The Advertising Standards Council of India

EIGHTEENTH REPORT AND ACCOUNTS

FOR THE YEAR
2003-2004

The Advertising Standards Council of India

18th Report and Accounts of 2003-2004

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Report of Consumer Complaints Council.....

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

Solicitors
Little & Co.
Central Bank Building
Mumbai

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205 Bombay Market
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Attendance of the members of the Board of Governors of The Advertising Standards Council of India at Board Meetings from 197th meeting held on May 8th, 2003 to the 204th meeting held on February 12th, 2004. (8 Meetings held)

Name of Member	Meetings Applicable	Meetings Attended
Mr. N. Murali	8	3
Mr. Goutam Rakshit	8	3
Mr. Arun Adhikari	8	4
Mr. Sam Balsara	8	7
Mr. C.R. Irani	8	2
Ms. Urmila Jain	8	3
Mr. Madhukar Kamath	8	4
Mr. Ravi Kant	8	5
Mr. Bharat Kapadia	8	5
Mr. G. Krishnan	8	1
Ms. Zia Mody	7	0
Mr. Shashidhar Nanjundaiah (a)	1	1
Mr. Bharat V. Patel	8	8
Mr. R.A. Poddar	8	4
Mr. Bharat Puri	8	4
Mr. Ram Sehgal	8	2
Mr. Dorab R. Sopariwala	8	7

(a) resigned 9/2003

Attendance of the members of the Consumer Complaints Council (CCC) from the 195th meeting held on April 8th, 2003 to the 207th meeting held on March 16th, 2004.(13 Meetings held)

Name of Member	Meetings Applicable	Meetings Attended
Prof. U.A. Athavankar	13	1
Dr.(Ms.) Suma Chitnis	13	7
Mr. Darryl D'Monte	13	6
Dr. (Ms.) Camille Gonsalves	13	7
Mr. Sanjay Kher	13	7
Ms. Swarn Kohli	13	5
Mr. E.A. Kshirsagar	13	5
Mr. K. Kurian (a)	9	8
Mr. Ayaz Memon (b)	13	0
Mr. N. Murali (c)	7	1
Mr. Rajesh Pant	13	4
Dr. Udayan Patel	13	2
Mr. Ravi Pisharody	13	3
Ms. Apurva Purohit (d)	8	2
Mr. Goutam Rakshit (e)	6	3
Mr. R. Ramakrishnan (f)	3	3
Dr.(Ms.) Angela Rodrigues	13	11
Mr. Madhukar Sabnavis	13	7
Mr. Sumedh Shah	13	7
Ms. Ingrid Srinath	13	2
Mr. Shashi Sinha	13	9
Mr. N.G. Wagle	13	11

(a) retired 12/2003
(b) resigned 3/2004
(c) retired 10/2003
(d) w.e.f. 6/2003 & resigned 2/2004
(e) w.e.f. 10/2003
(f) w.e.f. 1/2004

Report of the Board of Governors

We take pleasure in presenting the Eighteenth Annual Report of the Advertising Standards Council of India, together with the Statement of Accounts for the period **April 2003 to March 2004**.

The highlights of the year:

- All ASCI member firms and many of their Branch establishments have been advised regularly of the Consumer Complaints Council (CCC) Upheld decisions, for their awareness and support.
- The CCC met 13 times and deliberated on 182 complaints against advertisements, of which, 123 were Upheld.
- Compliance with CCC decisions: Out of 123 complaints which were Upheld, in 94 cases the advertisements have been withdrawn or modified appropriately in accordance with CCC decisions. In the case of **only 29 advertisements** contravening the Code (complaints Upheld), the Advertisers/Ad. Agencies have **not yet informed the Council of their compliance with the CCC decisions**.

The Board of Governors: During the year, Mr. Shashidhar Nanjundaiah resigned from the Board. The Board wishes to place on record its appreciation of the valuable services rendered by him during his tenure.

CCC Members: During the year, Mr. K. Kurian, Mr. N. Murali and Mr. Ayaz Memon, retired from the CCC. Ms. Apurva Purohit resigned from the CCC. Mr. Goutam Rakshit and Mr. R. Ramakrishnan were appointed to fill the consequential vacancies.

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.

Memberships: Your Board of Governors is pleased to report that due to active follow-up by Board members, 9 new members have enrolled during the year. However, 12 members did not renew their membership.

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 will need to be made, to enrol them as Media members of your Council.

CCC - Analysis of Decisions on Complaints: The CCC decided on a total of **182** complaints, of which **123** were **Upheld**, whilst **59** were **Not Upheld**. Compared with last year, the number of complaints received has reduced considerably during the second half of this year. This calls for an early resumption of the Awareness Ad Campaign on Self-Regulation and its benefits to consumers.

Compliance with CCC decisions has remained high. Of the 123 complaints which were Upheld, in the case of 94 complaints, the advertisements were either withdrawn or modified appropriately.

Intra-Industry Complaints: During this year, 56 intra-industry complaints were received from advertisers and advertising agencies, in respect of misleading comparative advertising, or unfair competitive advertising. Of these, 42 were Upheld and 14 were Not Upheld; assurance of Compliance has been received for 33 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 involvement of ASCI members in some of the complaints, 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: The ASCI Website – www.asci. co.in, has been in existence since April 2003. Yet, 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.

Role and Function of ASCI in Self-Regulation in Advertising: During the month of August 2003, your Chairman was interviewed (video taped) for a Documentary (TV & Social Responsibility in Advertising), produced for the Public Service Broadcasting Trust, a G.O.I. sponsored trust. It was to be aired on DD, which would cover the vast audiences of DD viewers particularly in semi-urban and rural areas, wherein the awareness of ASCI services available to the general public, without charge, was not widely known. Follow-up efforts are underway to establish contacts with other P.S. Broadcasters, for a similar purpose.

A request was received in early November 2003, from the Ministry of Information & Broadcasting, New Delhi, for ASCI's opinion on the proposed denial of Registration of Trade Marks - used for alcohol and tobacco products, to "other types of products". Your Chairman advised that this matter, which involved legal implications concerning Trade Mark Legislation, clearly falls outside the purview of the ASCI, in the context of the Code for Self-Regulation in Advertising, which is concerned with the contents of the advertisements in relation to the products or services promoted therein. As for the advertisements which are considered as "surrogate", the ASCI Code has specific provisions to discourage such promotions for alcohol or tobacco based products/ brands (Chapter III.6 of the ASCI Code).

CNBC – TV 18: In May 2004, your Council compiled and provided a review of CCC decisions on complaints decided over the past two years, selectively pertaining to the portrayal of women and of children, in a manner

which contravened the ASCI Code. Some of the Board members were kind enough to be interviewed for this program, on the initiative of the TV channel. This program is to be aired shortly on TV 18.

Financial Results

		This year Rs.	Previous year Rs.
Income		36,24,129	36,07,202
Expenditure		16,20,513	16,41,328
Excess of Income over expenditure for the year		20,03,616	19,65,874
Balance at the beginning of the year		26,29,510	6,63,636
		46,33,126	26,29,510
Less:			
(i)	Accumulation under Section 11(1)(a) of the Income tax Act 1961	—	—
(ii)	Accumulation under Section 11(2) of Income tax Act 1961	—	—
		—	—
Balance carried to Balance Sheet	Rs.	46,33,126	26,29,510

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 2004, 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 Eighteenth Annual General Meeting will be held on Thursday 9th September 2004.
The Governors retiring from the Board, and eligible for re-election, are as follows:

Category A - Advertisers

Mr. Arun Adhikari
Mr. Bharat Puri

Category B - Press/Media

Mr. G. Krishnan
Mr. N. Murali

Category C- Advertising Agencies

Mr. Sam Balsara
Mr. Madhukar Kamath

Category D - Allied Professions

Mr. R.A. Poddar
Mr. Dorab R. Sopariwala

On behalf of the Board of Governors,

N. MURALI
CHAIRMAN

MUMBAI

NOTICE

A MEETING OF THE Board of Governors shall take place immediately after the Annual General Meeting on September 9th, 2004. 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 Eighteenth Annual General Meeting are requested to attend this meeting.

N. MURALI
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, 2004 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 Companies (Auditor's Report) Order, 2003 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, 2004 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, 2004 ; 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, 10th June 2004

THE ADVERTISING STANDARDS COUNCIL OF INDIA
BALANCE SHEET AS AT 31st MARCH 2004

		Schedule	Rupees	This Year Rupees	Previous Year Rupees
I.	**SOURCES OF FUNDS:**				
1.	**Corpus and Reserves**				
	(a) Council's Corpus	A		22,95,808	22,77,808
	(b) Reserves and Surplus	B		1,08,47,340	88,43,724
	TOTAL RUPEES			1,31,43,148	1,11,21,532
II.	**APPLICATION OF FUNDS**				
1.	**Fixed Assets**				
	(a) Gross Block	C	23,13,860		23,02,510
	(b) Less: Depreciation		11,57,288		11,02,184
	(c) Net Block			11,56,572	12,00,326
2.	**Investments**	D		85,05,000	65,05,441
3.	**Current Assets, Loans and Advances**				
	(a) Accrued Interest on Investments and Bank Deposits			4,27,499	4,53,042
	(b) Cash & Bank Balances	E		30,95,821	29,73,629
	(c) Loans and Advances	F		7,352	48,587
				35,30,672	34,75,258
4.	Less: **Current Liabilities & Provisions**				
	(a) Current Liabilities	G		49,096	59,493
	(b) Provisions			-	-
				49,096	59,493
	Net Current Assets			34,81,576	34,15,765
				1,31,43,148	1,11,21,532

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

(Lalit Khanna)
Partner
Mumbai, 10th June , 2004

For and on behalf of the
Board of Governors

Goutam Rakshit
Vice Chairman

Members

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

THE ADVERTISING STANDARDS COUNCIL OF INDIA

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31ST MARCH, 2004

Sl. No.	Particulars	Schedule	This Year Rupees	Previous Year Rupees
	INCOME			
1.	Membership Subscription and Other Income	H	36,24,129	36,07,202
	EXPENDITURE			
2.	Salaries, Wages and Bonus		9,67,100	8,12,950
3.	Printing, Stationery and Xeroxing Charges		1,79,979	2,33,308
4.	Electricity Charges		59,657	67,634
5.	Telephone Expenses		46,720	50,120
6.	Travelling & Conveyance		50,541	46,936
7.	Meeting Expenses		14,850	12,782
8.	Repairs & Maintenance		28,404	32,663
9.	Legal & Professional charges		6,500	48,500
10.	Irrecoverable Deposits written off		25,540	-
11.	Loss on Sale of Airconditioner		-	10,850
12.	Website charges		14,580	96,998
13.	Other Expenses	I	1,23,546	1,38,172
14.	Depreciation		1,03,096	90,415
15.	Total Expenditure		16,20,513	16,41,328
16.	Excess of Income over Expenditure for the year		20,03,616	19,65,874
17.	Balance at the beginning of the year		26,29,510	6,63,636
	Balance carried to the Balance Sheet		46,33,126	26,29,510

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

(Lalit Khanna)
Partner
Mumbai, 10th June , 2004

For and on behalf of the
Board of Governors

Goutam Rakshit
Vice Chairman

Members

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

Schedules annexed to and forming part of the Balance Sheet as at 31st March 2004 and the Income and Expenditure Account for the year ended on that date

		This Year Rupees	Previous Year Rupees
	SCHEDULE A		
	COUNCIL'S CORPUS		
	Balance as at the beginning of the year	22,77,808	22,49,808
	Add : Entrance fees received during the year	18,000	28,000
		22,95,808	22,77,808
	SCHEDULE B		
	RESERVES & SURPLUS		
(i)	Accumulation under Section 11(1)(a) of the Income tax Act, 1961 As per last Balance Sheet	28,88,214	28,88,214
(ii)	Accumulation under Section 11(2) of the Income tax Act, 1961 As per last Balance Sheet	33,26,000	33,26,000
(iii)	Surplus as per Income & Expenditure Account	46,33,126	26,29,510
		1,08,47,340	88,43,724

THE ADVERTISING STANDARDS COUNCIL OF INDIA

SCHEDULE C

SCHEDULE OF FIXED ASSETS ANNEXED TO AND FORMING PART OF THE BALANCE SHEET AS AT 31st MARCH 2004

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.	Deductions Rs.	Upto the end of the year Rs.	As at 31st March 2004 Rs.	As at 31st March 2003 Rs.
1.	Office Premises	18,45,163	-	-	18,45,163	7,98,391	52,339	-	8,50,730	9,94,433	10,46,772
2.	Computers	2,54,175	58,650	47,500	2,65,325	1,82,542	38,052	47,333	1,73,261	92,064	71,633
3.	Air Conditioners	38,000	-	-	38,000	4,634	4,641	-	9,275	28,725	33,366
4.	Office Equipments	53,364	-	1,200	52,164	35,039	2,549	659	36,929	15,235	18,325
5.	Furniture & Fixtures	1,11,808	1,400	-	1,13,208	81,578	5,515	-	87,093	26,115	30,230
	Total Rupees	23,02,510	60,050	48,700	23,13,860	11,02,184	1,03,096	47,992	11,57,288	11,56,572	12,00,326
	Previous Year 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

Schedules annexed to and forming part of the Balance Sheet as at 31st March 2004 and the Income and Expenditure Account for the year ended on that date (continued)

		This Year Rupees	Previous Year Rupees
	SCHEDULE D		
	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.**	38,00,000	51,00,441
4.	**8% Savings (Taxable) Bonds**	33,00,000	-
		85,05,000	65,05,441
	SCHEDULE E		
	Cash and Bank Balances		
(i)	Cash in hand	2,923	2,905
(ii)	In Savings Account with a Scheduled Bank	-	3,70,724
(iii)	In Term Deposits with a Scheduled Bank	30,92,898	26,00,000
		30,95,821	29,73,629
	Schedule F		
	Loans and Advances		
	Unsecured Considered good		
(i)	Tax Deducted at source	7,119	23,047
(ii)	Advances recoverable in cash or in kind or for value to be received	233	25,540
		7,352	48,587

Schedules annexed to and forming part of the Balance Sheet as at 31st March 2004 and the Income and Expenditure Account for the year ended on that date (continued)

		This Year Rupees	Previous Year Rupees
SCHEDULE G			
	Current Liabilities		
a)	Subscription received in advance	4,000	27,750
b)	Sundry Creditors and outstanding expenses	45,096	31,743
		49,096	59,493
	SCHEDULE H		
	Membership Subscription and other Income		
(i)	Membership Subscription	26,10,500	26,38,000
(ii)	Interest on Investments	7,22,665	6,98,543
(iii)	Interest on Bank Deposits and Savings Account	2,19,782	2,20,042
(iv)	Interest on Income tax Refund	1,182	617
(v)	CCC Review charges	70,000	50,000
		36,24,129	36,07,202
	SCHEDULE I		
	OTHER EXPENSES		
(i)	Staff Welfare	8,318	9,473
(ii)	Society Outgoings	19,724	19,724
(iii)	Postage and Courier charges	63,301	64,675
(iv)	Computer Software	3,717	15,450
(v)	Audit Fees	16,650	15,750
(vi)	Miscellaneous Expenses	11,836	13,100
		1,23,546	1,38,172

Schedules annexed to and forming part ofthe Balance Sheet as at 31st March, 2004 and the Income and Expenditure Account for the year ended on that date (continued)

SCHEDULE J : 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

(d) The Council does not have any retirement benefit scheme for its staff.

2. Repairs and Maintenance comprise as under :

	This year Rs.	Previous year Rs.
(a) Repairs to Premises	-	4,917
(b) Other Repairs	28,404	27,746
	28,404	32,663

3. Audit Fees of Rs.16650 include Rs.450 (Previous year Nil) being service tax in respect of the preceding year

4. Staff Welfare includes Insurance premium amounting to Rs.1005 (Previous year Rs.1103) in respect of Accident Policies of employees

5. Particulars as per Paras 4, 4A, 4C and 4D of Schedule VI to the Companies Act, 1956 - NIL

6. Previous year's figures have been regrouped and rearranged wherever necessary

SCHEDULE K

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	03	2004	
	Date	Month	Year	

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

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

Total Liabilities	Total Assets
13192	13192

Sources of Funds

Corpus	Reserves & Surplus
2296	10847
Secured Loans	Unsecured Loans
-	-

Application of Funds

Net Fixed Assets	Investments
1156	8505
Net Current Assets	Misc. Expenditure
3482	-
Accumulated Losses	

IV Performance of Company (Amount in Rs. Thousands)

Turnover	Total Expenditure (including Depreciation)
3624	1621
Profit before tax	Profit after tax
2004	2004
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 K

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

(Lalit Khanna)
Partner
Mumbai, 10th June , 2004

For and on behalf of the Board of Governors

Goutam Rakshit
Vice Chairman

Members

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

List of Members - As on March 31st, 2004

Category A - Advertisers

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

List of Members - As on March 31st, 2004

54. J.K. Industries Ltd. New Delhi
55. J.L. Morison (I) Ltd. Mumbai
56. JCT Ltd. (Steel Division) Hoshiarpur
57. Jet Airways (I) P. Ltd. Mumbai
58. Johnson & Johnson Ltd. Mumbai
59. Kellogg India P. Ltd. Mumbai
60. Kimberly-Clark Lever P. Ltd. Pune
61. Kodak India Ltd. Mumbai
62. L'OREAL India P. Ltd. Mumbai
63. MRF Ltd. Chennai
64. Madras Cements Ltd. Chennai
65. Marico Industries Ltd. Mumbai
66. Motor Industries Co. Ltd. Bangalore
67. Nachiketa Publications Ltd. Mumbai
68. Nestle India Ltd. Gurgaon
69. NIIT Ltd. New Delhi
70. Nirma Consumer Care Ltd. Ahmedabad
71. Novartis (I) Ltd. Mumbai
72. Ozone Ayurvedics New Delhi
73. Oil And Natural Gas Corporation Ltd., Dehradun
74. Paras Pharmaceuticals Ltd. Ahmedabad
75. Parle Products P. Ltd. Mumbai
76. Pepsi Foods P. Ltd. Gurgaon
77. Pfizer Ltd. Mumbai
78. Procter & Gamble Hygiene & Health Care Ltd. Mumbai
79. Ray-Ban Sun Optics (I) Ltd Rajasthan
80. Reckitt Benckiser India Ltd. Gurgaon
81. Samsung India Electronics Ltd., New Delhi
82. Sara Lee Household & Body Care India P. Ltd. Chennai
83. Seagram Mfg. P. Ltd. Gurgaon
84. Shriram Chits (Karnataka) P. Ltd. Bangalore
85. S. Kumar Nationwide Ltd. Mumbai
86. Standard Chartered Bank Mumbai
87. SCMS Group of Educational Institutions, Cochin
88. Tata Chemicals Ltd. Mumbai
89. Tata Coffee Ltd. Bangalore
90. Tata Motors Ltd. Mumbai
91. Tata Services Ltd. Mumbai
92. Tata Sons Ltd. Mumbai
93. Tata Tea Ltd. Kolkata
94. The Associated Cement Cos.Ltd Mumbai
95. The Bombay Dyeing Mfg. Co. Ltd. Mumbai
96. The Hongkong & Shanghai Banking Corp Ltd., Mumbai
97. The Ravalgaon Sugar Farm Ltd Mumbai
98. The Tata Iron & Steel Co. Ltd. Jamshedpur
99. Titan Industries Ltd. Bangalore
100 Total Fina Elf India Ltd. Mumbai
101 TTK Prestige Ltd. Bangalore
102 UDV India Ltd. Mumbai
103 Voltas Ltd. Mumbai
104 VST Industries Ltd. Hyderabad
105 Whirlpool of India Ltd. New Delhi
106 Wockhardt Ltd. Mumbai
107 Wyeth Ltd. Mumbai

List of Members - As on March 31st, 2004

108 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. Dainik Bhaskar
Mumbai

8. Delhi Press Patra Prakashan
PTE Ltd. New Delhi

9. Discovery Comms. India
New Delhi

10 Gavakari Prakashan
Nashik

11 Indian Express Newspapers
(Bombay) Ltd., New Delhi

12 Jai Hind-Daily
Ahmedabad

13 Kasturi & Sons Ltd.
Chennai

14 Kheti Duniyan An
Agril Weekly, Patiala

15 Lokmat Newspapers P. Ltd.
Mumbai

16 Malayala Manorama Co.Ltd
Kottayam

17 Mid-Day Multimedia Ltd.
Mumbai

18 Modi Entertainment Ltd.
New Delhi

19 Naiduniyan News &
Network P. Ltd., Indore

20 Neutral Publishing House
Ltd., Ranchi

21 Outlook Group
New Delhi

22 Parsiana Publications
P. Ltd. Mumbai

23 Rajasthan Patrika P. Ltd.
Jaipur

24 RDI Print & Publishing
P.Ltd Mumbai

25 Rifa Publication P. Ltd.
Mumbai

26 Sakal Papers Ltd.
Pune

27 Sankha Press P. Ltd.
Assam

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

29 Star India P. Ltd.
Mumbai

30 The Hindustan Times Ltd.
New Delhi

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

32 The Printers (Mysore) Ltd.
Bangalore

33 The Statesman Ltd.
Kolkata

34 TV Today Network Ltd.
New Delhi

35 Ushodaya Publications
Hyderabad

36 Zee Telefilms Ltd.
Mumbai

Category C - Advtg. Agencies

1 Advertising Avenues
Mumbai

2 Advtg & Mktg. Associates
Mumbai

3 Ambience Publicis Advtg. P.
Ltd., Mumbai

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

5 Bates India P. Ltd.
Mumbai

6 Bensons Advtg. P. Ltd.
Mumbai

7 Canco Advertising P. Ltd.
Mumbai

8 Capital Advtg. P. Ltd.
New Delhi

9 Carat Media Services (I) P. Ltd.,
New Delhi

10 Carl Advertising Agency
Mumbai

11 Contract Advtg. (I) Ltd.
Mumbai

12 Crayons Advtg. Ltd.
New Delhi

List of Members - As on March 31st, 2004

13 daCunha Comms. P. Ltd. Mumbai

14 Dynamic Advtg. & Research Team P. Ltd. (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 Infomedia India Ltd., Mumbai.

26 Interface Comms. P. Ltd. Mumbai

27 J. Walter Thompson Mumbai

28 Jaya Advertising Agency Mumbai

29 Karishma Advertising P.Ltd. Mumbai

30 Leo Burnett Mumbai

31 Lintas India P. Ltd. Mumbai

32 L.A. Advertisers Hyderabad

33 Maa Comms. Bozell Ltd. Bangalore

34 Madison Comms. P. Ltd. Mumbai

35 McCann-Erickson (I) P. Ltd. New Delhi

36 Mass Mktg. & Advtg. Services P. Ltd., Bangalore

37 Mudra Comms P. Ltd. Mumbai

38 Multimedia Aquarius P.Ltd. Mumbai

39 Nac Advtg. Corporation Mumbai

40 Naren Advtg. & Marketing Ahmedabad

41 Navnitlal & Co. Ahmedabad

42 Network Advtg. P. Ltd. Mumbai

43 Ogilvy & Mather P. Ltd. Mumbai

44 Orbit Marketing Ltd. Mumbai

45 Overture Comms. P. Ltd. Mumbai

46 Percept H P. Ltd. Mumbai

47 Prem Associates Advertising & Marketing, Mumbai

48 Publicis (I) Comms. P. Ltd. Mumbai

49 Purple Focus P. Ltd. Indore

50 R.K. Swamy BBDO Advtg. P. Ltd., Chennai

51 Radeus Advertising P. Ltd. Mumbai

52 Raka Advtg. & Mktg. P. Ltd. Mumbai

53 Ratan Batra P. Ltd. Mumbai

54 Rediffusion DY&R P. Ltd. Mumbai

55 RMG David Comms. P. Ltd. Mumbai

56. Roger Pereira Comms. P.Ltd. Mumbai

57. Saatchi & Saatchi P.Ltd. Mumbai

58. Sai Advertisers Mumbai

59. Seasons Advtg. Associates Mumbai

60. Shutters Advtg. Services Mumbai

61. Snappers Advtg & Mktg P. Ltd., Mumbai

62. Sunflower Mktg. & Advtg. Mumbai

63 Surya Adsystems P. Ltd. Hyderabad

64 Swift Intermedia Convergence Ltd. Indore

65 The Flagship Advtg. P.Ltd. Mumbai

66 Touchstone Advtg. & Mktg. Services, Mumbai

67 Triton Comms. P. Ltd. Mumbai

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 P.Ltd. Mumbai
7. Hi - Marg Signage Coimbatore
8. Institute of Hotel Cargo & Tourism Management (IHCTM), Mumbai
9. ICFAI Business School Pune
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. Symbiosis Institute of Mass Comm., Pune
19. Telesis Management Services P. Ltd., Mumbai
20. The Tobacco Institute of India, New Delhi
21. Unique Blocks Mumbai
22. Xavier Institute of Communication Mumbai

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....

Report of Consumer Complaints Council (CCC)

Complaints that were Upheld by the CCC
From April 2003 to March 2004

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

Intra-Industry Complaints
* ASCI Member

Advertisements Modified Appropriately / Withdrawn / Concluded

1. suo motu	Sahara India Pariwar (Sahara Parabanking India's No.1) Percept H.P. Ltd(*) The Asian Age (2/2003)	"Sahara Parabanking India's No.1", "India's No.1 Public Deposit Mobilisation Company", "Sahara Net – the 12th Largest network of V-SATs in the world", "An extensive 6000 strong branch network with 24-hour on-line satellite connectivity", "At present, over 1600 such connections have been established that would offer services like Financial Products, Consumer Products, e-education, Money Transfer, Messaging, Greetings, Video Conferencing, Arts & Souvenirs, Internet Service provider and TV Delivery through broadband access", "Shall also become the largest news gathering agency with start-up points at hundreds of locations across the nation, providing text audio news through portal"	(Complaint registered in 2/2003) Advertiser should provide proof, supporting information in substantiation of the claims.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Ad, one-time announcement.***

C.2402

Suo motu

2. suo motu	Sahara India Pariwar ("Sahara States Where India Lives") Percept H.P. Ltd(*) The Asian Age (2/2003) C.2403 Suo Motu	"The World's largest chain of quality Residential Townships in 101 cities across India", "Total land area of the project - around 11,000 acres", "More than 3 lakh houses (40 Crore sq. ft constructed area) for over 15 lakh residents and 1.5 Crore sq. ft commercial area", "world class infrastructure"	(Complaint registered in 2/2003) Advertiser should provide proof, supporting information in substantiation of the claims.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Ad, one-time announcement.***
3. suo motu	Sahara India Pariwar (Ambey Valley, Sahara Lake City) Percept H.P. Ltd(*) The Asian Age (2/2003) C.2404 Suo Moto	"Offering the World's Best Living at Ambey Valley, Sahara Lake City", "Presently 5 lakes and 11 water bodies comprising a total water front of over 21 kms. And more in planning", "30 to 60 minutes from any point in Mumbai", "100% pollution-free environment", "Certified to ISO-14001 standards for environmental management systems and OHSAS-18001 for occupational health & safety management systems", "7-star Suites", "World-class infrastructure"	(Complaint registered in 2/2003) Advertiser should provide proof, supporting information in substantiation of the claims.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Ad, one-time announcement.***
4. suo motu	Sahara India Pariwar (Sahara Media & Entertainment Network) Percept H.P. Ltd(*) The Asian Age (2/2003) C.2405 Suo Motu	"Now India's Largest Media & Entertainment Network", "… all this by June, 2003"	(Complaint registered in 2/2003) Advertiser should provide proof, supporting information in substantiation of the claims.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Ad, one-time announcement.***

5. suo motu	Dr. Batra's Positive Health Clinic (Homeopathy – The Next Wave) Dattaram Advertising T.O.I.(*) (2/2003)	"American Quality Assessors (an international audit research bureau), has given Dr. Batra's Positive Health Clinic (Homeopathy at its best), a 91% Treatment Satisfaction Rating", "Homeopathy The Next Wave – Arthritis, Asthma, Children's Diseases, Psoriasis, Thyroid diseases", "Over 545 patients with stress related diseases like hair loss, serious skin disorders, migraines, hyperacidity and depression, visit our clinic daily to experience the benefits of our specialized treatments", "… the medicines start taking effect much faster and more effectively than with conventional homeopathic medication", "We are the only homeopathic healthcare corporate in the world that conforms to ISO 9001:2000 standards"	(Complaint registered in 2/2003) Advertiser should provide proof, technical/medical information in substantiation of the claims, with details of clinical tests/trials reports, published in recognised scientific/technical journals.	April 2003 Chapters I.1 and I.4. Claims, "American Quality Assessors (an international audit research bureau), has given Dr. Batra's Positive Health Clinic (Homeopathy at its best), a 91% Treatment Satisfaction Rating", and "the only homeopathic healthcare corporate in the world that conforms to ISO 9001:2000 standards", not substantiated. Claim, "Homeopathy – The Next Wave", and the list of conditions mentioned in the Ad, misleading. ***Ad modified.***
6. #	Reckitt Benckiser (India) Limited(*) (Mortein Deep Reach Action Coils) Euro RSCG Advertising(*) Zee TV(*) (1/2003)	"Special Lasers / Lazors" 'Mortein Deep Reach Coil' flushes out hidden mosquitoes from deep corners, inaccessible to 'ordinary coils' because it contains special Lasers.	(Complaint received in 2/2003) A similar sounding word to the brand -'Tortoise Nak Lazor' (a new coil launched in the market by the Complainant, in September 2002), and advertising the same since October 02. The same is registered with the Trade Mark Authorities. Likely to cause confusion in the consumer's minds. Claim is misleading and needs to be substantiated.	April 2003 Chapters I.1 and I.4. Claim, "Mortein Deep Reach Action Coils flushes out hidden mosquitoes from deep corners, inaccessible to 'ordinary coils', because it contains special Lasers", not substantiated and misleading. Other claims and audio-visual effects cited in the complaint, not considered to be in contravention of the

C.2401
Suo Motu
Drugs/Medicine

C.2399
Bombay Chemicals Ltd.

		Visual - a clear cut demarcation line with an ordinary coil on the left side and Mortein coil on the right side. "Zero bite guarantee". 'Shaktishali suraksha'	Advertiser must substantiate its definition of an ordinary coil. Advertiser must explain and substantiate the terms that define this claim. As per The Insecticide Act of 1968, under The Insecticide Rules 1971, R-10 manner of labelling, point No.8, says, 'Labelling of insecticides must not bear any unwarranted claims for the safety of the product or its ingredients'.	Code. ***Advertiser assured appropriate modification of the TVC.***
7.	Nestle India Ltd(*) (Nestle Premium Milk Chocolates) J. Walter Thompson(*) Zee News(*) (2/2003) C.2410 Vr. Jayshri Iyer	Visuals – A mother ringing home to find out if her husband has left the house to meet her at some place, and the son picks up the phone. Since the father is busy watching television and has not left the place, the son holding the phone, looks meaningfully at his father who promptly brings out a Nestle bar, and the child says to his mother on the phone, that the father has left a long time back.	(Complaint received in 2/2003) Ad is actually portraying bribing of a child for telling a lie. Such cheap and morally wrong Ads can have a long lasting effect on the psyche of the young minds. **(One similar complaint received against the same TVC).**	April 2003 Chapter III.2. Portrayal of a day to day family situation in the Ad, which encourages voicing an untruth, even in the context of a humourous situation, could exploit the vulnerability of minors and result in their moral harm. ***TVC withdrawn.***
8.	The Hindustan Times(*) (HT Scratch & Win Contest) Grey Worldwide (I) P. Ltd(*) The Hindustan Times(*), Lucknow (Sept 02 to Oct 02) C.2411 S.K. Srivastav	"Scratch the Scratch sticker on the front page of HT Lucknow Live. If you find the HT symbol, fill up the contest coupon below, complete the slogan, and mail it to us to win a microwave or a room heater everyday"	(Complaint received in 2/2003) Complainant's son was declared winner for 30th September 2002, draw on 17th October in HT, Lucknow. When they contacted the HT office, their official said - "from today onwards the winners will be awarded with a room heater". The complainant was shocked to hear this since there was no announcement of the same in the newspaper previously, and not even on that particular day, that the award has been changed. As per HT, till 17th October, every winner was awarded with microwave and nobody was awarded with room heater.	April 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and I.5(f). Offer in the Ad, as cited in the complaint, not complied with, by the Advertiser, and no prior notification of the change in the terms of the offer. Claim (prize offer) not substantiated, unfair distribution of prize/gift according to the advertised terms. ***Ad, one-time release.***

9. #	MRF Ltd(*) (MRF Crossply and Radial Tyre) Rediffusion DY&R(*) T.O.I.(*), The Hindu(*) (2/2003) C.2412 J.K. Inds	"MRF is the only approved OE supplier of Tyres (Radial and Crossply) to VOLVO, and so has been the approved supplier to TELCO and ASHOK LEYLAND for years"	(Complaint received in 2/2003) This is a wrong statement. Complainant has been supplying JK branded radial truck tyres produced at its subsidiary manufacturing unit at Vikrant Tyres Limited, Mysore, to VOLVO for more than one and a half year now. Headline is misleading. Complainant has been supplying bias truck tyres to both Telco and Ashok Leyland for a very long time, they also have the distinction to be the first approved radial truck tyre supplier to both these OEM's.	April 2003 Chapter I.1. Claims, "always the favourite choice of Indian truckers", and "standard and quality unmatched in the world", not substantiated. ***Ad discontinued.***
		"MRF tyres are always the favourite choice of Indian truckers"	This is again contradictory.	
		"No one knows the Indian truckers and the Indian roads as MRF does".	Claim needs to be substantiated.	
10.	Reliance Infocomm Limited (Reliance India Mobile) Mudra Communications(*) Sony TV(*), Star TV(*), Set Max(*) (2/2003) C.2413 Srivardhan Arya	`Std rates are 40 p/min'.	(Complaint received in 2/2003) Ad does not mention that 40p std rates are only from Reliance to Reliance. This is misleading.	April 2003 Chapter I.4. Claim misleading by omission of limiting conditions (only within Reliance mobile network/circle). ***TVC discontinued since 30/4/2003.***
11.	Reliance Infocomm Limited (Reliance India Mobile) Mudra Communications(*) Sony Max(*) (3/2003) C.2425 Mr. N. Vikrant	`STD rates as 40 paise per minute' without putting asterisk mark (*) for `conditions apply', `STD rates as 40 paise per minute for all LAN lines, Mobile and Cellular lines'	(Complaint received in 3/2003) Advertiser in their zeal to market the mobile connections, are giving all kinds of false information.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.4. Claim misleading by omission of limiting conditions (only within Reliance mobile network/circle). ***TVC discontinued since 30/4/2003.***

12.	Reliance Infocomm Limited (Reliance India Mobile) Mudra Communications(*) Major newspapers, journals, and TVC	Statement that the instrument is FREE, is immediately contradicted by two statements. One states that there is a rental on the instrument, and the other states that they will deduct Rs.5000 for the instrument if one opts out of the Reliance network in the first year.	(Complaint received in 2/2003) If the instrument is given free, why should they deduct the instrument cost? Statements are misleading and contradictory.	April 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and I.4. Ad false (roaming facility not available), and misleading by omission of critical conditions (rentals for "free" handset). ***Press Ads/TVC discontinued since 30/4/2003.***

C. 2426
Dr. K. N. Ponnani

13. #	GTC Industries Ltd (Chancellor Export Cigarettes) Confluence Communication T.O.I.(*), Kolkata (1/2003)	Ad states, "Another Successful Indian in the USA", a photograph of the pack of "Chancellor Export" cigarettes, "Now Available in India" is visible prominently.	(Complaint received in 2/2003) Ad creates an incorrect impression in the mind of the consumers that "Chancellor Export" is a product that has been sold successfully in the USA. Ad contains visuals, which by implication are ambiguous, misleading and/or is likely to mislead the consumer about the product. The consumer is wrongly led to believe that the product, which is now being introduced in India after its success in the USA, is the same as that which has been exported to and sold in the USA. This statement is untrue and is a distortion of the facts.	April 2003 Chapter I.1. Claim, "another successful Indian in the USA", with reference to 'Chancellor Export' cigarettes, not substantiated with export business volume data. ***Advertiser assured appropriate modification of the Ad.***

C. 2416
ITC Ltd.
cigarette/Tobacco

14. #	GTC Industries Ltd (Chancellor Export Cigarettes) Confluence Communication T.O.I.(*), Kolkata (1/2003)	Ad states, "Another Successful Indian in the USA", a photograph of the pack of "Chancellor Export" cigarettes, "Now Available in India" is visible prominently. Ad shows a photograph of a person, and states, "…. Still prefers his Chancellor".	(Complaint received in 2/2003) Ad implies personal testimonial in support of Chancellor brand of cigarettes. Ad contains implied testimonial from an individual who is purportedly successful and belongs to a class of people engaged in a calling, which would attract public admiration or emulation, especially the youth. Ad misleads the consumer about the product advertised, and may induce them to buy on the basis of such untrue representation.	April 2003 Chapter I.1. Claim, "another successful Indian in the USA", with reference to 'Chancellor Export' cigarettes, not substantiated with export business volume data. ***Advertiser assured appropriate modification of the Ad.***

C. 2417
ITC Ltd.
cigarette/Tobacco

15.	Hindustan Lever Ltd(*) (Ayurvedic Fair & Lovely Fairness Cream) Lowe(*) DD1 (2/2003) C.2418 priya Pradeep Obscenity	Visuals – a dark skinned young woman being unable to attract an appropriate marriage proposal.	(Complaint received in 2/2003) Ad is ruthlessly affecting the psyche of many a dark skinned women. It promotes the view that skin colour is the only thing a man looks in a woman and tries to impose its apartheid views on Indian men. The Ad is offensive.	April 2003 Chapters II and III. Ad offensive to generally accepted standards of Pubic Decency. Concept of a dark skinned young woman being at a disadvantage, in respect of marriage suitors, tends to deride colour, and portrays a situation which is unacceptable to society at large. ***TVC campaign concluded.***
16.	Flair Pens & Plastic Industries (Flair Anti-Bacterial Grip Pen) Oberoi Multi-Media TVC C.2431 CBRS	Grip of the pen is "anti-bacterial".	(Complaint received in 3/2003) Advertiser needs to substantiate this claim.	April 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated. ***TVC suspended and later discontinued.***
17.	Col's Calibre (IELTS – Fluent English for Professionals) The Hindu(*) (3/2003) C.2432 Dr. R. Lekshmadevi Amma	"Band 7 assured"	(Complaint received in 3/2003) The score in any examination depends on the student's performance; hence such a claim makes a mockery of the examination and evaluation system of prestigious bodies like the British Council, who have also objected to this Ad; misleads the students.	April 2003 Chapter I.4. Claim of "assured" in respect of Band 7 level/score, ambiguous in the absence of any supporting statement in the Ad itself, of such assurance of the outcome of an examination/ evaluation by a reputed independent body. Likely to mislead students who would consider enrolment in such a training course. ***Ad modified, "*conditions apply", not appropriate.***

18. #	Aptech Limited(*) (ACCP World Program) Triton Communications(*) T.O.I.(*), Mumbai (3/2003) C.2434 NIIT	"The ACCP World Program. Trusted by professionals worldwide. Designed by industry experts. Incorporating the latest advances in IT. It is yet another winner from Aptech, the leader in IT education", "Lead with the Leader" "Aptech helps over 2.5 million students across 52 countries get exciting jobs. Can you afford to ignore it?"	(Complaint received in 3/2003) Aptech is much behind NIIT in terms of revenues, number of students in the annual surveys of IT industry, by magazines like Dataquest (July 15, 2002). Claim is misleading. Advertiser needs to substantiate this claim.	April 2003 Chapter I.1. Claims not substantiated by authentic independent market/industry survey reports/data. `Presence in 52 countries', by itself does not substantiate the claim of Leadership. The enabling of students through IT Education, to prepare for the job market, does not substantiate the claim, "helps students get exciting jobs". Claim of "helps over 2.5 million students get exciting jobs", not substantiated in terms of the numbers completing the Aptech courses, over a definite period of time (annually perhaps), or in terms of numbers who had secured jobs through Aptech's help. ***Ad modified, though not appropriately.***
19.	Pepsi Foods Pvt Ltd(*) (Mountain Dew) J. Walter Thompson(*) Sony Max(*) (2/2003) C.2440 Mr Anil Manohar	Visuals - a man chasing a Cheetah, and pulling out a can of `Mountain Dew', by putting his hand deep in the animal's throat. He then says, `Bad Cheetah, Cheetah bhi peetha hai'	(Complaint received in 2/2003) Complainant's son aged 4 years, attempted to pull out a drink can from a dog's throat. Ad features a dangerous act which is likely to encourage minors.	April 2003 Chapter III.2(b). Ad featured a dangerous act, which was likely to encourage minors to emulate such acts in a manner which could cause harm or injury. ***TVC modified by running a `warning' before the Ad, advising against `attempting the performance', shown in the TVC. Subsequently, TVC discontinued.***

20.	Omega (PDP and CPC courses) HT Horizons (supplement to The Hindustan Times(*)) (1/2003) C. 2428 Mr. Harinder Singh	"Omegans make the city proud by bagging All India 2nd and 4th Ranks in Symbiosis"	(Complaint received in 3/2003) Claim is unsubstantiated and misleading. There are at least 6-7 management institutes under the Symbiosis banner. It is not clear to which particular institute the Ad refers, because for each institute, there is a separate written test and interview. The institute authorities do not release a city-wise list of qualified candidates. How does the advertiser know, in the absence of this information, who has bagged which position from the Chandigarh centre?	April 2003 Chapter I.4. Ad misleading by omission of the specific individual institute to which the claim in the Ad referred. ***Ad, one-time release.***
21.	Omega (Orientation course, MBA Seminar) The Education Times (supplement to T.O.I.(*)) (3/2003) C. 2429 Mr. Harinder Singh	"First Rank in Chandigarh in CAT-2002"	(Complaint received in 3/2003) It is not possible to make such a claim without knowing the results of all those who took CAT from Chandigarh. Nowhere does the institute provide a centre-wise list of qualified candidates. The claim is misleading and unsubstantiated.	April 2003 Chapters I.1 and I.4. Claim not substantiated with authentic independent market/institution report. Ad misleading by ambiguity, in not stating the basis on which the claim was made. ***Ad, one-time release.***
22.	Samsung India Electronics Ltd(*) (Samsung Plano Digital Flat TV with Bio) Mudra Communications(*) Set Max(*) (2/2003) Indian Express(*) (3/2003) C. 2427 CERS	Press Ad "Samsung's Bio-Ceramic picture tube emits beneficial Bio rays which are medically proven to work on your micro-circulation to relax and de-stress your body", "Good for your body not only your eyes", "Certified by medical experts". TVC shows a person's mood immediately changes from anger to love while watching the Samsung Bio TV. Ad says, "bio rays ka sparsh hai, pyara sa ahehsaas hai"	(Complaint received in 3/2003) Advertiser needs to substantiate these claims. To provide the names of the medical experts and the institutions they are associated with, who have certified the Samsung Bio TV. Any independent laboratory study to prove that the efficacy of Bio-Ceramic coating on the picture tube changes one's mood instantly with just the touch of Bio rays.	May 2003 Chapter I.1. Claims in the Press Ad and TVC, not adequately substantiated. ***Ad campaign concluded.***

23.	Reckitt Benckiser (India) Ltd(*) (Dettol soap/liquid antiseptic) J. Walter Thompson(*) Star Plus(*) (3/2003)	"Families that use Dettol, fall ill less often"	(Complaint received in 3/2003) Advertiser needs to substantiate the claim – the basis on which the claim is made, any independent expert or institution that has certified Dettol's properties, any independent survey that has been conducted comparing households using Dettol to those that don't, and any independent study that has compared the usage of Dettol with that of other brands in houses, with comparative results.	May 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated. ***Claim in the TVC modified, to omit comparison.***
24.	GTC Industries Limited (Platinum Cigarettes) Theorym Interactive (India) Pvt Ltd Bombay Times(*) (4/2003) Hoardings in Mumbai	Press Ad - Woman is shown as not wearing anything below her navel (and purportedly even above). The pack is purposely and mischievously positioned. Hoardings - Woman's bare/naked buttocks and legs are shown in a suggestive position.	(Complaint received in 4/2003) For the product in question (i.e. cigarettes), there is no nexus and/or connection. Ads are in very bad taste, obscene and vulgar, and unnecessarily and unethically exploits a woman's body in a manner which transgresses standards of propriety and decency in our society. The innuendo by the use of the words, "smoother than gold", when juxtaposed with a naked woman is unprintable.	May 2003 Chapter II. Press Ad and the Ad on the Hoardings, likely to cause grave or widespread offence. ***Advertiser assured appropriate modification of the Ads.***
25.	Hindustan Lever Limited(*) (Ala Fabric Whitener) J. Walter Thompson(*) Star Plus(*) (4/2003)	Visuals - a woman swirling solutions of the bleach and detergent (in two buckets) consecutively.	(Complaint received in 4/2003) This is a hazardous practice since both Hypochlorite (the active agent in Ala) and LABS (that in the detergent) are harmful to the skin. In fact, BIS standards caution that, "detergent solutions are skin irritants; avoid skin contact". Even if the second bucket contains laundry soap, the alkalinity in it removes the protective skin oils possibly causing dermatitis/chlorine injury. The Advertiser should advocate safe practices.	May 2003 Chapter III.3. Ad manifested a disregard for safety. July 2003 **Decision on Review** No justification for a Review. Upheld decision stands. ***TVC suspended. Advertiser assured that TVC will be modified appropriately if and when it is to be aired in future.***

26.	Tata AIG General Insurance Company Ltd (Nirvana Pension Policy) Bates India P. Ltd(*) The Hindu(*), Chennai (3/2003)	Ad shows an image of 'bottle feeding'.	(Complaint received in 4/2003) Bottle feeding or artificial feeding causes the baby to become more prone to infections. The bottle feeding message will send a powerful message favoring the culture of bottle feeding as normal way to feed children. Anything that promotes bottle feeding defeats the spirit of The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992 (IMS Act)	June 2003 Chapter III.4. Visual of an infant apparently drinking from a feeding bottle as a normal occurrence, defeats the spirit of the Central Government Act, restricting the promotion of Infant Milk Substitutes, Feeding Bottles and Infant Foods. ***Advertiser assured that the visual under reference, or any other of a similar nature, will not be used henceforth in any of their Ads.***
27.	Radio Mid-Day West (India) Pvt Ltd(*) (Go 92.5 FM) Hoardings in Mumbai	"Can I touch you there .... Nahi nahi abhi nahi", "Underneath your clothes .... Lift kara dey", "Ek ladki ko dekha to aisa lagaa jaise ...she bangs"	(Complaint received in 4/2003) Ads are vulgar and obscene. They try to show how they mix the two – artists / singers, but the way of showing is absolutely cheap and corrupts young minds.	June 2003 Chapter II. Slogans appearing on the Hoardings, indecent and vulgar. ***Campaign concluded.***
28. #	Dhan Dhana Dhan (Online Lottery) iB&W Communications(*) Economic Times(*), Mumbai (4/2003)	"Biggest Online Lottery" "Retailer Rally in 8 states and 60 Cities has already made the Dhan Dhana Dhan family, 2600 Retailers strong and growing daily"	(Complaint received in 5/2003) This claim is not tenable. This lottery has not even got launched. The Ad is false and aimed at misleading the consumers, distributors, retailers, and others in the market. According to market reports, the number of cities where they have done rallies is much less than 60 cities, as claimed by them. Also, the number of retailers who have actually signed up their contracts and given advance amount to seal the deal is much less than 2600 retailers. This again is a total misrepresentation of the factual situation.	June 2003 Chapter I.1. Claim, "Biggest Online Lottery", not substantiated with supporting market/industry data or survey reports. ***Ad one-off.***

C.2448
Breast Feeding Promotions Network India

Obscenity
C.2450
Mr. Jayavant (M)

C.2451
Integrated Technologi Solutions

29. #	NIIT Limited(*) (Super Fast Track Batch for Graduates with placement Opportunities) Ad insert circulated along with Newspapers in Mumbai C. 2456 Triton Communications	"For Graduates – 3 years@college = A Valuable Degree", "3 months@NIIT = A Valuable job". "Join NIIT now & get a job immediately after your graduation result".	(Complaint received in 5/2003) Anybody reading this, would assume that any Graduate going through a mere 3 months course at NIIT would automatically get a valuable job. The '=' sign clearly implies that this is a guarantee and an assurance given by NIIT. This is a misleading statement, as NIIT cannot substantiate such a claim. As per this claim, for a person to get a job, only two criteria needs to be fulfilled. The person should have joined NIIT. He does not even need to wait to complete the course. The person's graduation result should have been declared. As per this statement, it is not necessary for the person to have even passed the exam. This line is in contradiction of the headline of the Ad, which states that the person needs to do 3 months at NIIT for getting a job, while here it is stated that he/she needs to just join NIIT.	June 2003 Chapter I.1. Claims not substantiated. Ad was developed and released by the franchisee without the clearance of the copy, by the Advertiser – NIIT. ***Advertiser assured discontinuance of this Ad insert.***
30. Suo motu	Seagram Mfg P. Ltd(*) (Seagram's 100 Pipers) Ogilvy & Mather(*) Said to have appeared in Outlook(*) (3/2003) Surrogate C. 2458 Suo Motu	Visual depiction of the brand 'Seagram's 100 Pipers'	(Complaint registered in 5/2003) Appears to be a surrogate Ad for a liquor brand. (Advertiser not agreed to provide their comments on this complaint, since the said Ad did not appear in the Outlook of 17th March 2003 issue. ASCI Secretariat has confirmed that said Ad appeared in Society of January 2003 issue.)	June 2003 Exparte (absence of comments from the Advertiser). Chapter III.6. Brand promotion of "Seagram's 100 Pipers", whilst referring to "CDs and cassettes of the 100 Pipers Pure Music Series are available in select outlets", the Ad was considered to be a surrogate Ad for a liquor brand – Seagram's 100 Pipers. ("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"). ***Ad modified.***
31. Suo motu	TV Today Network Limited(*) (Jeeto India Jackpot) India Today (3/2003) C.2459 Suo motu	Disfiguration of a 'National Emblem' (the Chakra in the National Tricolour)	(Complaint registered in 5/2003) This would amount to a violation of the law, and consequently the ASCI Code.	June 2003 Chapter III.4. Visuals of a 'National Emblem', with apparent disfiguration, would be considered disrespectful of the National Tricolour, thereby violating The Emblems And Names (Prevention of Improper Use) Act, 1950. ***Ad was a one-time insertion, and the Advertiser expressed their regret in this regard.***
32. #	NIIT Limited(*) (NIIT Maximedia) Contract Advertising(*) Times of India(*), Mumbai, Mid Day(*) (5/2003) C.2460 Overture Communications	NIIT Maximedia is "the only multimedia course that makes you industry ready".	(Complaint received in 5/2003) This statement is unsubstantiated, misleading and factually incorrect. 'Arena Multimedia' are the proven leaders in Asia in Multimedia training. Two years ago, Arena released the Arena Multimedia Specialist programme which was specially created to be industry-relevant and create globally accepted professionals.	June 2003 Chapter I.1. Claim not substantiated with market/industry data or survey reports. ***Ad discontinued.***
33. #	Bajaj Electricals Limited(*) (Bajaj Coolest Air Cooler) Leo Burnett(*) Udaya TV (4/2003) C.2461 O&M Advtg.	Visuals – Teeth chattering, use of same model, same setting (as of Kelvinator Refrigerator TVC), and similar looking double door refrigerator in the background.	(Complaint received in 5/2003) 'Bajaj Coolest' TVC has been completely copied from a TVC of 'Electrolux Kelvinator Ltd' (Teeth chattering Ad for Kelvinator Refrigerators, released April 1999 onwards). This execution is against the advertising ethics.	June 2003 Chapter IV.2. Ad took unfair advantage of the goodwill acquired by the advertising campaign of another product.

	ETV (Marathi) (4/2003)			March 2004 **Decision on Review** Upheld decision stands. Chapter IV.2. The product of the Complainant and the Advertiser, under complaint, were both 'cooling' products, the Advertiser's TVC depicted a similar visual of model and setting, as of the Complainant's TVC. No justification for a Review of the earlier decision. ***TVC withdrawn.***
34. #	Aptech Limited(*) (ACCP World Program) Wall paintings (Ad campaign launched through Aptech's franchisee in Berhampur) C 2452 NIIT	"Aptech - World's No.1"	(Complaint received in 5/2003) In one of the earlier decisions issued by ASCI, this claim was found to be unsubstantiated with facts, and the advertiser was directed to modify appropriately the Ad, to which, the advertiser had agreed to do so. Now they are using the same claim once again using a different media. Advertiser should be advised to provide substantiation of this claim.	July 2003 Chapter I.1. Earlier decision against the claim, "World's No.1", which was not substantiated, was still valid. Advertiser has advised that they have not renewed the contract for the said wall paintings, but the messages have not been blanked out by the wall painting contractor in Behrampur. ***Advertiser assured that the claim will not be used in future Ads.***

35.	**Anchor Electronics & Electricals Ltd (Roma Electrical Switches)** **Art Advertising & Marketing(*)** **Star Plus(*)** **(5/2003)**	Visuals – An elderly patient in the hospital, twitching his limbs when some visitors press an electrical switch. The visitors seem to enjoy the game but are unconcerned about the man's suffering.	(Complaint received in 5/2003) Ad can cause widespread offence among those sensitive to other's pain and sufferings.	July 2003 Chapter II. Ad likely to cause grave offence to those who were sensitive to other people's pain and sufferings. ***TVC modified.***

C.2468
Mr. N. Gajarsen

36. #	**Delhi Pollution Control Committee (Plastic Bags)** **The Pioneer** **(3/2003)**	Visual – Cow eating garbage strewn on the road. "Cow's Milk. Rich in toxic dye", "Plastic bags contain toxic dyes, which, when ingested by a cow can contaminate the milk that it produces, leading to serious health problems" "The plastic bag that you used yesterday could find its way into your cup of tea today"	(Complaint received in 5/2003) Ad urges people to switch to the use of jute or cloth bags and to stop using plastic bags. It is ridiculous to claim that only the plastic in the garbage gets into a cup of tea, as studies show that plastics account for less than 6% of waste in cities. so the cow could very well be poisoned by the remaining 94% of waste. **(One similar complaint received against the same Ad)**	July 2003 Exparte (absence of comments from the Advertiser). Chapter I.4. Allegation, "Plastic bags contain toxic dyes, which, when ingested by a cow can contaminate the milk that it produces, leading to serious health problems", misleading. ***Ad, one-time release.***

C.2469
All (I) Plastics Associations

37.	**Manchester Educational Trust (Admissions to Institutions abroad)** **The Hindu(*)** **(4/2003)**	"Trend setters in Edu – Admn & Visa – 36 years", "Manchester - 1998" "AIRC Member – US Consulate, Chennai"	(Complaint received in 5/2003) `Manchester Educational Trust" was started only in the year 1998. This is a false claim to lure the public. Advertiser should clarify this membership, any certificate which they have got to this effect, and also whether permission has been obtained from the U.S Consulate to use this information in their Ad.	July 2003 Chapter I.1. Claim, "Trend setters in Edu – Admn & Visa – 36 years", not substantiated. ***Ad modified.***

C.2470
Ms. M. Savithri (Advocate)

		"US Visa - Easy – New Law"	It is very clear that the Visa policies and decisions are within the domain of the Consulates. Has the U.S Consulate made any such notification?	

		"ETS Centre for Free Bulletins"	ETS has not authorized any private institution or centres to distribute their bulletins. If this institute claims they are authorized, the advertiser needs to provide documents of authorization in this regard.	
38. Suo motu	UDV India Ltd (Smirnoff Citrus Twist) Carat Media Services(*) Bombay Times, T.O.I.(*) (5/2003) C. 2473 Suo Motu Surrogate	Brand promotion of "Smirnoff Citrus Twist", referring to "Cassettes and CD's from freestyle"	(Complaint registered in 5/2003) Ad appears to be a surrogate Ad for a liquor brand – Smirnoff Citrus Twist.	July 2003 Chapter III.6. ("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"). Ad was a surrogate Ad for a liquor product – Smirnoff Citrus Twist. ***Advertiser assured appropriate modification of the Ad, in future.***
39.	Marico Industries Ltd(*) (Saffola Refined Kardi Oil, Saffola Tasty Blend, Saffola Nutri Blend) Promotion messages on the packs C. 2479 MS. Corinen D'Souza Foods	Packs show visuals of 'heart' "The Heart of a Healthy Family" Saffola Tasty Blend pack claims - "full of health, full of taste". Saffola Nutri Blend pack claims - "Power packed Nutritious oil".	(Complaint received in 6/2003) Packs do not offer any explanation as to why Saffola is good for heart. The advertiser should provide evidence as to why it is good for the heart. Claim not explained. Advertiser should explain as to what makes it power packed and nutritious.	July 2003 Chapter I.4. Visuals of 'heart' on the packs, and the claims, ambiguous and misleading. ***Advertiser assured that the promotion messages on the pack have been modified, and the visuals of 'heart' have been depicted less prominently.***

40. #	ABP Pvt Ltd (Decision Makers' favourite) Digital Mailer C. 2477 Business India	"Decision Makers' favourite", quotes the Decision Maker's Media Survey 3 (DMS 3).	(Complaint received in 6/2003) As per the findings of the DMS 3 (study undertaken by ORG-Marg Research Ltd in 2000, to understand the media habits of the corporate elite, in terms of readership of publications), 63.3% of all Corporate Decision Makers' read Business India, followed by 53.4.% readership for Businessworld, and 47.7% for Business Today respectively. By ignoring Business India magazine's readership figures, Businessworld is deliberately suppressing, misrepresenting, and misleading the recipient of the communication into the belief that Businessworld magazine is the leader in the business magazine segment and 'favourite' choice of premium category readers, whereas it is not so.	August 2003 Chapter I.4. Digital Mailer, misleading by omission of the mention of Business India readership, being the highest, as per DMS 3. ***Circulation of the Digital Mailer discontinued.***
41. Suo motu	Johnnie Walker Leo Burnett(*) Outlook(*) (3/2003) C. 2481 Suo Motu Surrogate	"Johnnie Walker. Keep Walking".	(Complaint registered in 5/2003) Ad is considered to be a surrogate Ad for a liquor brand.	August 2003 Chapter III.6 (b). In the absence of any specific product or service being mentioned, the Ad was a surrogate Ad for a liquor brand – Johnnie Walker. ("Whether there exist in the Ad under complaint any direct or indirect clues or 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"). ***Ad. Agency advised that this was an isolated instance of omission, and that all the Ads pertaining to the said product, released prior to the Outlook issue (17/3/2003), and post the Ad in question, mentions the specific product - 'Johnnie***

42. # C.2483 Aptech	NIIT Limited(*) (College Education. NIIT Education) Contract Advertising(*) Mid Day(*), Mumbai (Metro) (5/2003)	"Enroll for B.Sc.(IT) @ NIIT ..." "You get a Government recognised degree and a diploma from NIIT" "Enroll for B.Sc.(IT) @ NIIT And get Placement*"	(Complaint received in 6/2003) Claims are false and misleading as NIIT is not an institution recognized by the Central or any State Government which can give B.Sc (IT) or any other degree. Such degrees can only be given by universities established under a Central or State Act. The Ad does not mention the source of such Government recognised degree. They have claimed to be entitled to offer B.Sc degree, without any reference to the source of such degree. No computer education institution can give such unconditional placement promise to students.	August 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Advertiser assured that these claims will not be used in future Ads, without proper explanation.***
43. Suo motu Surrogate C. 2484 Suo Motu (CIABC)	Bacardi Martini India Limited(*) (Bacardi Limon) McCann-Erickson (India) Ltd(*) P.O.P. displayed at retail liquor outlets	"Free – 2 Italian shot glasses with every 750 ml bottle".	(Complaint registered in 7/2003) P.O.P displayed at retail liquor outlets is for a liquor brand – Bacardi Limon – original citrus rum. Such an Ad for a liquor product is not permissible as point of purchase material under the law.	August 2003 Chapter III.4. P.O.P. displayed, was in breach of the law. ***P.O.P. material was on display for 6-8 weeks in 2002, and subsequently discontinued several months ago.***
44. # C. 2486 Business India	Business Today (Subscription Offer) Business Today (7/03 issue)	"Business Today continues to be the No.1 business magazine with the largest circulation and the highest readership amongst business magazines".	(Complaint received in 7/2003) As per the latest Audit Bureau of Circulations, July-December 2002 certificate, Business Today with 1,21,048 average net paid sales is indeed the largest circulated business magazine. But the latest readership survey 'Indian Readership Survey 2002 Round 2', shows that Business India with 7,15,000 readership is the highest read business magazine, and Business Today with a readership of 6,12,000 is the No.2 business magazine in terms of readership. Hence Business Today's claim in terms of highest readership	August 2003 Chapter I.1. Claim not substantiated. ***Advertiser assured appropriate modification of the Ad, in future.***

			amongst business magazines is a statement which does not hold true. Further they have not provided any source for their claim.	
45. #	Intex Designer Tiles Pvt Ltd (Duracrete Tiles) TBWA Anthem Pvt Ltd Inside Outside(*) (May 2003 issue) C.2487 Dazzle Designer Ltd. Tiles.	Ad shows a picture having one side with dull print saying, "other exterior tiles", and the other side with bright print saying "Duracrete tiles". "Other Exterior tiles", "Duracrete. Only UV resistant pigments used so colours remain bright for years", "Unlike others we use pure white cement instead of grey cement that contains no fly ash, slag and other industrial wastes", "So that, even years later, the colours remain as bright and true as the day you first fell in love with them".	(Complaint received in 7/2003) This means that Duracrete tiles never fade whereas other tiles will fade. In practice, all manufacturers use the same technology and composition while producing cement concrete tiles. These claims need to be substantiated by the advertiser.	August 2003 Chapter IV.1(e). Ad unfairly denigrated other products directly. ***Ad, a one-time release, and will not be carried henceforth in any publication.***
46.	Ford India Limited(*) (Ford Centenary Offer) J. Walter Thompson(*) The Hindustan Times(*), Delhi (6/2003) C.2488 Girreesh Gupta	"Prices starting Rs. 4.49 lakhs, lowest interest rate – 7.9%", Ad shows logo and picture of the new `Ford Ikon NXT', and carries the specifications and offer on the 1.3 NXT and 1.6 NXT models, and the review of the `Ikon NXT' done by Autocar, a leading auto magazine.	(Complaint received in 7/2003) On speaking with the authorised Ford dealers mentioned in the Ad, the Complainant was informed that the `bargain' price was not for the NXT, but for the old `Endura' model of Ford, which was phased out earlier this year. Nowhere in the Ad, was it mentioned that the Rs.4.49 lakhs `offer' price was for the older car, nor did the dealers bothered to mention it, till the Complainant pointedly asked them about it.	August 2003 Chapter I.4. Car model different from the one quoted at Rs.4.49 lakhs, likely to directly mislead the consumer about the claim, "prices starting Rs.4.49 lakhs", made in the Ad. ***Ad withdrawn.***
47. #	Procter & Gamble Home Products Limited(*) (Head & Shoulders shampoo) Saatchi & Saatchi(*) Hair Product C.2465 HLL	"American Institute has compared the top two anti-dandruff shampoos in India"	(Complaint received in 5/2003) The top two anti-dandruff shampoos in India, according to ORG, by market share are `Clinic All Clear' and `Head & Shoulders'. The Ad also leads the consumer to	September 2003 Mention of "our American Testing Institute", not considered to be misleading.

	Zee TV(*) (5/2003)		believe that the American testing Institute is an independent testing institute. This is misleading since the testing institute is indeed only the in-house testing facilities of the manufacturers/advertisers themselves.	
		"American Institute found that Head & Shoulders was superior for dandruff free beautiful hair"	Claim is false and misleading.	Chapter I.1. Claim, "for dandruff free, beautiful hair, Head & Shoulders is the best", inadequately substantiated. ***TVC suspended.***
48. #	Hindustan Lever Ltd(*) (Clinic All Clear anti-dandruff Shampoo) Lowe(*) Sony TV(*), Star Plus(*), Zee TV(*) (4/2003) C. 2476 P & G Hair Product	New Clinic All Clear is "3 times* better than your anti-dandruff shampoo", with a super, "* on eliminating the leading cause of dandruff"	(Complaint received in 6/2003) When the claim is read in totality, it bears out that New Clinic All Clear (CAC) "is 3 times better than your shampoo on eliminating the leading cause of dandruff". Reference to "your shampoo" in CAC claim, is to Head & Shoulders (H&S) only, being the second lead player in the segment given that the other brands are trailing far behind. As H&S and CAC have equal concentration of ZPT, it is not realistic that CAC is 3X better than H&S on the cause of dandruff. Microscopic analysis of ZPT found in new CAC showed that this product contains sub-micron ZPT. Historical data supports that 1% sub-micron ZPT is less efficacious than H&S' 1% 2.5um ZPT. Direct in vitro analysis of CAC and H&S demonstrates that new CAC is equal to, not 3X better, than H&S for reducing the amount of Malasezzia that causes dandruff. As new CAC and H&S both have 1% ZPT, and H&S in vitro testing demonstrates equal fungal reduction, the claimed 3X improvement in efficacy of CAC vs H&S may only be realized with improved deposition of the ZPT active.	<u>September 2003</u> Chapter I.1. Claim inadequately substantiated. <u>November 2003</u> **Decision On Review** Upheld decision stands. Claim inadequately substantiated, since "your" could mean any shampoo. ***TVC discontinued since 31/9/2003.***

49. Suo motu	Seagram Manufacturing P. Ltd(*) (Seagram's 100 Pipers) Ogilvy & Mather(*) Society (January 2003 issue) C.2485 Suo motu Surrogate	Brand promotion of "Seagram's 100 Pipers", referring to "CDs and cassettes of the 100 Pipers Pure Music Series are available in select outlets".	(Complaint registered in 7/2003) Ad appears to be a surrogate Ad for a liquor brand – Seagram's 100 Pipers.	September 2003 Chapter III.6(a). Ad was a surrogate Ad for a liquor brand – Seagram's 100 Pipers. ("Whether the unrestricted product which is purportedly sought to be promoted through the Ad under complaint is produced and distributed in reasonable quantities having regard to the scale of the advertising in question, the media used and the markets targeted"). ***Ad modified.***
50. Suo motu	Seagram Manufacturing P. Ltd(*) (Seagram's Blenders Pride) Ogilvy & Mather(*) India Today (11/2002) Surrogate C.2494 Suo motu	"Take the Guess work out of good taste", "Taste that speaks for itself".	(Complaint registered in 7/2003) In the absence of specific information, the Ad appears to be a surrogate Ad for a liquor brand – Seagram's Blenders Pride.	September 2003 Chapter III.6(a). In the absence of any specific product or service being mentioned, the Ad was a surrogate Ad for a liquor brand – Seagram's Blenders Pride. ("Whether the unrestricted product which is purportedly sought to be promoted through the Ad under complaint is produced and distributed in reasonable quantities having regard to the scale of the advertising in question, the media used and the markets targeted"). ***Ad modified.***

51. Suo motu	Saini Hair Products (P) Ltd (Saini Herbal Oil Plus) Enn Enn Advertising & Marketing The Hindustan Times(*), New Delhi (6/2003)	"prevents excessive falling of hair", "stimulates hair growth", "cures dandruff, Alopecia, Itching of scalp, Baldness" C. 2495 Suo motu	(Complaint registered in 7/2003) These claims made in the Ad in respect of hair care, needs to be substantiated by the advertiser.	September 2003 Chapter I.1. Claims not substantiated. ***Ad modified.***
52. Suo motu	Bajaj Auto Ltd (Bajaj Pulsar 150cc – Take your girlfriend out) Ogilvy & Mather(*) The Hindustan Times(*), New Delhi (6/2003)	Visuals depict `riding on a Highway/Countryside' with additional load. "Bajaj Pulsar 150cc will have you taking your girl out more often and sometimes her girlfriends too. Thanks to an amazing mileage of 77kmpl*", "*Under standard test conditions"	(Complaint registered in 7/2003) This is not applicable to such a riding. C. 2497 Suo motu	September 2003 Chapter I.4. Mention of `under standard test conditions', misleading.  ***Ad modified to mention a reasonable description of `standard test conditions'.***
53. #	Hindustan Lever Ltd(*) (Pepsodent Toothpaste – Price Reduction) Lowe(*) Star Plus(*) (7/2003)	HLL has reduced the pack sizes and retail prices of Pepsodent toothpaste. C. 2498 Colgate Ltd.	(Complaint received in 7/2003) TVC is misleading for the following reasons: The commercial only highlights in bold and big letters, the reduced prices of Pepsodent toothpaste i.e. "Rs.10/- only", "Rs.20/- only", and "Rs.40/- only", and does not highlight the reduced weight of Pepsodent toothpaste with equal prominence against each of the above prices in the commercial. They have inserted a super which seems to mention the weight of Pepsodent toothpaste in an absolutely illegible font which cannot be read by viewers of the commercial. Further, whenever the retail price of a product is stated in an Ad, an obligation is cast on the advertiser to state the net weight of the product conspicuously in the said Ad. The commercial violates the express provision of the statute.	September 2003 Chapter I.4. Ad misleading. ***Advertiser advised that they have no plans to run the TVC under complaint in future, and should they do so, the same would be modified appropriately.***

54. #	Tractors And Farm Equipment Limited (TAFE Tractors) Dainik Jagran, Meerut (5/2003) C.2501 Mahindra & Mahindra	Claim in Hindi (as translated in English) - "No.1 in tractor sales in Western Uttar Pradesh"	(Complaint received in 7/2003) TAFE is claiming market leadership in Western U.P., and have sought to lend respectability to the claim by also thanking the farmers. This claim is misleading as well as untrue. The Tractor Manufacturers Association (TMA) is the sole competent body, for the tractor industry, to declare market share and sales figures of its members. TAFE along with all the other tractor manufacturers, is a member of TMA. The TMA publishes the sales and market data only on a state-wise basis. No break up of the sales figures within the state is declared by TMA. As per the latest figures, for F03, from TMA, `Mahindra Tractors' leads in the state of Uttar Pradesh with a sale of 8120 tractors. Mahindra Tractors has been a market leader in India for the last 20 years, and is now a market leader in Uttar Pradesh in F03.	September 2003 Chapter I.1. Claim not substantiated with authentic market/survey report. ***Ad campaign suspended.***
55. #	Maya Entertainment Limited ("Enter India's No.1 academy today") Delhi Times, The Times of India(*) (7/2003) C.2505 Arena Multimedia	"India's No.1 academy today" "MAAC, India's No.1 Multimedia & Graphic Animation specialist"	(Complaint received in 8/2003) Arena Multimedia has provided the largest number of multimedia specialists to the multimedia industry and has, in a span of six years attained an enrolment of 1,00,000 students. Hence the advertiser cannot make a claim of being "No.1". The degree of specialisation in multimedia and graphic animation is not something which is rated by any independent body. The advertiser should substantiate these claims.	September 2003 Chapter I.1. Claims not substantiated. ***Ad campaign suspended. Advertiser assured appropriate modification of the Ad.***

56. #	Harsh International Pvt Ltd (Chaini Khaini) The Times of India(*), Delhi (6/2003) C.2492 Tobacco Institute Cigarette/Tobacco	Chaini Khaini is "safe / safest", "less harmful", "90% more safe than chewing tobacco", "relatively less harmful than smoking" "Because of the filter pouch, …", "No particle of tobacco goes into the stomach. So, it is less harmful", "Compared to smoking or chewing tobacco, Chaini Khani gives pure enjoyment through little light…". "90% safe than both the above modes of having tobacco"	(Complaint received in 7/2003) The safety claims are despite the 'Statutory Warning: Tobacco is injurious to Health', affixed by the advertiser in the same Ad. It is common knowledge, and studies have shown that use of lime (chunna) is also injurious to health. The Ad denigrates other legally produced products such as beedis, gutkha, and cigarettes, in the visual roundel as well as in the text. Claims need to be substantiated by the advertiser.	<u>September 2003</u> Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated. ***Ad discontinued.***
57.	Anchor Health & Beauty Care Pvt Ltd (Anchor White Toothpowder) Promotion message on the pack C.2502 Parag Kalve	"Free 25% Extra"	(Complaint received in 7/2003) The 50g pack of Anchor toothpowder (mfg March 2003) carried the said claim. The Complainant bought this product for Rs.10/- (MRP), believing that he was getting an additional 25% (12.5g) free. However, he was shocked to realise that he had actually incurred an additional cost over and above the normal cost of the product. The price of an identical pack of Anchor toothpowder (mfg February 2003) was Rs.9/-. Anchor has covered the additional cost of 12.5g through a price increase, but continues to deceive customers into believing that they are getting the same free. Such a practice, besides assuming the nature of an exaggerated claim, also leads to widespread disappointment in the minds of consumers.	<u>September 2003</u> Exparte (absence of comments from the Advertiser). Chapter I.5. ("No Ad shall be permitted to contain any claim so exaggerated as to lead to grave or widespread disappointment in the minds of consumers"). The price was increased before the promotion offer was inserted on the pack. ***Promotion message, one-time offer.***

58. #	NTB International Pvt Ltd (NyTran Flat Belts) E - Wonders Communication Search (March 2003 issue) C. 2474 Fenner (I) Ltd	"It needs frequent re-tensioning" "It's life is short, sometimes as little as 4 weeks" "It needs constant maintenance" "It can be adversely affected by heat, damp, sand & weather conditions" Efficiency & Drive Cost	(Complaint received in 6/2003) These generalised statements about V-Belts are not true. This new generation belts were named "Fit & Forget" as they needed no re-tensioning. Standard construction V-belts are designed for a life around 15000 hours of running. Most V-belts need no attention/maintenance at all once fitted and tensioned. V-Belts are unaffected by heat, humidity, oil & weather conditions, and are abrasion resistant. Under the same ideal conditions, the efficiency of V & Wedge belt drives is also 95-97%. Wedge Belt Drives are comparatively cheaper for most applications.	October 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and IV.1(e). Claims (allegations) made in respect of a competitive product, not true. Ad unfairly denigrated a group of products directly. ***Ad. Agency verbally assured that Ad already discontinued. Concerned Media assured that the Ad will not be carried in their future issues.***
59.	Sandesh Health Care (Staarz White Toothpaste) Promotion messages on the pack C. 2503 Dr. Sachin Bose	"Strong teeth & gums", "round the clock protection from germs", "round the clock protection from cavities, tartar and plaque through active cleaning formula".	(Complaint received in 7/2003) These claims are false and misleading because this toothpaste neither contains fluoride nor any clinically proven anti-bacterial ingredients, like Triclosan.	October 2003 Chapter I.1. Promotion claims not substantiated with tests/trials reports of formulation effectiveness or of proven anti-bacterial ingredients. ***Advertiser informed that the said product is being discontinued.***
60. Suo motu Cosmetics	Chakola Ayurvedics (Chakola's Fairness Oil) iB&W Communications P. Ltd(*) Femina(*) (2/2003) C. 2507 Suo Motu	"Fairness in every pore", "Gifting you brighter fairness, faster fairness, lasting fairness", "Also highly recommended for babies", "Massaging newborns with Chakola's Fairness Oil will protect their skin from diseases and make it fair, beautiful	(Complaint registered in 8/2003) Advertiser should provide substantiation of these claims.	October 2003 Chapter I.1. No specific comments in support of the claims, provided by the Advertiser. Claims not substantiated.

		and healthy".		***Advertiser assured appropriate modification of the Ad.***
61. #	Aptech Limited(*) (The Aptech Advantage) Leaflet circulated by a franchisee of Aptech in Shamli, U.P. C. 2513 NIIT Ltd.	Aptech education - "the world's best computer education".	(Complaint received in 8/2003) This claim is unsubstantiated and clearly misleading.	<u>October 2003</u> Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated. ***Advertiser informed that they have advised their respective business partner, not to use the said Leaflet, since the same was not issued/authorized by them.***
62. #	NIIT Ltd(*) ("20 Reasons to join NIIT") Leaflet circulated in Secunderabad, Hyderabad, in August 2003 C. 2517 Aptech Ltd.	"Second best managed IT company in Asia", "Best training partner of Microsoft in Asia for the last 3 years" Aptech does not have ISO Certification. Heading - "Technology Edge" - none of the other companies provide this, NIIT has had "over 5 lacs participants in any 1 course". Only NIIT has "range of courses available", and other companies do not.	(Complaint received in 9/2003) Claims have not been substantiated. If these are based on any survey, then these should be recent and the source mentioned clearly in the leaflet. Aptech is certified under ISO 9001:2000 for design, production and delivery of education support services, which include the delivery, certification and placement assistance. NIIT should substantiate these claims. Both Aptech and SSI have a full range of courses covering every customer segment in the IT Education field.	<u>October 2003</u> Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated, allegations not true. ***Circulation of the Leaflet discontinued.***

63. #	Aptech Ltd(*) ("No.1 without a doubt") Mailer issued by Aptech's franchisee in Berhampur, Orissa (August 2003) C.2520 NIIT	"Aptech No.1 without a doubt*", quoting the *Source: The Franchising World, issue dated 15th April – 14th June 2003. "Over 2.5 million students trained", "global placement assistance", "alliances with Microsoft & NETg", "University degrees from SCU Australia & SMU* India"	(Complaint received in 9/2003) "No.1", is certainly not a part of Aptech logo. If they are quoting No.1, it must be specific to the field they are referring to. Claims should be substantiated by the advertiser.	October 2003 Chapter I.1. Claims not substantiated. ***Advertiser informed that they have advised their respective business partner, not to use the said Mailer, since the same was not issued/authorized by them.***
64. #	Chakola Ayurvedics (Chakola's Ayurvedic Hair Tone) P.O.P. appeared in Kerala and Chennai (between August and September 2003) C.2521 Cholayil Pharma	"The only hair oil with roots in authentic ayurveda" Hair Product	(Complaint received in 9/2003) This statement is creating an impression in the minds of the general public that all other Ayurvedic hair oils, other than the advertiser's hair oil, are not ayurvedic in nature.	October 2003 Chapter I.1. No specific comments in support of the claim, provided by the Advertiser. Claim not substantiated. ***Advertiser assured appropriate modification of the said P.O.P.***
65. Suo motu	UDV India Limited (Smirnoff Experience) J. Walter Thompson(*) India Today (6/2003) C.2531 Suo Motu 1) Surrogate 2) Obscenity	Visual - a woman in an explicit position Copy - "Heaven: open for a night"	(Complaint registered in 9/2003) This visual in conjunction with the copy, appears to be suggestive and indecent, besides being widely objectionable to women. In the absence of specific information on a product or service, the Ad appears to be a surrogate Ad for a liquor brand. The advertiser should provide substantiation with reference to Chapter III.6(a) of the ASCI Code.	October 2003 Exparte (absence of comments from the Advertiser). Chapters II and III.6(a). Ad objectionable to women, and likely to give rise to widespread offence. Ad was a surrogate Ad for a liquor brand. ("whether the unrestricted product which is purportedly sought to be promoted through the Ad under complaint is produced and distributed in reasonable quantities having regard to the

				scale of the advertising in question, the media used and the markets targeted"). ***Ad campaign withdrawn.***
66. Suo motu	The Hindustan Times Ltd(*) Grey Worldwide(*) India Today (7/2003) C.2532 Suo Moty	Ad carries a photograph of an eminent person (Prime Minister), apparently without written permission. Copy - "Big brother watching?"	(Complaint registered in 9/2003) Use of such photograph (national leader) for commercial purpose, is against the law, and likely to contravene the ASCI Code. By implication, suggests an ulterior motive of a national leader, the Prime Minister of India. Since the Ad does not make reference to photographs published previously in editorial matter, it appears to be a commercial Ad.	October 2003 Exparte (absence of comments from the Advertiser). Chapter I.3. No explicit permission in writing from the person featured (Prime Minister of India) was received. As for the featuring of an eminent national leader (the current Prime Minister of India) in an Ad, without explicit permission from the authorities concerned, the likely infringement of "the Emblems and Names (prevention of improper use) Act 1950", is a matter for the concerned authorities to address. ***Ad, a one-time release.***
67. #	Procter & Gamble Hygiene Health Care Ltd(*) (Pampers Fresh & Dry Diapers) Saatchi & Saatchi(*) Sunday Times of India(*) (6/2003) C.2516 kimberly-clark	"New Pampers, Now 25% more affordable" "Superior absorbency allows it to hold up to 6 wettings"	(Complaint received in 9/2003) Claim is incorrect, as the new `Pampers Fresh & Dry' is not 25% more affordable than the `Pampers Comfort' which was marketed earlier by P&G. Claim is misleading. The Ad does not mention how much is `6 wettings', as the same would vary from baby to baby. P&G needs to support this claim with technical data.	November 2003 Chapter I.1. Claim not substantiated adequately. ***Advertiser had already modified this claim.*** Claim substantiated, and not misleading.

		"Promises your little one a good night's sleep without interruptions".	There can be other factors that can cause interruptions in a baby's sleep at night, and a diaper in itself cannot support such a claim.	
68. #	Aptech Ltd(*) (7 Easy Steps to Success) Leaflet circulated in Mumbai (in August 2003) C.2533 NIIT	"30,000 students placed in 01-02"	(Complaint received in 9/2003) This claim is exaggerated and misleading. NIIT is training maximum number of students for career led courses, and they could place only 20000+ students in the year 2002-2003. Aptech is claiming a specific number, which shall require substantiation.	November 2003 Chapter I.1. No specific comments in support of the claim, provided by the Advertiser. Claim not substantiated. ***Advertiser informed that they have advised their respective business partner, to discontinue the use of the said Leaflet, as the same was not issued/authorized by them.***
69.	Red Tape Collection (Shoes) Publicis (I) Comm P. Ltd(*) The Times of India(*) (9/2003) The Hindustan Times(*) (9/2003) C.2541 Mr. Hans B. Khimji Obscenity	Visual - a young man and woman in an explicit position. Copy - "There's no telling where it can take you".	(Complaint received in 10/2003) Visual depiction read in conjunction with the copy, is indecent, and does not in any way relate to the product - 'Red Tape shoes'. The Ad is misguiding with double meaning, and is derogatory to womanhood.	November 2003 Chapter II. Explicit visual depicted, read in conjunction with the suggestive copy, which has no apparent relationship with the products advertised, derogatory to womanhood, and likely to give rise to widespread offence. ***Ad withdrawn.***
70. #	Aptech Ltd(*) (Aptech announces Scholarships) released by a franchisee of Aptech at Vivek Vihar, Delhi Lehar Vision		(Complaint received in 10/2003) Aptech are quoting only a part of the report published in the Economic Times, and are misleading the public by not sharing the full report where NIIT have refuted all the allegations with proper evidence(s).	November 2003 Chapters I.4 and I.1. Allegations appearing in the Ad in respect of a competitor, misleading by ambiguity, omission and implication.

	(Aug 2003)			
		"Get Scholarships equal to your marks in XIIth class", "affiliated by 15 global Universities", "Govt. Recognised Degree from Sikkim Manipal University", "Govt. of India Recognised DOEACC '0' level", "The course covers A+ and Network+ international certification from CompTIA USA with the option of MCSE, MCSA, Linux Certification"	Claims need to be substantiated by the Advertiser	Claims not substantiated. ***Advertiser informed that the release of the said Ad was neither issued nor authorized by them, and was released by their franchisee.***
71.	Hyundai Motor India Ltd # (Hyundai Accent CRDi) The Times of India(*) (10/2003)	Headline - "Today is April 1, 2005". Copy - "At Hyundai we are ready for the Euro III Norms, even today", "And those who are planning to buy ordinary diesel cars could find their cars obsolete – as soon as they buy them".	(Complaint received in 10/2003) Euro III norms is applicable w.e.f. 1.4.2005, only to those cars that are sold as and from that date. This does not mean that the cars sold before that date cannot be used or become obsolete. These cars can continue to be used even after that date. The body copy of the Ad clearly gives an impression to the customers that the cars that they buy today are obsolete, with the clear intention of scaring them away and gain unfair advantage to increase Hyundai's sales. The Ad is misleading and confusing, to the detriment of the consumers at large and several car manufacturers, and clearly disparaging the diesel cars that are sold today.	November 2003 Chapter I.4. Claim, "…those who are planning to buy ordinary diesel cars could find their cars obsolete – as soon as they buy them", misleading by exaggeration and implication. ***Advertiser assured that the said claim will be withdrawn from their future Ads.***
72.	Cadila Health Care Ltd(*) Suo motu (Sugar Free D'lite Low Calorie Refresher) Rediffusion DY&R(*) India Today (5/2003)	"Sugar Free D'lite, enriched with natural fruit fibre and antioxidants … high on taste, next-to-nowhere on calories", "Imagine, just 10 calories per serving! That's 85% lesser calories than other soft drinks or juices.." The product (available in three flavours) labels	(Complaint registered in 9/2003) Advertiser should provide substantiation of the claims with technical data. This clearly misleads the consumers by means of implication	December 2003 Chapters I.4 and I.1. Claims misleading by ambiguity and omission of details of calories, sugar content, and natural fruit powder. Visual depiction of 'Passion Fruit' on the pack, false, since the product contains

		show photographs of a 'fruit in a tumbler'.	and visual presentation and falsely exaggerates the fruit contents in the product.	'orange fruit powder', and not 'passion fruit'. ***Ad discontinued.***
73.	Hindustan Lever Ltd(*) (All New Pepsodent Germicheck) Lowe(*) The Times of India(*) (9/2003) C.2537 MS-Elsie Thomas	Pepsodent is "1.1/2 times better at fighting germs than the popular toothpaste"	(Complaint received in 9/2003) HLL's own clinical tests confirm that Pepsodent Germicheck fights germs upto 150, i.e. only 0.5 times better, and not 1.1/2 times better as claimed in the Ad. Hence this claim is not only false but is grossly misleading the consumers.	December 2003 Chapters I.1 and I.4. Claim, "the best ever germ protection", not substantiated. Claim, "1.1/2 times better at fighting germs than the popular toothpaste", misleading. ***Ad withdrawn.***
74.	Hindustan Lever Ltd(*) (All New Pepsodent Germicheck) Lowe(*) The Times of India(*) (9/2003) C.2545 Dr. Lalit Guglani	'All New Pepsodent Germicheck' is "1 ½ times better at fighting germs than the popular toothpaste", "based on an independent 3 month clinical test with a commercially available toothpaste with <=0.2% Triclosan"	(Complaint received in 10/2003) 'New Colgate Dental Cream' has increased the level of Triclosan used in their product from 0.2% to 0.3%. Apparently, there is no doubt that the popular toothpaste referred to in the Ad is none other than 'Colgate Dental Cream'. The clinical test referred to in the Ad becomes meaningless and it cannot have any application to the popular toothpaste containing 0.3% Triclosan level, now available in the market. On the above basis, this claim is factually incorrect, false and misleading.	December 2003 Chapters I.1 and I.4. Claim, "the best ever germ protection", not substantiated. Claim, "1.1/2 times better at fighting germs than the popular toothpaste", misleading. ***Ad withdrawn.***
75. Suo motu	Hindustan Lever Ltd(*) (All New Pepsodent Germicheck) Lowe(*) Sunday Times of India(*) (9/2003) C-2546 Suo Motu	"Popular Toothpaste - fights germs up to 100, Pepsodent Germicheck – fights germs up to 150", "Which means that if the popular toothpaste fights germs up to 100, then Pepsodent fights all the way to 150, protecting your child's teeth from germ attack", "The best ever germ protection", "Approved - International Dental Health Foundation"	(Complaint registered in 10/2003) Claims need to be substantiated by the advertiser.	December 2003 Chapters I.1 and I.4. Claim, "the best ever germ protection", not substantiated. Claim, "1.1/2 times better at fighting germs than the popular toothpaste", misleading. ***Ad withdrawn.***

76. #	Instituto Hispania (Spanish course) Advertorial in Bombay Times(*) (9/2003) Afternoon(*) (10/2003) C.2552 IHCLM	Instituto Hispania is the "only institute in India teaching Spanish language"	(Complaint received in 11/2003) This statement is absolutely false. RBCS Group has been conducting Spanish language courses as provided, for over ten years. There are also a few more such courses being taught for some years, by several institutes. A short list has been provided by the Complainant.	December 2003 Chapter I.1. Claim false. ***Advertiser assured that this claim which was wrongly stated, would not appear in the future Ads/ Advertorials.***
77.	Amara Raja Batteries Ltd(*) (Amaron Battery) Ogilvy & Mather(*) FM Radio(*) C 2559 Sharmila Ichar	Ad uses a popular children's folk tale as its story line. The word 'Bugger' has been used blatantly to refer to one of the characters.	(Complaint received in 10/2003) The Ad with its catchy music has immense appeal for children. The use of the word 'Bugger' seems wholly inappropriate. The word 'Bugger' as is well-known, has a sexual meaning and the Oxford and Webster Dictionaries have spelt out the meaning very clearly. It means to 'Sodomise'	December 2003 Exparte (absence of comments from the Advertiser). Chapter II. The word 'Bugger', offensive to generally accepted standards of Public Decency. ***Advertiser assured that the Radio spot was off air, and would be modified appropriately before broadcast in future.***
78. #	Rochees Watches P. Ltd (Rochees Watches) Dainik Bhaskar(*) (10/2003) C.2554 P.A. Time Inds.	Ad in Hindi, (as translated in English) - "What is the use of a Double Battery? When one is equal to three"	(Complaint received in 11/2003) Ad is comparative, which obviously refers to the unique feature of the brand 'Maxima Double battery', in a disparaging tone, and therefore is denigratory in nature. Maxima is one of the only watches in the world, that offers the unique benefit of a Double Battery, where both the batteries work together to power the watch, thereby doubling the life of the batteries.	December 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and I.4. Claims not substantiated, exaggerated, and misleading. ***Ad modified.***
		"One battery is equal to three", "Triple life, single battery watch", "Guaranteed for three generations"	Claims are false, cannot be substantiated, and intended to mislead the consumers.	

79. Suo motu	McDowell & Co Ltd (McDowell's Mera No.1 Dekha Kya offer) J. Walter Thompson(*) The Times of India(*) (9/2003) C. 2562 Suo motu	Ad states – "McDowell's No.1 Khareedo aur cap ke neeche dekho. Win Exciting prizes" Surrogate	(Complaint registered in 11/2003) In the absence of specific mention or information on a product or service, the Ad appears to be a surrogate Ad for a liquor brand. The mere mention of the word 'Soda', in an inconspicuous manner, whilst boldly stating the brand name 'McDowells No.1', could be misleading by its ambiguity.	December 2003 Exparte (absence of comments from the Advertiser). Chapter I.4. Ad misleading by ambiguity. Ad not clear as to what 'conditions' were to be fulfilled to participate in the contest. ***Ad, one-time insertion, for a specific offer.***
80.	LG Electronics India Pvt Ltd (LG Plasma Gold Air Conditioners) The Hindustan Times(*), Kolkata (4/2003) C. 2525 CERS	"When you can give them the healthiest air in the world, why take chances?"	(Complaint received in 9/2003) LG needs to substantiate this claim of giving the healthiest air in the world, with independent comparative studies.	January 2004 Chapter I.1. Claim not substantiated with technical / industry / market data. ***Ad discontinued.***
81.	LG Electronics India Pvt Ltd (LG No.1 Celebration) The Hindustan Times(*), Kolkata (4/2003) C. 2526 CERS	"India's No.1 brand brings you the No.1 offer".	(Complaint received in 9/2003) LG needs to substantiate this claim of being the 'No.1 brand', for which the source is not mentioned in the Ad. Without relevant statistics of independent surveys, LG cannot make this claim.	January 2004 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated with authentic industry/market data. ***Ad discontinued.***
X 82.	Hindustan Lever Ltd(*) (Fair & Lovely - Deep Skin Cream) Lowe(*) Sony TV(*) (11/2003) Mallni Vittal Obscenity	Visuals - "a dark girl's potential hubby is portrayed unlucky, and when she becomes fair, is portrayed lucky." C. 2565	(Complaint received in 12/2003) Ad seems to suggest that a man unless he gets a fair woman for a wife, cannot be lucky. This Ad creates a false peer pressure and is a disgrace to the women.	January 2004 Chapter I.5(d). Ad tends to create by implication, a perceived inadequacy of a physical attribute, in this case the colour of skin, which could be objectionable to a large number of young women in India. ***TVC modified.***

83. #	India International Trade Center (International Air Cargo Management Course) Times of India(*) (11/2003) C. 2568 IHTCM	"Course includes 3 months practical training with Airline Cargo Dept (with Stipend)".	(Complaint received in 11/2003) Claim is false and misleading. The Ad does not state that the training will be given to only candidates selected by an airline.	January 2004 Chapter I.4. Claim misleading by ambiguity, and by omission of the conditions attached to the selection of candidates for practical training. ***Ad modified.***
84. Suo motu	The Times of India Group(*) (A Single Indo-Pak Cricket Team) McCann-Erickson India(*) Times of India(*), Mumbai (12/2003) C. 2571 Suo Motu	Depiction of 'Indian National Flag' on a cricket bat	(Complaint registered in 12/2003) Depiction of the Indian National Flag, in association with a sporting gear, in a commercial Ad for The Times of India, appears to be against the Law (Emblems & Names (Prevention of Improper Use) Act 1950).	January 2004 Chapter III.4. Ad in breach of the law, with specific reference to the Emblems & Names (Prevention of Improper Use) Act 1950, since the depiction of the national flag or a colourable imitation of the same, is prohibited for commercial purposes, unless specific permission is obtained from the concerned department in the Central Government. ***Ad withdrawn.***
85.	Anchor Daewoo Industries Ltd (Daewoo Refrigerator) Contract Advertising(*) Star Plus(*) (12/2003) NDTV (12/2003) C. 2576 Pratibha Naithani	Visuals – "an old gentleman opens the door of Daewoo fridge, then he enters the fridge, sits inside, and shuts the door. After few seconds, he opens the door from inside the fridge, extends his hand out and takes a newspaper, and shuts the door again". Voice over (in Hindi) - "fridge has anti-ageing technology, but only for your food".	(Complaint received in 12/2003) This act if copied/attempted by a child might have fatal consequences. Children have a tendency of imitating whatever they see. The commercial might influence the children to do the same. **(One similar complaint received against the same TVC)**	January 2004 Chapter III.3. Visual sequence of an "Old man entering and remaining inside the fridge", manifested a disregard for safety. ***Modification of the TVC under consideration by the Advertiser.***

86.	LML Limited (LML Freedom Motorcycle) Enterprise Nexus(*) Star TV(*) (10/2003)	Visuals - "an Airforce Pilot testing a Freedom Motorcycle on speeding traffic road. He drives in between a lot of vehicles. He overtakes one bus from right, suddenly comes in front of that, takes a sharp cut, and overtakes another vehicle from left, and rides from right to left to right and so on".	(Complaint received in 10/2003) Complainant questions - Just because the vehicle is called Freedom, can a rider of the motorcycle take so much freedom on the road, and ride the way he wants? In utter disrespect to basic traffic Rules and Regulations.	February 2004 Chapter III.3. Visuals depicted, showed a dangerous practice. ***TVC discontinued.***
87.	Dabur India Limited(*) (Dabur Chyawanprash) McCann-Erickson(*) Sony TV(*) (12/2003)	Visuals - "the grandson standing on the sloping tiled roof, in heavy rain, holding the TV antenna in his hand, because his grandmother wants to watch the TV serial `Ramayan'".	(Complaint received in 12/2003) Ad is dangerous for children, as they have a tendency to imitate and copy what they watch on television. Seeing this Ad, a child might try to hold the TV antenna and stand on the roof of the house. This might prove fatal and extremely dangerous.	February 2004 Chapters III.2(b) and III.3. Ad featured a dangerous act which was likely to encourage minors to emulate it in a manner which could cause harm or injury. Ad showed a dangerous practice. ***TVC modified.***
88.	Nestle India Ltd(*) (Nestle Milo) Promotion messages on the pack (Mfg Sept 2003)	"World's largest selling chocolate energy food drink" "Over 20 million cups enjoyed every day".	(Complaint received in 12/2003) Claims need to be substantiated with proof, supporting information in the form of independent research, comparative/market data, etc.	February 2004 Chapter I.1. Claim, "World's largest selling chocolate energy food drink", not substantiated with validated global industry/market data from an independent recognised audit/research institution. Claim, "Over 20 million cups enjoyed every day", not adequately substantiated with validated audited company data in support of consumption, "every day".

				Promotion messages on the pack, modified.
89.	Philips India Limited (Philips Slimlite) Leo Burnett(*) The Telegraph (12/2003)	"Compared to ordinary tube lights, the Philips Slimlite gives you more", "lasts 30% longer, saves 10% electricity"	(Complaint received in 12/2003) Philips have not stated which competent research authority (independent) has certified these claims. The Ad is misleading.	February 2004 Chapter I.1. Claim, "compared to ordinary tube lights, the Philips Slimlite gives you more", not substantiated with validated industry/market survey data from an independent recognised institution, and did not cover a representative sample of "ordinary tube light" available in the Indian market. Test reports submitted with the Advertiser's comments, were not indicative of a "30% longer" life, nor was the claim of "saves 10% electricity", supported with any technical data or test reports. ***Ad discontinued.***
90. Suo motu	Godrej HiCare India Ltd (Advanced IntelliGel Treatment) R.K. Swamy BBDO Advertising(*) Times of India(*) (12/2003)	Visual depiction of a 'pregnant woman', and the mention of the word 'safe', for a product in this category (pest control) "Ensures that everyone stays at home during pest control" "safe", "long lasting", "effective"	(Complaint registered in 1/2004) This is not permitted in an Ad, unless the approved label declaration on the pack permits the same. Claim could be considered as manifesting a disregard for safety. Claims need to be substantiated with tests/trials reports. The claims appear ambiguous and the Ad could be misleading by	February 2004 Chapter I.4. Claims, "ensures that everyone stays at home during pest control", and "safe", misleading. The specific exclusive action of 'cockroach control' was not apparent, whereas the mention of 'pest control' was prominent and not supportive of the main claim in the Ad.

C. 2575

B. K. Roy Chowdhury

C. 2580

Suo Motu

			omission, since the service offered is restricted to `cockroach control', whilst the Ad mentions `pest control', as applicable to other household pests and implies other forms of treatment or service.	It was likely that the Ad might induce a disregard for safety in the course of other forms of pest control which are mentioned in the Ad. ***Ad discontinued. Advertiser assured appropriate modification of the Ad.***
91. Suo motu	United Breweries Ltd. (London Pilsner) Mumbai Age (12/2003) C.2581 Suo motu Surrogate	Brand name - `London Pilsner' Headline - "Ab Cold Drink out"  Ad mentions `Pint glasses' in an inconspicuous manner	(Complaint registered in 1/2004) Ad circulated in Mumbai, mentions the brand name – `London Pilsner', of an Alcoholic Beverage. The headline refers apparently to a substitute for a Beverage . This could be misleading by ambiguity. The Ad appears to be a surrogate Ad for an alcohol beverage brand.	<u>February 2004</u> Exparte (absence of comments from the Advertiser). Chapters I.4 and III.6. Ad misleading by ambiguity since the headline, "Ab cold drink out", and the claim of, "Rs.16 only, Rs.3 refundable deposit", not supportive of the product mentioned - `pint glasses'. Ad appeared to be a surrogate Ad for an alcoholic beverage brand. ***Ad campaign concluded after 7th March 04.*** ***Advertiser assured appropriate modification of the Ad.***
92. Suo motu	Herbertsons Limited (Bagpiper) Rediffusion DY&R(*) Asian Age (1/2004) C.2582 Suo Motu Surrogate	Brand name - `Bagpiper' Claim, "India's largest. World's No.3"	(Complaint registered in 1/2004) The Ad circulated in Mumbai, mentions the brand name - `Bagpiper', supported by the claim, which appears to be suggestive of an alcohol product. The mere mention of the word `Soda', in an inconspicuous manner, whilst boldly stating the brand name `Bagpiper', with the baseline,	<u>February 2004</u> Exparte (absence of comments from the Advertiser). Chapters I.1 and III.6. Mention of the word `Soda', in an inconspicuous manner, whilst boldly

			"India's largest. World's No.3", could be misleading by its ambiguity. If the claim, refers to "soda", then the source of data supporting the claim, should be substantiated with authentic industry/market survey data, and the source should be mentioned in the Ad.	stating the brand name 'Bagpiper', with the baseline, "India's largest. World's No.3", misleading by its ambiguity. Ad appeared to be a surrogate Ad for an alcohol product brand.
		Claim (in Hindi) - "Kya surat hai, Yaaron ka yaar, Ab naya stylish avatar"	Claim does not appear to have any relevance to the product advertised.	***Ad modified.***
93. Suo motu	Maruti Udyog Ltd (New Zen with Katalyst System) Hakuhodo Percept The Week(*) (1/2004)	Visual depiction of a 'young woman' Ad copy – "Sleek. Feline. Sophisticated. Surrender to the new Zen"	(Complaint registered in 1/2004) Visual depiction read in conjunction with the copy, could be objectionable to many women, since it appears to commodify women.	<u>February 2004</u> Chapter II. Visual depiction read in conjunction with the copy, appeared to commodify women, in the absence of any relevance to the product advertised (Zen car). Ad likely to cause widespread offence, particularly to women. ***Ad campaign discontinued.***
94.	Bharat Petroleum Corp Ltd(*) (Bharat Gas) Lowe(*) NDTV (2/2004) Sony TV(*) (2/2004)	Visuals - two young brothers, the elder brother is angry with his mother, and when she calls them, he tells the younger brother that she is crazy (making a hand gesture).	(Complaint received in 2/2004) How can a small child be shown doing this to his mother. It sets a bad example. The Ad is in bad taste.	<u>March 2004</u> Chapter III.2. Ad in bad taste, which other children could emulate, thereby setting a bad example. ***TVC modified.***

Obscenity C. 2583 Suo Motu

C. 2592 Prabhakar Naitthani

Complaints that were Upheld by the CCC
From April 2003 to March 2004

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
95. #	U. S. Vitamins Ltd (Quicktest Blood Glucose Monitoring System) Promotional literature C. 2419 Nicholas Piramal	Under the caption "Outdated" (emphasis supplied), USV has listed the products `Glucotrend 2' and `Accu-Chek Active', and under the caption "Contemporary" (emphasis supplied) has listed their product `Quicktest' Literature indicates – Quicktest needs only 3ul of blood sample for testing 15 seconds of time taken by Quicktest Quicktest provides a 14 day average reading	(Complaint received in 3/2003) This implies that `Glucotrend 2' and `Accu-Chek Active' are outdated and are not contemporary. The literature disparages, and denigrates these products, without any substantiation, and attempts to mislead consumers in believing that they are not based on contemporary technology. In comparison – Accu-Chek Active needs only 2ul. Accu-Chek Active takes only 5 seconds. Accu-Chek Active gives an option to the user to choose between an average reading of 7 days or 14 days.	April 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and IV.1(e). Claims of implied superiority as reflected by the caption `contemporary', as compared with the products listed as `outdated', not substantiated. Claims of implied superiority of the Advertiser's product, being unsubstantiated; the Ad unfairly discredited other products directly.
96. #	Mangalam Publications (I) Pvt Ltd ("No.1* Family Magazine in Malayalam") Mangalam weekly (17th March 2003 issue) Hoardings put up at Kerala Malayala Manorama	Claim in Malayalam (as translated in English), "No.1* family magazine in Malayalam" C. 2423	(Complaint received in 3/2003) Mangalam had promised to modify appropriately the claim, "No. 1 Family magazine in Malayalam", with effect from their issue dated March 17, 2003. All that the Advertiser has done is added a `*', and in small letters added "in quality". This claim, "No.1 in quality", needs to be substantiated by valid survey / market data.	April 2003 Chapter I.1. Claim not substantiated with authentic conclusive market/consumer data or survey report.

97. #	Kunvar Ajay Foods (Dandi Salt) Gujarat Samachar, Rajkot (3/2003) C. 2435 Bates (I) Ltd.	Implied reference to Tata salt as unnatural salt. Asking consumers to bid `ta-ta' to unnatural salts.	(Complaint received in 3/2003) The Ad (in Gujarathi), apart from the facts which are completely wrong, unfair reference has been made about the brand `Tata Salt' as unnatural salt, and the brand has been singled out for attack. In fact, the advertiser has gone to the extent of asking consumers to bid "ta-ta" to unnatural salts.	April 2003 Exparte (absence of comments from the Advertiser). Chapter IV.1(e). Ad unfairly denigrated the other product by implication and by name directly.
98. #	Kunvar Ajay Foods (Dandi Salt) Gujarat Samachar, Rajkot (3/2003) C. 2437 Bates (I) Ltd.	Ad in Gujarathi, (as translated in English) states, "Tell your wife, not to be greedy for a saltier pinchful of salt. Throw the unnatural salt out of your home, it is a matter of only Rs.2 per month, and bring home the natural Dandi salt". "The salt of my country" "Salt water is the raw material for soda ash. Only 2 kgs of soda ash is obtained from 10 kgs of salt. From the residual salt water, salt is recovered again. So such salt has either lower or higher proportions of minerals and calcium. So the salt becomes more salty, which is unnatural" "But the Dandi salt is entirely natural as it is cured in the blocks under sun rays for 30 days. Whereas the soda ash manufacturing company uses the thick salt solution before it becomes solid salt cubes, i.e., before the completion of 30 days, for the purpose of manufacturing soda ash. Such salt doesn't receive the complete heat of the sun, which is unnatural".	(Complaint received in 4/2003) Advertiser has referred to a TVC which shows a "housewife extolling the virtues of the brand `Tata Salt', saying that `you just need a pinch of Tata salt, because it is the saltier salt'". Advertiser should provide proof, substantiation of these allegations. Advertiser has attacked and denigrated the company name `Tata', and the product `Tata Salt'.	April 2003 Exparte (absence of comments from the Advertiser). Chapter IV.1(e). Ad unfairly denigrated another product by implication.

99.	Cargill India Pvt Ltd (NatureFresh Refined Sunflower Oil – Acti-lite) J.Walter Thompson(*) Zee TV(*) (3/2003) C. 2445 ✓ Consumer Guidance	Visuals – shows a man with wings levitating and the words, 'khao light, jiyo light' **Suo motu complaint** "Sadharan refined oil" mentioned in voice over, and illustration of "ordinary oil" shown	(Complaint received in 4/2003) The USP claimed is about "lightness" of the oil which is misleading, since all edible oils have the same calorific (or energy) value.	May 2003 Chapter I.1. Claim of "lightness" of the oil, not substantiated with comparative data. Chapter IV.1(e). Ad unfairly denigrated other products directly.
100	Neeraj Clinic Pvt Ltd ("Mirgi – Samagra Upchar", "Mirgi Dore ka Pavitra Ilaz") India Today (Hindi) (30/3/2003) Rajasthan Patrika(*), Jaipur (3/2003) C·2446 Dr. S. G. Kulkarni Drugs/Medicine	English version of the same Ads state, "Holistic Treatment of Epilepsy", "Holistic for Epilepsy (Fits)" Testimonials state – "The course could vary from 2 to 3 years in acute cases but I found most of the patients got cured within a year period", "Dr. Gupta gave Meenu the first dose by his own hands. He said, we should not worry because she will get fully better and she won't get the fits again".	(Complaint received in 4/2003) Ads are in flagrant violation of the provisions of The Drugs and Magic Remedies (Objectionable Advertisements) Act (1954) Sec 3 (d) of which prohibits any Ad for "the diagnosis, cure, mitigation, treatment or prevention of any disease, disorder or condition specified in the Schedule" and the Schedule of the Act lists Epilepsy as one such disease.	May 2003 Exparte (absence of comments from the Advertiser). Chapter III.4. Ads were considered to be in breach of the law (violation of The Drugs and Magic Remedies Act). Concerned Media (Rajasthan Patrika) assured that they have advised their Advertising Department to withhold further Ads of the Advertiser – Neeraj Clinic.
101	Anchor Health & Beauty Care Pvt Ltd (Anchor White Toothpowder) Promotion message on the pack C·2447 Dr. A. Kumarswamy	"Fresh breath all day"	(Complaint received in 4/2003, from a member of Dental profession). Bad breath is caused by Volatile Sulphar Compounds (VSC). The higher the VSC, the worse the teeth. The complainant did a study on Anchor Tooth Powder. The statistical analysis on the results showed: Immediately after brushing, there was a drop in the VSC, versus before brushing - there was an improvement in bad breath. However, 10 hours after brushing, there was no significant difference in the VSC, versus before brushing	June 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim which seemed a gross exaggeration, not substantiated.

			- the level of bad breath significantly increased after a period of 10 hours, which is contrary to the claim of "fresh breath all day". Therefore, there is no question of breath staying "fresh all day", by using this product.	
102 Suo motu Drugs/Medicine	Brite International (Dr. Me – Breast Cancer Detection Glove) Siddhartha Advertising Times of India(*) (4/2003) C. 2449 Suo Motu	"Detect Breast Cancer"	(Complaint registered in 4/2003) Ad is objectionable. The claim needs to be substantiated.	June 2003 Chapter I.1. Claim not substantiated.
103 Suo motu	Indian Railways (Rail Neer) The Hindustan Times(*), New Delhi (5/2003) C. 2453 Mr. V.R. Soparkar	Rail Neer is "8 times more pure".	(Complaint registered in 5/2003) This claim is unsubstantiated and a gross overclaim.	June 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated, and also considered to be a gross exaggeration. Ad released was for a specific event - inauguration of the Rail Neer Plant, on 6th May 2003.
104	Bajaj Auto Ltd (Bajaj Caliber Two-Wheeler) Lowe(*) Alpha TV(*) (5/2003) C. 2472 Mumbai Grahak Panchayat	Visuals – A school going child sitting on the Bajaj two-wheeler on the rear seat in a reverse direction doing his home work, and the father on the front seat, apparently to drop the child at school.	(Complaint received in 5/2003) Showing a child doing his home work on a running two-wheeler and that too by sitting in a reverse position, shows a dangerous practice and utter disregard to safety of young children. The Ad shows the child in a dangerous position and the same dangerous practice is likely to be imitated by young children.	July 2003 Exparte (absence of comments from the Advertiser). Chapter III.3. Ad showed a dangerous practice, and manifested a disregard for safety.

105	Ajanta India Ltd (Ajanta Health Dento Care Toothpaste) Promotion messages on the pack C.2464 Dr. Sanjay S. Joshi	"Dento Care leaves you with strong teeth and fresh breath that lasts longer", It provides "total oral care", "Activated Calcium makes your teeth strong"	(Complaint received in 5/2003, from a member of medical profession). Claims are exaggerated. They are not at all substantiable as the product neither contains clinically proven anti-bacterial agent nor clinically proven anticaries agent like Fluoride. Calcium is only an abrasive agent, it cannot clinically or otherwise make teeth strong, as claimed on the pack. The advertiser needs to provide clinical evidence to substantiate the claims.	July 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated.
106	Ajanta India Ltd (Ajanta Health Dento Care Toothpaste) Promotion message on the pack C.2475 Dr. A. Kumaraswamy	It is a non-fluoridated toothpaste. The key ingredients used in the toothpaste are glycerine, calcium carbonate, and S.L.S Claim - toothpaste provides "strong teeth"	(Complaint received in 6/2003, from a member of medical profession). Claim is false and misleading. The product does not contain any anti-caries agent which is clinically proven to provide strong teeth benefit, and also does not contain any clinically proven anti-bacterial agent like Triclosan. The manufacturer needs to provide clinical evidence in support of this claim.	July 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated.
107	Ajanta India Ltd (Ajanta Health Dento White Toothpaste) Promotion messages on the pack C.2478 Dr. Porus Turner	"healthier gums", "strong teeth" Ingredients mentioned on the pack claims to contain Glycerine, Calcium Carbonate, and S.L.S.	(Complaint received in 6/2003, from a member of medical profession) None of these ingredients without the presence of fluoride or antibacterial agents like Triclosan can lead to strong teeth or healthier gums. Therefore, there is no scientific documented proof to substantiate their tall claims, since the toothpaste does not contain key ingredients like Fluoride or Triclosan	July 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated.

108 #	NIIT Limited(*) ("11 ways to insure your career") Contract Advertising(*) T.O.I.(*), Mumbai (3/2003). Eenadu(*) (3/2003) C. 2455 Aptech Ltd.	"Futurz offers a range of Career Programs and ensures that you get the pick of IT jobs" "GNIIT Classic makes you the employers' first choice for recruitment" "The NIIT Edge: Pioneers and leaders in IT education in India for over 20 years" "The preferred partner of world leaders like Citrix, Computer Associates, IBM, Microsoft and Oracle"	(Complaint received in 5/2003) This would imply that NIIT has ensured and will continue to ensure that all persons doing the Futurz course necessarily get the 'pick' of IT jobs. This is obviously false. If their claim is based on any survey, then the source has not been quoted. NIIT should substantiate this claim. NIIT should substantiate that all these companies will also certify that NIIT is their 'preferred' partner.	July 2003 Chapter I.1. Claims not substantiated. ***Ad suspended temporarily. Assurance of compliance not received.***
109	Dr. O.P. Bagga (Herbo Height Therapy) 'My Doctor' magazine of January 2003 issue C. 2511 CERS Drugs/Medicine	"Herbal study of HHT has confirmed it on practical front that natural height stop is not a final stop but is a premature halt and is likely to mature further into Life with HHT under plus and minus status of the body around 5 to 10 cms more, any time in between and upto 35 years, even after marriage and child birth", "HHT would help you by 15-30 mm (1.5 to 3 cms) in short course of 3 months, 30-50 mm (3 to 5 cms) in half course of 6 months, 50-100 mm (5 to 10 cms) in full course of 1 year and 5-10 mm in 1 month trial dose, also even after marriage, after child birth, after stop-even-term upto the age of 35 years, faster than the average growth ratio", "In addition to height growth, it helps anyone who is underweight / overweight, feminine bustlines under-developed / overdeveloped to its normal status. Further it helps to remove the pimples, improve the complexion, soften the skin,	(Complaint received in 8/2003) No independent studies cited in the Ad, which prove that height gain as advertised, is possible. Hence the Ad is misleading. That a single product / therapy can treat a variety of diseases, make the claims doubtful, in the absence of proof.	October 2003 Chapter I.1. No specific comments in support of the claims, provided by the Advertiser. Claims not substantiated.

		sharpen the feature, shape up the figure, improve memory also".		
110 Suo motu	Jagatjit Industries Ltd (AC Neat Whisky) P.O.P. C.2518 Suo Motu Obscenity	Visual – woman scantily dressed (in bra and a short skirt). Headline – "Neat hi Chalega"	(Complaint registered in 9/2003) The headline read in conjunction with the visual depicted, is suggestive and indecent.	October 2003 Exparte (absence of comments from the Advertiser). Chapter II. Headline read in conjunction with the visual depicted, objectionable to women, and likely to give rise to widespread offence.
111 Suo motu	Jagatjit Industries Ltd (Aristocrat Old Reserve Whisky) P.O.P. Obscenity C.2519 Suo Motu	Visual – five women standing one behind the other, scantily dressed. Baseline – "just mast"	(Complaint registered in 9/2003) Baseline read in conjunction with the visuals depicted, is suggestive and therefore indecent.	October 2003 Exparte (absence of comments from the Advertiser). Chapter II. Baseline read in conjunction with the visuals depicted, objectionable to women, and likely to give rise to widespread offence.
112	Dhariwal Industries Limited (Manikchand Oxyrich Healthy Drinking Water) Hoarding/wall painting outside Eros Cinema (5/2003) C.2522 Karan Golani	"300% more Oxygen", "Fight pollution", "Get energized".	(Complaint received in 9/2003) Ad is misleading, as the claims are unscientific for the following reasons: Water enriched with 300% more Oxygen does not have any advantage over ordinary drinking water as far as re-hydration of the body is concerned, and it cannot help fight air pollution as there is no connection between the Oxygen content of the air, and that of dissolved Oxygen in the water consumed.	October 2003 Chapter I.1. Claims not substantiated.
113	Dhariwal Industries Limited (Manikchand Oxyrich Healthy Drinking Water)	"300% more Oxygen" C.2527	(Complaint received in 9/2003) Hydrogen and Oxygen, two of 24 basic elements, when mixed in the proportion of 2:1 (two molecules of Hydrogen and one molecule of Oxygen gas), and processed	October 2003 Chapter I.1. Claim not substantiated.

	The Times of India(*) (3/2003) C. 2527 Janhit Manch.		appropriately, turn into water. There cannot be any other proportion of higher or lower, not even a fraction of a percentage in any water, either natural, mineral or packaged. This claim is misleading.	
114	Dhariwal Industries Limited (Manikchand Oxyrich Healthy Drinking Water) The Times of India(*) (9/2003)	"The first and only Bottled Water in India, that has multiple purification for total safety", "300% more Oxygen and essential minerals", "Truly world class". C. 2528 Janhit Manch.	(Complaint received in 9/2003) Advertiser should provide substantiation of the claims	October 2003 Chapter I.1. Claims not substantiated.
115	Dhariwal Industries Ltd (Manikchand Oxyrich Healthy drinking Water) The Times of India(*) (9/2003) C. 2539 CERS	"300% more oxygen is not just a promise, it is a fact proven by the Oxymeter", "Oxyrich - a truly healthy drinking water"	(Complaint received in 10/2003) The complainant would like to know what oxygen content remains in the water by the time the consumer opens the bottle or by the expiry date, and how long will it remain in the water and in what quantity. Oxygen in the stomach would only amount to any other gas; it is not absorbed into the body. So this brand of water cannot be called a truly healthy drinking water simply because there is extra oxygen in it.	December 2003 Chapter I.1. Tests reports on other bottled water products, were not provided by the Advertiser. Claims not substantiated.
116 Suo motu	Indian Railway Catering & Tourism Corp Ltd (Rail Neer) National Advertising Hindustan Times(*) (8/2003) C. 2549 Suo Motu	"Our water is the purest in the country", "Test report of leading recognised independent laboratory accredited to National Accreditation Board for Testing and Calibration for Laboratories, on Rail Neer indicates the following ...", "Pesticides residue in Rail Neer is well below the European Economic Community's norms".	(Complaint registered in 10/2003) The Advertiser needs to provide proof, technical information, in substantiation of these claims, with details of tests/trials reports from an independent recognised testing institution.	December 2003 Chapter I.1. The tests reports provided by the Advertiser did not include the entire set of parameters required to comply with the PFA Rules. Claim, "our water is the purest in the country", not substantiated.

117 # C. 2548 Bates CJ Ltd.	Kunvar Ajay Foods (Dandi Salt) Zee TV(*) (10/2003)	Ad is leveling the unsubstantiated charges on the manufacturing process of the brand – Tata Salt.	(Complaint registered in 10/2003) Advertiser has resorted to the clever way of asking consumers to bid 'ta-ta' to other salt brands, clearly targeting 'Tata Salt'. Dandi Salt targets the brand - Tata Salt, as being saltier and hence causing high blood pressure, only to needlessly scare the consumers.	December 2003 Exparte (absence of comments from the Advertiser). Chapters I.1 and IV.1(e). Allegations and claims were false. Ad also unfairly discredited another product by implication.
118 C. 2551 Indian Dental Association	Ajanta India Ltd (Ajanta Dento White Toothpaste) Cine Cable Channel, Sahara TV (10/2003)	"Indian Dental Association (IDA) has endorsed the product with its Seal of Acceptance".	(Complaint received in 11/2003) The only authorized body permitted to grant the IDA Seal of Acceptance to a product is the IDA's Head Office. In this case, the IDA Head Office has not granted any Seal of Acceptance to Ajanta India and hence their claim of IDA approval cannot be publicised.	December 2003 Exparte (absence of comments from the Advertiser). Chapter I.1. IDA confirmed that such endorsement has not been provided by them. Claim false.
119 Suo motu C. 2561 Suo Motu	Sagar Apollo Hospital ("Your one stop Destination to Good Health") Deccan Herald(*) (8/2003)	"Apollo Hospital Number one in Asia... The only one in Bangalore", "World Class Health Care...", "Internationally Trained Doctors, Nurses & Paramedical Staff", "World Class Medical Facilities and Services...".	(Complaint registered in 11/2003) These claims need to be substantiated by the Advertiser.	December 2003 Advertiser failed to provide their comments. Exparte (absence of comments from the Advertiser). Chapter I.1. Having regard to the concerned Media (Deccan Herald) being a member of the ASCI, the CCC deliberated on the complaint. Claims not substantiated.

120 #	Frankfinn Institute of Airhostess Training (Air Hostesses/Flight Stewards) Mid Day(*) (8/2003) C.2538 IHTCM	"The number of Frankfinn trainees who have found placement as Air Hostesses/Flight Stewards in reputed International and Domestic Airlines far exceeds that of any other institute in the line", "The only company operating all over India which not only provides quality education but also provides 100% job assistance after training".	(Complaint received in 10/2003) Claims need to be substantiated by the advertiser.	January 2004 Chapter I.1. No specific comments in support of the claims, provided by the Advertiser. Claims not substantiated.
121	Dharampal Satyapal Ltd (Rajnigandha Pan Masala) Times of India(*), Pune edition (10/2003) C.2564 Prof. Dhananjay Keskar Cigarette/Tobacco	"The World's Largest Selling Premium Pan Masala".	(Complaint received in 11/2003) Claim is not substantiated. No comparative data source is given in the Ad.	January 2004 Chapter I.1. Claim not substantiated with authentic industry/market data, nor the source in support of this claim, mentioned in the Ad. **Ad temporarily suspended, pending review decision.** April 2004 **Decision on Review** Upheld decision stands. Chapter I.1. Certificate provided by AC Neilsen ORG – MARG Pvt Ltd, did not conclusively support the claim, with validated market data. Claim not substantiated. ***Advertiser confirmed that they shall not issue any further Ad in the said publication.***

122 #	Dhiman Industries ("India's No.1") Punjab Kesri (1/2004) C. 2588 Tarlochan Dhiman	"India's No.1"	(Complaint received in 2/2004) Dhiman Industries is promoting themselves as "India's No.1", without any clarification in which area they are India's No. 1, which is misleading. They are not 'No.1' in any field, be it quality of products, quantity they manufacture, and they are also not the first to start manufacturing in India.	March 2004 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated.

Complaints that were Not Upheld by the (CCC)
From April 2003 to March 2004

Sr. No	Advertiser / Agency / Media	Claim / Description of Ad / TVC	Complaint	Comment/ CCC Decision
# Intra-Industry Complaints * ASCI Member				
1.	Tata Infomedia Ltd (Tata Press Yellow Pages) Ambience D'Arcy Advertising(*) Star News(*), Star Plus(*) (2/2003) C.2409 Col. K. Ragothaman	Visuals - "a white lady in the delivery room with her newly born black baby. Her husband is shown pacing up and down outside the delivery room. And finally he comes in to see his wife and the new born. The caption appears - 'want a lawyer?'. The husband requires the services of an Advocate to file for a divorce".	(Complaint received in 2/2003) Ad is highly objectionable because of its racist overtones. It spoils the image of a cultured Indian woman. **(Three similar complaints received against the same TVC)**	April 2003 Ad not discriminatory or objectionable.
2.	Hindustan Lever Ltd(*) (Hamam Soap) Bates India(*) Sun TV (2/2003) C. 2414 Mr. Eshwar	Visuals – "a Fairy inviting a small child for a bath with rose coloured soap in her hand. But as the child approaches, he sees an image of a 'devil' in her. Then another Fairy invites him with a 'Hamam' soap in her hand. The child gets up from his dream".	(Complaint received in 2/2003) Complainant questions – (a) what does the advertiser mean when they portray the Ad in such a manner – whether Hamam is safe? (b) What would be a normal child's reaction on seeing a rose coloured soap (that too showing a devil)? (c) The timing (late evening) of the Ad on air is just 'before a child goes to sleep'. Should the child go to sleep with such memories?	April 2003 Visuals not likely to frighten children. **Suo motu complaint** Advertiser should substantiate the claims, "some soaps can damage/harm your skin", "New Hamam does not contain any harmful substances". *(CCC decision – May 2003 – Not Upheld, claims substantiated).*
3.	Pepsi Foods P. Ltd(*) (Mountain Dew) J. Walter Thompson(*) Sony Max(*) (2/2003) Animal C-2415 Wildlife Protection Society	Visuals - "A man chasing down a 'Cheetah', and putting his hand down the mouth of the animal to retrieve a can of 'Mountain Dew' soft drink. The Cheetah is also shown with its hair	(Complaint received in 3/2003) Not only does the Ad encourage the ill-treatment of animals, but also shows a disrespect for living things. **(Two similar complaints received against the same TVC)**	April 2003 Ad not encouraging disrespect or ill-treatment of animals.

		clipped to advertise the Mountain Dew soft drink".		
4.	Indian Oil Corporation(*) Ad/Banner at Chennai C. 2420 Mr. V. Shivkumar	'IOC petrol has more Octane, and when used gives more mileage'	(Complaint received in 2/2003) The Ad/Banner does not mention that the Octane petrol costs more than the ordinary petrol.	April 2003 Ad not misleading.
5.	Coca Cola India(*) (Coke 200ml bottle available for Rs.5/-) McCann-Erickson (I) Ltd(*) Star TV(*), Sony TV(*) (2/2003) C. 2422 Mr. Rajiv Datta	Visuals - A film personality promoting Coke 200ml bottle. Ad says that it is available at Rs.5/- (in select cities only)	(Complaint received in 3/2003) This Coke bottle of 200ml is not available at Rs.5/-. In Delhi, it is available at Rs.6/- (which is against their claim). This is a misguided Ad.	April 2003 Claim not misleading.
6.	Pepsi Foods P. Ltd(*) (Pepsi) J. Walter Thompson(*) Sunday Times of India(*), Mumbai (3/2003) C. 2424 Mani Sreedharan	A Lion eating a banner identifying a specific country	(Complaint received in 3/2003) One should respect other countries. Is it required to show some other country in bad shape? **(One similar complaint received against the same Ad)**	April 2003 Ad not objectionable or derisive of a foreign state.
7. # C. 2436 P&G	Hindustan Lever Ltd(*) (Clinic All Clear anti-dandruff shampoo) Lowe(*) Sony channel(*) (3/2003) Hoardings in Mumbai (2nd week of March 03)	Visuals – "3 different hair stylists working on the hair of three males, Two of them suffer dandruff flakes all over their cloaks following the blow-drying. The third having used Clinic All Clear, is completely free of dandruff". Voice over and large lettered super claims, "New Clinic All Clear – 3 times better than your anti-dandruff shampoo". A super in fine print, "on eliminating the cause of dandruff". Hoardings make identical	(Complaint received in 4/2003) Claim is false, distortful, and misleading. TVC, by implication is also denigrating the brand 'Head & Shoulders', which is the only other anti-dandruff shampoo brand of significance in the Indian market.	April 2003 Claim and its presentation in the TVC, and on the Hoardings, not false or misleading. Advertiser has substantiated this claim, whilst the Complainant has not proven it to be false.

		main claim but without any fine print qualifying super.		
8. #	Hindustan Lever Ltd(*) (Ponds Angel Face Facial Powder) Ogilvy & Mather(*) Star Plus(*) (2/2003) C. 2438 / Godrej Ltd.	Baseline, "Nikhre Aap, Nikhre Aapka Kal"	(Complaint received in 4/2003) This baseline is strikingly similar to the baseline which is used by Godrej FairGlow as "Nikhre Rang Nikhre Zindagi", which first appeared on 16th May 2000 on Zee TV. This phrase has been the core of Godrej's communication, and is the basis on which the brand 'Godrej FairGlow' is positioned. Ponds has used this phrase in an identical way to communicate their main benefit in the said TVC.	April 2003 Baseline, not so similar as to take unfair advantage of the goodwill acquired by another product's advertising campaign.
9.	Colgate Palmolive (India) Limited(*) (Colgate Dental Cream) Rediffusion DY&R P. Ltd(*) Alpha channel(*), Star Plus(*) (3/2003) C. 2441 / N.G. Nuegle	"Colgate toothpaste has been accepted by the Indian Dental Association (IDA), and certified that it produces strong teeth"	(Complaint received in 3/2003) On what basis did IDA approve the claim and what was the protocol of the tests? The complainant could not get any response from the Hon. Secretary General, IDA, Mumbai.	April 2003 Claims, "Approved by the Indian Dental Association", and "Colgate with calcium and minerals makes teeth stronger", substantiated.
10. #	Agro Tech Foods Ltd (Sundrop Heart Blended Edible Vegetable Oil) FCB-Ulka Advertising(*) Star Plus(*), Zee TV(*) (3/2003) Promotion messages on the pack C. 2433 / Marico Inds.	Pack – Front panel shows a visual of Heart mnemonic with the brand name `Sundrop Heart' written inside. The back panel repeats the same Heart mnemonic in a small size. Text message – "Sundrop has natural vitamin and special nutrients like Oryzanol. Research shows that PUFA and these special nutrients may help reduce cholesterol levels", "So when you use Sundrop Heart for your family, as a part of a diet that is low on saturated fat and cholesterol, you are helping them have healthy	(Complaint received in 3/2003) By naming the product `Sundrop Heart', and putting it inside a heart mnemonic and by saying that "... helping them have healthy hearts", they are trying to portray that the aforesaid oil is good for Heart and an unmistakable nexus between the product and heart care can be drawn, which is misleading. Further, their claim, "the special nutrients in Sundrop Heart reduces the cholesterol", directly attributes the heart care and heart cure qualities of the product. This is clearly a violation of Rule 37D of the Prevention of Food Adulteration Rules, 1955. Advertiser needs to substantiate the claims they are making on the pack	April 2003 Chapter I.4. Pack – visuals of `Heart' shape, and the name `Sundrop Heart' as depicted, misleading by implication, about the product. Claims, "easy to digest", "the healthy oil", "may help reduce cholesterol levels", not substantiated. Claim, "So when you use Sundrop Heart for your family, as part of a diet that is low on saturated fat and cholesterol, you are helping them

hearts...."

TVC – shows a "family enjoying themselves with assorted dishes all in the shape of hearts. It further says, "hamare hanste khelte parivar ke liye Naya Sundrop Heart. Iske rich golden tel mein hain special nutrients jo kare cholesterol kam aur rakhe hamare dil ko swasth har dum".

and in the TVC, as no oil is known to reduce cholesterol.

have healthy hearts", ambiguous and consequently misleading.
TVC misleading by ambiguity and exaggeration in respect of those from the above visuals and claims which appeared in the TVC.

The compliance with or contravention of the specific pertinent and relevant provisions of the PFA Rules (1955), and specifically Rule 37D, is a matter for the concerned authorities, in view of the technical interpretations involved.

October 2003
Decision on Review requested by the Advertiser
Not Upheld.
Additional technical information in support of the claims cited in the earlier decision of Upheld, was considered as adequate substantiation of the claims. Promotion claims on the pack and in the TVC, not in contravention of the Code.
Visual of 'Heart' shape and the brand name of 'Sundrop Heart', being the subject of a Trade Mark registration application in process, it would depend on the disposal of their Trade Marks application.

				February 2004 **Decision on Review requested by the Complainant.** Not Upheld decision stands. Trade name `Sundrop Heart' and the depiction of the `heart' as a symbol, not objectionable or misleading, and not in contravention of the Code.
11.	Kool Komestibles Pvt Ltd (Diet Eggs) Promotion messages on the package label C. 2421 Consumer Guidance	"Low Cholesterol", "19 times more Omega 3", "100% more Vitamin-E", "Certified Product", "No eggy smell", and table of comparative nutritional values	(Complaint received in 3/2003) Advertiser should substantiate with test reports from an independent laboratory of repute that the Diet Eggs have in fact, the characteristics as claimed in the Ad.	May 2003 Promotion claims not false.
12. Suo motu	Hindustan Lever Ltd(*) (Hamam soap) Bates India Ltd(*) Sun TV (2/2003) C. 2439 Suo Motu	"Some soaps can damage/harm your skin", "New Hamam does not contain any harmful substances"	(Complaint registered in 4/2003) Advertiser should provide substantiation of the claims, with tests/trials reports from an independent recognised testing institution.	May 2003 Claims substantiated.
13.	Procter & Gamble Home Products Ltd(*) (Hugo Boss Perfume) Madison Communications(*) Sony(*), Star Plus(*), Zee(*) (2/2003) C. 2442 Mr. Suresh Shah	Visuals depict fleeting erotic, explicit, foreplay	(Complaint received in 4/2003) Visuals and the actions depicted are highly obscene/seductive.	May 2003 Ad not obscene, and not likely to cause widespread offence. ***Advertiser assured that, in deference to the views expressed by some viewers, they had stopped airing the said TVC since end February 2003.***

14. #	Sophia Polytechnic (Coaching for IATA-UFTAA Consultant Level Examination) Mid Day(*) (4/2003) C.2454 IHCIM	"Coaching for IATA-UFTAA Consultant Level Examination"	(Complaint received in 5/2003) Claim is misleading. They have not been authorized by IATA to conduct the IATA-UFTAA courses (not listed in the IATA website – www. iata.org/atdi/atc_list_uftaa).	June 2003 Exparte (absence of comments from the Advertiser). Complaint of "not authorised to conduct the examination or courses of IATA-UFTAA", not valid, since the claim referred to "coaching for IATA-UFTAA Consultant Level Examination".
15. Suo motu	Bacardi Martini (I) Ltd(*) (Bacardi Limon) McCann-Erickson (India) Ltd(*) P.O.P C.2457 Suo Motu Surrogate	"2 Italian shot glasses with every 750 ml bottle. Bacardi Limon. Shots" Ad shows visual of a woman's legs, and the copy states, "I like it straight up!"	(Complaint registered in 5/2003) Ad is considered to be a surrogate Ad for a liquor brand. This visual in conjunction with the copy, appears to be indecent.	June 2003 It was clearly not a surrogate Ad since it advertised a liquor brand. Ad being a Point Of Purchase material at retail liquor outlets only, was not so indecent as to give rise to widespread offence. ***Advertiser assured that the relevant provisions of the Code would be observed in future.***
16. #	Chakola Ayurvedics (Chakolas Ayurvedic Soap) Asianet channel (5/2003) C.2462 Cholayil Pharma	TVC in Tamil (as translated in English), states, "only by adding some chemicals, soaps get green and other colours. But the combination of Ayurvedic herbs, i.e., Kashayam, will always be black. And that is why only the Chakolas Ayurvedic soap is manufactured in naturally black colour"	(Complaint received in 5/2003) Ad contravenes Section 36(A) (X) of MRTP Act. It is creating an impression in the minds of general public that all other soaps other than the advertiser's soap, are not ayurvedic in nature. It has doubted the credentials of other ayurvedic soaps in the market, which are green in colour and ayurvedic in nature, like 'Medimix', etc. No soap can be manufactured without adding 'caustic soda', which is a chemical. The advertiser's claim that the soap is free from any chemical is contrary to the truth.	July 2003 Ad did not denigrate other products directly or by implication.

17.	Levi Strauss (India) Pvt Ltd (Levi Jeans) J. Walter Thompson(*) The Hindu(*) (5/2003)	"Low Rise Jeans. Dangerously Low" Visuals - 10 pictures of women dressed in Jeans and Bras. C. 2463 Mr. J. Venkateswaran	(Complaint received in 5/2003) Ad is obscene and offensive to standards of modesty.	July 2003 Ad not so offensive as to cause widespread offence.
18.	Lovable Cares Bras And Undergarments Advertising Avenues(*) Bombay Times, T.O.I.(*) (4/2003)	Visual – Woman wearing only a panty holding cool glasses of soft drinks in each hand. C. 2466 Mr. Kishor Chandni	(Complaint received in 5/2003) Ad is vulgar. Since the Ad is carried in a family newspaper like The Times of India, the readers include young children, and this Ad could affect their minds.	July 2003 Ad not so offensive as to cause widespread offence.
19.	Marks & Spencer (Spring Summer 2003 Lingerie Collection) Identity Advertising Bombay Times, T.O.I.(*) (5/2003)	Visual – Woman dressed in bra and panty C. 2467 Mr. kishor chandni	(Complaint received in 5/2003) Ad is vulgar. Since the Ad is carried in a family newspaper like The Times of India, the readers include young children, and this Ad could affect their minds.	July 2003 Ad not so offensive as to cause widespread offence.
20.	Gujarat Co-operative Milk Marketing Federation Ltd (Amul Double Sundae Ice Cream) FCB-Ulka Advertising(*) Mid Day(*) (4/2003)	Ad shows the product in a 'rounded edge container' C. 2480 Mr. Talha Shaikh.	(Complaint received in 6/2003) Having tasted a similar product before, which looked like the product illustrated in the Ad, the Complainant purchased the same. But he was shocked to see that neither the appearance nor the pack (rectangular plastic container), resembled the pack illustrated in the Ad. On further talk with the shopkeeper, the Complainant learnt that the pack shown in the picture resembles that of a 'Kwality Walls' product. The Ad is false.	August 2003 Said product launched (in the first week of April 2003), was available in a 'rectangular plastic container', which subsequently was changed to a 'rounded edge container', due to production problems faced by the Advertiser. Ad not false or misleading.

21. #	Colgate Palmolive (I) Ltd(*) (Colgate Dental Cream – Lower Prices. Same Weight) Rediffusion DY&R P. Ltd(*) Sunday Times of India(*), Mumbai (6/2003) C. 2455 Aptech Ltd.	Visuals – two tubes of toothpastes – one of Colgate Dental Cream, and the other unidentified brand (blue & white in colour)	(Complaint received in 6/2003) It amounts to disparagement of HLL's brand "Pepsodent", as the other tube shown in the visual is their brand. This premise can be made on the basis of the brand colour clearly depicted. No other major toothpaste brand in the market has similar coloured tube as depicted in the Ad. The Ad is misleading because it suggests that Colgate lasts longer than Pepsodent. Clearly there is no basis for making a tube to tube comparison because the grammages are different. Also the price/gram for both Pepsodent and Colgate is almost identical.	August 2003 Ad not misleading, and did not disparage a specific competitive product.
		"Lower Prices, Same Weight"	Headline suggests that Colgate has taken down prices for the same grammages. However the current packs available in the market, as well as the pack depicted in the Ad, suggests that it is a "price off consumer promotion".	
22. Suo motu	Shaw Wallace Distilleries Limited (White Mischief Holidays) Lowe(*) India Today (18/11/02) C. 2491 Suo Motu Surrogate	"I'm in the mood for mischief"	(Complaint registered in 7/2003) In the absence of specific information, the Ad appears to be a surrogate Ad for a liquor brand – White Mischief Vodka.	August 2003 Ad mentioned the specific service advertised – "White Mischief Holidays, for exciting holidays log on to http:// whitemischief.traveljini.com", it did not appear to be a surrogate Ad for a liquor brand.
23. Suo motu	Hindustan Lever Ltd(*) (Surf Excel detergent powder) Lowe(*) HBO (6/2003) C. 2490 Suo Motu	Visuals - "a man swirling a bucket of water to dissolve the detergent, using his bare hands"	(Complaint registered in 7/2003) Ad encourages a dangerous practice. IS 4955:1993 – Marking 6.2.1 (f) states – "Caution: Detergent solutions can be skin irritants. Avoid prolonged contact. Rinse garments and hands thoroughly." IS:11601 (Part 1) – 1986 (revised in 2002) – Scope 1.1 states – "This standard (Part 1) covers skin	September 2003 Chapter III.3. Ad manifested a disregard for safety. November 2003 **Decision on Review** Not Upheld. Advertiser provided additional technical information in

			irritation test and repeated insult test for determination of irritant potential of synthetic detergents."	support of the product compliance with BIS Specifications, which was considered adequate evidence of regard for safety. TVC did not contravene the ASCI Code.
24. Suo motu	Bajaj Auto Ltd (Bajaj Pulsar 150cc – open the throttle, Not the wallet) Ogilvy & Mather(*) The Hindustan Times(*), New Delhi (6/2003) C. 2496 Suo Motu	"With a top speed of 111kmph* coupled with an amazing mileage of 77 kmpl will have you opening the throttle...", "*under standard test conditions"	(Complaint registered in 7/2003) The Ad is encouraging `speed', which is likely to lead to a dangerous act. The Ad is also misleading, as `under standard test conditions' is not applicable to riding on a Highway.	September 2003 Ad unlikely to lead to a dangerous act, and not misleading. ***Advertiser assured that Ad has been modified to mention a reasonable description of `standard test conditions'.***
25. #	Hindustan Lever Ltd(*) (Lifebuoy Gold) Lowe(*) Star Gold(*), Sony Max(*)/Set Max(*) (4/2003) C. 2499 N. Ranga Rao	Brand communication of `Cycle Agarbathies' showcases specific prayer moments juxtaposed with each other culminating with the baseline, "Everyone has a reason to pray"	(Complaint received in 7/2003) The Ad has its distinctive music, the sound effects etc. The communication across media (since February 2002), and across different TV channels, has not only been highly recalled but has been very strongly associated with "Cycle brand". In fact, seven television commercials have already been created and aired since February in 2002. The usage of this concept and the format is seen in the communication by HLL for their "Lifebuoy Gold" Ad, and this is a clear infringement of the "Cycle" brand idea.	September 2003 TVC of `Lifebuoy Gold' not so similar to the TVC of `Cycle Agarbathies', as to take unfair advantage of the goodwill of another advertiser's advertising campaign.
26. #	Dabur India Ltd(*) (Pudin Hara G) Mudra Comm(*) Sony TV(*) (6/2003) C. 2500 Glaxo Smith Kline	Visuals in `Eno' TVC – a lift, normal background score, turbaned gentleman.  Visuals in `Pudin Hara G' TVC – a stage performance, Bhangra	(Complaint received in 7/2003) `Pudin Hara G' TVC unfairly denigrates the product `Eno'. It has copied the idea, concept, story of the theme, and the main character of the Eno TVC, and used them in their TVC to show the product Eno in poor light.	September 2003 TVC of `Pudin Hara G' not so similar to the TVC of `Eno', as to take unfair advantage of the goodwill of another advertiser's

		Music, turbaned performer with his music dance troupe.	After viewing the Eno TVC, a person of reasonable intelligence will conclude that the white effervescent drink shown in Pudin Hara G TVC is `Eno'. In the Pudin Hara TVC, they are trying to imply that Eno is inferior to Pudin Hara G, which it is not. In any case, it is unfair to compare Eno with Pudin Hara G for the reason that, Eno is an antacid product, and whereas Pudin Hara G is being promoted as a `antiflatulent, antacid'.	advertising campaign, nor did the TVC unfairly denigrate another identified product.
		Relieves "acidity" and "heaviness"	What constitutes "heaviness" is not clear. This is misleading.	
27.	Cadbury India Limited(*) (Cadbury's Delite Chocolate flavoured drink) Lemon Advertising	"Milk is for cats only, A schoolmate drinks milk daily, poor fellow/bechara, he fails in the class, Add chocolate `Delite' to the milk"	(Complaint received in 7/2003) The complainant objects to this message of the advertiser conveyed through a child model. The Ad denigrates `milk'.	September 2003 Ad did not unfairly denigrate `milk'.
	Zee Cinema(*) (6/2003)	Label declaration of `Caffeine' on the pack	A Caffeine based beverage is not the best drink for a small child. That is the reason, PFA Rules prescribe label declaration on packs, if Caffeine is an added active ingredient, since it makes a person hyper-active being a stimulant.	As for the complaint in respect of label declaration of Caffeine on packs, the compliance with or contravention of the specific pertinent and relevant provisions of the PFA Rules, is a matter for the concerned authorities, in view of the technical interpretations involved.
28.	Perfetti Van Melle India Pvt Ltd (Marbels) RMG David(*) Nickelodeon channel (6/2003)	Visuals – Two young boys, one of them is shirtless, wearing only his underpants, and facing the camera. His mother asks him, "aap ka kapada kidhar hai?" The boy replies that he has traded his shirt for "Hurricane" and his shorts for "Undertaker". These are	(Complaint received in 7/2003) The Complainant finds the `boy revealing his buttocks' in the TVC, to be highly objectionable. The Ad conveys the message that `stripping is worth the stickers'.	September 2003 Ad not so indecent as to give rise to widespread offence.

C.2510

Ms. G Shaila

Children

Children

C 2493

Consumer Guidance

		stickers given free with the product – Marbels. In the next scene, the same boy's back is towards the camera, and the boy is pulling down his underpants exposing his buttocks. In a surprised tone his mother asks him, "what are you doing?" He replies "mujhe Big Show dengga". The other boy giggles.		
29. #	Hyundai Motor India Ltd (Hyundai Accent GVS car) Grey Worldwide (I) Pvt Ltd(*) The Times of India(*), Mumbai (7/2003) C.2512 FCB Ulka	Advertiser has resorted to selective comparison. "Accent has been the largest selling car in its segment in 2001 and 2002" "More Affordable", "Largest selling premium car"	(Complaint received in 8/2003) The Ad seeks to woo the existing B segment car owners to upgrade to 'Accent GVS' (a C segment car), and for that purpose has compared itself selectively with some other cars in the C segment. In the comparison chart, it has not included all the makes/models of the C segment cars. As of date, theirs is not the largest selling car as per the published industry data. The consumer ought to be informed of the latest factual position and not historic data that is irrelevant for a purchase decision today. Due to the suppression of relevant data, the claims are not true and misleading.	<u>September 2003</u> Ad did not confer an artificial advantage upon the advertiser.
30. #	NIIT Limited(*) (The GNIIT Scholarships Examination 2003) Contract Advertising(*) The Times of India(*) (7/2003) Apteck	"Today, GNIIT is the most comprehensive IT program in the country". C.2504	(Complaint received in 7/2003) They have not substantiated this claim in the Ad, nor have they given the source of this conclusion.	<u>October 2003</u> Claim substantiated.

31 Suo motu	Colgate Palmolive (I) Ltd(*) (Colgate Toothpowder) Rediffusion DY&R(*) ETV (7/2003)	Colgate Toothpowder "removes germs", "makes teeth strong", "for strong teeth" C. 2509 Suo Motu	(Complaint registered in 8/2003) The claim, "strong teeth", is not substantiable, as the product does not contain clinically proven anticaries agent like Fluoride. Also, no germicide is declared on the pack. Can Calcium alone render dental strength?	October 2003 Claims substantiated with clinical data.
32.	Colgate Palmolive (I) Ltd(*) (Colgate Toothpowder) Rediffusion DY&R(*) 'Kalnirnaya' (Marathi Calendar) of August 2003	"Strong teeth & gums" C. 2515 Consumer Guidance	(Complaint received in 8/2003) Claim needs substantiation of performance, since the product contains only Calcium compound (Carbonate) and not Fluoride.	October 2003 Claim substantiated with clinical data.
33. Suo motu	Kitchen Appliances India Ltd (Kenstar Water Purifier) Quadrant Communications Star News(*) (9/2003)	Visual - a baby being given water through a feeding bottle. C. 2534 Suo Motu	(Complaint registered in 9/2003) Ad offends the law on "prohibition of feeding bottle promotion" (Infant Milk Substitutes, feeding bottles and infant foods (Regulation of production, supply and distribution) Act, 1992	October 2003 Visual as depicted in the Ad, not apparently in violation of the Law, and did not contravene the Code.
34.	TVS Motor Company Limited (Fiero Bike) Orchard Advertising Screened at a theatre in Bangalore (7/2003)	Visual - a girl requesting the guy for a ride on a roller coaster. The bike is driven on white lines between two rows of cars. C. 2506 (HP) Vivek Nicholas	(Complaint received in 8/2003) This instigates/promotes wrong driving sense among the younger viewers in particular, and all viewers in general.	October 2003 Ad did not encourage a dangerous act, and did not contravene the Code.

35. #	MRF Ltd(*) (MRF-MAI Formule Mondiale Championship 2003) Lowe(*) The New Indian Express(*) (6/2003) The Telegraph (9/2003) C. 2523 Sports club	MRF-MAI Formule Mondiale Championship is "the only recognised karting championship in India"	(Complaint received in 9/2003) This implies that any other karting championship would be unrecognised in India. This Ad is untrue. In fact, the Federation of Motor Sports Club of India (FMSCI) National Karting Championship is the only karting championship recognised by the Govt of India, since the FMSCI is the National Sports Federation, and has been running its National Karting Championship consecutively for the past 3 years.	October 2003 Claim substantiated.
36.	IFB Industries Limited (IFB Digital Washing Machine) Saatchi & Saatchi(*) Femina(*) (3/2003) C. 2524 Mr. Mani Sreedharan	Visual - a rear view of a half-naked woman looking over her shoulder.	(Complaint received in 9/2003) There is no connection between the woman's exposure and the product depicted in the Ad – IFB Digital Washing Machine. This visual is objectionable and indecent.	October 2003 Exparte (absence of comments from the Advertiser). Visual depicted in the Ad, not indecent, and not likely to cause widespread offence.
37. Suo motu	Raymond Limited (Park Avenue Trousers) Ambience D'Arcy Advertising(*) India Today (26/5/2003) C. 2530 Suo motu	Visual - men in an undressed state. Copy states - "Suddenly others will feel quite under-dressed"	(Complaint registered in 9/2003) The visual in conjunction with the copy, appears to be indecent, and is likely to cause widespread offence.	October 2003 Exparte (absence of comments from the Advertiser). Ad not likely to give rise to widespread offence, and did not contravene the Code.
38.	Hindustan Lever Ltd(*) (Pepsodent Toothpaste) Lowe(*) Set Max(*) (5/2003) C. 2535 Dr. Ponus Turner	"Pepsodent toothpaste can protect your teeth and prevent decay even if you eat sweets regularly"	(Complaint received in 9/2003) This TVC tries to imply that children having confectionary can do so and not get caries, if they brush with Pepsodent. This Ad will encourage children to eat sweets regularly and is likely to cause damage and harm to their oral health. The advertiser needs to support this claim with clinical evidence.	November 2003 Ad not likely to cause harm to the oral health of children.

39.	Hindustan Lever Ltd(*) (Pepsodent Toothpaste) Lowe(*) Set Max(*) (5/2003)	Pepsodent advertising tries to create an impression that it can protect teeth and prevent decay, even if sweets, chocolates, etc, are eaten at regular intervals. C. 2536 Dr. A.S. Narayanan	(Complaint received in 9/2003) This claim has no scientific basis and is misleading. The Ad shows children and is probably directed at them, which will encourage them to eat more, resulting in production of more acids leading to formation of cavities.	November 2003 Ad not likely to cause harm to the oral health of children.
40.	Perfetti Van Melle India (Mentos Mint) Ogilvy & Mather(*) Sony TV(*) (9/2003)	Visual - a bald headed man ogling at a bar maid, when the cleaner asks him to go. The reluctant customer shows that he's not done yet. The cleaner pops a Mentos and gets back to work. He deliberately places the vacuum cleaner's nozzle to the back side of the man who sucks in the drink in one shot. C. 2540 Mr. Anand Halve	(Complaint received in 10/2003) Ad is vulgar, indecent, and causes offence.	November 2003 Ad not so vulgar or indecent as to give rise to grave or widespread offence.
41.	Cambridge Indigo-Checks Collection # Advertising Avenues(*) Bombay Times(*) (10/2003)	Copying of the layout, creative execution, and the model of another Ad. C. 2543 Clothing League Inds. Ltd.	(Complaint received in 10/2003) 'Cambridge Indigo-Checks' have blatantly copied the layout, creative execution, and also the very same model, used in the Ad for the brand 'Indigo Nation'. They have used the phrase 'Indigo Checks' in the headline of their Ad with the intent to deliberately mislead consumers into believing that the Ad pertains to the brand 'Indigo Nation'. The 'Indigo Nation' Ad was released on 2/8/03 in Malayala Manorama, and subsequently in Mathrubhumi on 9/8/03, much earlier.	November 2003 Ad not so similar in layout and visual presentations, as to suggest plagiarism.
42.	DCM Benetton India Ltd (United Colors of Benetton – Autumn-Winter Collection) Leo Burnett(*) The Times of India(*) (9/2003)	Ad features a female model apparently in the nude, though not showing any private parts. C. 2544 Saswati Gangopadhyay	(Complaint received in 10/2003) The Ad is for the United Colors of Benetton apparels for the autumn-winter 2003 range. There seems to be no place for nudity in an apparel Ad.	November 2003 Ad not likely to give rise to widespread offence.

43. #	Malayala Manorama(*) (Undisputed leadership. Undisputed growth) TBWA Anthem Malayala Manorama(*) (9/2003) The Hindu(*) (10/2003) C.2553 Mathrubhumi	Ad states - 'Malayala Manorama states that they had increased 76,656 copies during January to June 2003', quoting Audit Bureau of Circulation (ABC) certificate	(Complaint received in 11/2003) The circulation of Malayala Manorama as per ABC for the previous period i.e., July – December 2002 is 12,12,715 copies, and for January – June 2003 is 12,19,621 copies. Hence the increase in circulation is 6906 copies only. To cover up this, Malayala Manorama is publishing Ads and news write ups with comparison of figures of January 2003 and June 2003 circulation, which is not in compliance with ABC Code of publicity, and is misleading to the public.	December 2003 Ad not misleading.
44.	Prime Roaster Restaurant (Roasted Chicken) WOC Advertising Enterprize The Hindu(*) (10/2003) C.2556 P R K Menon	Ad shows 'pieces of roasted chicken'	(Complaint received in 11/2003) The purpose of the Ad is perhaps to tease the palate with delicious chicken; but the emphasis on the human organs intended to rouse the senses, is very plain and clear.	December 2003 Ad not objectionable.
45.	Royal Enfield Motors (Bullet Electra Bike) RMG David Comm(*) The Tribune (10/2003) C.2560 Ms. Manpreet Kaur.	Visual - a young man on a Royal Enfield bike crossing a railway line at a manned railway crossing and a train is approaching. The signal master has stopped the train to let him go. Headline states - "Everybody makes way for the Bullet".	(Complaint received in 11/2003) The Ad can misguide young minds, that while on this motorcycle one can even cross the line and beat the train. This, in fact, is counter-productive to the Railway's message of not to take risk at a level crossing when a train is approaching.	December 2003 Ad did not manifest a disregard for safety, and not likely to encourage negligence.
46.	Royal Enfield Motors (Bullet Electra Bike) RMG David Comm(*) TVC C.2563 W.G. Mendonza	Visuals - a passenger train is stopped by most probably pulling the emergency chain (as it shows that there are sparks between the wheels and the track), for allowing a "Bullet" Motor cycle to pass on a level crossing.	(Complaint received in 11/2003) The Ad gives a wrong impression that stopping a train full with passengers, is not at all a serious matter.	December 2003 Ad did not manifest a disregard for safety, and not likely to encourage negligence.

47.	Arvind Fashions Ltd (Lee – Nothing else is 69) Grey Worldwide (I) P. Ltd(*) The Hindu(*) (10/2003) C.2557 PRK Menon	Visual - the pose of the man woman projecting "69"	(Complaint received in 11/2003) The visual reveals the underlying mating model, not perhaps the Fashion Dress that it is meant for. The Ad is indecent.	December 2003 Exparte (absence of comments from the Advertiser). Ad not offensive to generally accepted standards of Public Decency.
48.	Gokaldas Intimatewear Pvt Ltd (Enamor Bras) Ogilvy & Mather(*) The Hindu(*) (10/2003) C.2555 PRK Menon	Ad shows a vast expanse of a woman's bare body in close-up; with the words "Beautiful inside". The figure and handiwork of how "No Bra Fits As Beautifully" is more revealing than hidden.	(Complaint received in 11/2003) This is nothing but indecent presentation and the impact is of vulgarity.	December 2003 Exparte (absence of comments from the Advertiser). Ad not offensive to generally accepted standards of Public Decency.
49.	Hindustan Lever Ltd(*) (Fair & Lovely Cream) Lowe(*) Doordarshan (11/2003) C.2566 Mallni Vittal	Visual – "a woman can become a popular commentator only when she is fair."	(Complaint received in 12/2003) Ad seems to suggest that a woman unless fair, cannot be successful in life. The Ad creates a false peer pressure and is a disgrace to women.	January 2004 Ad not likely to create a false peer pressure amongst women, and not considered objectionable.
50.	Nirma Consumer Care Limited(*) (Nirma Washing Powder) Purnima Advertising Doordarshan (11/2003) C.2567 D. Upadhyay	Visuals – "a family plays 'holi' with the food served on the dining table."	(Complaint received in 11/2003) Such foolishness is highly objectionable as it violates the sentiments of the Indian culture and tradition. Food is regarded as sacred, but the Ad displays utter disregard for food. Such Ads give wrong message to the younger generation. **(Two similar complaints received against the same TVC)**	January 2004 Ad not objectionable, in respect of Indian culture, tradition, nor did it convey a disregard for food. ***TVC discontinued.***
51.	Pepsi Foods Private Ltd(*) (Pepsi) J. Walter Thompson(*) Doordarshan C.2569	Visuals - "Two great personalities (Shahrukh Khan and Sachin Tendulkar), fighting to grab a bottle of 'Pepsi'. Khan tells Sachin that 'he should not drink Pepsi as it is not safe'. Yet Sachin	(Complaint received in 12/2003) Advertiser wants to drive the point to the viewers that if these two personalities can drink Pepsi, then why not others? This visual presentation by implication, omission, and by ambiguity, is likely to mislead the	January 2004 Ad not likely to mislead the consumers.

	(11/2003)	is not in a mood to give the Pepsi bottle to Khan. Then the Khan says that he has been drinking Pepsi for the past ten years."	consumers.	
52.	Perfetti Van Melle India Pvt Ltd (Mentos Mint) Ogilvy & Mather(*) Asian Age, Mumbai and Pune (12/2003)	One Ad shows a picture of 'A. Einstein, World Famous Scientist', Headline states - "I eat Mentos do you?" Another Ad shows a picture of 'Sir. Newton, Inventor & Discoverer', Headline states - "The secret of my success".	(Complaint received in 12/2003) The Scientists shown in the Ads are no more alive today. Has the company got permission from these eminent Scientists to use their names/images for endorsing Mentos? Have these Scientists agreed to endorse Mentos?	January 2004 Advertiser has resorted to advertising licence, and used obvious exaggeration and humour to imply a celebrity endorsement.
53. Suo motu	Maya Entertainment Ltd (Graphics & Animation Skills) Delhi Times(*) (10/2003)	"The world's most advanced Graphics & Animation Skills are taught at Maya..."	(Complaint registered in 12/2003) Advertiser should provide proof, supporting information in substantiation of this claim.	January 2004 Claim not false.
54. #	Hindustan Lever Ltd(*) (Close-Up Toothpaste) Sony TV(*), Star Plus(*) (12/2003)	The key creative elements of the complainant's commercial (Colgate Fresh Energy Gel) and advertiser's commercial (Close-Up Toothpaste) are - "The blowing of a kiss, fresh breath device, a young man kissing his hand and blowing the kiss over his hand, a lady receiving it with a gust of fresh breath and 'sparkles' circling the air, and the blowing back of the lady's hair".	(Complaint received in 2/2004) The Advertiser has blatantly imitated/copied the same, with a view of taking unfair advantage of the positive impact generated by the Complainant's commercial, bearing those key creative elements.	March 2004 Advertiser's TVC not so similar to the Complainant's TVC, as to take unfair advantage of the positive impact generated by the Complainant's TVC.
55.	TTK LIG Ltd (Kohinoor Xtra Fit Condoms) McCann Erickson(*) The Hindu(*) (1/2004)	Inset photograph shows "a man and a woman in an explicit position"	(Complaint received in 2/2004) This is objectionable. An Ad for condoms can be without the inset photograph.	March 2004 Ad not objectionable, having regard to the product promoted in the Ad.

56. Suo motu	Electrolux Kelvinator Ltd (Life Nourishing Appliances) Mudra Comm(*) Times of India(*), Mumbai (1/2004)	"The world's No.1 choice", "Ask the world's No.1 Home Appliance Company", "World Leader", "More than 400 million homes around the world are experiencing the joys of our innovative Life Nourishing Appliances".	(Complaint registered in 2/2004) In the absence of any reference mentioned in the Ad, these claims need to be substantiated by the Advertiser, with proof, validated global industry/market data from an independent recognised audit/research institution. The Ad does not mention the 'source' on which the claim of 'world's No.1' is based.	March 2004 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated with validated global industry/market data from an independent recognised audit/research institution. April 2004 **Decision on Review** Not Upheld. Claims, "the World's No.1 Choice", and "World's No.1 Home Appliance Company", were substantiated, being supported by an independent recognised institution (Deutsche Bank Report Extracts). ***Advertiser assured that, with reference to the other claims mentioned in the Ad, the said Ad has been withdrawn, and if released in future, the Ad would not carry a mention of these claims.***

C. 2586

Suo Motu

57.	L'Oreal India P. Ltd(*) (Garnier Body Cocoon Moisturiser) Publicis (India) Comm(*) Sony TV(*) (2/2004)	Visuals - a young female model applying the 'Garnier moisturiser' on her body, and at times she is shown wearing only an underwear.	(Complaint received in 2/2004) The Ad is of a body moisturiser, in order to show a smooth skin. How far is it relevant to show a female model wearing only an underwear, winking at the camera? This commercial is watched by an entire family, and such Ads cause embarrassment.	March 2004 Ad not offensive or objectionable, having regard to the product promoted in the Ad.

C. 2587

Pratibha Vaitheeswaran

Obscenity

58.	P S I (Pearl Tablets) Promotion message on the pack	"Akalwali Goli".	(Complaint received in 2/2004) This claim gives the impression that the product improves brain capacity although it is a 'birth control pill'.	March 2004 Promotion message on the pack did not appear to contravene any specific provisions of the Code.
59.	Times Online Money Limited(*) (The Easiest Way to Receive Money) Times of India(*) (2/2004)	Ad shows 'Currencies of various nations in a partial/disfigured manner'	(Complaint received in 2/2004) The advertiser could have resorted to a better and ethical manner of displaying the Currencies of various nations. The manner in which it has been done, is highly objectionable.	March 2004 Ad not in contravention of any specific provisions of the ASCI Code.

C.2590
~~IHFLPP~~ CERS
MS-Preeti Shah

C.2593
Mr. Dharmendra R. Nagda