose Amol Kumar | 10/91 | - | 9/92 |
| Chinai Jaimini | 8/99 | - | 5/2001 |
| Chitnis Suma | 2/2003 | - | |
| D'Monte Darryl | 12/99 | - | |
| Das Gurcharan | 10/85 | - | 4/88 |
| Dasgupta A. | 12/93 | - | 7/95 |
| Ghosal Subhas | 10/85 | - | 4/88 |
| Gonsalves Camille | 12/02 | - | |
| Halve Anand | 9/96 | - | 12/97 |
| Jain Harish | 5/87 | - | 4/88 |
| Jain Urmila | 9/2000 | - | 8/2001 |
| Jayaraman N. | 1/92 | - | 4/99 |
| Jhawer P.K. | 7/86 | - | 8/96 |
| Kamath M.V. | 10/85 | - | 9/95 |
| Kant Ravi | 5/2002 | - | 8/2002 |
| Kapadia Bharat | 9/98 | - | 8/99 |
| Karkaria Bachi | 12/99 | - | 4/2000 |
| Khanna M.K. | 7/88 | - | 8/90 |
| Kher Sanjay | 2/2003 | - | |
| Khorakiwala F.T. | 10/93 | - | 9/94 |
| Kohli Swarn | 7/88 | - | |
| Kulkarni Ravi | 7/88 | - | 6/95 |
| Kshirsagar E.A. | 10/94 | - | |
| Kurian K. | 12/89 | - | |
| Lentin Bakhtawar | 12/89 | - | 7/95 |
| Marfatia Akhil | 12/89 | - | 11/93 |
| Mathew Jacob | 6/96 | - | 8/97 |
| Mehra Asit | 12/95 | - | 5/99 |
| Mehta Bansi | 10/85 | - | 9/94 |
| Memon Ayaz | 4/2002 | - | |
| Mody Zia | 6/95 | - | 7/99 |
| Motwani Pushpa | 10/85 | - | 9/92 |
| Murali N. | 9/2002 | - | |
| Mukherjea Peter | 9/96 | - | 4/97 |
| Mundkur Bal | 9/90 | - | 11/91 |
| Murthy N.V.K. | 10/85 | - | 9/89 |
| Nair M.K.B. | 12/95 | - | 11/99 |
| Narayanan V. | 10/85 | - | 4/88 |
| Nayak Raj | 2/2002 | - | 12/2002 |
| Pant Rajesh | 5/97 | - | 1/2002 |
| | 1/2003 | - | |
| Patel Bharat V. | 9/97 | - | 8/98 |
| Patel Udayan | 12/2002 | - | |
| Pereira Roger | 10/92 | - | 9/93 |
| Pisharody Ravi | 7/99 | - | |
| Purohit Apurva | 6/2003 | - | |
| Rao B.V. | 6/2000 | - | 5/2001 |
| Roy Protap | 7/88 | - | 8/89 |
| Rodrigues Angela | 10/96 | - | |
| Sabnavis Madhukar | 10/2002 | - | |
| Samuel Derrick | 9/2001 | - | 4/2002 |
| Sayani Ameen | 10/85 | - | 8/89 |
| Shah Sumedh | 10/2002 | - | |
| Srinath Ingrid | 11/2002 | - | |
| Singhal Rajrishi | 7/2001 | - | 1/2002 |
| Singh Digvijay | 1/96 | - | 5/96 |
| Sinha Shashi | 10/2002 | - | |
| Singh Khushwant | 10/85 | - | 4/88 |
| Sista S.V. | 3/93 | - | 9/96 |
| Sopariwala Dorab | 10/96 | - | 8/97 |
| Sukthankar Usha | 11/92 | - | 11/02 |
| Swamy R.K. | 10/85 | - | 4/88 |
| Tarneja Ram | 10/87 | - | 4/88 |
| Tikekar Aroon | 12/97 | - | 11/99 |
| Upadhyaya Mukul | 8/89 | - | 9/90 |
| Vahanvati G.E. | 4/2002 | - | 3/2003 |
| Vasu T.T. | 7/88 | - | 8/89 |
| Wadia Nargis | 7/88 | - | 8/96 |
| Wagle N.G. | 12/95 | - | |

**ASCI – ARTICLES OF ASSOCIATION - 55 (a) & (b)**
**CONSUMER COMPLAINTS COUNCIL**

a) The Board of Governors shall appoint Consumer Complaints Council consisting of 21 members, 12 of whom shall be from professions and activities not related to advertising and the remaining nine being members, of the Company to examine and investigate the complaints received from the Consumers and the General public including the members regarding any breach of the Code of Conduct and/or advertising ethics and to recommend the action to be taken in that regard.

The decision to appoint a member on each Council shall be taken by the Board by simple majority.

# Report of the Board of Governors

We take pleasure in presenting the Seventeenth Annual Report of the Advertising Standards Council of India, together with the Statement of Accounts for the period **April 2002 to March 2003**.

**The highlights of the year:**

- The **ASCI's Consumer Awareness press campaign** ran in eight publications during the period January-March 2003. The number of complaints against advertisements has doubled thereafter, as a result of the heightened awareness of the ASCI and its role in Self-Regulation in Advertising, in the interest of the general public.

- **Renewed dialogue between the ASCI and the Ministry of Information and Broadcasting** resulted in the Government's acceptance of ASCI's role and responsibility for Self-Regulation in Advertising, provided the Government's guidelines on specific issues of concern were included in the application and observance of the ASCI Code

- Keeping major **media members informed of the Consumer Complaints Council (CCC) Upheld decisions**, for their support.

- The **CCC was expanded** from 14 to 21 members thereby providing a wider spectrum of professional and public interest representation . The CCC met 11 times and considered 136 complaints against advertisements, of which, 78 were Upheld.

- **Compliance with CCC decisions**: Out of 78 complaints which were Upheld, in 59 cases the advertisements were withdrawn or modified appropriately, in accordance with CCC decisions. Assurance of compliance is awaited for 19 advertisements, from 16 Advertisers, none being members of ASCI, though 6 Ad. Agency members and 9 Media members were involved. Of these 19 complaints, 7 were from intra-industry initiatives

- After eight months of consistent efforts, the **ASCI website – www.asci.co.in was launched**, with its inauguration on March 31st 2003, by the Minister for I&B. (The website presentation was designed and developed by Chitralekha Group under the guidance of Mr Bharat Kapadia)

**The Board of Governors:** During the year, Mr. Ashoke Bijapurkar, Mr. Sandeep Goyal, Mr. Madhukar Kamath, and Mr. Derrick Samuel resigned from the Board. The Board wishes to place on record its appreciation of the valuable services rendered by them during their tenure. Mr. G. Krishnan and Mr. Bharat Puri were co-opted by the Board to fill the consequential vacancies.

**CCC Members**: During the year, Mr. Rajiv Agarwal, Mr. Raj Nayak and Mr. G.E. Vahanvati resigned, and Ms. Usha Sukthankar expired. Dr.(Ms.) Suma Chitnis, Dr.(Ms.) Camille Gonsalves, Mr. Sanjay Kher, Mr. Rajesh Pant, Dr. Udayan Patel, Mr. Madhukar Sabnavis, Mr. Sumedh Shah, Ms. Ingrid Srinath, and Mr. Shashi Sinha were appointed to fill the consequential vacancies and to augment the CCC to its expanded composition

On behalf of all members of the Council, the **Board of Governors places on record its gratitude to members of the CCC** for their very generous contribution of valuable time and expertise each month, sometimes twice a month to cope with the increased number of complaints arising out of the ASCI awareness campaign in the Press.

**Composition of the CCC:** In order that the deliberations on complaints can be more broad-based through the interaction of more disciplines and professions on the CCC, your Board had proposed at the last AGM, to increase the number of members **from the existing eight non-practitioners to twelve**, and from **six ASCI member-practitioners to nine**, the total number being increased from 14 to 21 members on the CCC. The Company Law Board approval of the amendment to the relevant provision in the Memorandum and Articles of the Council was received towards the middle of the year. Your CCC comprising 21 members has been functioning since then.

**Membership:** Your Board of Governors is pleased to report that due to active follow-up by Board members, 14 new members enrolled during the year. However, 19 members did not renew their membership. Many of those who did not renew, did not do so because of substantial reduction in the scale of operation of their businesses.

The Board would like members to note that **representation from the Advertisers category on your Council continues to be poor**. It is a cause of concern for the self-regulation movement that over 100 major advertisers are not yet members of your Council.

With a **substantial increase in the number of television channels now in operation**, a concerted effort was made to **enrol them, as Media members of your Council.**

**CCC - Analysis of Decisions on Complaints:** The CCC met 11 times between April 2002 and March 2003. It considered a **total of 136 complaints,** of which **78** were **Upheld,** whilst **58** were **Not Upheld.** Compared with last year, the number of complaints had reduced considerably during the first half of the year

**Compliance with CCC decisions has remained high.** In the case of **59** complaints Upheld by the CCC, the advertisements were either withdrawn or modified appropriately. In the case of **only 19 advertisements** contravening the Code (complaints Upheld), the Advertisers/Ad. Agencies have **not yet informed the Council of compliance with the CCC decisions.** The News Letters and Compilation Reports issued by your Council periodically, however, will hopefully result in subsequent withdrawal or appropriate modification of some of these offending advertisements.

**Intra-Industry Complaints:** During this year, there have been 68 intra-industry complaints (identified by # in the CCC Compilation Report), received from advertisers and advertising agencies in respect of misleading comparative advertising, or unfair competitive advertising. Of these, 39 were Upheld, and 29 were Not Upheld; assurance of Compliance has been received for 32 of these Upheld complaints so far.

Your Council has played a fair and supportive role in ensuring that such complaints were dealt with promptly and were treated with the confidence which they deserved. The net beneficial result was the **avoidance of time consuming and costly litigation** in many instances. The involvement of ASCI members in the various complaints (identified by * in this report), is indicative of the need for greater proactive observance of the Code, at the time of development of every advertisement.

**Awareness of your Council's existence among Consumers:** It is a matter of some concern that, **there is still a widespread lack of awareness among consumers,** about ASCI's **efficient and effective redressal machinery** which is available at no charge to the public, for stoppage of misleading, untruthful, indecent, illegal, unsafe or unfair advertisements.

**The Role of the Media - awareness of Self-Regulation in Advertising**: The Council's Awareness Campaign which began in January 2003, was carried by the Media members of the Council who responded spontaneously. Eight publications carried the Ads on a campaign basis. On behalf of all members, the **Board expresses its gratitude for the support provided by the media who willingly published the Ads, free of cost** in response to our appeal. Our thanks are also due to Mr. Sam Balsara (Madison Communications) who processed all the Ads and supplied the Ad-material free of charge.

**A Compendium of Cases** covering CCC decisions on complaints against advertisements **(1996 to 2001)**, was sent to ASCI members, select Associations of Advertising Practitioners, concerned Govt. Departments, and select Institutions conducting courses in Advertising, Marketing and Management. Similar information for the period 1991 to 1996 will be made available to ASCI members and concerned practitioners in Advertising by September this year. This **would provide valuable case material on advertisements (over 1900),** which have given rise to objections and complaints from a wide cross-section of consumers, the publics exposed to the media, and the members of Industry who consider that they have received unfair treatment from competitors.

**The ASCI Code in the context of the Cable TV Act - Code for Advertising:** Representatives of the **ASCI Board led by your Chairman,** met the **Minister for I&B** along with Secretaries of concerned ministries in New Delhi on 31st March this year, and **presented the role, responsibility and on-going functions of your Council,** in the observance and pursuit of Self-Regulation in Advertising in India, since its inception in 1985. It was proposed that a short list of amendments to the ASCI Code, would be drawn up by the Council to integrate certain provisions of the Cable TV Act - Code, which would make the ASCI Code more pertinent to the purpose of the Cable TV Act - Code, in the mutual interest of Self-Regulation in TV advertising.

**Indian Broadcasting Foundation (IBF) and the Confederation of Indian Alcoholic Beverage Compnies (CIABC):** At a meeting held on May 8th this year, members of ASCI Board and the representatives of IBF and CIABC agreed that, the IBF would support the decisions of the CCC on complaints related to advertisements which were held to be in contravention of the ASCI Code. The ASCI Secretariat would provide a short list of complaints against advertisements (TVC's), which were Upheld, in respect of surrogate advertisements of Liquor Brands, and outright violation of the Law by advertisements for Liquor products, for which compliance is still awaited, in order that the advertisers could be persuaded to withdraw or modify appropriately the Ads involved

**Financial Results**

| | This year Rs. | Previous year Rs. |
|---|---|---|
| Income | 36,07,202 | 30,53,441 |
| Expenditure | 16,41,328 | 14,90,139 |
| Excess of Income over expenditure for the year | 19,65,874 | 15,63,302 |
| Balance at the beginning of the year | 6,63,636 | 6,63,636 |
| | 26,29,510 | 22,26,938 |
| Less: | | |
| (i) Accumulation under Section 11(1)(a) of Income tax Act 1961 | – | 6,63,302 |
| (ii) Accumulation under Section 11(2) of Income tax Act 1961 | – | 9,00,000 |
| | – | 15,63,302 |
| Balance carried to Balance Sheet | Rs. 26,29,510 | Rs. 6,63,636 |

The Council is advised that the amounts received as membership subscriptions are not liable to be included in the taxable income. However, in the earlier years, as a measure of abundant caution, the said subscriptions were being included in the computation of Income in order to avoid any possible litigation in the matter. Accordingly, appropriate amounts used to be provided as accumulations u/s 11(1)(a) and 11(2) of the Income tax Act, 1961. The Board has now decided that since the matter is free from doubt and the position has also been accepted by the Income tax department in the last assessment of the Council u/s 143(3), the membership subscriptions will not be included as a taxable receipt this year. Consequently, since the amount applied to charitable purposes in the current year exceeded the income (other than income from membership subscriptions), it is not necessary to provide for accumulations referred to above.

**Directors' Responsibility Statement**:
The Directors confirm:

1. that in the preparation of the annual accounts, the applicable accounting standards have been followed and there has been no material departure;
2. that they have selected such accounting policies and applied them consistently and made judgements and estimates that are reasonable and prudent so as to give a true and fair view of the state of affairs of the Company as at 31st March 2003, and of the excess of income over expenditure of the Company for the year ended on that date;
3. that they have taken proper and sufficient care for the maintenance of adequate accounting records in accordance with the provisions of the Companies Act, 1956, for safeguarding the assets of the Company and for preventing and detecting fraud and other irregularities; and
4. that they have prepared the annual accounts on a going concern basis.

**Particulars of Employees:** The Company does not have any employee drawing an annual or monthly salary in excess of the limits prescribed under Section 217(2A) of the Companies Act, 1956.

**Conservation of Energy and Technology Absorption:** During the year under report there was no activity relating to conservation of energy and / or technology absorption.

**Foreign Exchange Earnings and Outgo:** During the year under Report there were no earnings or outgo in respect of foreign exchange.

**Auditors**: M/s. Lalit Khanna & Co. Chartered Accountants, retire and are eligible for reappointment They have guided your Board in the maintenance and reporting of the finances of the Council during the year. Members are requested to appoint auditors to hold office upto the conclusion of the next Annual General Meeting and to fix their remuneration.

**The Seventeenth Annual General Meeting** will be held on Thursday 11th September 2003.
The Governors retiring from the Board, and eligible for re-election, are as follows:

**Category A - Advertisers**

Mr. Ravi Kant
Mr. Bharat V. Patel

**Category B - Press/Media**

Mr. C.R. Irani
Mr. Bharat Kapadia

**Category C- Advertising Agencies**

Mr. Goutam Rakshit
Mr. Ram Sehgal

**Category D - Allied Professions**

Ms. Urmila Jain
Mr. Shashidhar Nanjundaiah

On behalf of the Board of Governors,

**Ravi Kant**
**Chairman**
*Mumbai*

*July 11th, 2003*

**NOTICE**

A MEETING OF THE Board of Governors shall take place immediately after the Annual General Meeting on September 11th, 2003. 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 Seventeenth Annual General Meeting are requested to attend this meeting.

**Ravi Kant**
**Chairman**

# 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, 2003 and also the Income and Expenditure Account for the year ended on that date annexed thereto. These financial statements are the responsibility of the Company's management. Our responsibility is to express our opinion on these financial statements based on our audit.

We conducted our audit in accordance with the auditing standards generally accepted in India. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by the management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

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 (Auditors' Report) Order, 1988 are not applicable.

2. Further to our comments in paragraph 1 above , we report that :

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

   (ii) 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 those books;

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

   (iv) In our opinion, the Balance Sheet and the Income and Expenditure Account dealt with by this report comply with the Accounting Standards referred to in sub-section (3C) of Section 211 of the Companies Act, 1956 ;

   (v) On the basis of the written representations received from the directors, and taken on record by the Board of Directors, we report that none of the directors are disqualified as on 31st March, 2003 from being appointed as Directors in terms of clause (g) of sub-section (1) of Section 274 of the Companies Act, 1956;

   (vi) 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 in conformity with the accounting principles generally accepted in India:

(a) in the case of the Balance Sheet, of the state of affairs of the Council as at 31st March, 2003; and

(b) 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

Lalit Khanna
Partner

Mumbai, 12th June 2003

# THE ADVERTISING STANDARDS COUNCIL OF INDIA

## BALANCE SHEET AS AT 31ST MARCH, 2003

| | | Schedule | This Year Rupees | This Year Rupees | Previous Year Rupees |
|---|---|---|---|---|---|
| I. | **SOURCES OF FUNDS:** | | | | |
| 1. | **Corpus and Reserves** | | | | |
| | (a) Council's Corpus | A | 22,77,808 | | 22,49,808 |
| | (b) Reserves and Surplus | B | 88,43,724 | | 68,77,850 |
| | | | | 1,11,21,532 | 91,27,658 |
| 2. | **Loan Funds** | | | | |
| | Unsecured Loans | C | | - | 3,70,000 |
| | **TOTAL RUPEES** | | | 1,11,21,532 | 94,97,658 |
| II. | **APPLICATION OF FUNDS** | | | | |
| 1. | **Fixed Assets** | | | | |
| | (a) Gross Block | D | 23,02,510 | | 22,87,430 |
| | (b) Less: Depreciation | | 11,02,184 | | 10,71,439 |
| | (c) Net Block | | | 12,00,326 | 12,15,991 |
| 2. | **Investments** | E | | 65,05,441 | 65,05,441 |
| 3. | **Current Assets, Loans and Advances** | | | | |
| | (a) Accrued Interest on Investments and Bank Deposits | | | 4,53,042 | 4,67,800 |
| | (b) Sundry Debtors | F | | - | 30,000 |
| | (c) Cash & Bank Balances | G | | 29,73,629 | 12,75,621 |
| | (d) Loans and Advances | H | | 48,587 | 47,958 |
| | | | | 34,75,258 | 18,21,379 |
| 4. | Less: **Current Liabilities & Provisions** | | | | |
| | (a) Current Liabilities | I | | 59,493 | 45,153 |
| | (b) Provisions | | | - | - |
| | | | | 59,493 | 45,153 |
| | Net Current Assets | | | 34,15,765 | 17,76,226 |
| | **TOTAL RUPEES** | | | 1,11,21,532 | 94,97,658 |

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

**(Lalit Khanna)**
Partner

Mumbai, 12th June, 2003

For and on behalf of the Board of Governors

Ravi Kant
**Chairman**

**Members**

Arun Adhikari
Sam Balsara
Bharat V. Patel
R.A. Poddar
Dorab R. Sopariwala

## THE ADVERTISING STANDARDS COUNCIL OF INDIA

## INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MARCH, 2003

| Sl. No. | Particulars | Schedule | This Year Rupees | Rupees | Previous Year Rupees |
|---|---|---|---|---|---|
| | **INCOME** | | | | |
| 1. | Membership Subscription and Other Income | J | | 36,07,202 | 30,53,441 |
| | **EXPENDITURE** | | | | |
| 2. | Salaries, Wages and Bonus | | | 8,12,950 | 8,46,475 |
| 3. | Printing, Stationery and Xeroxing Charges | | | 2,33,308 | 1,77,685 |
| 4. | Electricity Charges | | | 67,634 | 59,568 |
| 5. | Telephone Expenses | | | 50,120 | 40,487 |
| 6. | Travelling & Conveyance | | | 46,936 | 45,618 |
| 7. | Meeting Expenses | | | 12,782 | 35,251 |
| 8. | Repairs & Maintenance | | | 32,663 | 47,856 |
| 9. | Legal & Professional charges | | | 48,500 | 33,500 |
| 10 | Loss on Sale of Airconditioners | | | 10,850 | - |
| 11 | Website charges | | | 96,998 | - |
| 12 | Other Expenses | K | | 138,172 | 104,295 |
| 13 | Depreciation | | | 90,415 | 99,404 |
| 14. | Total Expenditure | | | 16,41,328 | 14,90,139 |
| 15. | Excess of Income over Expenditure for the year | | | 19,65,874 | 15,63,302 |
| 16. | Balance at the beginning of the year | | | 6,63,636 | 6,63,636 |
| | | | | 26,29,510 | 22,26,938 |
| Less | | | | | |
| | (i) Accumulation under Section 11(1)(a) of the Income tax Act 1961 | | | - | 6,63,302 |
| | (ii) Accumulation under Section 11(2) of the Income tax Act 1961 | | | - | 900,000 |
| | | | | - | 15,63,302 |
| | Balance carried to Balance Sheet | | | 26,29,510 | 6,63,636 |

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

**(Lalit Khanna)**
Partner

Mumbai, 12th June, 2003

For and on behalf of the Board of Governors

Ravi Kant
**Chairman**

**Members**

Arun Adhikari
Sam Balsara
Bharat V. Patel
R.A. Poddar
Dorab R. Sopariwala

## THE ADVERTISING STANDARDS COUNCIL OF INDIA

**Schedules annexed to and forming part of the Balance Sheet as at 31st March, 2003 and the Income and Expenditure Account for the year ended on that date**

| | | This Year Rs. | This Year Rs. | Previous Rs. |
|---|---|---|---|---|
| | **SCHEDULE A** | | | |
| | **Council's Corpus** | | | |
| | Balance as at the beginning of the year | | 22,49,808 | 22,19,808 |
| | Add : Entrance fees received during the year | | 28,000 | 30,000 |
| | | | 2,277,808 | 2,249,808 |
| | **SCHEDULE B** | | | |
| | **Reserves & Surplus** | | | |
| (i) | Accumulation under Section 11(1)(a) of the Income tax Act, 1961 | | | |
| | As at the beginning of the year | 28,88,214 | | 22,24,912 |
| | Add : Amount accumulated in the current year | - | | 6,63,302 |
| | | | 28,88,214 | 28,88,214 |
| (ii) | Accumulation under Section 11(2) of the Income tax Act, 1961 | | | |
| | As at the beginning of the year | 33,26,000 | | 24,26,000 |
| | Add :Amount accumulated in the current year | - | | 9,00,000 |
| | | | 33,26,000 | 33,26,000 |
| (iii) | Surplus as per Income & Expenditure Account | | 26,29,510 | 6,63,636 |
| | | | 88,43,724 | 68,77,850 |
| | **SCHEDULE C** | | | |
| | **Unsecured Loans** | | | |
| | Deposits from members | | - | 3,70,000 |

# THE ADVERTISING STANDARDS COUNCIL OF INDIA

**SCHEDULE D**

**Schedule of Fixed assets Annexed to an forming part of the Balance Sheet as at 31st March, 2003**

| Sr. No. | Description of the Assets | COST | | | | DEPRECIATION | | | | NET BOOK VALUE | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | As at the beginning of the year Rs. | Additions during the year Rs. | Deductions during the year Rs. | As at the end of the year Rs. | Upto the beginning of the year Rs. | For the year Rs. | Deduc-tions Rs. | Upto the end of the year Rs. | As at 31st March 2003 Rs. | As at 31st March 2002 Rs. |
| 1. | Office Premises | 18,45,163 | - | - | 18,45,163 | 7,43,298 | 55,093 | - | 7,98,391 | 10,46,772 | 11,01,865 |
| 2. | Computer | 2,05,075 | 49,100 | - | 2,54,175 | 1,61,478 | 21,064 | - | 1,82,542 | 71,633 | 43,597 |
| 3. | Air Conditioners | 76,520 | 38,000 | 76,520 | 38,000 | 59,376 | 4,928 | 59,670 | 4,634 | 33,366 | 17,144 |
| 4. | Office Equipment | 53,364 | - | - | 53,364 | 32,079 | 2,960 | - | 35,039 | 18,325 | 21,285 |
| 5. | Furniture & Fixtures | 1,07,308 | 4,500 | - | 1,11,808 | 75,208 | 6,370 | - | 81,578 | 30,230 | 32,100 |
| | Total Rupees | 22,87,430 | 91,600 | 76,520 | 23,02,510 | 10,71,439 | 90,415 | 59,670 | 11,02,184 | 12,00,326 | 12,15,991 |
| | Previous Year Rupees | 22,82,230 | 5,200 | - | 22,87,430 | 9,72,035 | 99,404 | - | 10,71,439 | 12,15,991 | 13,10,195 |

| | This Year Rs. | | Previous Year Rs. | |
|---|---|---|---|---|
| **SCHEDULE E** | | | | |
| **Investments ( at cost) - Unquoted** | | | | |
| **Long term Investments** | | | | |
| **1. Bonds** | | | | |
| (a) ICICI Regular Income Bonds of Rs.5000 each | | | | |
| (i) 1 - 14% Bond | 5,000 | | 5,000 | |
| (ii) 40 - 12.75% Bonds | 2,00,000 | | 2,00,000 | |
| (iii) 80 -11% Bonds | 4,00,000 | | 4,00,000 | |
| | | 6,05,000 | | 6,05,000 |
| (b) 40 - 14% Bonds of IDBI of Rs.5000 each | | 2,00,000 | | 2,00,000 |
| **2. Units** | | | | |
| 60000 units of Rs. 10 each of | | | | |
| UTI-Monthly Income Plan 1999 | | 6,00,000 | | 6,00,000 |
| **3. Deposits** | | | | |
| **- with Housing Development Finance Corporation Ltd.** | | 51,00,441 | | 51,00,441 |
| | | 65,05,441 | | 65,05,441 |

## THE ADVERTISING STANDARDS COUNCIL OF INDIA

**Schedules annexed to and forming part of the Balance Sheet as at 31st March, 2003 and the Income and Expenditure Account for the year ended on that date (continued)**

| | This Year Rs. | PreviousYear Rs. |
|---|---|---|
| **SCHEDULE F** | | |
| **Sundry Debtors** | | |
| (Unsecured considered good) | | |
| Debts outstanding for a period exceeding six months | - | 30,000 |
| | - | 30,000 |
| **SCHEDULE G** | | |
| **Cash and Bank Balances** | | |
| (i) Cash in hand | 2,905 | 2,650 |
| (ii) In Savings Account with a Scheduled Bank | 3,70,724 | 2,72,971 |
| (iv) In Term Deposits with a Scheduled Bank | 26,00,000 | 10,00,000 |
| | 29,73,629 | 12,75,621 |
| **Schedule H** | | |
| **Loans and Advances** | | |
| Unsecured Considered good | | |
| (i) Tax Deducted at source | 23,047 | 22,418 |
| (ii) Advances recoverable in cash or in kind or for value to be received | 25,540 | 25,540 |
| | 48,587 | 47,958 |
| **SCHEDULE I** | | |
| **Current Liabilities** | | |
| a) Subscription received in advance | 27,750 | 20,000 |
| b) Sundry Creditors and outstanding expenses | 31743 25,153 | ~~31,743~~ 25153 |
| | 59,493 | 45,153 |
| **SCHEDULE J** | | |
| **Membership Subscription and other Income** | | |
| (i) Membership Subscription | 26,38,000 | 21,59,500 |
| (ii) Interest on Investments | 6,98,543 | 6,69,017 |
| (iii) Interest on Bank Deposits and Savings Account | 2,20,042 | 1,44,924 |
| (iv) Interest on Income tax Refund | 617 | - |
| (v) CCC Review charges | 50,000 | 80,000 |
| | 36,07,202 | 30,53,441 |

## THE ADVERTISING STANDARDS COUNCIL OF INDIA

**Schedules annexed to and forming part of the Balance Sheet as at 31st March, 2003 and the Income and Expenditure Account for the year ended on that date (continued)**

| | Rs. | Rs. |
|---|---|---|
| **SCHEDULE K** | | |
| **Other Expenses** | | |
| (i) Staff Welfare | 9,473 | 15,098 |
| (ii) Society Outgoings | 19,724 | 17,864 |
| (iii) Postage and Courier charges | 64,675 | 45,705 |
| ((iv) Computer Software | 15,450 | - |
| (v) Audit Fees | 15,750 | 13,125 |
| (vi) Miscellaneous Expenses | 13,100 | 12,503 |
| | 138,172 | 104,295 |

**SCHEDULE L : 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
   (c) Bonus is accounted on cash basis
2. Repairs and Maintenance comprise as under :

| | This year Rs. | Previous year Rs. |
|---|---|---|
| (a) Repairs to Premises | 4,917 | 13,452 |
| (b) Other Repairs | 27,746 | 34,404 |
| | 32,663 | 47,856 |

3. Staff Welfare includes Insurance premium amounting to Rs.1103 in respect of Accident Policies of employees
4. Particulars as per Paras 4, 4A, 4C and 4D of Schedule VI to the Companies Act, 1956 - NIL
5. Previous year's figures have been regrouped and rearranged wherever necessary

**SCHEDULE M**

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

## THE ADVERTISING STANDARDS COUNCIL OF INDIA

## BALANCE SHEET ABSTRACT AND COMPANIES GENERAL BUSINESS PROFILE

I Registration Details

| | | | | |
|---|---|---|---|---|
| Registration No. 37820 | | State Code | | 11 |
| Balance Sheet Date | 31<br>Date | 03<br>Month | 2003<br>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 | Total Assets |
|---|---|
| 11181 | 11181 |

**Sources of Funds**

| Corpus | Reserves & Surplus |
|---|---|
| 2278 | 8844 |
| Secured Loans | Unsecured Loans |
| - | - |

**Application of Funds**

| Net Fixed Assets | Investments |
|---|---|
| 1200 | 6506 |
| Net Current Assets | Misc. Expenditure |
| 3416 | - |
| Accumulated Losses | |
| - | |

IV Performance of Company (Amount in Rs. Thousands)

| Turnover | Total Expenditure (including Depreciation) |
|---|---|
| 3607 | 1641 |
| Profit before tax | Profit after tax |
| 1966 | 1966 |
| Earning per Share in Rs. | Dividend rate % |
| Not Applicable | Not Applicable |

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

| | |
|---|---|
| Item Code No. (ITC Code) | 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 M

As per our report of even date attached
For Lalit Khanna & Co.
Chartered Accountants

**(Lalit Khanna)**
Partner

Mumbai, 12th June, 2003

For and on behalf of the Board of Governors

Ravi Kant
**Chairman**

**Members**

Arun Adhikari
Sam Balsara
Bharat V. Patel
R.A. Poddar
Dorab R. Sopariwala

## *List of Members - As on March 31st, 2003*

**Category A - Advertisers**

1. A.T.E. Marketing P. Ltd. Mumbai
2. Airfreight Ltd. Mumbai
3. Air India Mumbai
4. Akbarallys Mumbai
5. Alembic Ltd. Vadodara
6. Amara Raja Batteries Ltd. Tamilnadu
7. Aptech Training Ltd. Mumbai
8. Asian Paints (I) Ltd. Mumbai
9. Ayurved Sumshodhanalaya Pune
10. Bacardi Martini (I) Ltd. New Delhi
11. Bajaj Electricals Mumbai
12. Bharat Petroleum Corp Ltd Mumbai
13. Bombay Chemicals P. Ltd. Mumbai
14. Britannia Industries Ltd. Bangalore
15. BPL Ltd. Bangalore
16. BPL Mobile Cellular Ltd. Bangalore
17. Cadbury (I) Ltd. Mumbai
18. Cadila Health-Care Ltd. Ahmedabad
19. Camlin Ltd. Mumbai
20. Carrier Aircon Ltd. Gurgaon
21. Castrol India Ltd. Mumbai
22. Ceat Ltd. Mumbai
23. Citibank N.A. Mumbai
24. Coca-Cola India Mumbai
25. Colgate Palmolive (I) Ltd. Mumbai
26. Dabur India Ltd. Ghaziabad
27. Datamatics Ltd. Mumbai
28. Dorcas Market Makers Ltd. Chennai
29. Duncans Tea Ltd. Kolkata
30. Elf-Lubricants (I) Ltd. Mumbai
31. Eveready Industries (I) Ltd. Kolkata
32. Eureka Forbes Ltd. Mumbai
33. Ford India Ltd. Tamilnadu
34. Frito-Lay India Gurgaon
35. General Mills India P. Ltd. Mumbai
36. Gillette India Ltd. Gurgaon
37. GlaxoSmithkline Consumer Healthcare Ltd., Gurgaon
38. GlaxoSmithkline Pharmaceuticals Ltd., Mumbai
39. Godfrey Phillips (I) Ltd. New Delhi
40. Godrej & Boyce Mfg. Co. Ltd. Mumbai
41. Godrej Consumer Products Ltd Mumbai
42. Gujarat. Ambuja Cements Ltd. Mumbai
43. Hawkins Cookers Ltd. Mumbai
44. Heinz India Ltd. Mumbai
45. Henkel SPIC India Ltd. Chennai
46. Hero Honda Motors Ltd. New Delhi
47. Hindustan Lever Ltd. Mumbai
48. Hindustan Petroleum Corp Ltd Mumbai
49. H.D.F.C. Ltd. Mumbai
50. Honda Siel Power Products Ltd. New Delhi
51. Hutchison Max Telecom P.Ltd. Mumbai
52. ICICI Bank Ltd. Mumbai
53. Indian Oil Corporation Ltd. Mumbai

*** New member**

## *List of Members - As on March 31st, 2003*

54. Indofil Chemical Co. Mumbai
55. I.T.C. Ltd. Kolkata
56. ION Exchange (I) Ltd. Mumbai
57. J.L. Morison (I) Ltd. Mumbai
58. JCT Ltd. Hoshiarpur
59. Jet Airways (I) P. Ltd. Mumbai
60. Johnson & Johnson Ltd. Mumbai
61. J.K. Industries Ltd. * New Delhi
62. Kellogg India P. Ltd. Mumbai
63. Kimberly-Clark Lever P. Ltd. Pune
64. Kodak India Ltd. Mumbai
65. L'OREAL India P. Ltd. Mumbai
66. MRF Ltd. Chennai
67. Madras Cements Ltd. Chennai
68. Marico Industries Ltd. Mumbai
69. Motor Industries Co. Ltd. Bangalore
70. Nachiketa Publications Ltd. Mumbai
71. Nestle India Ltd. Gurgaon
72. NIIT Ltd. * New Delhi
73. Nirma Consumer Care Ltd. Ahmedabad
74. Novartis (I) Ltd. Mumbai
75. Ozone Ayurvedics * New Delhi
76. Oil And Natural Gas * Corporation Ltd., Dehradun
77. Paras Pharmaceuticals Ltd. Ahmedabad
78. Parle Products P. Ltd. Mumbai
79. Pepsi Foods P. Ltd. Gurgaon
80. Pfizer Ltd. Mumbai
81. Procter & Gamble Hygiene & Health Care Ltd. Mumbai
82. Prudential ICICI AMC Ltd. Mumbai
83. Ray-Ban Sun Optics (I) Ltd Gurgaon
84. Reckitt Benckiser India Ltd. Gurgaon
85. Samsung India Electronics Ltd., New Delhi
86. Sara Lee Household & Body Care India P. Ltd. Chennai
87. Saregama India Ltd. Mumbai
88. Seagram Mfg. P. Ltd. Gurgaon
89. Siemens Ltd. Mumbai
90. S. Kumar Nationwide Ltd. Mumbai
91. Shriram Chits (Karnataka) * P. Ltd. Bangalore
92. Standard Chartered Bank Mumbai
93. SCMS Group of Educational * Institutions, Cochin
94. Tata Chemicals Ltd. Mumbai
95. Tata Coffee Ltd. Bangalore
96. T.E.L.CO. Ltd. Mumbai
97. Tata Services Ltd. Mumbai
98. Tata Sons Ltd. * Mumbai
99. Tata Tea Ltd. Kolkata
100. The Associated Cement Cos. Ltd. Mumbai
101. The Bombay Dyeing Mfg. Co. Ltd. Mumbai
102. The Hongkong & Shanghai Banking Corp Ltd., Mumbai
103. The Ravalgaon Sugar Farm Ltd Mumbai
104. The Tata Iron & Steel Co. Ltd. Jamshedpur
105. Titan Industries Ltd. Bangalore
106. Torrent Pharmaceuticals Ltd. Ahmedabad
107. TTK Prestige Ltd. Bangalore

*** New member**

## *List of Members - As on March 31st, 2003*

108. Voltas Ltd.
Mumbai

109. VST Industries Ltd.
Hyderabad

110. Warner Lambert (I) P. Ltd.
Mumbai

111. Whirlpool of India Ltd.
New Delhi

112. Wockhardt Ltd.
Mumbai

113. Wyeth Ltd.
Mumbai

114. Xerox Modi Corp Ltd.
New Delhi

***Category B - Press/Media***

1. Amar Ujala
Meerut

2. Bennett Coleman & Co.
Mumbai

3. Buena Vista Television India,
Mumbai

4. Business India Publications Ltd.
Mumbai

5. C.R. Competition Refresher P. Ltd.
New Delhi

6. Chitralekha Group
Mumbai

7. Courier Publications P. Ltd.
Mumbai

8. Dainik Bhaskar
Mumbai

9. Delhi Press Patra Prakashan Ltd.
New Delhi

10. Discovery Comms. India
New Delhi

11. Gavakari Prakashan
Nashik

12. Indian Express Newspapers
(Mumbai) Ltd., Mumbai

13. Jai Hind-Daily
Ahmedabad

14. Kasturi & Sons Ltd.
Chennai

15. Kheti Duniyan - An
Agril Weekly, Patiala

16. Lokmat Newspapers P. Ltd.
Nagpur

17. Malayala Manorama Co.Ltd
Kottayam

18. Maurya Publications P. Ltd.
New Delhi

19. Mid-Day Multimedia Ltd.
Mumbai

20. Modi Entertainment Ltd.
New Delhi

21. Naiduniyan News &
Network P. Ltd., Indore

22. Neutral Publishing House Ltd.,
Ranchi

23. Outlook
New Delhi

24. Parsiana Publications
P. Ltd. Mumbai

25. Rajasthan Patrika P. Ltd.
Jaipur

26. RDI Print & Publishing P.Ltd
Mumbai

27. Rifa Publication P. Ltd.
Mumbai

28. Sakal Papers Ltd. Pune

29. Sony Entertainment Television
(I) P. Ltd., Mumbai

30. Star India P. Ltd.
Mumbai

31. The Hindustan Times Ltd.
New Delhi

32. The Mathrubhumi Printing &
Publishing Co. Ltd.,
Kozhikode

33. The Printers (Mysore) Ltd.
Bangalore

34. The Statesman Ltd.
Kolkata

35. TV Today Network Ltd. *
New Delhi

36. Ushodaya Publications
Hyderabad

37. Zee Telefilms Ltd.
Mumbai

***Category C - Advtg. Agencies***

1. Advertising Avenues
Mumbai

2. Advtg & Mktg. Associates
Mumbai

3. Akshar Advtg Ascts P. Ltd.
Bangalore

4. Ambience D'Arcy Advtg. P
Ltd., Mumbai

5. Amol Bose Advertising
Mumbai

6. Art Advertising & Mktg.
(I) P. Ltd., Mumbai

7. Bates India P. Ltd.
Mumbai

8. Canco Advertising P. Ltd.
Mumbai

*** New member**

## *List of Members - As on March 31st, 2003*

9. Carl Advertising Agency Mumbai
10. Carat Media Services (I) Ltd., Mumbai
11. Capital Advtg. P. Ltd. * New Delhi
12. Contract Advtg. (I) Ltd. Mumbai
13. Dacunha Comms. P. Ltd. Mumbai
14. Dynamic Advtg. & Research Team (DART), Mumbai
15. Enterprise Nexus Comms. P. Ltd. Mumbai
16. Equus Advtg. Co. Ltd. New Delhi
17. Euro RSCG Advtg. P. Ltd. Mumbai
18. Everest Integrated Comms. P. Ltd., Mumbai
19. FCB-Ulka Advtg. P. Ltd. Mumbai
20. Fountainhead Comms. P.Ltd Chennai
21. Graphic Arts Industries Bangalore
22. Grey Worldwide (I) P. Ltd. Mumbai
23. Hira Advertising Agency Meerut City
24. iB&W Comms. P. Ltd. Mumbai
25. Interface Comms. Ltd. Mumbai
26. J. Walter Thompson Mumbai
27. Jaya Advertising Agency Mumbai
28. Karishma Advertising Ltd. Mumbai
29. Leo Burnett Mumbai
30. Lintas India (I) Ltd. Mumbai
31. L.A. Advertisers Hyderabad
32. Maa Comms. Bozell Ltd. Bangalore
33. Madison Comms. P. Ltd. Mumbai
34. McCann-Erickson (I) Ltd. Mumbai
35. Mass Mktg. & Advtg. Services P. Ltd., Bangalore
36. Mudra Comms P. Ltd. Mumbai
37. Multimedia Aquarius P. Ltd. Mumbai
38. Nac Advtg. Corporation Mumbai
39. Naren Advtg. & Marketing Mumbai
40. Navnitlal & Co. Ahmedabad
41. Network Advtg. P. Ltd. * Mumbai
42. Ogilvy & Mather P. Ltd. Mumbai
43. Orbit Marketing Ltd. Mumbai
44. Overture Comms. P. Ltd. Mumbai
45. Percept Advtg. Ltd. * Mumbai
46. Prem Associates Advertising & Marketing, Mumbai
47. Publicis (I) Comms. P. Ltd. Mumbai
48. R.K. Swamy BBDO Advtg. P. Ltd., Chennai
49. Radeus Advertising P. Ltd. Mumbai
50. Raka Advtg. & Mktg. P. Ltd. Mumbai
51. Ratan Batra P. Ltd. Mumbai
52. Rediffusion DY&R P. Ltd. Mumbai
53. Relationship Mktg. Group India P. Ltd. Mumbai
54. Roger Pereira Comms. P. Ltd., Mumbai
55. Saatchi & Saatchi Ltd. Mumbai
56. Sai Advertisers Mumbai
57. Seasons Advtg. Associates Mumbai
58. Shutters Advtg. Services Mumbai
59. Sunflower Mktg. & Advtg. Mumbai
60. Swift Intermedia Convergence Ltd. Indore
61. Tata Infomedia Ltd. Mumbai
62. The Flagship Advtg. P.Ltd. Mumbai

*** New member**

## *List of Members - As on March 31st, 2003*

63. Touchstone Advtg. & Mktg. Services, Mumbai

64. Triton Comms. P. Ltd. Mumbai

65. Visesh Advtg. P. Ltd. Bangalore

### *Category D - Allied Profession*

1. Aaren Advtg. P. Ltd. Mumbai
2. Accord Advtg. P. Ltd. * Mumbai
3. Caption Outdoor Advtg. Pune
4. CESC Ltd. Kolkata
5. Clear Channel Comms. India P. Ltd., Mumbai
6. Highlight Films Ltd. Mumbai
7. H.R. College of Commerce & Economics, Mumbai
8. Hi - Marg Signage * Coimbatore
9. Institute of Hotel Cargo & Tourism Management (IHCTM), Mumbai
10. Jamnalal Bajaj Institute of Management Studies, Mumbai
11. Media Representation Intl. New Delhi
12. Narsee Monjee Institute of Management Studies, Mumbai
13. Neonite Corporation Lucknow
14. Paul Media Service New Delhi
15. Pro Video Mumbai
16. R&P Management Comms.P.Ltd., Mumbai
17. Sayani Video Promotions Mumbai
18. Selvel Publicity & * Consultants P. Ltd., Mumbai
19. Telesis Management P. Ltd. Mumbai
20. The Tobacco Institute of India, New Delhi
21. Unique Blocks Mumbai
22. Xavier Institute of Communication Mumbai

*** New member**

# Report of Consumer Complaints Council (CCC)

## Complaints that were Upheld by the CCC
## From April 2002 to March 2003

| Sr. No | Advertiser / Agency / Media | Claim / Description of Ad / TVC | Complaint | ASCI Code/ CCC Decision |
|---|---|---|---|---|

# Intra-Industry Complaints
* ASCI Member

## Advertisements Modified Appropriately / Withdrawn

| | | | | |
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| 1. # | Gangadharam Appliances Ltd (Butterfly Friendly Pressure Cooker)<br><br>Times of India(*), Bangalore (1/2002)<br><br>C.2267 T.T.K Prestige Ltd. | "free friendly senior Deep Pan with Lid worth Rs. 1170/- with Friendly Pressure Cooker without container (7.5 ltr, 10 ltr, & 12 ltr)" | Complaint (received in 2/2002) The price list of the company shows the price of 7.5 ltr cooker, if bought separately, as Rs.1200/-, and the price at which the Deep Pressure pan with lid is available along with the same 7.5 ltr pressure cooker, as Rs. 1725/-. It is evident that the customer has to pay Rs. 525/- for the Deep pressure pan with lid, and the net value of the free offer gift would be Rs. 525/- and not Rs. 1170/-. This is misleading. | April 2002<br>Chapter I.1.<br>Ad false.<br><br>***Advertiser had withdrawn the Ad, before the complaint was referred to them.*** |
| 2. | Angad Automotives Pvt Ltd (A car for your family)<br><br>Times of India(*) (12/2001)<br><br>C.2268 CMSI | Ad shows a picture of a 'Palio' car, and mentions, "Finance available @0% Interest on FIAT Cars". | (Complaint received in 1/2002) The Complainant contacted the Dealer, who said that "the finance is not available for Palio advertised, but conditions apply." Ad is misleading. | April 2002<br>Chapter I.1.<br>Claims, "Finance available @0% Interest on FIAT Cars", and the 'Palio car visual' (each of which does not exclude Palio), false.<br><br>***Ad campaign suspended. Advertiser assured appropriate modification of the Ad in future.*** |
| 3. Suo motu | Tata AIG General Insurance Company Ltd (Shanti Personal Accident Policy)<br><br>C-2277 | Visuals - Numerous travellers clinging to the exterior of the train and standing on the foot-boards precariously. | (Complaint registered in 3/2002) Advertiser should confirm, as to whether an accident to such a traveller would qualify for the discharge of their claim as advertised, considering that such | April 2002<br>Chapter III.3.<br>Ad referred to a dangerous practice. |

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| | Bates India P. Ltd(*)<br><br>Times of India(*), Mumbai (1/2002) | Claim - "up to Rs 1 crore for accidental death on a specified public holiday, only Rs 99 per month"<br><br>C·2277 | travel is not permitted by the Railways. | ***Advertiser assured that said product temporarily withdrawn, and Ad campaign suspended.*** |
| 4.<br># | Bharat Furnishings (Mega Sale on Mega range of Furnishings)<br><br>Sunny Advertising<br><br>Bombay Times, T.O.I.(*) (3/2002)<br><br>The Flagship Advtg. P. Ltd.<br>C·2273 | -- | Complaint (received in 3/2002)<br>The visual in the Ad has been exactly copied from the campaign of 'Shyam Ahuja Limited', which was released in 1998 in various magazines, and also on printed posters, bags, postcards, etc.<br>This act on the part of the advertiser – Bharat Furnishings, and the ad. agency, is very unethical and against the norms of advertising. | May 2002<br>Chapter IV.3.<br>Absence of relevant comments from the Advertiser / Ad. Agency, in respect of the complaint, or in support of prior usage. Visual depiction in the Ad, so similar to another Ad, as to suggest plagiarism.<br><br>***Ad withdrawn.*** |
| 5.<br># | Agro Tech Foods Limited<br>(Sundrop Superlite Refined Sunflower Oil)<br><br>Promotion messages in the phamplet, provided to their Distributors and their Salesmen, and on the Pack<br><br>C·2274<br>Marico Inds. | Pack claims - "new improved",<br>"Superior Refining Technology – this ensures your food absorbs less oil, so that you feel light and active throughout the day".<br><br>Pamphlet in Hindi, (as translated in English), claims –<br>the oil provides the following benefits which are attributable to superior refining technology.<br>"oil does not smoke fast", "food absorbs less oil", "oil can be reused resulting in less absorption of oil by food", "makes food crisper and less oily", "oil does not foam fast". | Complaint (received in 3/2002)<br>There is no clarification on the pack with regard to what constitutes superior refining technology.<br><br>The company has in fact contravened the provisions of Rule 37D of the Prevention of Food Adulteration Rules 1955 (PFA), by using the term "superior refining".<br><br>**Request for Review**<br>Pamphlet referred to a 'distributor contest', and was meant for the exclusive use of their distributors / distributors salesmen as part of an Incentive Scheme/Contest. | May 2002<br>Chapter I.4.<br>Word "lite", misleading by its ambiguity in respect of various characteristics of the product cited in the Pamphlet.<br><br>Claims of "new improved" and "superior refining technology", substantiated, and no apparent contravention of the Rule 37D of the PFA Rules 1955.<br><br>June 2002<br>**Decision on Review**<br>Upheld decision stands.<br>Chapter I.4.<br>Words lite/light, misleading by |

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| | | | | ambiguity. CCC recommended that the words lite/light should refer to specific characteristics of the product, and substantiation for the same should be made available.<br><br>***Distribution of pamphlet to distributors/ Distributors salesmen, discontinued.*** |
| 6. | Birla Sun Life Insurance Company Ltd<br><br>TLG India Pvt Ltd(*)<br><br>Economic Times(*), Mumbai (3/2002)<br><br>C.2278<br>O.R. Rane | "Million Dollar Round Table as the highest possible honour among Insurance Advisors across the world" | (Complaint received in 3/2002) Company is providing misleading information, and is trying to generate mileage. The highest possible honour among insurance advisors is not Million Dollar Round Table, but TOT (Top of the table), followed by COT (Court of table), and then comes MDRT (Million Dollar Round Table). | May 2002<br>Chapter I.1.<br>Claim not true.<br><br>***Advertiser assured that Ad was a one-off campaign, and the same would be modified appropriately, prior to its release in future.*** |
| 7.<br># | Nagajothi Trading Company<br>(Kayakalp Ayurvedic Skin Care soap)<br><br>published in Calendar 2002<br><br>Cosmetics<br>C.2279<br>Chotayil Pharma | Claim in Tamil (as translated in English) – Kayakalp Ayurvedic skin care soap is "No.1 Ayurvedic Bath soap with 23 very rare and extraordinary powerful herbs in India" | (Complaint received in 3/2002) It is a total misrepresentation with an intention to promote business by misleading the general public. | June 2002<br>Chapter I.1.<br>Claim, "No.1" Ayurvedic Bath soap, not substantiated.<br><br>***Advertiser assured that this claim will not be used from now on.*** |
| 8. | Pepsi Foods Ltd(*) (New Slice Mango Drink)<br><br>Hoarding at Prabhadevi, Mumbai<br><br>C.2294<br>Aditya Jaishankar | Hoarding shows a pack of New Slice Mango Drink, with the words, "100% Vitamin C & Calcium". | Complaint (received in 5/2002) 'Slice' does not contain 100% Vitamin C and Calcium.<br>When the complainant enquired with the retailers about this 'new pack' shown on the Hoarding, they were clueless. What was available was only the existing green pack of Slice. | June 2002<br>Chapters I.1 and I.4.<br>Claim, false and misleading.<br>***Ad campaign withdrawn.***<br><br>**Not Upheld** - Complaint regarding non-availability of |

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| | | | | the new product/pack, not supported with specific particulars of the locality of the retail outlet and the location of the Hoarding. |
| 9. | National Diary Development Board (Cooperative Milk)<br><br>Interface Comm(*)<br><br>Sony TV(*)<br>(3/2002)<br><br>C. 2297<br>Dr. H.S. Goyal | Visuals - Buffaloes and cows having some chit chat amongst themselves. One animal says, `E sasura kallu Doodhwale ke doodh mein dirty water mila milakar dene se hum ho gaye hain pareshaan. Tho chalo hum aab doodh cooperative mein denge'.<br>Claim - "shudh aur taaze doodh ki pehchaan, Cooperative ka ye nishan" | (Complaint received in 4/2002)<br>The organised milk marketing agency is trying to claim its supremacy over the unorganised sector engaged in direct distribution of the product to the consumer. The unorganised sector milk producers are the back bone of the milk production of our country, and even the co-operative people purchase their milk from the village based unorganised sector milk farmers.<br>How can the fresh milk be compared with the packaged milk. Further, using hurting language for the `Doodhwala' is highly objectionable. | June 2002<br>Chapters I.1 and IV.1(e).<br>Allegation as cited in the complaint, in respect of individual milk suppliers in the unorganised sector, not supported with factual data from a verifiable and reliable source. Ad also unfairly denigrated another product directly.<br><br>***TVC withdrawn.*** |
| 10.<br>#<br><br>C. 2298<br>FCB ULKA | Maruti Udyog Ltd (Zen-D car)<br><br>Rediffusion DY&R(*)<br><br>The Hindustan Times(*), Delhi (5/2002) | Ad titled - "India's most fuel efficient diesel car", compares the various features of `Zen Diesel' with `Indica Diesel'<br><br>"More power, faster pick-up and better control now for Rs. 3.5 lacs only" (as ex showroom price, Delhi),<br>table mentions that its power steering offers "better control". | (Complaint received in 5/2002)<br>Ad uses factually incorrect data, and resorts to selective comparison by distorting facts.<br>Ad mentions `Indica Diesel', a model which was not available then, since February 2001, after the launch of the `Indica V2', a new model with changed features was introduced.<br><br>The Delhi ex showroom price of Rs. 3.5 lacs is actually for the Zen Diesel model without a power steering.<br>Further, the model of the Indica Diesel compared, is not similar to the Zen Diesel. A fully loaded version of the Indica Diesel (Dlx) with power steering, power windows, rear window defogger, etc, has been compared to a stripped down version of the Zen Diesel, which does not have a power steering. | June 2002<br>**Exparte** (absence of comments from the Advertiser).<br>Chapters I.4 and IV.1(b).<br>Claims, a distortion of facts and misleading.<br>Comparison of features cited in the Ad, conferred an artificial advantage on the Advertiser.<br><br>***Ad withdrawn.*** |

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| | | | The report appearing in Autocar India (August 2000 issue), clearly mentions that the Zen Diesel does not have these features. | |
| 11. # | Dainik Jagran (Bhopal's steadily growing Hindi daily)<br><br>Direct Mailer<br><br>C.2305<br>Dainik Bhaskar | "Dainik Jagran – No.1 India's Best Read Hindi Daily" | (Complaint received in 5/2002)<br>The facts and figures issued by various authenticated agencies like Audit Bureau of Circulations (ABC), Indian Readership Survey (IRS) & National Readership Survey (NRS) does not qualify Dainik Jagran as the No.1 Hindi daily. | June 2002<br>Chapters I.1 and I.4. Claim not substantiated, false, and misleading.<br><br>October 2002<br>**Decision on Review**<br>Upheld decision stands.<br>No justification for a Review of the earlier decision. Report submitted did not support the claim.<br><br>***Circulation of the Mailer discontinued.*** |
| 12. # | Adani Wilmar Ltd (Fortune Refined Soyabean Oil)<br><br>Triton Comm(*)<br><br>The Hindustan Times(*) (11/2001), Grahashobha (1/2002 issue)<br><br>Star Plus(*) (3/2002), Zee TV(*) (3/2002), Aaj Tak(*) (2/2002)<br><br>C.2299<br>Marico Inds. | Press Ad<br>Fortune Oil is "cholesterol free, rich in vitamins and minerals", "contains OMG3 (Omega 3 fatty acids) essential for good health"<br><br>TVC - "a lady who, not impressed by the pack of Fortune Refined Soyabean Oil, goes back to return the same to the shopkeeper. On her way, she meets four people talking about the following different health benefits of Omega 3: "keeps the diabetes in control", "keeps eyes healthy", "gives nutrition to the unborn child" and "keeps the heart healthy". | (Complaint received in 5/2002)<br>Ad is objectionable since it is violative of the statutory provisions of PFA Act, 1954 and Rules, which covers labeling of edible oils and fats.<br>Claim, "cholesterol free" is ambiguous and would mislead any gullible consumer.<br>Claim of "rich in vitamins and minerals" is again full of ambiguity. | July 2002<br>**Upheld.**<br>Chapter I.1. Claims not substantiated in respect of ICMR's. recommended daily allowance of vitamins and minerals.<br>***Press Ad modified.***<br><br>**Not Upheld.**<br>Claims not false or misleading. |

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| 13. # | NIIT Ltd(*) (Futurz Career Programs)<br><br>Contract Advtg(*)<br><br>Times of India(*), Mumbai (5/2002)<br>Deccan Herald(*), Bangalore (5/2002)<br>Times of India(*), New Delhi (5/2002) | "Almost 3 times more students enroll at NIIT than any other institute"<br><br>C.2306<br>Aptech | (Complaint received in 6/2002)<br>The source cited for the claim is 'The Economic Times, 6 May 2002'.<br>This claim is contradictory to the facts of the case as well as the article cited.<br>Advertiser needs to substantiate this claim. | July 2002<br>Chapter I.1.<br>Claim not substantiated.<br><br>***Ad campaign ended.*** |
| 14. # | Aptech Training Ltd(*) (ACCP World Program)<br><br>Overture Comm(*)<br><br>Times of India.(*), New Delhi (5/2002) | "World's No.1"<br>fine print - "with presence in 52 countries across 5 continents"<br><br>C.2308<br>NIIT | (Complaint received in 6/2002)<br>Claim has been presented step-wise, presumably to mislead the students, to avoid their reading the fine print. This claim is baseless. | July 2002<br>Chapter I.1.<br>Claim not substantiated.<br><br>***Advertiser assured appropriate modification of the Ad, in future.*** |
| 15. | Heinz India Ltd(*) (Nycil Prickly Heat Powder)<br><br>Multimedia Aquarius(*)<br><br>Sony(*), Star(*), Zee(*) (5/2002)<br><br>Cosmetics | "Sirf Nycil mein hain Chlorphenesin".<br><br>C.2310<br>Suhas Joshi<br><br>**Suo motu Complaint**<br>Claim on Nycil pack (mfd. March 2002) – "Because only Nycil contains Chlorphenesin, an effective anti-bacterial and anti-fungal agent" | (Complaint received in 6/2002)<br>Claim is baseless, as there are products available with the same ingredient, eg. 'Dr. Smyle Prickly Heat Powder'.<br>**(One similar complaint received against the same TVC).** | July 2002<br>Chapter I.1.<br>Claim false.<br>***Claim modified.***<br><br>Chapter I.1.<br>Claim on pack, false.<br>***Claim modified.*** |
| 16. | Shriram Chits (Bangalore) Pvt Ltd (Shriram Chits – Ugadi Celebrations)<br><br>Times Of India(*) (4/2002)<br><br>C.2313<br>S.R. Krishnan | "By rendering unmatched services and offering unequalled benefits, Shriram Chits has fulfilled the diverse saving & borrowing needs of the subscribers",<br>"Having disbursed over Rs. 8,000 crores as prize money, Shriram Chits today is a household name across 4 States and is the | (Complaint received in 6/2002)<br>Claims need to be substantiated, with elaboration of the basis on which these claims have been quantified and extrapolated. | July 2002<br>Chapter I.1.<br>Claims not substantiated.<br><br>***Ad withdrawn.*** |

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| | | foremost Chit company in the Country with an Auction Turnover of over Rs. 2,500 crores". | | |
| 17. | Hindustan Lever Ltd(*)<br>(Pepsodent 2 in 1 Germicheck Plus with `G.I.Joe' component)<br><br>Promotion message on the pack<br><br>C.2316<br>Anjali Sohani | "150g + 100g & G.I.Joe worth Rs.72. Save Rs.81" | (Complaint received in 6/2002)<br>As a consumer, the complainant has no means to verify whether the normal price of `G.I.Joe' toy is Rs.72/- as claimed on the pack. No retail price is printed on the toy.<br>This pack also does not indicate the name and address of its manufacturer, from whom one can verify whether the normal price of the same is Rs.72/-.<br>It is misleading to state that the consumer buying the product along with G.I.Joe toy will save Rs.81/- ie. Rs.56/- on account of `G.I.Joe' toy and Rs.25/- on account of `Pepsodent 2in1'. | July 2002<br>Chapters I.1 and I.4.<br>Table of prices and related savings as stated on the pack, false and misleading, in respect of the `G.I.Joe' component. Pack of `G.I.Joe' itself misleading by omission of essential particulars such as name and address of supplier, and price of the item.<br><br>***Promotion message in respect of price/saving break-up, modified.***<br>***`G.I.Joe' pack, modified.*** |
| 18. | Hindustan Lever Ltd(*)<br>(Pepsodent 2-in-1 Toothpaste)<br><br>Lowe(*)<br><br>Star Plus(*)<br>(7/2002)<br>children<br>C.2322<br>Association Consumers | Visuals - A child declares that he uses `Pepsodent 2-in-1 toothpaste' 10, 20, 40, 30, and even 100 times a day just because he can possibly win a `G.I. Joe' prize. | (Complaint received in 7/2002)<br>Ad is objectionable as it encourages a disregard for personal safety, particularly by minors. Too frequent brushing of teeth, with a toothpaste, which is a cocktail of chemicals, is not in user's interest. | October 2002<br>Chapters III.2 & 2(b).<br>Ad exploited the vulnerability of children, and featured a hazardous act which could cause harm or injury.<br><br>***Advertiser assured appropriate modification of the TVC.*** |
| 19.<br># | J.K. Industries Ltd(*)<br>(JK Tyre – The No.1 tyre manufacturer)<br><br>Contract Advertising(*)<br><br>Times Of India(*), Mumbai<br>(7/2002)<br><br>C.2329<br>MRF Ltd. | "No.1 four-wheeler tyre manufacturer – 20.8% share" | (Complaint received in 8/2002)<br>The figures quoted by JKI are false and misleading when one refers to ATMA Indian Tyre Industry Statistics, the only tyre industry source, for the period April 2001 – March 2002.<br><br>ATMA report does not have a classification titled "four-wheeler". In the absence of this | October 2002<br>Chapter I.4.<br>Claim, "JK Tyre – The No.1 tyre manufacturer", misleading, since the source mentioned was "ATMA" which in its publication cited, did not have a specific classification |

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| | | | classification, the only figure that may be considered to justify the claim "largest or No.1 tyre manufacturer" is the total tyre production.<br>The difference between MRF and JK production in the very period quoted by JKI i.e. April 2001-March 2002, is a staggering 74,30,878.<br><br>The LCV tyres share of JK at 23% is wrong. The LCV Production figures of ATMA mentions MRF's share as 19% whereas JK is only 18%.<br><br>The passenger radial figures are not provided by ATMA. In its absence the passenger car tyres figures published by ATMA may be taken into account.<br>MRF's production is more than JK by 2,60,132 for the period April 2001-March 2002. | for "four wheeler tyres". Claim did not appear to convey to the consumers that 'Vikrant Tyres' would be clubbed with J.K.Tyres. Various claims cited in the complaint, not substantiated.<br><br>***Advertiser assured appropriate modification of the Ad.*** |
| | | "No.1 in exports – reaches out to 60 countries across continents" | Claim is false. JK has not quantified its claim. JK's share of tyres exported is only 13.51%, whereas MRF's share is 23.58%. | |
| 20.<br>#<br>Hair Product<br>C·2330<br>Marico Inds. | Hindustan Lever Ltd(*)<br>(Ayush Hair Poshak Oil)<br><br>Jaya channel (7/2002),<br>Raj TV (7/2002),<br>Sun TV (7/2002) | Voice over - "Ayurvedic nourishing oil reduces hair fall within 3 weeks. New Ayush Genuine Ayurveda, proved product of Hindustan Lever".<br>A comparison of two oils is made by depicting the combs ('blue' coloured and off 'white' coloured) above the pack shot of the oils. Not a single strand of hair is shown in the off white comb above the bottle of Ayush, and lot of hair is shown entangled in the blue comb above the other bottle. | (Complaint received in 8/2002)<br>Complainant has strong objection since the other bottle shown in comparison with Ayush is that of 'Parachute'. The unique flip top cap clearly distinguishes Marico's Parachute Brand of product from a host of other coconut oils, which are packed and marketed in blue bottles.<br><br>Ayush have denigrated the Parachute product without any supporting data or evidence which establishes that hair fall can be reduced by Ayush within three weeks, but not by coconut oils. | <u>October 2002</u><br>Chapter IV.1(e).<br>Ad unfairly denigrated other products directly.<br>***TVC modified.*** |
| 21.<br>#<br>C·2323<br>Tobacco Institute<br>Cigarette/Tobacco | Tirven Consumer Products Ltd<br>(Click Tobacco) | "Click – safer tobacco alternative", and "..... has significantly lower health risks than | (Complaint received in 7/2002)<br>Ad is misleading, disregards fairness in competitive claims, distorts facts by means of | <u>October 2002</u><br>Chapter I.1.<br>Claims not substantiated. |

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| | Ambience D'Arcy Advertising(*)<br><br>Times of India(*), Mumbai (3/2002), Indian Express(*), Mumbai (3/2002), Outdoor Hoardings at various locations in Mumbai, Bangalore, Hyderabad, Pune, and other cities | cigarettes. Four independent scientific studies found no associationbetween Swedish Snus and cancer". | implications and omissions, is an avowed and obvious untruth, unfairly denigrates other tobacco products, especially cigarettes.<br><br>**(One similar complaint received against the same Ad)** | ***Ad campaign concluded.*** |
| 22. # | Jyothy Laboratories (Jeeva Ayurvedic Soap)<br><br>Situations<br>The Hindu(*) (8/2002) | "An Ayurvedic soap so good, it is 27 times better than any other". | (Complaint received in 8/2002)<br>Ad does not offer any substantiation for this claim.<br>It is an attempt to mislead consumers into believing that by having 27 herbs, Jeeva becomes 27 times better than any other soap. | October 2002<br>Chapter I.1.<br>Claim false.<br><br>***Ad modified.*** |
| 23. | Jagatjit Industries Limited (AC Black Apple Juice)<br><br>Joint Communications Asia Pacific<br><br>Zee TV(*) (8/2002) | Visuals - AC liquor bottle and pack | (Complaint received in 8/2002)<br>Ad violates the ASCI Code since it indirectly promotes a Aristocrat liquor product (AC Black ). | October 2002<br>**Exparte** (absence of comments from the Advertiser).<br>Chapter III.6.<br>('Ads for products whose advertising is prohibited or restricted by law or by this Code must not circumvent such restrictions by purporting to be Ads for other products the advertising of which is not prohibited or restricted by law or by this Code').<br><br>***Advertiser assured appropriate modification of the TVC.*** |
| 24. | Bharti Cellular Ltd (Airtel Mobile Service)<br>Rediffusion DY&R(*)<br><br>Times of India(*), Mumbai (7/2002) | "Incoming calls free from Airtel to Airtel across the country. Now, ask anyone to call you from anywhere". | (Complaint received in 8/2002)<br>Ad does not inform the consumers at large that Airtel mobile services work on dual band handsets only, and not on single band handsets, in Mumbai. | October 2002<br>Chapter I.4.<br>Ad misleading.<br><br>***Ad modified.*** |

Cosmetics

C·2337

~~IHCTAA~~ Fountainhead Comm.

C·2340

Consumer Guidance Society

Obscenity

C·2341

Sunil Bhatia

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| 25. # | Dabur India Ltd(*) (Pudin Hara G)<br><br>Mudra Communications(*)<br><br>Sony TV(*)<br>Star Plus(*)<br>(6/2002)<br><br>C.2342<br>Glaxo Smithkline | "Pudina Satva jo acidity kho thanda kar de", (as translated in English) – "Pudina Satva relieves acidity". | (Complaint received in 8/2002)<br>Complainant questions the veracity of this claim. Pudina Satva, an herbal extract, is medically not known to have acid neutralising properties. To provide a rational basis for any medical claim, the ingredient in drug should be medically recognised to be giving the claimed benefit. In Pudin Hara G, the content of Pudina Satva is merely 0.03 gram which is half a percentage of the total weight of 5.5g powder. This does not appear to substantiate the claimed benefit. | October 2002<br>Chapter I.1.<br>Claim not substantiated.<br><br>***Claim in the TVC, modified.*** |
| 26. | Plasma – Plastic Manufacturers Association (Plastic Industry)<br><br>Modern Advertising<br><br>Dinamani, Chennai (5/2002)<br><br>C.2332<br>Citizen Consumer | Ad in Tamil, (as translated in English), states – "Plastic related Industries - 5000, Direct employees – 4 lakhs, Indirect employees – 5 lakhs, People who benefit from this industry – Crores"<br><br>"There is no restriction on buying or selling plastic bags or articles" | (Complaint received in 8/2002)<br>Ad does not appear to represent true figures, and the information appears to be unsubstantiated, and misleading, without the proper 'source' for the information.<br>As per the survey made by The Tamil Nadu Pollution Control Board -<br>Number of plastic manufacturing and recycling units in Tamil Nadu is 504, Number of people employed is 6454 (Source: 'Plastic Hazards' – Frontline magazine - June 7, 2002).<br><br>This is incorrect. The Recycled Plastic Manufacture and Usage Rules (1999) clearly prohibits the manufacture, sale and use of carrybags less than 20 micron thickness. | October 2002<br>**Exparte** (absence of comments from the Advertiser).<br>Chapter I.1.<br>Claims not substantiated. Claim in Tamil, (as translated in English), "There is no ban on buying or selling plastic bags and plastic goods", false.<br><br>***Ad, one-time insertion. Concerned Media assured that the Ad will not be carried by them.*** |
| 27. # | The Mathrubhumi Printing & Publishing Co Ltd(*) ("Come Onam, everybody in Kerala thinks only about shopping")<br><br>Maitri Advtg Works P. Ltd<br><br>Brochure C.2333<br>Malayala Manorama | The Mathrubhumi Daily is the "fastest growing Malayalam daily" | (Complaint received in 8/2002)<br>Mathrubhumi have mentioned the readership in 10,000s whereas it should actually have been in 1,000s. They have also mentioned that Malayala Manorama has a drop of 3, which means that Malayala Manorama had a drop of 30,000 readers, against which, they are claiming a growth of 17,10,000 readers.<br>Malayala Manorama never had a | October 2002<br>Chapter I.1.<br>Claim, The Mathrubhumi Daily is the "fastest growing Malayalam daily", not substantiated.<br>Claim, "Cumulative Reach – adding Mathrubhumi over Malayala Manorama gives an incremental |

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| | | | drop of even 3000 readers, but a growth of 97,000 readers, and have grown from 92,28,000 to 93,25,000 (IRS 2000 Round 2 and IRS 2001 Round 2). | reach of 26%", false.<br><br>***Circulation of the Brochure discontinued.*** |
| | | "Cumulative Reach" - "adding Mathrubhumi over Malayala Manorama gives an incremental reach of 26%" | Mathrubhumi have given the reach figure as 28% for Mathrubhumi, 38% for Manorama, and 54% for Mathrubhumi + Manorama.<br>The incremental reach is only 16% (54-38). The Brochure does not mention the source for this claim. | |
| | | "Tell 75.4 lakhs of them about your product" - Source - NRS 2001. | As per NRS 2001, Mathrubhumi readership is only 73.37 lakhs. | |
| 28.<br><br># | Malayala Manorama(*)<br>("Largest circulated language Daily in India")<br><br>Hoardings displayed at Kottaym Railway Station (25-29 July 2002)<br><br>C.2334<br>Mathrubhumi Pty. | "Malayala Manorama – largest circulated language Daily in India" | (Complaint received in 8/2002)<br>As per ABC January-June 2001, Dainik Bhaskar has 13,61,806 copies, and Malayala Manorama has 12,33,974 copies. Their circulation is 12,43,434 copies during July-December.<br>The displayed boards do not contain the source for their claim. | <u>October 2002</u><br>Chapter I.1.<br>Claim false.<br><br>***Advertiser had removed the claim from the signage boards, in most other locations, much before receiving the complaint, with few exceptions.*** |
| 29.<br><br># | Softel Marketing Pvt Ltd<br>(MinerWa Domestic Mineral Water Machine)<br><br>Sandesh, Ahmedabad (7/2002)<br><br>C.2338<br>Triton Communications | Ad (in Gujarati), generalises the chemical constituents in water, popularly called `mineral salts' as `harmful agents' | (Complaint received in 8/2002)<br>This is untrue and misleading.<br>Most drinking water (ground or surface water) has these chemical constituents but well within limits. Health related problems occur when these chemical constituents are present in very high concentration, and only after prolonged consumption - this is not specified in the Ad. | <u>October 2002</u><br>Chapters I.1 and I.4.<br>Claims, "Only Softel's MinerWa Mineral Water Machine removes hazardous elements like salt deposits, fluoride, heavy metals from water, besides wiping out disease spreading bacteria, virus, and pollutants", and "Heavy Metals (calcium and magnesium) cause Kidney Stone", false and misleading. |
| | | "Impurities in water cause diseases of the abdomen", "calcium and magnesium present in drinking water cause kidney stones" | It is not precise on the impurities or on the diseases of the abdomen that ensue. However, neither IS: 10500 nor the WHO Guidelines for Drinking Water Quality 1993 suggest that such problems arise. | |
| | | "Only Minerwa mineral water machine kills the disease causing bacteria & virus in the water. It | Claims need to be substantiated with tests/trials reports from an independent recognised testing institution. | ***Advertiser assured appropriate modification of the Ad.*** |

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| | | also removes impure agents such as alkaline, fluoride & heavy metals from the water and makes your drinking water pure like mineral water and that too at a nominal cost" | | |
| 30. | Pepsi Foods Ltd(*) (Pepsi)<br><br>Hoarding in Chennai<br><br>C.2345<br>G. Soundara Pandian | A Tamil film personality removes the cap of a bottle of "Pepsi" with his teeth. | (Complaint received in 9/2002)<br>Opening any soft drink bottle by mouth is not a good practice, it is harmful for the mouth. Because Pepsi is displaying such Ad, children may emulate this to open the soft drink bottle by mouth and may harm themselves. | October 2002<br>Chapter III.3.<br>Ad showed a dangerous practice, manifested a disregard for safety, and encouraged negligence.<br><br>***Advertiser assured appropriate modification of the Ad.*** |
| 31. | Jagatjit Industries Limited (AC Black Apple Juice)<br><br>Joint Communications Asia Pacific<br><br>Zee TV(*), Sony TV(*) (8/2002) | Visuals - A man is drinking (Beverage), and a smart girl is sitting in front of him. As he sips the (Beverage), he looks at the girl through the glass in his hands, and each time, the dress of the girl keeps reducing. And as he takes the last sip, his own shirt opens, and the caption displays "kuch bhi ho sakta hai".<br><br>Ashok kumar Sharma | (Complaint received in 8/2002)<br>Ad is vulgar, and has very adverse effect over our society and culture.<br><br>C.2346 | October 2002<br>**Exparte** (absence of comments from the Advertiser).<br>Chapter II.<br>Ad likely to cause grave or widespread offence.<br><br>***Advertiser assured appropriate modification of the TVC.*** |
| 32. | Castrol India Ltd(*) (Magnatec GTX Engine Oil)<br><br>Ogilvy & Mather(*)<br><br>BBC (9/2002) | Visuals – A presumably grief-stricken man crying over his dead engine in a Christian cemetery, complete with the Crucifix gravestone and the works.<br><br>C.2347<br>Capt. N.A. Patel | (Complaint received in 10/2002).<br>Ad is offensive. | October 2002<br>Chapter II.<br>Prominent depiction of a 'cross' in the Ad, likely to cause grave offence to a particular identifiable community.<br><br>***TVC withdrawn.*** |
| 33.<br><br>\# | Escorts Limited (Powertrac 435 Tractor)<br><br>Headstart Advtg And Mktg | 'Powertrac 435' is the most fuel efficient model of tractor amongst the tractors mentioned in the Ad.<br>In comparison, 'Mahindra 275 DI' tractor is the least fuel efficient, and the<br><br>C.2335<br>Mahindra & Mahindra | (Complaint received in 8/2002)<br>Ad is misleading, ambiguous and exaggerated. It misrepresents, denigrates and suffers from key omissions.<br>It relies on incorrect method of establishing fuel efficiency of tractors. | November 2002<br>Chapter I.1.<br>Claims on fuel efficiency, cited in the complaint, false.<br><br>***Ad withdrawn.*** |

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| | Dainik Bhaskar(*) (6/2002)<br>Dainik Jagran (6/2002)<br>Deshbandhu (6/2002) | owner of Mahindra 275 DI tractor would be required to spend Rs. 21,232/- p.a. extra on diesel, as compared to the Powertrac 435 model. | | |
| 34.<br>#<br>C.2351<br>Maruti | Fiat India Limited (Fiat Palio)<br>TLG India Pvt Ltd(*)<br>Times of India(*), New Delhi (9/2002) | "Competition exists for one reason alone. To be beaten".<br>Fiat Palio is the "cheapest car to maintain and repair", the "cheapest car for frequently replaced body parts", and the "cheapest car to service", amongst the small cars compared in the Ad. | (Complaint received in 10/2002)<br>Ad gives incomplete, misleading and distorted information to the general public. Ad relies upon the findings documented and published in the Overdrive magazine (April 2002). However, the findings in the same article show that various models of small cars manufactured by Maruti Udyog Ltd, and other manufacturers, are cheapest to maintain and repair, cheapest for frequently replaced body parts and cheapest to service in comparison to Fiat Palio. | November 2002<br>Chapter I.1.<br>Claim of, "cheapest car" in relation to the functions/ maintenance cited, without any qualification of the specific car models under reference, considered false.<br>***Ad withdrawn.*** |
| 35.<br>C.2356<br>Ramakrishnan | Hindustan Lever Ltd(*) (Surf – KidStains Challenge (Juice))<br>Lowe(*)<br>Tamil regional channel (Podhigai) of DD (10/2002) | Visuals - Two young boys seated on a park bench. Smaller boy is reading a book, and another obese boy is sitting next to him noisily sucking with a straw, some orange drink. Big boy nudges close to the small boy and peeps at the book, still noisily sucking at the drink. Small boy asks the big boy "Do you have KidStains Detergent at home?", and on this the big boy replies "No". Immediately the small boy spills the drink on the big boy's shirt causing a large stain, and walks away | (Complaint received in 10/2002)<br>Such Ads should be condemned especially considering how impressionable the young ones are, and they imitate what they see in the TV Ads. | December 2002<br>Chapter III.2(b).<br>Ad addressed to minors, exploited their vulnerability, and featured a hazardous act, which was likely to encourage minors to emulate such act in a manner which could cause harm or injury.<br>***TVC withdrawn.*** |

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| 36. | Herbie Foods (Diabfit Nutritional Supplement for Diabetics)<br><br>Puja Advertising<br><br>Times of India(*) (10/2002)<br><br>Drugs/Medicine<br>C.2357<br>Dr. H.C. Shah | "Diabfit is a Vegetarian Nutritional Supplement & is not a medicine",<br>"helps in Glucose and Insulin Metabolism",<br>"strengthens the immune levels",<br>"helps in diabetic complications and ensures a healthier life for Diabetics",<br>"Diabfit can also be consumed by Non-diabetics for health & fitness". | (Complaint received in 10/2002)<br>Advertiser needs to substantiate these claims with clinical tests/trials reports from an independent recognised testing institution. | December 2002<br>Chapter I.1.<br>Claims, "helps in Glucose and Insulin Metabolism", "strengthens the immune levels", "helps in diabetic complications and ensures a healthier life for Diabetics", not substantiated.<br><br>***Advertiser has amended the Ad following an objection raised by the Commissioner of Food & Drug Control, Gujarat.*** |
| 37. | Promoting Healthy And Active Life (PHAL)<br>(Sugar)<br><br>eg. Communications<br><br>The Hindu.(*)<br>(9/2002)<br><br>C.2360<br>Naresh Purushotham | "Now it is scientifically proved that lack of sugar hinders mental growth. Just a little bit of sugar in your kid's life and you will find most of his problems are easy lick",<br>"Derived from sugarcane, sugar is completely natural",<br>"Being a carbohydrate, sugar is a critical source of energy for the human body",<br>"Sugar sustains stamina at sports to give that winning edge",<br>"Sugar kindles not only the body and the mind but the spirit as well". | (Complaint received in 11/2002)<br>Advertiser is promoting sugar as healthy and falsely recommending consumption of sugar. The world over, research has proven that consumption of sugar is harmful to the body's metabolism. | December 2002<br>Chapters I.1 and I.4.<br>Claim, "it is scientifically proved that lack of sugar hinders mental growth", not substantiated.<br>Claims, "just a little bit of sugar in your kid's life and you will find most of his problems are easy lick", and "being a carbohydrate, sugar is a critical source of energy for the Human body", an exaggeration.<br>Claim, "Sugar kindles not only the body and the mind but the spirit as well", ambiguous and misleading.<br><br>***Ad, one-time insertion.*** |
| 38. | Novartis (India) Ltd(*)<br>(Calcium Sandoz)<br><br>Euro RSCG Advertising(*)<br><br>Fun Times<br><br>Children<br>C.2363<br>~~CEARS~~<br>CERC | <u>Press Ad</u><br>"children need more than 4 cups of milk every day for their daily requirement of calcium",<br>"children need more than 25 eggs to meet their daily calcium | (Complaint received in 11/2002)<br>Novartis is leading viewers/readers to believe that it is not possible to meet their daily calcium requirement. They should stop making these misleading statements which exploit the natural credulity of children and | December 2002<br>Chapters I.4 and III.2(b).<br>Ad misleading by ambiguity, thereby exploiting the natural credulity of children and their lack of |

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| | (Sept-Oct 2002)<br><br>Sony Max(*)<br>(11/2002) | requirement",<br>"children need to eat at least 15 bananas daily to meet their daily calcium requirement"<br><br>TVC<br>A boy sitting in front of a plate of food. Then a voice says that, to get his daily requirement of calcium, he will have to eat 186 bananas. The boy then throws away the bananas. The voice then says that, "two Calcium Sandoz tablets will satisfy the requirements of calcium".<br>Other versions of the TVC state the same thing about 46 eggs or 4 glasses of milk being insufficient. | their lack of experience.<br><br>Ad is misleading. A person needs many more nutrients other than calcium, and a balanced diet will provide all these. The Ad seeks to create an impression that milk, eggs, or fruits that have a pride of place in a balanced diet are to be thrown away, in exchange for two calcium tablets. | experience.<br>Ad encouraged children to discard nutritional foods which provide a wide range of nutritional requirements.<br><br>***Ad withdrawn from 'Fun Times'.***<br>***TVC withdrawn*** |
| 39.<br># | GTC Industries Limited<br>(Chancellor Harvard Luxury)<br><br>Confluence Communication<br><br>Outdoor Hoardings in Kolkata<br>(on and after 1st November 2002) | Chancellor Harvard Luxury is "Bengal's No.1", and "the favourite smoke of over 9 million for the past 10 years" | (Complaint received in 11/2002)<br>Claims are false and a distortion of facts. Such claims ought to be objectively ascertainable based on studies and figures.<br>Market studies conducted by Indian Market Research Bureau (IMRB), shows that during 1995 to 2002, Chancellor Harvard Luxury has not been No.1 cigarette brand in the state of West Bengal.<br>Further, it will appear prima facie from the figures of IMRB that the claim of "over 9 million" smokers is highly exaggerated. | <u>December 2002</u><br>Chapter I.1.<br>Claims not substantiated.<br><br>***Advertiser assured removal of this Ad from outdoor Hoardings.*** |
| 40. | Hindustan Lever Ltd(*)<br>(Surf – KidStains Challenge (Ketchup)<br><br>Lowe(*)<br><br>Star Plus(*)<br>(11/2002) | Visuals - a child throws food (beverage/ketchup) on another boy's shirt, and says, "tumhare ghar mein Surf hain?" | (Complaint received in 11/2002)<br>Soiling someone else's clothes with a coloured food, that too deliberately, is a form of ragging which could give rise to quarrels and fights among children. | <u>January 2003</u><br>Chapter III.2 (b).<br>Ad addressed to minors, exploited their vulnerability, and featured a hazardous act, which was likely to encourage minors to emulate such act in a manner which could cause harm or injury.<br><br>***TVC withdrawn.*** |

C.2364
ITC Ltd.
Cigarette/Tobacco

Children
C.2366
Yogini Mishra

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| 41. | Hindustan Lever Ltd(*)<br>(Surf – KidStains Challenge (Ink)<br><br>Lowe(*)<br><br>DD Sports<br>(11/2002)<br><br>C . 2367<br>Mr. N. Gajanan | Visuals - a girl throws ink on the uniform of her schoolmate travelling in a bus.<br>Ad gives a promotion message for `Kidstains Challenge' by Surf detergent powder. | (Complaint received in 11/2002)<br>Ad could create quarrels between children. | January 2003<br>Chapter III.2(b).<br>Ad addressed to minors, exploited their vulnerability, and featured a hazardous act, which was likely to encourage minors to emulate such act in a manner which could cause harm or injury.<br><br>***TVC withdrawn.*** |
| 42. | Career Launcher India Limited<br>(Personality Development Program (PDP)<br><br>Times of India(*), Chandigarh<br>(12/2002)<br><br>C . 2369<br>Surender kumar | "13 out of 19 students who have made it to IIM's last year from Chandigarh were from Career Launcher" | (Complaint received in 12/2002)<br>Claim is false, unsubstantiated by facts, and misleading to the students.<br>The IIMs, the agencies conducting this test, never reveal the number of candidates getting selected from a particular city or a test centre. | January 2003<br>Chapter I.1.<br>Claim not substantiated. CCC considered that the said Ad has been modified.<br><br>**Suo motu Complaint** against the modified Ad - **Upheld**<br>Chapter I.1.<br>Same claim with an explanatory note – "to the best of the knowledge of Career Launcher", not substantiated.<br><br>***Ad modified.*** |
| 43.<br><br># | Godrej Agrovet Ltd<br>(Godrej Real Good Chicken)<br><br>Mudra Communications(*)<br><br>Times of India(*)<br>(11/2002)<br>Hoarding in Mumbai<br><br>C . 2370<br>Triton Communications | "Godrej Guarantee, Real Good Chicken is tastier and healthier than any other chicken",<br>"Tender, Fresh Chicken",<br>"Fresh Chicken". | (Complaint received in 12/2002)<br>Claims are factually incorrect and misleading.<br>Claim of their chicken being more tasty than any other chicken is certainly baseless unless, there is a survey or some authentic research to prove the same.<br>As far as healthier is concerned, Godrej chicken is healthier than chicken bought off the street. However, there is no way in which it can be healthier than Venky's chicken, since Venky's fresh chicken is available in vacuum sealed packs in order to reduce the amount of bacteria, whereas | January 2003<br>Chapter I.1.<br>Claims, "Godrej Guarantee Real Good Chicken is tastier and healthier than any other chicken", "Real Good Chicken – the best quality chicken in the world", and "Tender, Fresh Chicken", not substantiated.<br><br>***Ad modified in respect of claims, "Godrej Guarantee Real Good Chicken is tastier and*** |

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| | | | Godrej does not have this kind of packaging. | ***healthier than any other chicken", "Real Good Chicken – the best quality chicken in the world". Claim, "Tender, Fresh Chicken", yet to be modified.*** |
| 44. # | Kitchen Appliances India Ltd (Kenstar Water Purifier) Leaflet | Replacement cost of filter candle in 1 year – Kenstar Ultracare – Nil, Forbes Designa – 750/- | Complaint (received in 12/2002) Claims are false. Claim on replaced cost is baseless and unsubstantiated as the product, Forbes Aquaflo Designa, has only recently been introduced. Any comment on replacement is premature. | January 2003 Chapter I.1. Claims in respect of "Replacement cost of filter candle in 1 year", and "Descaling / Maintenance cost in 1 year", with reference to the other brand – 'Forbes Designa', false. |
| | C-2371 Triton Communications | Descaling / Maintenance cost in 1 year - Kenstar Ultracare – Nil, Forbes Designa – 750/- | A 100 gm pack of citric acid, costing Rs.40, is provided with Forbes Aquaflo Designa that can be used to descale the unit free of cost. This pack lasts approximately for a year. This renders the claim to be untrue. | ***Ad (leaflet) withdrawn from 24th September 2002, on the direction of the MRTPC, and the Leaflet released subsequently, does not mention such comparisons.*** |
| | | Electronic Eye (Purity Sensor) – Kenstar Ultracare – yes, Forbes Designa – No<br>By-pass switch – Kenstar Ultracare – yes, Forbes Designa – No | Forbes Aquaflo Designa is equipped with an Aqua Quality Check System, (with the help of a photoresistor) that is a fail-safe mechanism. In the event of a fault or failure of the UV lamp, the unit will shut off automatically. Hence, impure water will not flow.<br>Forbes Aquaflo Designa has a bypass switch that has been provided strictly to flush/clean the dual filter without removing it from the unit. In fact, end users are advised not to consume water whilst the unit is in the flush mode. Kenstar mentions in its user manual that, "whenever the Kenstar Ultra Care Water Purifier shuts off through its intellibloc sensor because of poor water quality, you can flush out the impure water just by pressing the bypass switch until pure water begins flowing. So much more convenient than other water purifiers wherein you have to open the unit for draining the bad water and restore the water supply again" | |

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| 45. # | Grewal Eye Institute (Allegretto Wave Lasik)<br><br>The Hindustan Times(*) (9/2002) | "The one machine that is ideally suited for Indian eyes"<br><br>"Allegretto Wave Lasik has given the best results in FDA trials" | Complaint (received in 12/2002)<br>There is no evidence to support this claim.<br><br>This machine is not FDA approved, which could be misleading to indicate FDA approval.<br>An article from the news report that has been highlighted in the Ad, is an opportunistic way of misleading consumers. | January 2003<br>Chapter I.1.<br>Claims not substantiated.<br>The reference made to a newspaper report, as cited in the Ad, did not amount to substantiation of the claims, in the absence of authentic certification by a recognised independent expert / institution.<br><br>***Ad withdrawn.*** |
| 46. # | Dehradun Laser Eye Center (Pvt) Limited (Wave Lasik Laser)<br><br>Times of India(*) (11/2002) | "World's most advanced Lasik Laser for customised vision correction" | (Complaint received in 12/2002)<br>There is no evidence to prove that this is world's most advanced Lasik. In fact, the machine is not approved by FDA too.<br>The use of the word `customised' is misleading to the consumers in the absence of clear evidence in support of this claim. | January 2003<br>Chapter I.1.<br>Claim not substantiated.<br><br>***Ad claim modified.*** |
| 47. # | Swedish Match Consumer Products Ltd (Click Flavoured Tobacco)<br><br>Madison Comm(*)<br><br>Mid Day(*) (11/2002) | Click "stimulates your senses slowly, and the pleasure lasts for a long time", "Independent scientific studies found no association between Swedish Snus and cancer (for sources and more information, visit: www.gothiatek.com)", "The smarter choice", "Statutory Warning: Tobacco is injurious to health. Not for minors, Not for chewing". | Complaint (received in 12/2002)<br>Ad is misleading, disregards fairness in competitive behaviour, distorts facts by means of implication and omission, suppresses more than two dozen International and Indian studies which have shown a correlation between the use of smokeless tobacco and various diseases (including cancer) and `cherry-picks' obscure studies (which have not been referenced by `source' and `date')<br><br>By an earlier decision of the Consumer Complaints Council (CCC), a similar complaint was Upheld, since the CCC clearly found that the claims, "four independent scientific studies found no association between Swedish Snus and Cancer", were not substantiated. | January 2003<br>**Exparte** (absence of comments from the Advertiser).<br>Chapter I.1.<br>Claims, "The smarter choice", and "Independent scientific studies found no association between Swedish Snus and cancer", not substantiated adequately.<br><br>***Advertiser assured appropriate modification of the Ad.*** |

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| 48. | Nirma Industries Limited(*)<br>(Super Nirma Detergent Cake)<br><br>Purnima Advertising<br><br>Sony TV(*)<br>(12/2002)<br>Star Plus(*)<br>(12/2002) | Visuals - a child washing stains on his shirt. Having succeeded in removing the stains, he implants 2 kisses on the wet cake/tablet, in appreciation. | (Complaint received in 12/2002)<br>This is a dangerous practice, as the wet detergent cake can leave a residue on the lips which possibly enters the mouth. Detergents are skin irritants with a toxicity potential. The Ad shows a risky practice. | February 2003<br>Chapter III.2(b).<br>Ad featured a dangerous act which was likely to encourage minors to emulate it in a manner which could cause harm or injury.<br><br>***TVC modified.*** |
| | C·2377<br>Mr. N Gajendran | | | |
| 49. | International Tractors Limited<br># (Sonalika Tractor)<br><br>Atul Publicity<br><br>Dainik Bhaskar(*)<br>(10/2002) | Ad headline suggests that the Prime Minister has endorsed the 'Sonalika' brand of tractors.<br>Ad seems to have been based on an article in the October 3, 2002 issue of Hindustan. A clipping of the article is also featured in the Ad. | (Complaint received in 12/2002)<br>A casual reading of the article makes it clear that the Prime Minister had neither mentioned the tractor brand nor endorsed it. The only reference made to the tractor represents the correspondent's own opinions and not those expressed by the PM. | February 2003<br>Chapter I.1.<br>Claim in the headline, as cited in the complaint, false, since it did not represent the exact statement of the Prime Minister, as conveyed in his speech, under reference.<br><br>***Ad campaign suspended.***<br>***Advertiser assured appropriate modification of the Ad.*** |
| | C·2378<br>L&T<br>John Deere P. Ltd. | | | |
| 50. | Deshabhimani<br>("The life rhythm of<br># more than 60 lakhs of Malayalees")<br><br>Deshabhimani<br>(1/2003) | Ad in Malayalam, (as translated in English), states, 'it has a circulation of about 5 lakhs copies and a readership of over 60 lakhs' | Complaint (received in 1/2003)<br>As per ABC, for the period January-June 2002, the circulation is shown as 1,78,205 copies, and NRS 2002 shows a readership of 5,51,000.<br>The Ad is totally false and misleading. | February 2003<br>Chapter I.1.<br>Claims not substantiated.<br><br>***Advertiser assured that such claims will not be published until ABC and NRS certification is obtained by them.*** |
| | C·2381<br>Mathrubhumi | | | |
| 51. | Hindustan Lever Ltd(*)<br># (Ayush Dandruff Naashak Shampoo)<br><br>Bates India(*) | Pack claims – Ayush is being sold as Ayurvedic proprietary medicine with 'Rusmari' the active ingredient claimed to destroy dandruff. | (Complaint received in 1/2003)<br>Rusmari is merely an aromatic oil and does not find any mention in any of the authoritative Ayurvedic text books. Thus 'Rusmari' is non-Ayurvedic. Ayush Dandruff Naashak Shampoo is not an Ayurvedic medicament and referring Ayush as Ayurvedic proprietary medicament is false and misleading. | February 2003<br>Chapter I.1.<br>Claims on Hoardings and POS material, and the claims on the Pack, not adequately substantiated.<br><br>***TVC, Promotion claims on the pack, modified.*** |
| | C·2382<br>P&G<br>Hair product | | | |

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| | Hoardings/Billboards in Mumbai<br>Promotion message on the pack<br>Sony TV(*) (1/2003)<br>Star Plus(*) (1/2003) | POS material and the Hoardings claims:<br>"Ayush Anti-Dandruff shampoo. 100% effective. In just two washes", and "Sirf 2 istemal main 100% asar dikhaye. Dandruff ke saath khujli bhi mitaye"<br><br>TVC claim:<br>"Ayush Anti-dandruff Shampoo 100% effective, it is enough if you use it twice".<br>Super appearing with this claim:<br>"Scientifically/statistically improvement in dandruff grades in two washes as tested clinically" | These claims are false and misleading as no anti-dandruff shampoo can remove 100% dandruff in just two washes. Also, it is well known that the Ayurvedic preparations take much longer time for treating disorders.<br><br>This claim is also false, as no anti-dandruff shampoo, Ayurvedic or otherwise, is known to give 100% dandruff free hair in just two washes. In fact, this claim is in contradiction to the super appearing with this claim.<br>The advertising attempts to show mere improvement in dandruff grades cannot make the product "100% effective". Thus, the claim is evidently false. | |
| 52.<br># | Mangalam Weekly ("No.1 Family Magazine in Malayalam")<br><br>Cover of Mangalam weekly (12/2002 issue)<br><br>C·2383<br>Malayala Manorama | Claim in Malayalam, (as translated in English), reads as, "No.1 family magazine in Kerala". | (Complaint received in 1/2003).<br>This claim is false and misleading unless substantiated specifically by valid survey / market data. | February 2003<br>Chapter I.1.<br>Claim in Malayalam, (as translated in English), "No.1Family magazine in Malayalam", not substantiated.<br><br>***Ad claim modified.*** |
| 53. | Hindustan Lever Ltd(*)<br>(Fair & Lovely)<br><br>Lowe(*)<br><br>DD1, Star TV(*)<br>(12/2002)<br><br>C·2384<br>Govt. of India<br>Mr. V. Vidyarthi<br><br>Obscenity | Visuals - a father is shown as wishing that he had a son. | (Complaint received in 1/2003)<br>Ad is demeaning towards women and promotes preference of a son. The Ad tends to support gender discrimination against women. | February 2003<br>Chapter II.<br>Reference to the father's preference for a son, in the context of his daughter's prevailing inadequate income, was considered demeaning towards women and supported gender discrimination against women.<br>Theme conveyed by the Ad, was repulsive, in the light of prevailing standards of propriety and could cause widespread offence to women.<br>***TVC withdrawn.*** |

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| 54. # | Colgate Palmolive (India) Ltd(*) (Colgate Dental Cream)<br><br>Rediffusion DY&R(*)<br><br>DD National Network, Star Plus(*) (11/2002)<br>Outdoor Hoardings in Mumbai<br>Times of India(*) (10/2002) | Hoardings and Press Ad claims – "what's stronger than the strongest?", "presenting the best ever Colgate Dental Cream. With the power of Calcium and essential Minerals, to make teeth stronger than ever before".<br><br>C.2387<br>HLL | (Complaint received in 1/2003)<br>Claims are misleading, based on gross exaggeration, and misrepresents scientific facts due to the following reasons:<br>The new formulation of Colgate Dental Cream (with Triclosan and 1000 ppm fluoride) is very similar to many toothpaste brands available in the market today.<br>As per the BIS Specification, the maximum allowed concentration of fluoride in a toothpaste is 1000 ppm. A host of brands including Superior Pepsodent Germicheck and Pepsodent 2in1, contain 1000 ppm of fluoride when packed; these account for over 60% of the market. The comparative tone of the claim, "it gives stronger than strongest teeth", is therefore false and misleading. | February 2003<br>Chapter I.1.<br>Claims made in the press Ads, TVC, and Hoardings, not substantiated with adequate technical evidence or proof.<br>There appeared to be a misrepresentation of product performance, as depicted in the demos shown in the TVC.<br><br>***TVC modified.*** |
| | | TVC - shows two shells, one shell is treated with Colgate Dental Cream, and the other is not treated at all. | The demo of two shells is again not only comparative in nature and but also completely misleading. The impression sought to be communicated by the advertiser and the takeout by the consumer would be that, Colgate Dental Cream gives stronger teeth than other toothpaste, while the fact is, using Colgate Dental Cream gives strong teeth as compared to not using anything at all. This by implication is disparaging other toothpastes, most of which (Pepsodent, Pepsodent 2in1, Aquafresh, etc) are as good as Colgate Dental Cream. | |
| 55. # | Colgate Palmolive (India) Ltd(*) (Colgate Toothpaste for Kids with Bubble Fruit Flavour)<br><br>Rediffusion DY&R(*) | Colgate has "calci-sparkles" which makes the teeth strong "without cavity".<br>Lyrics of the music say - "cavity kya hoti hai, humko nahin pata".<br><br>C.2388<br>HLL | (Complaint received in 1/2003)<br>The lyrics of the music saying that they are unaware of what a cavity is, is a gross exaggeration and complete misrepresentation of the scientific facts.<br>The claim is completely false and misleading due to the following scientific facts:<br>There is no product in the world which can ensure teeth "without cavities". Generally fluoride is added in toothpaste in the range of | February 2003<br>Chapter I.1.<br>Claims, "Cavity kya hoti hai humko nahin pataa", and "dein mazbooth daanth bina cavity", false.<br><br>***TVC modified.*** |

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| | Star Plus(*)<br>(11/2002) | | 1000-1500 ppm to give anti-cavity benefit ranging from 25-40%. This is proven unequivocally in a number of scientific clinicals.<br>The product contains 500 ppm fluoride. At this level the benefit is very low and is not adequately proven in the clinicals. | |
| 56. | Sony Ericsson Mobile Communications (The Sony Ericsson T100)<br><br>Times of India(*)<br>(12/2002)<br><br>Obscenity C-2389 Ms. Asha Idnani Consumer Guidance | Ad headline, "What are you staring at? The sleek T100".<br>Ad copy – "The delicate curves, great body. It would be hard not to stare at such an incredible beauty. And even harder not to touch it. The irresistibly beautiful T100".<br>Visual – a cell phone hung around the neck of a young girl, and is placed on her chest. | (Complaint received in 1/2003)<br>The comparison of the Cell phone with the female body has no actual relevance. The Ad is in poor taste and demeaning towards women.<br><br>**(One similar complaint received against the same Ad)** | March 2003<br>Chapter II.<br>Headline and the copy read in conjunction with the visual depicted, likely to cause widespread offence, particularly to women.<br><br>***Ad discontinued.*** |
| 57.<br>#<br><br>C-2398 United Ricelands Ltd. | L.T. Overseas Ltd (Daawat Premium Basmati Rice)<br><br>Relationship Marketing Group(*)<br><br>Chitralekha(*)<br>(12/2002)<br>Raviputri (Gujarat Samachar)<br>(12/2002) | Ad headline in Gujarathi, (as translated in Hindi) states, "Na Hira ki, Na Resham ki, Ye Daawat hai swad ki". | (Complaint received in 2/2003)<br>'Daawat' brand deliberately attempts to mislead the consumers by mentioning 'Resham' brand name in a negative fashion, and that the taste of Daawat is far superior to Resham brand of Basmati rice. | March 2003<br>Chapter IV.1(e).<br>Ad unfairly discredited another product directly.<br><br>***As per MRTPC oral order dated 10th March 2003, the Ad has been withdrawn.*** |
| 58.<br>Suo motu<br><br>C-2400 N. G. Wagle Cigarette/Tobacco | Ceejay Healthcare P. Ltd<br>(Nu Life Good Kha Chewettes)<br><br>Multimedia Aquarius(*)<br><br>Promotion messages on the pack | "Tobacco substitute. Not injurious to health", "Each gum contains Nicotine Polacrilex USP, equivalent to 2mg of nicotine", "Globally proven safety profile". | (Complaint registered in 2/2003)<br>Advertiser should provide substantiation of these claims, and also proof of Nicotine safety – an addictive drug. | March 2003<br>Chapters I.1 and I.4<br>The descriptor 'Good kha' Chewettes, the claims, "not injurious to health", and "globally proven safety profile", were false and directly misleading about the product itself.<br><br>***Advertiser assured appropriate modification of the promotion claims*** |

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| 59. suo motu | Ceejay Healthcare P. Ltd (Nu Life Good Kha Chewettes)<br><br>Multimedia Aquarius(*)<br><br>Times of India(*) (1/2003) | "No side effects", "It's safe", "100% safe".<br><br>"A proven alternative approved by the Drugs Controller General of India and Maharashtra State Food and Drug Administration", "Not injurious to health". | (Complaint registered in 2/2003)<br>These claims need to be substantiated by the Advertiser with proof, tests/trials reports from an independent recognised institution.<br><br>Advertiser should also provide proof in support of the claims | March 2003<br>Chapters I.1 and III.3. Claims – "No side effects", "It's safe", "It's allowed", "100% safe", were false. The endorsement of the Drugs Controller General of India, appearing in the Ad, should be supported with specific written permission of the Authority concerned. The two human depictions and the promise of 'Enjoy', 'Health must! Mazaa zabardast!', and 'freedom for Gutkha lovers', in conjunction with the descriptor 'Good Kha Chewettes', manifested a disregard for safety without justifiable reasons.<br><br>***Advertiser assured appropriate modification of the Ad.*** |

C. 2406

Suo Motu

Cigarette/Tobacco

## Complaints that were Upheld by the CCC
## From April 2002 to March 2003

**Assurance of Compliance awaited from the Advertisers / Ad Agencies**
**Members – are advised to take due note, in the observance of Self-Regulation in Advertising**

| Sr. No | Advertiser / Agency / Media | Claim / Description of Ad / TVC | Complaint | ASCI Code/ CCC Decision |
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| 60. | Dr. Ibrahim Sirkhot ('Stop Dialysis')<br><br>The Asian (Mumbai) Age (2/2002)<br><br>Drugs/Medicine C.2276 Mr. V.M. Kamat | "Stop Dialysis" | (Complaint received in 2/2002) Dialysis is not needed if the Homoeopathic treatment is followed. It may prove to be a great risk to those with both kidneys non-functional, who fail to achieve success with the course. | April 2002 **Exparte** (absence of comments from the Advertiser). Chapters I.1 and III.3. Claim not substantiated, Ad manifested a disregard for safety and encouraged negligence.<br><br>***Concerned Media assured that the Ad will not be carried by them.*** |
| 61. # | Sahara Airlines Ltd (Air Sahara redefines the joy of flying)<br><br>Percept H P. Ltd(*)<br><br>Times of India(*), Delhi (2/2002) C.2261 Indian Airlines | "Now India's Best Airline" | (Complaint received in 2/2002) Sahara has made this claim without any substantiation, without any audit or research done which would validate this claim. Claim is incorrect and misleads the consumers. 'Indian Airlines' is and continues to remain the market leader with a 55% market share, and deserves to be called India's Best Airline. | April 2002 Chapter I.1. Claim not substantiated. |
| 62. | Fair Pharma<br><br>Rank Advertising<br><br>Malayala Manorama(*) (10/2001) Drugs Medicine C.2282 People Union Civil Liberties | Claim in Malayalam (as translated in English) – "our medicines such as Immuno Cure, Cholesterol Cure, Arthritis Cure, Prosto Cure, are available…" | (Complaint received in 2/2002) Names of medicines are printed as 'Cure' instead of 'QR', to mislead the public that these medicines are a cure for Cholesterol, Arthritis, etc. All the addresses of the distributors | May 2002 Chapter I.1. Claims cited in Press Ad, and on the website, not substantiated, Ad appeared in the |

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| | | | are given, which is an open invitation to buy these medicines.<br>Website – www. fairpharma. net, mentioned in the Ad, contains several tall claims about Fair Pharma's sure cure for AIDS, called Immuno QR, and also promises to cure several ailments prescribed in Scheduled J of the rules of the Drugs and Cosmetics Act.<br>The Honorable High Court of Bombay in OP 346/2000 and suo motu WP8390/1999, prohibited Fair Pharma from making any sort of publicity for their drug for AIDS – Immuno QR, in its order dated 24/4/2000. | Media, despite an earlier ruling by the Mumbai High Court, prohibiting such publicity, Ad on website contravened the provisions of Schedule `J' of Drugs and Cosmetics Act.<br><br>***Concerned Media assured suspension of the Ad.*** |
| 63. | Spectrum Magazines Ltd<br>(The AM Mega Millennium offer)<br><br>A&M magazine (2/2001) issue<br><br>C.2291<br>Mr. Babu Lal Sharma<br>LIC | "Mega prizes in 12 Bumper draws, which includes cars, computers, home theatres, audio systems, handy cams, air conditioners, cell phones and lot more. Equally fabulous are 12 daily prizes for the next 365 days"<br>Offer was valid upto 29th March 2001, and a subscription upto 7th March 2001, was also entitled for a super gift of an A&M track suit absolutely free | (Complaint received in 3/2002)<br>Complainant subscribed for A&M magazine for 5 years, and he was entitled for the free gifts of `VIP Elanza 24" suitcase, VIP Strolly, VIP Tote bag, VIP discount voucher worth Rs.500/-, A&M track suit'. He was allotted subscription code T-8605. Advertiser's acknowledgement slip mentioned that, "your free gifts will be sent to you in 10-12 weeks".<br>From June 2001 till March 2002, the Complainant has sent several reminders to the Advertiser, to no avail. | <u>May 2002</u><br>**Exparte** (absence of comments from the Advertiser).<br>Chapters I.1 and I.5.<br>Gift offer in the Ad, not implemented in accordance with the claims (promises) in the Ad. Offer as framed appeared to be so exaggerated as to lead to grave or widespread disappointment in the minds of several consumers.<br><br>***Advertiser had initially assured to make good the offer.***<br>However several complaints were received subsequently, of similar non-performance by the Advertiser. |
| 64. | Sanket Food Products Pvt Ltd<br>(Goa 1000)<br><br>C.2287<br>Jasvinder Singh<br>Cigarette/Tobacco | Visuals - A police officer checking a consignment of Goa 1000, and then allowing the same, after consuming a sample of it. | (Complaint received in 3/2002)<br>Ad is objectionable, since a government officer is shown endorsing consumption of the product. | <u>July 2002</u><br>**Exparte** (absence of comments from the Advertiser).<br>Chapter III.6(b). |

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| | Sony TV(*) / Sab TV (3/2002) | A police officer promoting the use of Goa 1000. | Ad is in bad taste, and tarnishes the image of the police officers in India. | Existence in the Ad of any direct or indirect cues which could suggest to consumers that it is a direct or indirect Ad for the product whose Advertising is restricted or prohibited by law or by this Code. |
| 65. # | Sansui India (Sansui Flatotron TV)<br><br>Quadrant Communications<br><br>Star Plus(*) (4/2002, 5/2002)<br><br>C. 2314<br>LOWE | Sansui's 5 seconder promos announce, "This programme is brought to you by Sansui Flatotron". | (Complaint received in 6/2002) This is misleading. Sansui is plagiarising LG's communication strategy to the extent that Sansui Flat TV is called 'Flatotron' which sounds like LG's 'Flatron' (registered name of LG), which was launched in November 1999. | July 2002<br>Chapter IV.3.<br>Word 'Flatotron', so similar to the word 'Flatron', pertaining to the product of another advertiser, as to suggest plagiarism. |
| 66. | Bajaj Auto Ltd (Bajaj Saffire)<br><br>Lowe(*)<br><br>The Tribune (2/2002)<br><br>C. 2321<br>Amrinder Leaur | "Consistent mileage of 50 kmpl" | (Complaint received in 6/2002) This performance figure actually never exceeds 40 kmpl. Claim of "consistent mileage" implies that the stated mileage shall be achieved inspite of riding in all types of conditions, including city riding. As per the representative of Bajaj Auto, this figure of 50 kmpl is mileage "under standard tests conditions". But these words do not appear anywhere in the Ad. Ad is false and misleading. | October 2002<br>Chapter I.4.<br>Claim misleading.<br><br>***Advertiser has not agreed with the CCC decision. They would like to know the reasons for the complaint being Upheld. Meanwhile, Ad temporarily discontinued.*** |
| 67. | Spectrum Magazines Ltd (Design Digest Mega Subscription Offer)<br><br>C. 2326<br>Thomas Mathew | Subscription for 'Design Digest' magazine for 7 years, entitled for the gifts of "20 Pcs Dining Set from Corelle, plus Rs.500 Discount Voucher redeemable on purchase of Corelle products worth Rs.3500". | (Complaint received in 7/2002) Complainant has received only two issues of the magazine for April and May 2001. He wrote to them about the same in July, to which they replied in November, asking him to bear with them till December 2001. But till July 2002, he has not received their magazines nor the gift voucher. | October 2002<br>Chapters I.1 and I.5.<br>Gift offer mentioned prominently in the Ad, not implemented in accordance with the claims (promises) in the Ad.<br>Offer as framed appeared to be so exaggerated as to lead to grave or widespread disappointment in the minds of several consumers. |

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| 68. | Kunvar Ajay Foods Pvt Ltd (Friendly Wash Detergent)<br><br>Super Age Advertising<br><br>Times of India.(*) (6/2002)<br><br>C·2339<br>Dr. A.R. Shenoy | "Friendly Wash Detergent contains Eco-Friendly chemicals which is safe for both the skin and the clothes"<br><br>Detergent is "safe for clothes", as it does not weaken and therefore does not tear (the fabric). | (Complaint received in 8/2002)<br>It is common knowledge that clothes washed with any detergent, if not rinsed thoroughly can create skin problems in persons who have a sensitive skin. Thus, such a claim is absurd and misleading.<br><br>This claim is absurd since the finest fabrics are made by using treatments with high concentration of both acids and alkali.<br>Ad is misleading. | <u>October 2002</u><br>**Exparte** (absence of comments from the Advertiser).<br>Chapter I.1.<br>Claims not substantiated. |
| 69.<br><br>Suo motu | Cargill India Pvt Ltd (NatureFresh Refined Sunflower Oil – Light Oil Heavy offer)<br><br>J Walter Thompson(*)<br><br>Bombay Times(*) (8/2002)<br>C·2343<br>Mr. N.G. Nayak | "NatureFresh Refined Oil. So light and easy to digest ki aap feel karein light, very light. Khao light, jiyo light". | (Complaint registered in 8/2002)<br>Word `light' is misleading by ambiguity. It should refer to specific characteristics of the product, and substantiation for the same should be made available. | <u>October 2002</u><br>Chapter I.4.<br>Word "light" should refer to specific characteristics of the product;<br>substantiation of each of the same was not made available by the Advertiser.<br>Claim misleading by ambiguity. |
| 70.<br><br># | Hyundai Motor India Ltd (Santro Zip Plus)<br><br>Saatchi & Saatchi (*)<br><br>Times Of India(*) (9/2002)<br><br>C·2352<br>FCB-ULKA | Allegations – "What would you prefer? More litres per car or more kilometres per litre?",<br>"The competition comes with a bigger fuel tank. It has to"<br><br>Claims - "Santro Zip Plus gives more kilometres per litre than any other car in its segment",<br>"Santro Zip Plus can take you almost 200 km further on a full tank than its closest competitor" | (Complaint received in 10/2002)<br>Hyundai has resorted to selected mis-representation of facts while comparing its brand with `Indica V2'.<br>As per `Overdrive' report (May 2002), referred to in their Ads, the magazine had carried out a comparative study of small cars wherein `Tata Indica V2 Lxi' model was compared with other brands.<br>Ads should have clearly mentioned the model `Lxi'.<br><br>Hyundai has resorted to using phrases like `more litres per car', which is an apparent derogatory reference to Tata Indica's tag line `more car per car', a brand equity that they have built up over time. | <u>November 2002</u><br>**Exparte** (absence of comments from the Advertiser).<br>Chapter IV.1(d).<br>There was a likelihood that the consumers may be misled as a result of the comparison cited, about the car models mentioned in the Ad (V2) and the one (V2LXi) actually included in the Report under reference in the Ad. |

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| 71.<br>#<br><br>C·2354<br>Maruti | Hyundai Motor India Limited (Santro Zip Plus)<br><br>The Hindustan Times(*), New Delhi (9/2002) | Santro zipPlus is "the No.1 Bestseller for 2 ½ successive years" | (Complaint received in 10/2002) Claim is false. The cumulative sales of the model 'Maruti 800' manufactured by Maruti Udyog Limited, during the same 2 ½ successive years from the year 2000-2002 (upto August) were 3,85,932 as compared to 1,86,121 of Santro of Hyundai Motors. Ad also does not mention that the said car is No.1 best seller in any particular category. | November 2002 **Exparte** (absence of comments from the Advertiser). Chapter I.1. Claim false, since there was at least one other car model which sold considerably more units during the same period. |
| 72.<br>#<br><br>C·2327<br>IHCTM | Frankfinn Management Consultants (Air Hostesses / Flight Stewards)<br><br>Mid Day(*) (7/2002) | "India's No.1 Company in Basic Cabin Crew Training",<br>"the number of Frankfinn trainees who have found placement as Air Hostesses/Flight Stewards in reputed International & Domestic Airlines far exceeds that of any other training institution in the line" | (Complaint received in 7/2002) Claims to be substantiated by giving exact figures of number of trainees who have actually got jobs vis-à-vis to the number of students who have enrolled and have failed to get jobs. | December 2002 Chapter I.1. Claims not substantiated. |
| | | "the only company operating all over India which provides 100% job assistance after Training" | Claim is false, as Jet Airways conducts its own training programme for Airhostess and Flight Purser aspirants on all India basis, and thereafter gives them placements. | Chapter I.4. Claims ambiguous and misleading. |
| 73.<br>Suo motu<br>Surrogate<br><br>C·2359<br>Suo Motu | Seagram Manufacturing (P) Limited(*) (Seagram's Imperial Blue)<br><br>Ogilvy & Mather(*)<br><br>Mid Day(*) (9/2002) | Visual depiction of the monogram 'Seagram's' and brand 'Imperial Blue' | (Complaint registered in 11/2002) Appear to be Ads for a product whose advertising is prohibited by law, in the publication in which it appeared (Mid Day). Moreover, it does not appear to be part of the website – men will be men.com - mentioned in the Ads. | December 2002 Chapter III.6(b). There exists in the Ads under complaint, direct clues which could suggest to consumers that they are direct Ads for the product whose Advertising is restricted or prohibited by law or by this Code. |
| 74.<br><br>C·2361<br>Debraj Mukherji | Jyothy Laboratories Ltd (Maxo Cyclothrin Liquid)<br><br>Situations | "Introducing India's only liquid vaporiser that reaches under the bed, behind the sofa, on top of the cupboard, under the sink, around the dustbin, behind the curtains, under the dining table, by the | (Complaint received in 11/2002) Claims are totally untrue. Complainant has used All Out, Mortein and Good Knight liquid in the past and have found them more effective than Maxo. In fact, the | December 2002 Chapters I.1 and IV.1(e). Several claims not substantiated, Ad unfairly |

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| | The Telegraph (10/2002) | shoe rack, in the flower pot - to drive out mosquitoes. (Even the ones hiding behind ordinary liquid vaporisers.)", "Say goodbye to mosquitoes and good riddance to ordinary liquid vaporisers. Introducing the lethal two-punch combo of Maxo Cyclothrin Liquid, the most effective mosquito repellent on earth, and the patented, ultrasonic Maxo Cyclorator. Its cyclical vapour action swirls through the room, driving out mosquitoes from every little nook and corner. So devastating, ordinary liquid vaporisers are having sleepless nights". | Maxo liquid also got exhausted within 22 nights, as against their claim of "45 nights of protection". Advertiser may not have any scientific basis to prove that Maxo liquid has effect that is in a wider area and goes to every corner.<br><br>**(Two similar complaints received against the same Ad)** | denigrated other similar products by implication.<br><br>***Advertiser informed - "an identical complaint has been filed with the MRTPC, New Delhi. The matter is currently under investigation by the Hon'ble Commission, and is sub judice."*** |
| 75. # | Puskar Industries (Photon Lamps)<br><br>POS items – Stepney covers and Stickers<br><br>C·2376<br>Surya Roshni Ltd. | "Surya Say Bhi Achi Roshni" | (Complaint received in 12/2002)<br>The content of the advertising message is an attempt to discredit the lighting products in Surya and Surya Roshni Brands, which are very well-known in the Lighting Industry.<br>Such misleading claims which are not only baseless but confers the advertiser with an artificial advantage, and seeks to misguide the consumer. | February 2003<br>Chapter IV.1(e).<br>Claim unfairly discredited another product directly. |
| 76. | TVS Motor Company Limited (TVS Victor Motorcycle)<br><br>Saatchi & Saatchi Ltd(*)<br><br>Dangerous ESPN (12/2002) | Visuals - a man riding the motorcycle. Sitting behind is a lady, presumably his wife, not wearing a helmet. She is carrying an infant in her arms.<br>Ad goes on to say how 'TVS Victor gives you a smooth ride'. | Complaint (received in 12/2002)<br>This is not a safe practice.<br><br>C·2379<br>Mr. Atul Sinha | February 2003<br>Chapter III.3.<br>Visuals depicted in the Ad, specifically the woman and the infant seated on the pillion, manifested a disregard for safety and encouraged negligence. |
| 77. | Philips India Limited (Philips Comfort Steam Iron HI 226)<br><br>The Telegraph, Kolkata (9/2002)<br><br>C·2386<br>Dr. B.K. Roychowdhary | Philips Iron HI226 is "the only iron that cares for your clothes" | (Complaint received in 1/2003)<br>This means that the Irons manufactured by other companies do not care for our clothes.<br>This Ad is misleading. Moreover, Philips have not mentioned the basis of their claim. | February 2003<br>Chapter I.1.<br>Claim not substantiated with pertinent and relevant market/product performance data in support. |

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| 78. # | Coca Cola India(*) (Sunfill Fruit Flavoured Drink Mix)<br><br>McCann-Erickson India(*)<br><br>TVC, Promotion messages on the pack, P.O.P<br><br>C-2392<br>Ashok Gupta (HLL) | Pack – the ingredients mentioned are – Sugar, Citric Acid, Sodium Citrate, Vitamin Premix, Permitted Stabilizing and Emulsifying Agents, Calcium Salts and Orange Fruit Powder.<br><br>TVC - many cut and whole oranges are repeatedly shown as being incorporated into every glass of the reconstituted fruit flavoured drink.<br><br>Product label claims to have Calcium and Vitamins, superimposed on a photograph of a complete orange with the sign 'plus' which conveys that it is orange + calcium and a host of vitamins. | (Complaint received in 1/2003)<br>The ingredients mentioned on the pack must be mentioned in the descending order of their composition by weight or volume as the case may be. This information when read in conjunction with the nutritional information mentioned on the pack, would show that the fruit content, so blatantly conveyed in the Ad and on the pack, is in fact less than 0.36%. This does not justify prominent display of cut fruits on the label giving the impression that the product delivers a juice when a cut orange is squeezed.<br><br>A scrutiny of the product label clearly conveys that the product delivers a reconstituted drink, which is better than the juice of orange fruit. Such depiction of cut fruits is specifically barred under legislation such as Prevention of Food Adulteration Rule 40 and Food Products Order Rule No.11.<br><br>Ad clearly misleads the consumers by means of implication and visual presentation and falsely exaggerates the fruit contents in the product. | March 2003<br>Chapter I.4.<br>Pack and TVC – the visual depiction of cut and whole orange having regard to the actual quantifiable derivatives of orange fruit, in the product, misleading by implication. |

## Complaints that were Not Upheld by the (CCC)
## From April 2002 to March 2003

| Sr. No | Advertiser / Agency / Media | Claim / Description of Ad / TVC | Complaint | Comment/ CCC Decision |
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| # Intra-Industry Complaints<br>* ASCI Member | | | | |
| 1. | Coca-Cola India(*)<br>(Thums Up)<br><br>TVC<br>P.C. Balajee<br>C·2250 | Visuals - A film personality brushing off a group of trouble makers, saying "bade hoja bachche". | Complaint (received in 11/2001)<br>Ad gives a wrong impression about what is machismo/macho behaviour, and can affect impressionable youngsters and lead to fights. | April 2002<br>Ad not likely to lead to violence or promote disorder. |
| 2. | GTC Industries Limited<br>(Panama Cigarettes)<br><br>Mudra Comm(*)<br><br>The Hindu(*)<br>(12/2001)<br><br>C·2269<br>Cigarettes<br>Dr·K·Janardhan | Visual of a bench in a park, with the words, "Be a good law-abiding citizen. Enjoy your Panama in these places".<br>Ad copy - "As per the recent Supreme Court judgement, smoking is prohibited in public places, ... public offices and public conveyances, including railways", "Remember, it's not a crime to smoke in places other than those mentioned above", "Smoking Panama is your choice. And no one can take that away from you". | (Complaint received in 1/2002)<br>The Ad is totally misleading. | April 2002<br>Ad not misleading, or promoting a violation of the Law. |
| 3. | MRF Ltd(*)<br>(MRF ZVTS Tyres)<br><br>DD Sports<br>(1/2002)<br><br>C·2270<br>Mr. Manu Murthy | Visuals – Two (fictitious) car trips are shown. The first trip as being bumpy and uncomfortable, while the second trip as being more comfortable. The first one with no reference to any brand, while the second refers to 'ZVTS' brand of tyres. | (Complaint received in 1/2002)<br>MRF's contention is that using their tyres result in smooth, 'bump-free' ride. The smoothness of a car ride depends primarily on the nature of the suspension, and the road quality, and not on the quality or make of the tyre. The Ad is misleading. | April 2002<br>Ad not misleading. |

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| 4. # | Hindustan Lever Ltd(*)<br>(Rexona Intensive 24 Hr Deodorant)<br><br>Lowe(*)<br><br>Star Plus(*)<br>(2/2002)<br><br>plagiarism C.2271<br>Godrej Consumer Products Ltd. | Visuals - A girl escapes from the prison and is chased by sniffer dogs. | (Complaint received in 3/2002)<br>The commercial of "Rexona Intensive 24 Hr Deodorant" is misleadingly similar to "Cinthol International Perfumed Deodorant" (Ad campaign started on February 8, 2002). The main theme of the Cinthol commercial, i.e., the Protagonist being chased by the dogs, is used in the Rexona Commercial. The look and feel of the Rexona Commercial is alarmingly close to that of the Cinthol commercial. | April 2002<br>TVC of "Rexona Intensive 24 Hr Deodorant", not so similar to the other advertiser's TVC of "Cinthol International Perfumed Deodorant", as to suggest plagiarism. Advertiser established the prior usage of their Ad in the international market. |
| 5. # | Reckitt Benckiser (I) Ltd(*)<br>(Robin Liquid Blue 2-in-1)<br><br>McCann-Erickson(*)<br><br>Sun TV<br>(3/2002)<br><br>plagiarism C.2275<br>Mudra Comms P. Ltd. | -- | (Complaint received in 3/2002)<br>The strategic approach adapted by "Robin 2-in-1" bears an uncanny resemblance to the one used by "Henko Powerpearls" (TVC being aired from November 2001).<br>The complainant finds it strongly objectionable as Robin 2-in-1 is also in the area of 'fabric care', similar to that of Henko Powerpearls. | April 2002<br>TVC of "Robin 2-in-1", not so similar to the other advertiser's TVC of "Henko Powerpearls", as to suggest plagiarism. |
| 6. | Coca-Cola India(*)<br>(Coca-Cola)<br><br>DD National Network<br>(10/2001)<br><br>C.2248 P.C. Balaji | Visuals – Three film personalities, with Rajasthan / desert area as the backdrop. | (Complaint received in 11/2001)<br>Ad is in bad taste because water is a precious commodity in these parts. | April 2002<br>Ad not objectionable. |
| 7. | Hindustan Lever Ltd(*)<br>(Walls Max Sweets – Colouring Competition)<br><br>Pamphlet<br><br>C.2257<br>Mr. Sanjay S. Shanbhag | "Max brings you exciting sweets and exciting prizes too! Want to win? Here's how – just colour the picture of Max having fun with his yummy sweets. Then paste the 8 Max sweet wrappers in the spaces provided. Give the form to the Max representative when he comes to your school. (see notice board for details of his visit)" | (Complaint received in 1/2002)<br>The advertiser has put up the compulsion of pasting up eight wrappers of their confectionery, and the students have been found running all over the places to find the chocolates. | May 2002<br>No contravention of the ASCI Code, and no evidence of such a competition being prohibited by law.<br><br>***Advertiser modified the Ad, to exclude one of the "conditions" of the Competition ("paste the 8 Max sweet wrappers in the spaces provided").*** |

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| 8. # | Godrej Consumer Products Ltd(*) (Cinthol International Perfumed Deodorant)<br><br>Orchard Advertising<br><br>Star Plus(*) (2/2002)<br>Zee TV(*) (2/2002) | Visuals – Girl escaping from captivity<br><br>'Sniffer dogs' and its execution, the dog chasing the girl<br><br>Dog being influenced by the smell of the deodorant<br><br>Closing line - 'scent of confidence' | (Complaint received in 4/2002) Is similar to the Sure/Rexona Deodorant 'escape' scene.<br><br>Is similar to the Sure/Rexona Deodorant commercial.<br><br>Is copied in Sure/Rexona commercial.<br><br>Is similar to the line, 'it won't let you down', in the Sure/Rexona commercial.<br><br>The 'Cinthol Deodorant' TVC is similar to the 'Sure/Rexona Deodorant' TVC, in its general layout and visual presentation as well as on music/sound effects. | May 2002<br>TVC of "Cinthol International Perfumed Deodorant", not so similar to the other TVC, as to suggest plagiarism. |

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| 9. | Parle Bisleri Limited (Parle New Bisleri 20 Litre)<br><br>Ambience D'Arcy Advertising(*)<br><br>TVC | Visuals – a woodpecker hammering at the tamper proof seal of the large pack of Bisleri bottle, without success. In the end the woodpecker ends up with a bloody beak. | (Complaint received in 2/2002) No person with a sensitivity for the flora and fauna would want to see such a distressing scene. The Ad is highly offensive and in poor taste. | May 2002<br>Ad not objectionable, or likely to cause grave or widespread offence. |

C.2281 Mr. Apurva Bahadur

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| 10. # | MRF Limited(*) (MRF Radial Tyres)<br><br>Lowe(*)<br><br>Star News(*) (4/2002)<br>The Hindustan Times(*), The Hindu(*) (3/2002) | "MRF Radial – No.1 for Indian roads". | (Complaint received in 4/2002) The contents of the Ad are false. The Ad is in respect of 'passenger car tyres' manufactured and sold by MRF. | May 2002<br>Claim, "Performance. The unbeatable value from the radial for Indian roads", and the baseline notation of "No.1 for Indian roads", not false or derogatory of any specific competitive brand of tyres. |

C.2284

J.K. Inds.

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| 11. # | J. K. Industries Ltd(*) (JK Tyres)<br><br>Contract Advertising(*)<br><br>The Hindustan Times(*), New Delhi (4/2002)<br><br>C·2285<br>MRF | "JK Tyre – No.1 Tyre Manufacturer in India" | (Complaint received in 4/2002)<br>Ad is incorrect and designed to mislead the public. If a company claims it is No.1 tyre manufacturer in India, the value of the entire range of tyres manufactured during the standard 12 months period should be taken into account. The figures mentioned in the Ad only relate to 4 wheeler tyres and that too for the period (April 2001–January 2002), instead of (April 2001–March 2002). A tyre company cannot claim to be a "No.1 manufacturer" on the basis of a few segments; the entire range of tyres/related rubber products and total turnover should be considered.<br>According to the latest annual report of JK Industries, its turnover was Rs.1347 crores for the period ended March 2001. The turnover of both JK and Vikrant tyres together was Rs.1749 crores. In comparison, MRF's turnover was Rs.2124 crores for the period ended September 2001. | <u>May 2002</u><br>CCC considered the supporting Industry data provided by an Industry recognised Association (ATMA).<br>Headline, "JK Tyre – No.1 Tyre manufacturer in India", and the supporting claims, not false or misleading.<br><br>Complaint based on total turnover including relative rubber products, not valid. |
| 12. # | Fiat India Pvt Ltd (Fiat Palio Sports)<br><br>TLG India Pvt Ltd(*)<br><br>Times of India(*), Mumbai (2/2002)<br><br>C·2286<br>FCB-ULKA | Ad of Fiat India for their brand `Palio Sport' carries the line "are you Game?" | (Complaint received in 4/2002)<br>This line has been copied from the Ad created for Mayfair Knitting Industries / Metropolitan Trading Co, for their brand `Zod'. The Ad for Zod with the base line "Are You Game?" was released in the Bombay Times (supplement of T.O.I.) dated 14th February 2002. | <u>May 2002</u><br>The phrase, "are you Game?", did not appear to be an exclusive advertising property associated over time with an identified Ad or brand, nor was the mention of this phrase considered so similar to the slogan used in another Ad, as to suggest plagiarism. |

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| 13. # | CavinKare Pvt Ltd (Fairever Fairness Cream)<br><br>Fountainhead Communications(*)<br><br>DD Chennai (3/2002)<br>DD Network (3/2002)<br>Zee TV(*) (3/2002) | TVC shows `4-face mnemonic' | (Complaint received in 4/2002)<br>The advertiser has plagiarised the distinctive property of `Fair & Lovely' advertising of the 6 faces mnemonic, which has been used in their advertising since 1996, and is also an integral part of the current TVC ("Air-Hostess"), and is also a key element of Fair & Lovely's packaging; on the other hand the 4-faces or 6-faces has never been used by Fairever in its packaging.<br><br>The Fairever commercial copies the 4-step action of Fair & Lovely. The visual look of the frame is extremely similar to the Fair & Lovely commercial with the face of the girl and the numbers 1,2,3 and 4 appearing next to the girl. The voice over also is similar to that of Fair & Lovely's format. | May 2002<br>CCC considered the visual depictions in the two TVCs, and the promotion message with the mnemonic on the packaging of `Fair & Lovely Fairness Cream'.<br>These elements in the TVCs and the packaging cited in the complaint, were not so similar as to suggest plagiarism. |
| 14. # | Hindustan Lever Limited(*)<br>(Lakme Sunscreen Lotion)<br><br>Ambience D'Arcy Advertising(*)<br><br>`New Woman' magazine (4/2002 issue) | Ad shows a high amount of skin darkening with the brand `Synergie' while showing a fair complexion with the use of `Lakme'.<br><br>On both, the visual chart, and the large visual depicting the model using Lakme Sunscreen Lotion, the skin of the model using Lakme Sunscreen Lotion shows an improvement in skin colour.<br><br>Claim -"Lakme Sunscreen Lotion has Tan Protection Index (TPI) 70, which is specially formulated for Indian skin" | (Complaint received in 4/2002)<br>The consumer will believe that Synergie actually aids the darkening process rather than protecting the skin.<br><br>This not only suggests 100% protection against sun tanning, but also claims to make the skin fairer. This is so exaggerated a claim that it is totally false.<br><br>The overall Ad tells the consumer indirectly that SPF has allegedly inferior performance, and because `Synergie' brand only contains SPF, it is therefore inferior. Such a claim is misleading the consumer, because `Synergie Sun Control Moisturiser' not only contains SPF 15 but also contains Mexoryl SX, a revolutionary patented molecule. This combination gives the skin double protection from UVA & UVB rays, preventing skin darkening. | May 2002<br>Chapters I.1 and IV.1 (c,d&e).<br>The concept of `Tan Protection' vs `Sun Protection', and the claim, not substantiated adequately, in the absence of published reports in Industry recognised Technical Journals, or of an independent endorsement of the in-house sponsored trials, submitted in their comments. The comparison made with identified competitive products (cited in the Ad) was likely to mislead consumers, since the visual depiction did not appear to be factual and accurate. The Ad unfairly denigrated directly the competitors' products cited in the |

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| | | | | Ad.<br><br>July 2002<br>**Decision on Review Not Upheld.**<br>Claim on Tan Protection Index, substantiated with additional technical information.<br><br>***Advertiser assured that related visuals would be modified appropriately so as to avoid denigration of identified competitive products.*** |
| 15.<br><br># | Hero Honda Motor Ltd(*)<br>(Hero Honda Motorcycles)<br><br>J. Walter Thompson(*)<br><br>Times of India(*), Mumbai (4/2002)<br><br>Zee News(*) (4/2002) | "Hero Honda – World No.1 Two-Wheeler Company"<br><br>C-2290<br>TLG (Leo Burnet) | (Complaint received in 4/2002)<br>Hero Honda's own parent company – Honda Motor Co. Japan, is by far the largest manufacturer of two-wheelers in the world. As against Hero Honda's figure of 1.45 million in 2001-02, Honda Motor Co. Japan, has declared a figure of 5.1 million in their balance sheet for the year ending March 2001, as well as on their website – www.world.honda.com.<br>In fact, even Yamaha Motor Company, Japan, has a much higher figure of 1.973 million in the year ending March 2001 which can be easily verified in their balance sheet as well as on their website. Apparently even Suzuki Motor Corporation has sold more two-wheelers than Hero Honda.<br>This claim is therefore completely incorrect and is a misrepresentation of facts. | June 2002<br>In the absence of verifiable pertinent market/industry data in support of the complaint, the claim, was not a misrepresentation or incorrect.<br><br>October 2002<br>**Decision on Review**<br>(Requested by Complainant)<br>**Not Upheld decision stands**<br>Complainant was unable to provide authentic quantified data for total sales of two-wheeler companies, which was requested in support of the complaint. |

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| 16. | Netsurf Communications (P) Ltd (Infiniteopps Opps Pack 5)<br><br>Ad displayed on website – www.infiniteopps.com | Company provides the following services as complimentary gifts with purchase of "Opps Pack 5" - Domain name registration, Website hosting on 5 MB web space, 10 e-mail accounts, 1 month unlimited / 25 hours Internet Access, 1 wristwatch of well-known brand, Free education about fundamentals of computers, windows, internet, etc. | (Complaint received in 4/2002)<br>Complainant applied for domain name, and got the same. But the company has not sent him any certificate of ownership of domain name till date (26/3/2002).<br>On accessing their website, the company does not provide the very basic facility to upload files from the computer to the website.<br>On following the instructions given by the company regarding 25 hours of free time, the service provider – www.net4india.com, expects the details of account number, coupon number, password and pin number. Net4india provides the account number for their services on payment, and the coupon supplied by Netsurf Communications allows only renewal of the existing account to avail 25 hours of free time. This is total deception. The Ad does not have any reference to such previous paid registration with net4india. | June 2002<br>In the absence of evidence or pertinent information in support of the complaint, this could be an isolated instance of under-performance in service by the Advertiser. |
| 17. | Pepsi Foods Pvt Ltd(*) (Pepsi)<br><br>J. Walter Thompson(*)<br><br>Aaj Tak(*) (3/2002) | Visuals - a film and a cricket personality dancing and running on a roof top and flying kites, with a bottle of Pepsi held aloft. They along with their large troupe are on a roof top of an old Haveli or Mahal. | (Complaint received in 4/2002)<br>Kite flying from a roof top is a dangerous activity, as many youngsters lose their lives due to fall from roof tops during kite flying. | June 2002<br>Ad, not considered to be promoting a dangerous activity which could affect youngsters adversely. |
| 18. # | GlaxoSmithKline Asia Private Limited(*) (Eno)<br><br>Ogilvy & Mather(*)<br><br>DD, Sony channel(*) (5/2002) | Visuals - 2 antacid tablets are crushed (with a pestle and mortar) and added to the first beaker, then 2 teaspoonfuls of a pink antacid liquid is poured in the second beaker, and 1 sachet of 'Eno' is emptied into a glass of cold water and the solution is poured into the third beaker. An instant reaction in the third beaker is depicted with a change of colour, | (Complaint received in 5/2002)<br>Ad is referring to 'Gelusil' since it is the market leader in the liquid antacids/antigas category, and has been/is available in 'pink colour'.<br>Absolutely no reaction in the other two beakers is false and misleading, because if any alkaline powder or liquid is added to an acidic solution, there is bound to be at least some reaction. | June 2002<br>Claim not false, nor the comparison unfair or denigratory of any specific identified brand/product. |

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| 23. | National Egg Co-ordination Committee ("Have you had an egg today")<br><br>Enterprise Nexus Comm(*)<br><br>Times of India(*) (5/2002)<br><br>C.2311<br><br>Ms. Shefali Joshi | "If you eat an egg with your vegetables, the vegetables actually become more nutritious", "...while you eat your vegetables, the egg helps bring out the best in those vegetables"<br><br>"So don't forget to have an egg, even as you munch on those greens. It's the secret ingredient in every vegetable", "...while vegetables are undoubtedly good for you, they are even better with eggs" | (Complaint received in 5/2002) The specific phrases which the complainant takes exception to are, "become more nutritious" and "bring out the best". These are phrases that convey scientific causal relationships using which as a basis, the advertiser seeks to promote the sale of eggs. Neither of these claims have any basis in fact.<br><br>These statements are made to sound more like opinion than claims, nevertheless are highly suggestive and border on factual assertion.<br><br>The objection is to the promotion of the product – eggs, which has been researched by nutritionists as being the food highest in cholesterol and declared by doctors as very injurious to health, leading to heart attacks. The Ad is misleading the public. | June 2002<br>Ad not false or misleading. |
| 24. | Philips India Limited (Philips MP3 Players)<br><br>J. Walter Thompson(*)<br><br>Times of India(*), Kolkata (4/2002) | "India's No.1 Audio Brand"<br><br>C.2303<br>Dr. B.K. Roy Chowdhury<br><br>"Europe's Largest Consumer Electronics Co" | (Complaint received in 5/2002) The complainant has questioned the absence in the Ad of any specific mention of an Authority which certified Philips as India's No.1 Audio Brand.<br><br>Philips has not mentioned any proof to substantiate their claim. | July 2002<br>Claims substantiated. |
| 25. | Hero Puch<br><br>Foresight Marketing & Communications<br><br>DD National Network (12/2001)<br><br>C.2262<br><br>Dangerous Mr. Anil Patil | "Do pahiyon ki Lorry" | (Complaint received in 1/2002) As per the M.V. Act, a third person is not allowed to be carried. Then, how can the advertiser compare his product with a 'Lorry', when there is no comparison by performance, carry weight, capacity, mileage, fuel, rate, etc.<br><br>**(One similar complaint received against the same TVC).** | July 2002<br>Ad not considered to be promoting a dangerous act. |

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| 26. # | Hindustan Lever Ltd(*) (Lakme Sunscreen Lotion)<br><br>Ambience D'Arcy Advertising(*)<br><br>Star Plus(*), Sony TV(*), Star World(*) (4/2002)<br><br>C.2293 L'oreal (I) Ltd. | Visuals – show darkening on the Model's arm that had SPF applied to it, while there is no darkening with the Lakme product.<br><br>"TPI offers better protection than SPF".<br><br>The advertiser gives an indication of time lapse (using a SunDial) to make the consumer believe that it works over a long period. | (Complaint received in 4/2002) This is clearly a blatant attempt to disparage and damage the reputation of the brand `Synergie'.<br><br>There is no basis for such a claim. Using an unknown `in house' measure like TPI, is an attempt by Lakme to mislead the consumer.<br><br>This would be a clear attempt to mislead the consumer if they have not followed the "Test 2-hour after application" methodology. | <u>July 2002</u><br>Claim substantiated, and Ad not misleading. |
| 27. | Maxwell Apparel Industries Ltd (VIP Frenchie)<br><br>Ogilvy & Mather(*)<br><br>Obscene<br>Star Sports(*) (5/2002)<br><br>C.2307 Ms. Shiwani Malhotra | Visuals – women looking at the boy wearing his underwear. | (Complaint received in 5/2002) Ad is vulgar and cheap. | <u>July 2002</u><br>**Exparte** (absence of comments from the Advertiser).<br>Ad not objectionable. |
| 28. | Businessworld (Subscription Offer)<br><br>Businessworld (10/2001 issue)<br><br>C.2309 Uday Sathe | "3 years subscription to Businessworld – 156 issues for Rs.684 + one free gift. Reply within 15 days to get an exquisite tie". | (Complaint received in 6/2002) The Complainant subscribed for Businessworld magazine for 3 years.<br>They were in fact thus liable to send him the exquisite tie (since he was one of the earliest subscribers), and also the "hair dryer", as promised in their Ad, which they have failed to deliver. According to him, the Ad is false and misleading. | <u>July 2002</u><br>Advertiser has confirmed the delivery of free gifts as mentioned in the Ad, to the Complainant, and the acknowledgement of delivery was received by the Advertiser, before receiving the complaint from ASCI.<br>Complaint not valid. |

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| 29. | Gas Authority of India Limited (Say 'yes' to plastic. Save trees)<br><br>Lowe(*)<br><br>Times of India(*), The Hindu(*) (6/2002)<br><br>C.2312<br><br>Reet Watch | -- | (Complaint received in 6/2002)<br>Ad urges people to use plastics to save the environment (Ad issued on "World Environment Day") from deforestation of 20 million trees.<br>Ad presents a completely misleading picture to the public and pits the use of plastics against deforestation completely avoiding the facts that their use can be equally if not more detrimental to the environment.<br><br>(Two similar complaints received against the same Ad) | July 2002<br>Whilst the issues involved in the Ad, were 'contentious', the Ad in itself was not false or misleading. |
| 30.<br>#<br><br>Plagiarism | Sansui India (Sansui Core Series)<br><br>Quadrant Communications<br><br>Star Sports(*) (5/2002)<br><br>C.2315<br><br>LOWE | 2 TVCs - "Mother & Son", and "Magic Eye". | (Complaint received in 6/2002)<br>Sansui films were released 2 months after LG films.<br>In the first film, Sansui storyline is similar to the 'Mother film of LG Golden Eye'.<br>It is amply clear from the "Magic Eye" commercial of Sansui, that they are mocking LG's claim of "Golden Eye" by saying "aap bhi bevakuf bangaye". Also, they have shown "Magic Eye" logo in the TVC, which is very similar to the LG "Golden Eye" as on the product.<br>Thus, Sansui's Ads unfairly denigrate, attack, and discredit LG's products, claims, and advertising directly. | July 2002<br>TVC of 'Sansui Core Series', not so similar to a TVC of an earlier run Ad of 'LG Golden Eye' (another advertiser), as to suggest plagiarism.<br>Ad did not denigrate another identified product. |
| 31.<br><br>Dangerous | Castrol India Ltd(*) (Castrol CRB Plus)<br><br>Ogilvy & Mather(*)<br><br>Aaj Tak(*) (5/2002)<br><br>C.2317<br><br>H.S. Goyal | Visuals - a loaded bicycle rider overtaking a heavily loaded truck in a dangerous way. | (Complaint received in 6/2002)<br>The truck driver moves even slower to a loaded bicycle rider because of the wrong selection of the lubricating oil, and the feeling of inferiority on the face of the truck driver has been presented. | July 2002<br>Ad not considered to be promoting a dangerous act. |

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| 32. # | Henkel Spic India Ltd(*) (Fa Fresh Soap)<br><br>Mudra Comm(*)<br><br>Sony TV(*) (6/2002)<br><br>plagiarism cosmetics C·2318 Godrej Consumer | "Twacha mein laaye nayee jaan" | (Complaint received in 6/2002) This line is deceptively similar to the line, "twacha mein daale anokhee jaan", used by 'Cinthol Skin Fresh' in their TVC,which has been continuously on air since February 2002.This very clearly seems to be causing confusion in consumers' mind and using the goodwill acquired by Cinthol. | July 2002 TVC of 'Fa Fresh soap', not so similar to a TVC of an earlier run Ad of 'Cinthol Skin Fresh' (another advertiser), as to suggest plagiarism. |
| 33. | Pepsi Foods Ltd(*) (Lehar Soda)<br><br>J. Walter Thompson(*)<br><br>Star Sports(*) (5/2002)<br><br>C·2320 Dr. Aslam Ansari | Visuals - a hypothetical brand Grow-Up is shown, a crow flying and dropping its beat into the glass, which was being turned into the Grow-Up drink by the participant. | (Complaint received in 5/2002) This is a take up on the 'Thums-Up' brand. Ostensibly, it is a response to another Ad by Thums-Up wherein they show that another hypothetical brand named "P" which is decried as sweet and only for children and asks the viewers to Grow-Up to Thums-Up drink.The Ad is in bad taste and indecent. | October 2002 Ad not objectionable or denigratory of an identifiable brand. |
| 34. # | Hindustan Lever Ltd(*) (Nihar Coconut Amla Hair Oil)<br><br>DD Network (7/2002) Sony TV(*), Star Plus(*), ZeeTV(*) (7/2002)<br><br>C·2325 Hair Oils Marico Inds. | Visuals - a bottle of a Amla Hair Oil is shown in the hands of the model. | (Complaint received in 7/2002) HLL have compared their product with an unnamed product which is supposed to be ordinary Amla Hair Oil. The bottle shown, is a replica of Marico's "Shanti Amla Hair Oil".<br>HLL have tried to convey the superiority of their product by denigrating Shanti Amla Hair Oil as an "ordinary" Amla Hair Oil. Based on the ingredients of 'Nihar Coconut Amla Hair Oil' and 'Shanti Amla Hair Oil', by no stretch of imagination can Shanti Amla Hair Oil be termed as ordinary or usual Amla Hair Oil. | October 2002 No specific denigration of an identifiable brand. |
| 35. # | Jagatjit Industries Limited (AC Black Apple Juice)<br><br>Joint Communications Asia Pacific<br><br>SetMax(*), ESPN,<br><br>C·2328 plagiarism Perfitti (I) Ltd. | "Kuch bhi ho sakta hai" | (Complaint received in 8/2002) 'AC Black Apple Juice' is using the 'Marbels' tagline in its TVC. This former TVC first appeared in the month of July 2002. The tagline "kuch bhi ho sakta hai" appears in the voiceover as well as the super of the Ad.'Marbels' TVC was first aired in November 1999, and was on air till | October 2002 TVC not so similar to the TVC of an earlier run Ad (another advertiser) in its tagline, as to suggest plagiarism. |

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| | Star Sports(*), Zee News(*) (7/2002) | | September 2001. The tagline of this brand is "Marbles ki duniya mein kuch bhi ho sakta hai", is vocalized and a translation of this line appears as the super "anything can happen in a Marbels world".<br><br>This blatant misuse of the tagline of Marbels is extremely detrimental to the image of Marbels brand, which is primarily meant for children. An association of Marbels, with a brand (AC Black) that is well known as a liquor product, would be fatal for it. | |
| 36. | Hindustan Lever Ltd(*)<br>(Superior Pepsodent Germicheck Plus)<br><br>Promotion message on the pack | Pack (of June 2002) with MRP of Rs.68/- - claimed on the pack – "Save Rs.20/- 200g + 100g".<br><br>Pack (of May 2002) with MRP of Rs.64/- - claimed - "save Rs.20/- 200g + 100g". | (Complaint received in 8/2002)<br>With the price increase of Rs.4/-, the message "save Rs.20/-" for the save pack purchased (of June 2002), is incorrect and totally false and misleading, since the actual saving on the save pack is only Rs.16/- and not Rs.20/-.<br><br>It was observed that the 2 packs under reference do not mention the individual normal MRP of each tube (200g & 100g), and this omission could lead to misleading of the consumers. | <u>October 2002</u><br>Claim not false or misleading.<br>(The MRP of the normal 200g pkd June 2002 was increased by Rs.4). |
| | C. 2336<br>Smt. Satyavathy Murthy | | | |
| 37. | Health Total (Health Maintenance Programme)<br><br>Lemon Communications<br><br>Mid Day(*)<br>(7/2002) | "Dr. Anjali Mukerjee" | (Complaint received in 8/2002)<br>Ms. Anjali Mukerjee does not have either a M.Sc. or a Ph.D. in Nutrition. This is borne out of the fact that in numerous articles written by her, the prefix of "Dr." does not appear before her name.<br>This is extremely dangerous as it could convince consumers that she is qualified to counsel them on dietary issues related to medical problems like hypertension, diabetes, etc, as well as give her the legitimacy to prescribe pills which may be harmful. | <u>October 2002</u><br>Mention of the title "Dr", not false or misleading. |
| | C. 2331<br>Mr. Anil Sanjivan | | | |

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| 38.<br>#<br><br><br><br><br><br>C. 2344<br>Mathrubhumi Printing | Malayala Manorama(*)<br>(Kerala's Leading Daily)<br><br>TBWA Anthem<br><br>The Week(*)<br>(8/2002 issue) | "Malayala Manorama is read by 3 out of 4 durable buyers and intending buyers everyday" | (Complaint received in 9/2002)<br>Ad has quoted a summary by ORG-MARG.<br>The industry generally follows NRS and IRS. By quoting a privately commissioned Survey, even if it is done by credible organisations like ORG-MARG, it will be misleading unless the entire survey report is published and is available to the industry. | October 2002<br>Complaint not valid. |
| 39.<br>#<br>Foods<br><br><br><br><br>C. 2348<br>Triton Communications N | Dhara Vegetable Oil And Foods Company Limited<br>(Dhara Fit n Fine Refined Cooking Oil)<br><br>Mudra Comm(*)<br><br>Punjab Kesari, Ambala edition<br>(8/2002) | Ad in Hindi states, "Luck-wak, Fame-wame, Money-shani, Fortune-Vortune rahe na rahe, Aap rahe Fit n Fine" | (Complaint received in 9/2002)<br>The words, "Fortune-vortune rahe na rahe" is a direct hit at the brand – "Fortune Refined Cooking Oil". Fortune is India's largest selling refined edible oil. Given the current market scenario and the position at which 'Fortune' is in today's market, the complainant finds the usage of the word 'Fortune' and the line 'Fortune-vortune rahe na rahe', highly objectionable, demeaning and intentional. | October 2002<br>Ad not denigratory of an identifiable brand. |
| 40.<br>#<br>Detergent<br><br><br><br><br>C. 2349<br>Nirma Inds. Ltd. | Hindustan Lever Ltd(*)<br>(Rin Shakti Detergent Powder)<br><br>DDII, Star TV(*), Sony TV(*)<br>(Sept-Oct 2002) | Visuals – a yellow polypouch with the word "powder" written in red and a blue circle in the center with a white star in the center of blue circle. | (Complaint received in 10/2002)<br>The commercial of 'Rin Shakti' intentionally disparages the 'Nirma' name and equity, by showing a yellow polypouch – that is recognised as 'Nirma washing powder', which has its brand name written in red, blue circle in the center and a dancing girl in white in the center of blue circle. The package compared with Rin Shakti in the Ad is completely yellow which has direct reference to Nirma washing powder, which is alleged as 'aam powder' in the commercial. | November 2002<br>Depictions in the TVC, not disparaging 'Nirma washing powder', by name or visual depiction, specifically.<br><br>**Suo motu complaint**<br>Claim in Hindi, "aam powder ke mukable Rin Shakti mein hain "dugni shakti", jo do ka kaam kare ek", is ambiguous and could be misleading to consumers. The claim is denigratory of a group of products.<br>*(CCC decision – December 2002 – Not Upheld).* |

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| 41.<br>#<br>Similar? | Amtrex Hitachi Appliances Ltd (Mircocool Ducted Split Air Conditioner)<br><br>TLG India Pvt Ltd(*)<br><br>Economic Times(*), Brand Equity supplement (9/2002)<br>C·2350<br>Euro RSCG | "Intelligent Cooling" | (Complaint received in 10/2002)<br>"Intelligent Qooling" is the key advertising property of Voltas Ltd for their range of air conditioners. Voltas Ltd has already had a considerable media spend to promote the property of "Intelligent Qooling". Additionally the trade mark is under registration under the Trade Marks Act. | November 2002<br>Complaint not valid, since the claim of "intelligent cooling", not considered to be an advertising property of the complainant. |
| 42.<br>Obscenity<br>Liquor | Seagram Mfg P. Ltd(*) (Seagram's Imperial Blue)<br><br>Ogilvy & Mather(*)<br><br>Mid Day(*) (9/2002)<br>C·2353<br>Union Brihan Mumbai | Ads appear in the Mid Day newspaper directly below the 'Mid Day Mate', which are 'pin-ups' of girls, that is published as editorial matter by the tabloid. | (Complaint received in 10/2002)<br>The positioning of the Ads, which show different photographs of men in various poses at an angle that is unmistakably voyeuristic, appearing as they do, below the 'pin-ups', clearly reinforce the objectification of women. The Ads also carry the slogan 'men will be men'. | November 2002<br>Ads as such, not indecent or offensive.<br><br>**Suo motu complaint**<br>The visual depiction of the monogram 'Seagram's' and brand 'Imperial Blue' appears to be an Ad for a product whose advertising is prohibited by law, in the publication in which it appeared (Mid Day). Moreover, it does not appear to be part of the website, men will be men.com, mentioned in the Ad.<br>*CCC decision – December 2002 – Upheld – Chapter III.6(b).* |
| 43.<br>#<br>Similar<br>Bajaj Consumer | Lakhani India Limited (Lakhani Hawai Chappals)<br><br>Aaj Tak(*) (9/2002)<br>C·2355 | Commercial is based on the song, 'Ghanan Ghanan' from the movie 'Lagaan',. Visuals - use of a village as background setting, the likeness of the anticipation displayed by the characters as the commercial progresses, interspersed with drumming shot of the 'Dhol', and the climax - heavy downpour of rain. | (Complaint received in 10/2002)<br>The commercial of 'Lakhani Hawai Chappals' is strikingly similar to the 'Bajaj Brahmi Amla' in theme, execution, general layout, visual presentation and even in music and sound effects, and that it has been released after the latter. The Bajaj Brahmi Amla was aired on Sony TV as early as 19th September 2002. | November 2002<br>**Exparte** (absence of comments from the Advertiser).<br>Complaint not valid, since both the TVCs appeared to be closely resembling sequences from a well-known feature film, released much earlier. |

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| 44.<br><br>suo motu | Hindustan Lever Ltd(*)<br>(Rin Shakti Detergent Powder)<br><br>J. Walter Thompson(*)<br><br>DDII, Star TV(*), Sony TV(*)<br>(Sept-Oct 2002) | Claim (in Hindi) - "aam powder ke mukable Rin Shakti mein hain "dugni shakti", jo do ka kaam kare ek" | (Complaint registered in 11/2002)<br>Claim is ambiguous and could be misleading to consumers. The claim is denigratory of a group of products.<br>The Advertiser should clarify this claim ("dugni shakti") and provide adequate substantiation of the same with tests/trials reports from an independent recognised testing institution, adopting the methodology laid down by a national standards body such as BIS, and including the parameters of soil cleaning power and detergency value. | December 2002<br>Ad not false or misleading, and not denigratory of any specific group of products. |
| 45.<br><br># | GTC Industries Limited<br>(Panama Mini Kings Special)<br><br>Mudra Comm(*)<br><br>Mathrubhumi(*) (7/2002)<br>Malayala Manorama(*) (7/2002)<br>Hoardings, Posters, Trade letter<br>(June/July 2002) | Ad shows "a leader standing beside the driver in a jeep pointing his left hand forward, leading his team ahead. The visual is set against a golden backdrop in a mountainous terrain. The predominantly white colour "Panama" pack with three cigarettes jutting out of the open pack appears in the right hand bottom corner of the visual" | (Complaint received in 11/2002)<br>The Ad of GTC is substantially similar in general layout and visual presentation to ITC's earlier campaign relating to "Scissors" cigarettes, which was launched in 1999 and is still running. ITC's Scissors cigarettes campaign depicts "a leader standing beside the driver in a jeep pointing his left hand forward, leading his team ahead. The visual is set against a golden backdrop in a mountainous terrain. The predominantly white colour Scissors pack with three cigarettes jutting out of the open pack appears in the right hand bottom corner of the visual". | December 2002<br>Ad not so similar to the other advertiser's earlier run Ad in layout, visual presentation, or specific depictions, as to suggest plagiarism. |
| 46. | Fascel Limited (Celforce Mobile Phone Service)<br><br>Ogilvy & Mather(*)<br><br>Times of India(*), Ahmedabad<br>(9/2002) | "Turn your mobile into a transistor. Dial 333", "For further details call 98250 98250. Or better still, why don't you dial 333 and let the system do the rest of the talking?". | (Complaint received in 11/2002)<br>The former number is a toll free and the latter is a chargeable one @ Rs.4/- per minute to the caller. This is misleading as anyone utilising this service will dial either of the numbers and in case of the latter number being dialled, he will be charged. | January 2003<br>Ad not misleading. |
| 47.<br><br># | Hindustan Lever Ltd(*)<br>(Ayush Body Rakshak Soap)<br><br>Bates India(*) | Visuals - a lady Doctor helps a pregnant woman giving birth in a train. She outrightly refuses antiseptic soap offered by a passenger, which is identical to a cake of | (Complaint received in 11/2002)<br>The advertiser has cleverly crafted the subject matter in a way to disparage 'Dettol soap', a well-known, trusted, established product which is synonymous with antiseptic. | January 2003<br>Ad not unfairly denigratory of an identified product. |

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| | Star Plus(*) (11/2002), Sony TV(*) (10/2002), Sun TV (10/2002) | 'Dettol soap', in colour, size and shape. | Depiction of a lady Doctor in the Ad for the testimony of advertiser's ayurvedic product and in the same breath, rejection of well-known trusted antiseptic soap Without any cogent reasons is unjustified. | |
| | C · 2368 | | | |
| | Reckitt Benckiser | | | |
| 48. | Kamani Oil Industries (Frywell Refined Vegetable Oil) | | (Complaint received in 12/2002) In the Ad, the name of the oil from which it is derived is not mentioned. This may mislead consumers by omission of essential particulars. The Ad does not indicate the symbol and the colour code as required under PFA Rules. | February 2003 Claims cited in the complaint, substantiated. Ad did not contravene the relevant provisions of the PFA Act & Rules. |
| | Beverage & Food World (10/2002 issue) | | | |
| Foods | | | | |
| | C · 2375 | "Speciality frying oil with excellent shelf life", "High smoke point giving high operational life", "Nutritionally balanced oil" | Claims need to be substantiated by the advertiser. | |
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| 49. | Hindustan Lever Ltd(*) | "Now the responsibility of your teeth lies with Pepsodent". While communicating this claim, a super appears in the commercial which states the responsibility is limited to only the reimbursement of tooth extraction costs – as per prospectus. | (Complaint received in 1/2003) This claim read with the illegible qualifier is completely misleading. | February 2003 Claims cited in the complaint, not misleading or denigratory of other identifiable products. |
| # | (Superior Pepsodent – Free Dental Insurance worth Rs.1000/-) | | | |
| | Lowe(*) | | | |
| | DD1 (10/2002) | | | |
| | C-2380 | "Does any other toothpaste have such confidence" | The commercial implies that Pepsodent is the only toothpaste which is capable of providing such protection which none of the other toothpastes can provide. This claim is not only comparative and competitive but it unfairly denigrates all other toothpastes. | |
| | Colgate Palmolive | | | |
| 50. | Population Services International ("Balbir Pasha la Aids honar ka?") | 'Balbir Pasha' Ad campaign started in mid November'02, with a poser, "Balbir Pasha Ko Aids Hoga Kya?" | (Complaint received in 1/2003) The Ads are highly objectionable. The Ad campaign, in the name of preventing Aids, is openly, boldly and aggressively promoting consumption of liquor and frequenting sex workers. | February 2003 The themes conveyed in the TVC and in the press Ads under complaint, were considered pertinent and relevant to the |
| | Lowe(*) | Second phase of this | | |

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| | DD<br>Loksatta (*)<br>(12/2002) | campaign started from 1st December'02. The visual shows two young boys having liquor at a joint, voicing the fear that if after consuming liquor, Balbir Pasha forgets to use a Condom while womanizing, he would certainly contract Aids.<br><br>Third phase of this Ad campaign shows a discussion among dock workers, where one worker tells the other that, Balbir Pasha may be going to only one woman regularly, when the other worker comments that he may be a "regular visitor" to "only one woman" but that woman may be a "sex worker" | | prevailing social environment associated with the public health emergency (of HIV-AIDS), as identified at various Government levels and supported by premier research organisations in India.<br>Ads were not offensive to generally accepted standards of public decency. |
| 51.<br># | Dabur India Ltd(*)<br>(Dabur Lal Dant Manjan)<br><br>Bates India(*)<br><br>DD2 (1/2003)<br>Star Gold(*)<br>(12/2002)<br>Zee Cine(*) (1/2003) | Visuals - a young boy stealing and eating a raw guava, which is being objected to by a farmer/gardener, with broken teeth. He warns the boy that his teeth will break. In response, the boy states that his teeth will not break, since they are strong, (unlike those of the farmer/gardener). This is immediately followed by a shot showing a heap of white powder being cast away with the background voice stating, "sadharan mein na jaane hai kya", i.e. "one does not know what is there in the ordinary". | (Complaint received in 1/2003)<br>This amounts to an unfair denigration of white toothpowders. | <u>March 2003</u><br>Ad did not unfairly denigrate any identifiable brands or products.<br><br><u>April 2003</u><br>**Decision on Review**<br>(Requested by Complainant)<br>**Not Upheld decision stands**<br>There was no justification for a Review of the earlier decision. |

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| 52. # | MRF Ltd(*)<br>(MRF Tyres)<br><br>Lowe(*)<br><br>'Autocar'<br>(1/2003) | "MRF top on customer satisfaction for Car Tyres Radial and Bias",<br>"It goes to prove that MRF ZVTS is today the most preferred radial in the car tyre market" | (Complaint received in 1/2003)<br>The advertiser is trying to mislead the general public by making statements without any substantiation.<br>The Ad does not mention the source for the comparative claims made. | March 2003<br>Source of claim cited in the complaint was substantiated on request, by the Advertiser. |
| | C·2391 J.K. Inds. | | | |
| 53. | Pepsi Foods P. Ltd(*)<br>(Pepsi - Yeh Dil Maange More)<br><br>ESPN, Star Sports(*)<br>(1/2003) | Visuals - all top cricketers (other than Indians) greeting Shane Warne, after being traumatized hitting or kicking a non-performing Pepsi vending machine. The culprit is a boy in Indian team one dayer's uniform taking away a can of Pepsi after plugging the machine to the source of power and immediately unplugging it once his job is accomplished. | (Complaint received in 1/2003)<br>Ad gives a feeling and impression to the outsiders that we Indians have a tendency of jamming the public utility machines intentionally to our advantage. Painfully, the tune of "sare jahanse achha Hindustan hamara", being played in the background suggesting the authenticity of the deed and the pride in doing so.<br><br>No one in the Indian team is shown injured, implying that they are hand in glove with the boy or they themselves have stage managed such an event so that other top players of other countries are on the injured list.<br><br>**(Two similar complaints received against the same TVC)** | March 2003<br>Ad not derogatory of any individual or group portrayed in the TVC.<br><br>***TVC withdrawn, however.*** |
| | C·2393<br>Dr. Rajgopal Rao | | | |
| 54. | Hindustan Lever Ltd(*)<br>(Clinic All Clear anti-dandruff shampoo)<br><br>Lowe(*)<br><br>ESPN, Star Sports(*)<br>(1/2003) | Visuals - features the main characters - Neha and Priti, of whom the latter is usually not present in their shared apartment, while the former is always in. Ad portrays a Neha who has short hair either tied into a bun or shaggy/scraggy, wearing spectacles and without make-up, whereas Priti is shown as a fun loving girl with flowing hair who is seen at bowling alleys etc.<br>The situation for Neha changes dramatically after she starts using 'Clinic All Clear anti-dandruff shampoo'. She is then shown with long, flowing, shining hair, without | (Complaint received in 1/2003)<br>Whenever an Ad of the 'before and after use' category is shown, the consumer should be given a fair chance to decide. Introduction of 'extras', such as long, flowing shiny hair, absence of spectacles, or make up that wasn't shown earlier, in the above Ad is unfair and unethical. | March 2003<br>Ad not unfair, unethical, or misleading to the consumers. |
| | C·2394<br>M/s. R. Rammohan | | | |

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| | | wearing spectacles and with make-up, which was absent in the 'before use' scene, flashing a smile that was absent earlier, and swishing her long glistening hair like that of Priti. | | |
| 55. | Hyundai Motor India Ltd<br>(Santrozip Plus Automatic)<br><br>Saatchi & Saatchi(*) C·2395<br><br>The Hindu(*), Vijaywada edition Mr. Ambarish<br>(1/2003) | -- | (Complaint received in 1/2003)<br>Ad advocates dowry system, since it encourages a father to gift a car to his daughter, on her marriage.<br><br>**(One similar complaint received against the same Ad)** | March 2003<br>Ad not advocating an illegal practice. |
| 56. | Nokia<br>(Nokia 3310)<br><br>Bates India(*)<br><br>Mid Day(*)<br>(10/2002)<br><br>C·2397<br><br>Mr. Anil Balani | MRP for Nokia 3310 was Rs.5495/- but the 'Best Buy' price was Rs.4999/- | (Complaint received in 1/2003)<br>Upon repeated telephone and personal enquiries with a preferred dealer, the complainant was informed that the said handset was out of stock. He got a similar response from another dealer.<br><br>On 2nd November 2002, the first dealer claimed that the said handset was then available but the 'best buy' offer was withdrawn by Nokia and full price of Rs.5495/- was payable. Reluctantly in the evening, the complainant purchased one piece from this shop.<br>When he stepped out of the said shop, he saw a banner outside another dealer. He entered the shop and inquired whether the offer was still valid. The salesman expressed his willingness to supply the phone at Rs.4999/-. He showed the complainant, sales bills (invoices) dated 2/11/2002 to prove that he was selling the same handset at the price of Rs. 4999/- right upto 2nd November 2002.<br><br>In fact, very few handsets were sold at the advertised 'best buy' price. There was no Ad or notice withdrawing the offer. Nor did the Ad say that it was a limited period | March 2003<br>Exparte (absence of comments from the Advertiser).<br>Complaint was an isolated instance of non-performance by a dealer recommended in the Ad. The product was available at another dealer's outlet. |

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| | | | offer (until stock lasts) This Ad is misleading and falsely induces the consumer to decide to buy, even at the higher price, thereby creating widespread disappointment in several consumers. | |
| 57. | Hindustan Lever Ltd(*) (Ayurvedic Fair & Lovely)<br><br>Lowe(*)<br><br>DD1 (1/2003) | Visuals - a person whose photo is not liked by the bride's friend<br><br>C·2407<br>Baskaran P.L | (Complaint received in 2/2003) TVC portrays the person in the Ad, in a poor light.<br>The advertiser should think about the persons who feel bad because of these kind of Ads, which convey that only the `looks' matter. This will surely convey a wrong message to the people at large and the youngsters in particular. | March 2003<br>Ad not so objectionable as to give rise to widespread offence. |
| 58.<br>#<br>cosmetic | Hindustan Lever Ltd(*) (Close Up Lemon Mint)<br><br>Promotion message on the pack | Provides "Superior Freshness"<br><br>C·2408<br>Colgate (I) Ltd. | (Complaint received in 2/2003) This claim necessarily means that all other toothpastes do not give superior freshness, and Close up Lemon Mint is the only toothpaste capable of providing "Superior Freshness". This claim is false and misleading and also comparative and competitive in nature so as to unfairly denigrate all toothpastes to gain unfair advantage in the market. | March 2003<br>Use of the words, "superior freshness", did not unfairly denigrate other identifiable products. It was considered to be an advertising licence, not requiring explicit substantiation. |

# PERTINENT EXTRACT OF MEMORANDUM AND ARTICLES OF ASSOCIATION OF THE ADVERTISING STANDARDS COUNCIL OF INDIA

**(Registered in Oct. 1985, u/s 25, as a Not-For-Profit Co., under the Companies Act 1956)**

The main objects to be pursued by the Company on its incorporation are - ...

To monitor administer and promote standards of advertising practices in India with a view to ...

ensuring the truthfulness and honesty of representations and claims made through advertising and safeguarding against misleading advertising....

ensuring that Advertising is not offensive to generally accepted norms and standards of public decency....

safeguarding against the indiscriminate use of advertising for the promotion of products or services which are generally regarded as hazardous to society or to individuals or which are unacceptable to society as a whole....

ensuring that advertisements observe fairness in competition and the canons of generally accepted competitive behaviour....

To codify adopt and from time to time modify the code of advertising practices in India and implement, administer and promote and publicize such a code....

To provide facilities and machinery in the form of one or more Consumer Complaints Councils having such composition and with such powers as may be prescribed from time to time to examine complaints against advertisements in terms of the Code of Advertising practices and report thereon....

To give wide publicity to the Code and seek adherence to it of as many as possible of those engaged in advertising....

To print and publish pamphlets, leaflets, circulars or other literature or material that may be considered desirable for the promotion of or carrying out of the objects of the Company and disseminate it through any medium of communication.

## CONSUMER COMPLAINTS COUNCIL

The Board of Governors shall appoint Consumer Complaints Council, the number of members of which shall not be more than twenty one....

The Consumer Complaints Council shall examine and investigate the complaints received from the consumers and the general public, including the members of the Company, regarding any breach of the Code of Conduct and/or advertising ethics and recommend the action to be taken in that regards.

## POWER OF THE CONSUMER COMPLAINTS COUNCIL

Each Council shall be entitled to receive complaints from the Board of Governors, the Consumers, the general public and members of the Company....

Each Council shall enquire, investigate and decide upon the complaints received by it within the frame work of the Code of Conduct adopted by the Company....

All the decisions of each Council shall be by simple majority, in writing and may specify the action to be taken in respect of the offending advertisement....

The Advertising Standards Council of India

Find an ad objectionable click to complain

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- Application for Membership
- ASCI Members
- Board of Governors
- Members of Consumer Complaints Council
- Members of Board of Governors and CCC since inception
- The Board of Governors Report
- FAQ
- ASCI's Advertisements Video

# The Advertising Standards Council of India

Advertising Standards Council of India is a self regulatory voluntary organisation of the advertising industry.

The Role and Functioning of the ASCI & its CCC in dealing with Complaints received from Consumers and Industry, against Advertisements which are considered as False, Misleading, Indecent, Illegal, leading to Unsafe practices, or Unfair to competition, and consequently in contravention of the ASCI Code for Self-Regulation in Advertising.

*Regulate yourself, or someone else will*



**The Advertising Standards Council of India**
**Registered Office & Secretariat**
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