

The Advertising Standards Council of India

23rd Report & Accounts of 2008-09

If an Ad is
Wrong / Indecent /
Dishonest / Misleading
We will set it right.

Advertising is a wonderful thing.
It informs you about the range of products and
services available and gives you the right to choose.
But some ads can be misleading,
indecent or dishonest.
You can help us put an end to such ads.
Send your complaints on such ads to :



The Advertising Standards Council of India
REGISTERED OFFICE & SECRETARIAT: 219 Bombay Market, 78 Tardeo Road, Mumbai 400 034.
Tel: 23521066, 23516863; Fax: 23516863; E-mail: asci@vsnl.com; Website: www.ascionline.org

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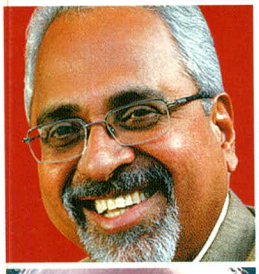
AUDITORS

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

REGISTERED OFFICE

219 Bombay Market
78 Tardeo Road
Mumbai 400 034
T 23513982
F 23516863
E asci@vsnl.com
W www.ascionline.org

BOARD OF GOVERNORS MEMBERS



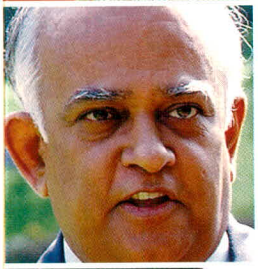
Mr. Madhukar Kamath
Chairman : ASCI,
Managing Director & CEO : Mudra Communications P. Ltd.



Mr. Shantanu Khosla
Managing Director :
Procter & Gamble Hygiene and Health Care Ltd.



Mr. I. Venkat
Director :
Eenadu



Prof. Dhananjay Keskar
Vice-Chairman :
ASCI,
Director : ICFAI Business School



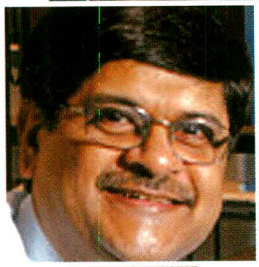
Mr. G. Krishnan
Executive Director & CEO :
TV Today Network Ltd.



Mr. Gopal Vittal
Executive Director :
HPC
Hindustan Unilever Ltd.



Mr. Rajiv Dube
Hon. Treasurer :
ASCI,
President : (Passenger Car Business Unit)
Tata Motors Ltd.



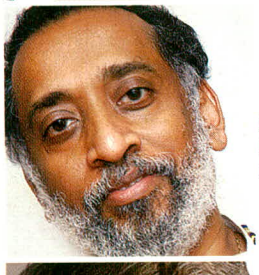
Mr. Pranesh Misra
Chairman & Managing Director :
Brandscapes Consultancy P. Ltd.



Mr. Narendra Ambwani
Director :
Johnson & Johnson Ltd.



Mr. Partha Rakshit
Managing Director :
South Asia
The Nielsen Company



Mr. Dilip Cherian
Consulting Partner :
Perfect Relations Ltd.



Mr. Vikram Sakhuja
Chief Operating Officer :
South Asia
Group M Media India P. Ltd.



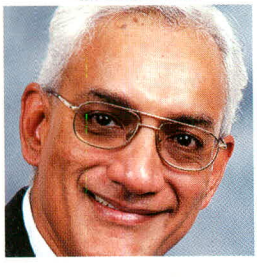
Dr. Bhaskar Das
Executive President :
Bennett Coleman & Co. Ltd.



Mr. Arvind Sharma
Chairman of India Sub-Continent :
Leo Burnett

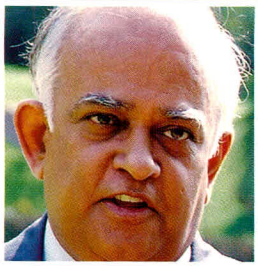


Mr. Vikram Kaushik
Managing Director & CEO :
Tata Sky Ltd.



Mr. Srinivasan K. Swamy
Chmn & Managing Director :
R. K. Swamy BBDO P. Ltd.

CONSUMER COMPLAINTS COUNCIL MEMBERS



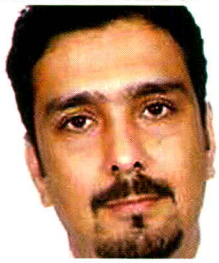
Prof. Dhananjay Keskar
Vice-Chairman : ASCI
Director : ICFAI Business School



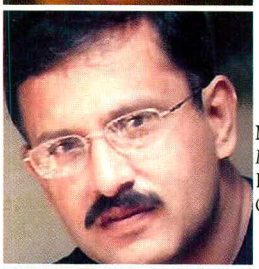
Ms. Sangeeta Kapila
General Manager : Communication Child Rights and You (CRY)



Mr. Madhukar Sabnavis
Country Manager : Discovery Ogilvy & Mather



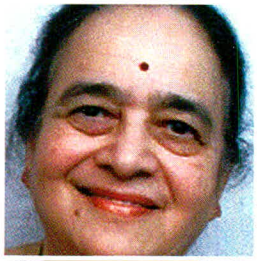
Mr. Pramesh Arya
Director : Op & Control L'OREAL India P. Ltd.



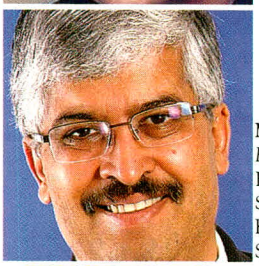
Mr. Sanjay Kher
Director : Intellectual Property Resource Centre (IPRC)



Ms. Nandini Sardesai
Maharashtra State Commission for Women : Central Board of Film Certification



Dr. (Ms.) Suma Chitnis
Educationist
Ex Vice Chancellor : SNDT



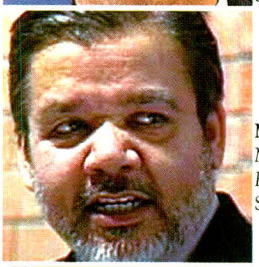
Mr. Arvind Mahajan
Executive Director : Business Advisory Services KPMG Advisory Services P. Ltd.



Mr. Sumedh Shah
Former Director : Professional Management



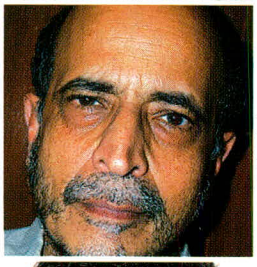
Ms. Anuradha Deshpande
Mumbai Grahak Panchayat



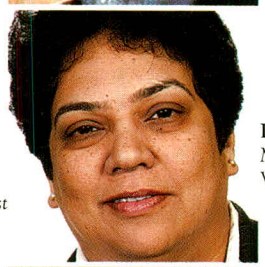
Mr. S.K. Palekar
Management Educationist :
S.P. Jain Institute



Dr. A.R. Shenoy
Former Chairman : Consumer Guidance Society of India



Mr. Darryl D'Monte
Retd. Resident Editor, National Dailies, Environmental Journalist



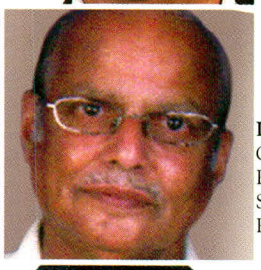
Dr. (Ms.) Shilpa Patil
Medical Director :
Wyeth Ltd.



Mr. Shashi Sinha
Executive Director :
Lodestar Universal Media



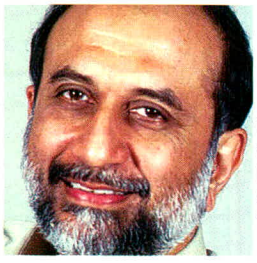
Mr. Paritosh Joshi
President : Adv. Sales & Distribution Star India P. Ltd.



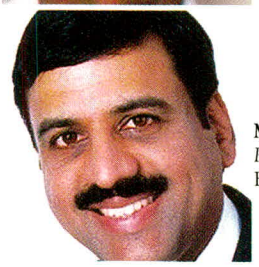
Dr. R.D. Potdar
Consultant :
Public Health Stategies & Programmes



Mr. Umesh Shrikhande
CEO :
Contract Advtg (I) Ltd.



Mr. Prem Kamath
Consultant:
Leadership & Organizational Transformation



Mr. R. Ramakrishnan
President & COO :
Bajaj Electricals Ltd.

ATTENDANCE OF THE MEMBERS

of the **Board of Governors** of The Advertising Standards Council of India at Board Meetings from 250th meeting held on April 12th, 2008 to the 262nd meeting held on March 12th, 2009. (13 Meetings held)

Name of Member	Meetings Applicable	Meetings Attended
Mr. Madhukar Kamath	13	12
Prof. Dhananjay Keskar	13	8
Mr. Rajiv Dube	13	8
Mr. Narendra Ambwani	13	6
Mr. Charles Cadell (a)	4	0
Mr. Dilip Cherian	13	2
Mr. Bhaskar Das	13	9
Mr. Vikram Kaushik	13	7
Mr. Shantanu Khosla	13	6
Mr. G. Krishnan	13	3
Mr. Pranesh Misra	10	8
Mr. Nitin Paranjpe (b)	3	1
Mr. Ram Poddar (c)	6	4
Mr. Partha Rakshit	13	7
Mr. Vikram Sakhuja (d)	4	1
Mr. Arvind Sharma	13	7
Mr. Srinivasan K. Swamy	13	1
Mr. I. Venkat	13	7
Mr. Gopal Vittal (e)	10	4

(a) w.e.f. 7/08 & Resigned 10/08
(b) Resigned 7/08
(c) Retired 9/08
(d) w.e.f. 12/08
(e) w.e.f. 7/08

ATTENDANCE OF THE MEMBERS

of the **Consumer Complaints Council** (CCC) from 258th meeting held on April 22nd, 2008 to the 269th meeting held on March 22nd, 2009. (12 Meetings held)

Name of Member		Meetings Applicable	Meetings Attended
Board Representative		12	7
Mr. Pramesh Arya		12	8
Dr. (Ms.) Suma Chitnis		12	8
Ms. Anuradha Deshpande		12	4
Mr. Darryl D'Monte		12	5
Mr. Paritosh Joshi		12	9
Mr. Prem Kamath	(a)	10	7
Ms. Sangeeta Kapila	(b)	12	3
Mr. Sanjay Kher		12	4
Mr. Arvind Mahajan	(c)	10	4
Prof. K.G. Narayankhedkar	(d)	3	0
Mr. S.K. Palekar		12	8
Dr.(Ms.) Shilpa Patil		12	4
Dr. R.D. Potdar		12	7
Mr. R. Ramakrishnan		12	8
Mr. Madhukar Sabnavis		12	6
Ms. Nandini Sardesai		12	9
Mr. Sumedh Shah		12	8
Dr. A.R. Shenoy		12	10
Mr. Shashi Sinha		12	9
Mr. Umesh Shrikhande		12	4

(a) w.e.f. 6/08
(b) w.e.f. 4/08
(c) w.e.f. 6/08
(d) Resigned 7/08

BOARD OF GOVERNORS

TENURE SINCE INCEPTION OF ASCI (1985)

Adhikari Arun	5/2000	-	2/06
Agarwal Rajiv	9/95	-	9/97
Ansari Tarique	2/93	-	3/95
Ambwani Narendra	7/07	-	
Bakshi Jayant	9/91	-	5/93
Bali Vinita	2/06	-	4/07
Balsara Sam	9/96	-	9/06
Banga M.S.	6/97	-	2/99
Bhullar Mohini	12/90	-	12/92
Bijapurkar Ashoke	7/01	-	3/03
	7/04	-	5/05
Bijlani Lalit	10/85	-	6/88
Bilimoria Pheroza	1988	-	9/97
Bose Amol Kumar	1987	-	10/94
Cadell Charles	6/08	-	10/08
Cherian Dilip	7/05	-	
Chopra J.C.	10/85	-	12/93
Das Bhaskar	9/05	-	
Dasgupta A.	8/96	-	8/2000
Desai Noshir	9/94	-	7/95
Desai Xerxes	10/85	-	3/89
D'Souza J.B.	11/94	-	8/96
Deshpande M.B.	10/85	-	12/86
Dharmadhikari C.S.	11/94	-	8/96
Dube Rajiv	7/05	-	
Engineer Gul	10/85	-	9/94
Ghosal Subash	10/85	-	6/88
Gore Anil	1988	-	9/91
Goyal Sandeep	3/02	-	12/02
Guha Pradeep	9/94	-	9/98
Irani C.R.	9/99	-	7/05
Jain Harish	10/85	-	6/88
Jain Urmila	12/95	-	7/05
Kamath Madhukar	9/97	-	2/99
	11/01	-	
Kant Ravi	1/2000	-	6/05
Kapur Ranjan	5/94	-	4/95
Kapadia Bharat	4/95	-	9/05
Kaushik Vikram	9/05	-	
Keskar Dhananjay	9/04	-	
Khalap Kiran	9/98	-	9/99
Khanna M.K.	9/92	-	9/93
Khorakiwala F.T.	8/89	-	9/99
Khosla Shantanu	7/05	-	
Kurian K.	10/85	-	6/88
Krishnan G.	1/03	-	
Mahindra Harish	10/85	-	12/86
Manerikar V.V.	9/97	-	5/01
Manwani Harish	3/99	-	3/2000
Mariwala Harsh	6/96	-	9/96
Mathew Jacob	3/90	-	9/2000
Mehta Karl	10/85	-	7/88
Misra Pranesh	9/05	-	
Mody Zia	8/99	-	9/04
Murali N.	10/85	-	6/88
	9/98	-	9/06
Nanjundaiah Shashidhar	6/03	-	9/03
Nerker Ashok	8/89	-	9/98
Patel Bharat V.	8/95	-	7/05
Paranjpe Nitin	2/06	-	6/08
Peerbhoy Bunty	8/93	-	7/95
Pereira Roger	10/85	-	9/97
Poddar Ram	11/98	-	9/08
Poonawala B.	7/95	-	10/95
Puri Bharat	5/02	-	12/05
Rakshit Goutam	9/95	-	9/98
	3/99	-	9/05
Rakshit Partha	7/05	-	
Sakhuja Vikram	12/08	-	
Saldanha Conrad	9/99	-	6/01
Samuel Derrick	9/2000	-	4/02
Sayani Ameen	10/85	-	2/87
	6/88	-	7/95
Sehgal Ram	7/95	-	10/2000
	12/2000	-	6/05
Sen Siddharth	1/87	-	8/89
Sharma Arvind	7/05	-	
Sheopuri R.C.	9/90	-	9/94
Shourie Deepak	9/97	-	9/99
Singh R.K.	10/2000	-	2/02
Sinha Tara	1/87	-	9/91
Sista S.V.	3/93	-	9/96
Soman D.S.	1/95	-	9/97
	11/97	-	9/98
Sopariwala Dorab	9/94	-	9/04
Srinivasan K.B.	1/97	-	9/97
Swamy R.K.	1988	-	3/92
Swamy Srinivasan K.	9/2006	-	
Syed Munawar	1988	-	1/91
Tandan Atul	3/94	-	8/96
Tarneja Ram	10/85	-	6/90
Upadhyaya Mukul	10/85	-	4/97
Vasudeva Brahm	10/85	-	7/95
Venkat I.	9/06	-	
Vittal Gopal	7/08	-	

June 1st, 2009

CONSUMER COMPLAINTS COUNCIL

TENURE SINCE INCEPTION OF ASCI (1985)

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

a) The Board of Governors shall appoint Consumer Complaints Council consisting of 21 members, 12 of whom shall be from professions and activities not related to advertising and the remaining 9 being members of the Company to examine and investigate the complaints received from the Consumers and the General public including the members regarding any breach of the Code of Conduct and/or advertising ethics and to recommend the action to be taken in that regard.

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

Agarwal Rajiv	9/90	-	7/95
	7/99	-	12/01
	& 2/02	-	12/02
Agarwal Sharda	7/04	-	2/05
Ansari Tarique	10/94	-	3/95
Arya Pramesh	6/07	-	
Athavankar U.A.	7/86	-	9/04
Ayer S.R.	7/88	-	9/90
Balsara Farokh	4/05	-	10/06
Balsara Sam	9/99	-	8/2000
Bhandari L.	10/85	-	4/88
Bijapurkar Ashoke	9/04	-	5/05
Bilimoria Pheroza	9/90	-	10/91
Bose Amol Kumar	10/91	-	9/92
Chinai Jaimini	8/99	-	5/01
Chitnis Suma	2/03	-	
Das Bhaskar	9/06	-	8/07
Deshpande Anuradha	10/04	-	
D'Monte Darryl	12/99	-	
Das Gurcharan	10/85	-	4/88
Dasgupta A.	12/93	-	7/95
Ghosal Subash	10/85	-	4/88
Gonsalves Camille	12/02	-	5/05
Halve Anand	9/96	-	12/97
Jain Harish	5/87	-	4/88
Jain Urmila	9/2000	-	8/01
Jayaraman N.	1/92	-	4/99
Jhawer P.K.	7/86	-	8/96
Joshi Paritosh	1/06	-	
Kamath Madhukar	9/07	-	9/08
Kamath M.V.	10/85	-	9/95
Kamath Prem	6/08	-	
Kant Ravi	5/02	-	8/02
Kapadia Bharat	9/98	-	8/99
Kapila Sangeeta	4/08	-	
Karkaria Bachi	12/99	-	4/2000
Keskar Dhananjay	9/08	-	
Khanna M.K.	7/88	-	8/90
Kher Sanjay	2/03	-	
Khorakiwala F.T.	10/93	-	9/94
Khosla Shantanu	12/05	-	9/06
Kohli Swarn	7/88	-	9/04
Krishnan R.	5/04	-	4/08
Kulkarni Ravi	7/88	-	6/95
Kshirsagar E.A.	10/94	-	10/04
Kurian K.	12/89	-	12/03
Lentin Bakhtawar	12/89	-	7/95
Mahajan Arvind	6/08	-	
Marfatia Akhil	12/89	-	11/93
Mathew Jacob	6/96	-	8/97

Mehra Asit	12/95	-	5/99
Mehta Bansi	10/85	-	9/94
Memon Ayaz	4/02	-	3/04
Mody Zia	6/95	-	7/99
Motwani Pushpa	10/85	-	9/92
Murali N.	9/02	-	10/03
Mukherjea Peter	9/96	-	4/97
Mundkur Bal	9/90	-	11/91
Murthy N.V.K.	10/85	-	9/89
Nair M.K.B.	12/95	-	11/99
Narayankhedkar K.G.	8/06	-	7/08
Narayanan V.	10/85	-	4/88
Nayak Raj	2/02	-	12/02
Palekar S.K.	4/05	-	
Pant Rajesh	5/97	-	1/02
	1/03		5/05
Patel Aakar	7/04	-	12/05
Patel Bharat V.	9/97	-	8/98
Patel Udayan	12/02	-	10/04
Patil Shilpa	12/06	-	
Pendurkar Sangeeta	6/05	-	4/07
Pereira Roger	10/92	-	9/93
Pisharody Ravi	7/99	-	6/04
Poddar Ram	5/05	-	9/05
Potdar R.D.	10/04	-	
Puri Bharat	9/05	-	12/05
Purohit Apurva	6/03	-	2/04
Rakshit Goutam	10/03	-	9/04
Ramachandran Anita	11/06	-	4/08
Ramakrishnan R.	1/04	-	
Rao B.V.	6/2000	-	5/01
Roy Protap	7/88	-	8/89
Rodrigues Angela	10/96	-	9/06
Sabnavis Madhukar	10/02	-	
Samuel Derrick	9/01	-	4/02
Sardesai Nandini	6/04	-	
Sayani Ameen	10/85	-	8/89
Sehgal Ram	7/05	-	11/05
Shah Sumedh	10/02	-	
Shenoy A.R.	12/05	-	
Singhal Rajrishi	7/01	-	1/02
Singh Digvijay	1/96	-	5/96
Sinha Shashi	10/02	-	
Singh Khushwant	10/85	-	4/88
Sista S.V.	3/93	-	9/96
Sopariwala Dorab	10/96	-	8/97
Shrikhande Umesh	1/06	-	
Srinath Ingrid	11/02	-	3/08
Sukthankar Usha	11/92	-	11/02
Swamy R.K.	10/85	-	4/88
Tarneja Ram	10/87	-	4/88
Tikekar Aroon	12/97	-	11/99
Upadhyaya Mukul	8/89	-	9/90
Vahanvati G.E.	4/02	-	3/03
Vasu T.T.	7/88	-	8/89
Venkatesan T.K.	10/04	-	7/05
Wadia Nargis	7/88	-	8/96
Wagle N.G.	12/95	-	11/05

June 1st, 2009

LIST OF MEMBERS

As on March 31st, 2009

Category A

ADVERTISERS

1. ACC Ltd.
2. AFL P. Ltd.
3. Agro Tech Foods Ltd.
4. Akbarallys
5. Akruti City Ltd.
6. Amara Raja Batteries Ltd.
7. Ambuja Cements Ltd.
8. Aptech Ltd.
9. Asian Paints (I) Ltd.
10. Ayurved Sumshodhanalaya (Pune)
11. Bacardi Martini (I) Ltd.
12. Bajaj Electricals Ltd.
13. Bayer Polychem (India) Ltd.
14. Bharat Petroleum Corp Ltd.
15. Bombay Chemicals P. Ltd.
16. Bosch Ltd.
17. Britannia Industries Ltd.
18. Cadbury India Ltd.
19. Cadila Health-Care Ltd.
20. Camlin Ltd.
21. Castrol India Ltd.
22. Ceat Ltd.
23. Citibank N.A.
24. Coca-Cola India P. Ltd.
25. Colgate Palmolive (I) Ltd.
26. Dabur India Ltd.
27. Datamatics Ltd.
28. Diageo India P. Ltd.
29. Dorcas Market Makers Ltd.
30. Eureka Forbes Ltd.
31. Eveready Industries (I) Ltd.
32. Exide Industries Ltd.
33. Force Motors Ltd.
34. Ford India Ltd.
35. General Mills India P. Ltd.
36. General Motors India P. Ltd.
37. GSK Consumer Healthcare Ltd.
38. GSK Pharmaceuticals Ltd.
39. Godfrey Phillips (I) Ltd.
40. Godrej & Boyce Mfg. Co. Ltd.
41. Godrej Consumer Products Ltd.
42. Godrej Sara Lee Ltd.
43. Gujarat Co-op Milk Mktg Fed. Ltd.
44. Gujarat Tea Processors & Packers Ltd.
45. GTM Teleshopping P. Ltd.
46. Hawkins Cookers Ltd.
47. Hardcastle Restaurants P. Ltd.
48. Heinz India P. Ltd.
49. Henkel India Ltd.
50. Hero Honda Motors Ltd.
51. Hindustan Unilever Ltd.
52. Hindustan Petroleum Corp Ltd.
53. HDFC Bank Ltd.
54. H.D.F.C. Ltd.
55. Honda Siel Power Products Ltd.
56. ICICI Bank Ltd.
57. ICICI Prudential Life Insurance Co.
58. Indian Oil Corporation Ltd.
59. Indofil Chemicals Co.
60. I.T.C. Ltd.
61. ION Exchange (I) Ltd.
62. Jet Airways (India) Ltd.
63. J.G. Hosiery P. Ltd.
64. J.K. Tyre & Industries Ltd.
65. Johnson & Johnson Ltd.
66. Kansai Nerolac Paints Ltd.
67. Kellogg India P. Ltd.
68. Kimberly-Clark Lever P. Ltd.
69. Kodak India Ltd.
70. Life Insurance Corporation of India
71. L'OREAL India P. Ltd.

72. Madras Cements Ltd.
73. Marico Ltd.
74. McNroe Chemicals P. Ltd.
75. MRF Ltd.
76. Nachiketa Publications Ltd.
77. Narangs Hospitality Services P. Ltd.
78. National Aviation Co. of India Ltd.
79. Nestle India Ltd.
80. NIIT Ltd.
81. Nirmal Lifestyle Ltd.
82. Nirma Ltd.
83. Nokia India P. Ltd.
84. Novartis (I) Ltd.
85. N Ranga Rao & Sons
86. Ozone Ayurvedics
87. Paras Pharmaceuticals Ltd.
88. Parle Products P. Ltd.
89. PepsiCo India Holdings P. Ltd.
90. Pepsi Foods P. Ltd.
91. Pernod Ricard India P. Ltd.
92. Perfetti Van Melle India P. Ltd.
93. Pfizer Ltd.
94. Philips Electronics India Ltd.
95. Procter & Gamble Hygiene & Health Care Ltd.
96. Reckitt Benckiser (I) Ltd.
97. Reliance Communications Ltd.
98. Reliance Industries Ltd.
99. Saregama India Ltd.
100. Sanjeevan Ayurvedic Super Speciality Clinic
101. S.C. Johnson Products P. Ltd.
102. Siemens Ltd.
103. Shriram Chits (Karnataka) P. Ltd.
104. S. Kumar Nationwide Ltd.
105. Standard Chartered Bank
106. Tata Chemicals Ltd.
107. Tata Coffee Ltd.
108. Tata Motors Ltd.
109. Tata Services Ltd.
110. Tata Steel Ltd.
111. Tata Tea Ltd.
112. Telebrands (India) P. Ltd.
113. The Bombay Dyeing & Mfg. Co. Ltd.
114. The Hnkg & Shanghai Banking Corp Ltd.
115. The Peerless General Finance & Invt. Co.Ltd
116. Titan Industries Ltd.
117. Total Lubricants India Ltd.
118. TTK Healthcare Ltd.
119. TTK Prestige Ltd.
120. United Spirits Ltd.
121. Vodafone Essar Ltd.
122. Voltas Ltd.
123. VST Industries Ltd.
124. Whirlpool of India Ltd.
125. Wyeth Ltd.
126. WWW Skyshop P. Ltd.
127. Xerox Modi Corp Ltd.
128. YES Bank Ltd.

Category B

PRESS/MEDIA

1. Adsert Web Solutions P. Ltd.
2. Amar Ujala Publications Ltd.
3. Bennett Coleman & Co. Ltd
4. Business India Publications Ltd.
5. Business Standard Ltd.
6. Chitralekha
7. D B Corp Ltd.
8. Deccan Chronicle Holdings Ltd.
9. Diligent Media Corporation Ltd.
10. Discovery Comms. India
11. Eenadu
12. Gavakari Prakashan
13. HT Media
14. Independent News Service P. Ltd.
15. Indian Express Newspapers (Bombay)
16. Jai Hind-Daily
17. Kasturi & Sons Ltd.
18. Kheti Duniyan
19. Living Media India Ltd.

20. Lokmat Newspapers P. Ltd.
21. Malayala Manorama Co. Ltd
22. Mid-Day Multimedia Ltd.
23. Multiscreen Media P. Ltd.
24. Naidunia Media P. Ltd.
25. NDTV Imagine Ltd.
26. Neo Sports Broadcast P. Ltd.
27. Neutral Publishing House Ltd.
28. Outlook Publishing India P. Ltd.
29. Parsiana Publications P. Ltd.
30. Rajasthan Patrika P. Ltd.
31. Sahara One Media & Entertainment Ltd.
32. Sakal Papers Ltd.
33. Sankha Press P. Ltd.
34. Sanmarg P. Ltd.
35. Star India P. Ltd.
36. Tata Sky Ltd.
37. Television Eighteen India Ltd
38. The Bombay Samachar P. Ltd.
39. The Hind Samachar Ltd.
40. The Mathrubhumi Printing & Publishing Co. Ltd.
41. The Printers (Mysore) Ltd.
42. The Statesman Ltd.
43. The Walt Disney Co. (India) P. Ltd.
44. TV Today Network Ltd.
45. Vast Media Network P. Ltd.
46. VJM Media P. Ltd.
47. Zee Entertainment Enterprises Ltd.

Category C

ADVERTISING AGENCIES

1. Advertising Avenues
2. Adsyndicate Services P. Ltd.
3. Adwit (India) P. Ltd.
4. Akar Advertising & Mktg P. Ltd.
5. Akshara Advertising Ltd.
6. Art Advertising & Mktg. (I) P. Ltd.
7. Astral Advtg. & Mktg. India P. Ltd.
8. Bates India P. Ltd.
9. Bensons Advertising P. Ltd.
10. B.D. Khanna Publicity
11. Brand David Comms P. Ltd.
12. Capital Advertising P. Ltd.
13. Carat Media Services (India) P. Ltd.
14. Carl Advertising P. Ltd.
15. Cheil Comms. India P. Ltd.
16. Contract Advertising India
17. Crayons Advertising Ltd.
18. daCunha Comms. P. Ltd.
19. Dattaram Advertising P. Ltd.
20. Draft FCB-Ulka Advertising P. Ltd.
21. Equus Advertising Co. Ltd.
22. Euro RSCG Advertising P. Ltd.
23. Everest Brand Solutions P. Ltd.
24. Fortune Comms P. Ltd.
25. Four Winds Mass Comm Services
26. Garuda Advertising P. Ltd.
27. Goldmine Advertising Ltd.
28. Gracious Comm P. Ltd.
29. Graphic Arts Industries
30. Grey Worldwide (I) P. Ltd.
31. Group M Media India P. Ltd.
32. Hira Advertising Agency
33. iB&W Comms. P. Ltd.
34. Interads Advertising P. Ltd.
35. Interface Comms. P. Ltd.
36. Inter Publicity P. Ltd.
37. Jaya Advertising P. Ltd.
38. J. Walter Thompson
39. Karishma Advertising P. Ltd.
40. Law & Kenneth Comms (I) P. Ltd.
41. Leo Burnett
42. Lintas India P. Ltd.
43. L.A. Advertisers
44. Maa Comms. Bozell Ltd.
45. Madison Comms. P. Ltd.
46. Magnum Intergrafiks P. Ltd.
47. Manipal Advertising Services P. Ltd.
48. Mass Mktg. & Advertising Services P. Ltd.

49. McCann-Erickson (I) P. Ltd.
50. Metieta Media Solutions P. Ltd.
51. Mindset Advertising P. Ltd.
52. Mudra Comms P. Ltd.
53. Multimedia Aquarius P. Ltd.
54. NAC Advertising P. Ltd.
55. Nakshatra
56. Naren Advertising & Marketing
57. Navnitlal & Co.
58. Network Advertising P. Ltd.
59. Newfields Advertising P. Ltd.
60. Ogilvy & Mather P. Ltd.
61. Overture Comms. P. Ltd.
62. Pen A Trait Comms (I) P. Ltd.
63. Percept H P. Ltd.
64. Publicis Ambience Advtg. P. Ltd.
65. Publicis (I) Comms. P. Ltd.
66. Prem Associates Advtg. & Mktg.
67. Pressman Advertising Ltd.
68. Quadrant Comms. Ltd.
69. Raka Advertising & Mktg. P. Ltd.
70. Ratan Batra P. Ltd.
71. R.K. Swamy BBDO P. Ltd.
72. Rediffusion DY&R P. Ltd.
73. Roger Pereira Comms. P. Ltd.
74. Saatchi & Saatchi P. Ltd.
75. Sai Advertisers
76. Seasons Advertising Associates
77. Shutters Advertising Services
78. Snappers Advertising & Mktg P. Ltd.
79. Sobhagya Advertising Service
80. Sreshta Communications
81. Standard Publicity P. Ltd.
82. Sunflower Mktg. & Advertising
83. Surya Adsystems P. Ltd.
84. Swift Intermedia Convergence Ltd.
85. TBWA Anthem P. Ltd.
86. The Communication Council
87. The Flagship Advertising P. Ltd.
88. 3 Brothers & Fils
89. Touchstone Advertising & Mktg. Services
90. Tritcn Comms. P. Ltd.
91. TV Ads
92. Vigyapan Communications
93. XEBEC Comms. P. Ltd.

Category D

ALLIED PROFESSIONS

1. Aaren Advertising P. Ltd.
2. Brandscapes Consultancy P. Ltd
3. Bright Group of Publications
4. Buchanan Group
5. Caption Outdoor Advertising
6. CESC Ltd.
7. Confederation of Indian Alcoholic Beverage Co
8. Dorab R. Sopariwala
9. Highlight Films P. Ltd.
10. ICFAI Business School
11. Institute of Hotel Cargo & Tourism Management
12. Jamnalal Bajaj Institute of Management Studies
13. Marketgate Consulting P. Ltd.
14. Media Representation International
15. Mudra Institute of Comms
16. Neonite Corporation
17. NMIMS University
18. Paul Media Services
19. Perfect Relations Ltd.
20. R&P Management Comms. P. Ltd.
21. Sayani Radiotel Advertising
22. S-Team
23. The Nielsen Company
24. The Tobacco Institute of India
25. Unique Blocks
26. Xavier Institute of Communication

REPORT OF THE BOARD OF GOVERNORS

We take pleasure in presenting the Twenty-third Annual Report of the Advertising Standards Council of India, together with the Statement of Accounts for the period **April 2008 to March 2009**.

The highlights of the year:

ASCI Presentations & ASCI in Business Schools Syllabus

Major priority for your Council decided by the ASCI's Board, is to increase the awareness of the role of ASCI, its Code and redressal procedure to the public.

To strengthen the cause of ASCI by increasing awareness of the role, Code, process and functions of ASCI among its members, a Power Point Presentation which includes case studies on various CCC decisions has been prepared, which continues to be rolled out by the members of your Council's Board of Governors, and industry members of the CCC, with the Secretariat's assistance, to relevant employees in their own and related organizations.

A specific plan to increase awareness among students and opinion leaders was worked out. A syllabus was drawn up to include ASCI & Self-Regulation in the Advertising Curriculum in Business Schools. This was delivered in a number of Business Schools/Media Institutes by the ASCI Secretary General.

Board of Governors Members

During the year, Mr. Ram Poddar retired from the Board having completed 10 years of dedicated service on the Board as well as having served as Chairman of ASCI. The Board wishes to place on record its appreciation of the valuable services rendered by Mr Ram Poddar during his tenure. Mr. Pranesh Misra was co-opted to the Board, to fill the consequential vacancy left by Mr. Ram Poddar in the 'Allied Professions' category. Mr. Vikram Sakhuja, COO of Group M Media India Pvt. Ltd. was co-opted to the Board to fill the vacancy in the 'Advertising Agencies' category.

Consumer Complaints Council (CCC) Members

During the year, Mr. Madhukar Kamath and Prof.K.G.Narayankedkar retired from the CCC. Ms. Ingrid Srinath resigned from the CCC. Mr. Dhananjay Keskar, Mr. Prem Kamath, Mr. Arvind Mahajan and Ms. Sangeeta Kapila 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 the members of the CCC for their very generous contribution of valuable time and expertise each month.

Memberships

Your Council is pleased to report that due to active follow-up by the Board members, **47** new members have enrolled during the year. However, **8** members did not renew their memberships.

Your Council had requested the Indian Society of Advertisers (ISA), the Advertising Agencies Association of India (AAA of I), Indian Newspaper Society (INS), and Indian Broadcasting Foundation (IBF) seeking their support to help enroll new members. This initiative also resulted in the very high increase in membership this year.

CCC - Analysis of Decisions on Complaints

The CCC met 12 times and deliberated on 137 complaints against Ads of which, 66 were Upheld, whilst 68 were Not Upheld. The number of complaints received has reduced considerably during this year, despite the ASCI Awareness press campaign.

The provisions of the ASCI Code which have been contravened the most, appear to be Chapter I.1 – claims not substantiated or false (21 Ads), Chapter I.4 – misleading (12 Ads), Chapter II – offensive to generally accepted standards of public decency (6 Ads), Chapter III.3 - show or refer to dangerous practices (6 Ads), and Chapter III.4 – breach of the law (2 Ads).

Compliance with CCC decisions

Out of the 66 complaints which were Upheld, in 62 cases the Ads have been withdrawn or modified appropriately in line with the CCC decisions. Written assurance of compliance for 4 complaints has not been received. Incidence and details of non-compliance of CCC decision Upholding a complaint against an Ad are not only reported via the quarterly report issued to the ASCI members, media and relevant Govt. & NGO organizations, but also to the concerned media associations (IBF for TV and INS for print Ads) and regulatory authorities (I&B Ministry for TV and Press Council for Print Ads).

Intra-Industry Complaints

Out of the 137 complaints processed during this year, 30 were received from advertisers and ad. agencies, in respect of misleading comparative advertising, or unfair competitive advertising. Of these, 18 were Upheld and 12 were Not Upheld; assurance of compliance has been received for 16 of these Upheld complaints. It is encouraging to observe that the rate of compliance of Upheld decisions is higher in intra industry complaints than in respect of consumer originating complaints.

A summary of these complaints is mentioned in the Compilation of CCC decisions reported for the year, which is included in this Report. The involvement of ASCI members in the various complaints, identified by * in this report, is indicative of the need for greater pro-active observance of the Code, at the time of development of every Ad. Your Council's offer of Copy Advice is a step in this direction.

Of 16 suo motu complaints registered by your Council, 12 were Upheld; of these, in 12 cases the Ads have been withdrawn or modified appropriately in compliance with the CCC decisions, which is 100% compliance. 4 complaints were Not Upheld.

Of the 21 complaints received from Consumer Representational Organisations, in 9 cases the Ads have been withdrawn or modified appropriately; assurance of compliance is still awaited for 2 complaints. It is gratifying to observe that consumer bodies have come to rely on your Council to address the reluctance of the offending advertisers who failed to respond to them directly.

CCC Procedure Review Committee

The CCC Procedure was reviewed by a Board appointed Special Committee which examined and suggested improvements in the current procedure for processing complaints. The CCC Procedure has been divided into three parts - 1) Pre CCC meeting 2) CCC Meeting 3) Post CCC meeting. The Board approved the revised CCC Procedure wef September 2008 and members were informed of the same.

Copy Advice Procedure & Appt. of Copy Advice Committee

Your Council launched a Copy Advice Service for the members from May 1st, 2008.

The Copy Advice panel consists of ex Board members with extensive experience in advertising, and of ASCI and its CCC's working., A technical expert is co-opted by the panel on a case to case basis if required. The Secretary General as an ex officio member, coordinates the process. A letter to Members and Press Release announcing the start of copy advice service along with FAQs was released as well as put up on the ASCI website.

The main purpose of ASCI's Copy Advice is to prevent problems before they happen; this benefits not only the advertiser, ad. agency and media concerned, but also the wider advertising industry, by avoiding complaints and promoting social and consumer responsibility. Consequently, advertisers, ad. agencies and media are encouraged to seek copy advice, which will be provided to its members, free of cost. During the year number of copy advice sought was 17 print Ads / TVCs.

ASCI Team meeting with Secretary, I&B Ministry

ASCI team of representatives of the Board and Consultative Committee met Ms. Sushma Singh, I&B Secretary. She appreciated the work of your Council and assured the Team that she would recommend to the Press Council to include ASCI's ad code in its Ad Code. She also indicated that she will look positively at the other suggestions which include:-

Refer complaints to ASCI, rather than take unilateral decisions.

Ask all other Govt. Depts. to refer complaints regarding offending Ads to ASCI.

Make membership of ASCI mandatory for advertisers, ad. Agencies and media under the new Broadcasting Regulations or existing Cable TV Act.

Notify the Ministry's draft broadcasting content code related to Advertising which has in it ASCI's CCC as the primary adjudicating authority on complaints against Ads in broadcast media.

National Commission For Women (NCW)

NCW organized a Seminar on July 1st 2008 on Indecent Representation of Women, in Kolkata. Your Council was represented by the Secretary General, who made a presentation of its Code, CCC Composition and Process. It included Ads pertaining to indecency.

Your Council was also invited by the NCW on November 13th 2008 in Hyderabad. ASCI's role was highlighted. ASCI presented its views that it is a self regulatory non-profit organization which could independently adjudicate complaints under the Indecent Representation of Women's Act.

Surrogate Advertisements/Brand Extensions

On 27th February, 2009, a Notification was issued by the I&B Ministry regarding Brand Extension Ads. Subsequent to this Notification an Ad on TV of a product or service bearing the brand name of a liquor or tobacco will be considered meeting the law of the land if the product or service is cleared for advertising by the I&B Ministry and its Ad is certified for general release by the Censor Board. ASCI henceforth will not consider any complaint against a TV Ad being surrogate of a product whose advertising is banned if it has approval of the Government and Censor Board. However for Ads on non TV media, the ASCI's Code on Surrogate Product Ads will apply as this Notification pertains to Ads on TV only.

Status of Legal Cases against your Council

Unfair Trade Practice Enquiry (UTPE) filed before MRTPC by Vicco Laboratories against ASCI in May 2000: An additional Affidavit of evidence was filed on behalf of ASCI. On the basis of this, the Board's representative was cross examined as to how ASCI can bind persons who are not members and require them to agree to CCC's decisions and regarding the legal fees chargeable for a review of the CCC decision. The matter was listed before the MRTP Commission in May 2009 and was adjourned to September 2009 at the request of the Petitioner.

Emami Ltd – Suit filed in Kolkata High Court by Emami Ltd against ASCI in April 2000: A member of the CCC has been authorised to depose on behalf of ASCI, before the Kolkata High Court. Pending hearing and final disposal.

Bharti Cellular Ltd – Suit filed in Mumbai High Court by Bharti Cellular against ASCI in January 2005: The Hon'ble Mumbai High Court denied grant of a temporary injunction requested by Bharti Cellular Limited, stating that ASCI is a body for Self-Regulation in Advertising and the opinion it has formed about the Plaintiff's Ad can be intimated in good faith and in the interest of trade to its members and this cannot amount to defamation. Your Council has filed a written statement before the Court praying dismissal of Suit with costs.

It is heartening to note that ever since August 2006, when I&B Ministry notified ASCI's Ad code as part of Cable TV Network Rules' Ad code, there has be no case of advertiser challenging CCC's decision upholding a complaint against an Ad in a Court of law .

Recent Developments – April to June 2009:

ASCI Awareness Campaign through SMS

This campaign through SMS was started on July 6th, 2009. 3,00,000 people were sent the following message through SMS : 'If you find an Ad misleading, dishonest or indecent, call ASCI'

The initial results have been encouraging with 66 phone calls received on the 1st four days. Most of the calls were to enquire about the work done by ASCI.

Supreme Court - Hindustan Latex Case

The Hon Madurai Bench of Chennai High Court in recent past while looking into the matter of indecent and obscene condom packages has unilaterally held that ASCI is a government body and should be the authority to approve packaging of condoms The same order has been challenged by the condom manufacturers before the Hon Supreme Court and while granting a stay, the Court has issued notice to ASCI also.

In reply to the Hon. Supreme Court, ASCI has clarified the following :

a) ASCI is an industry self regulatory organization (SRO) and not a Govt body regulating advertising content in India.
b) ASCI entertains and adjudicates complaints against Ads in media or on package but does not pre approve or certify any content of Ads or packaging. If a complaint against an Ad is Upheld then the advertiser concerned voluntarily modifies or withdraws the Ad.
c) Govt of India under I&B Ministry's – August 2006 Notification prohibits the TV Channels & Cable Operators to air Ads which are in contravention of the ASCI Code.

ASCI in the News

Your Council has been in the news throughout the year. ASCI has received extensive coverage from The Times of India, Campaign India, DNA City, The Economic Times, TNN, Sakal, Mint, Deccan Herald, Maharashtra Times, The Wall Street Journal, and Mumbai Mirror.

The items of coverage include:

- Madhukar Kamath is the ASCI Boss
- Kamath is the new ASCI Chairman
- Does this Ad offend You?
- Cos. Lose Appetite for Junk Food Ads
- Surrogate Ad Products Must Be Available in the Market
- Change Unacceptable Ads
- Ads that don't add up under Industry Watchdog Scanner
- ASCI Questions Beauty Products Ads Claims
- In Your Face Ads: Are Admen stooping to grab eyeballs?
- Misleading Ads should be stopped
- Achievements of ASCI
- Ad Policing
- ASCI Asks Cos. To withdraw Ads
- Monitoring Ads for children
- Condoms under obscenity Scanner

ASCI is grateful to Madison PR and Eikona PR for their de bono services of ASCI news Tracking.

Financial Results

	This year Rs.	Previous year Rs.
Income	59,92,083	49,61,931
Expenditure	28,49,332	26,12,178
Excess of Income over expenditure for the year	31,42,751	23,49,753
Add: Transfer from Accumulation under Section 11 (2) as amount no longer required	25,500	
Balance at the beginning of the year	45,61,315	46,56,208
	77,29,566	70,05,961
Less:		
(i) Accumulation under Section 11(1)(a) of the Income tax Act 1961	8,08,452	6,44,646
(ii) Accumulation under Section 11(2) of Income tax Act 1961	24,21,000	18,00,000
	32,29,452	24,44,646
Balance carried to Balance Sheet Rs.	45,00,114	45,61,315

Directors' Responsibility Statement:

The Directors confirm that:

1. in the preparation of the annual accounts, the applicable accounting standards have been followed and there has been no material departure;
2. 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 2007, and of the excess of income over expenditure of the Company for the year ended on that date;
3. 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. 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. Members are requested to appoint auditors to hold office upto the conclusion of the next Annual General Meeting and to fix their remuneration.

The Twenty-third Annual General Meeting will be held on Thursday 17th September 2009.

The Governors retiring from the Board, and eligible for re-election, are as follows:

Category A - Advertisers

Mr. Rajiv Dube & Mr. Shantanu Khosla

Category B - Press/Media

Mr. Bhaskar Das & Mr. Vikram Kaushik

Category C- Advertising Agencies

Mr. Vikram Sakhuja & Mr. Arvind Sharma

Category D - Allied Professions

Mr. Dilip Cherian & Mr. Partha Rakshit

On behalf of the Board of Governors,

MADHUKAR KAMATH
CHAIRMAN

MUMBAI

NOTICE

A Meeting of the Board of Governors shall take place immediately after the Annual General Meeting on **September 17th 2009.**

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 Twenty-third Annual General Meeting are requested to attend this meeting.

MADHUKAR KAMATH
CHAIRMAN

AUDITORS' REPORT

TO THE MEMBERS OF THE ADVERTISING STANDARDS COUNCIL OF INDIA

1. We have audited the attached Balance Sheet of THE ADVERTISING STANDARDS COUNCIL OF INDIA as at 31st March, 2009 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.

2. 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.

3. 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.

4. Further to our comments in paragraph 3 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 is disqualified as on 31st March, 2009 from being appointed as a Director 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, 2009 ; 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

Membership No. 5185

Mumbai : July 9th, 2009

BALANCE SHEET

AS AT 31st MARCH 2009

	Schedule	This Year Rupees	This Year Rupees	Previous Year Rupees
I. SOURCES OF FUNDS:				
1. Corpus and Reserves				
(a) Council's Corpus	A		34,86,180	33,90,180
(b) Reserves and Surplus	B		2,08,57,051	1,77,14,300
TOTAL RUPEES			2,43,43,231	2,11,04,480
I. APPLICATION OF FUNDS				
1. Fixed Assets				
(a) Gross Block	C	30,56,881		30,31,381
(b) Less: Depreciation		13,95,232		12,52,193
(c) Net Block			16,61,649	17,79,188
2. Investments	D		1,72,56,400	1,72,56,400
3. Current Assets, Loans and Advances				
(a) Accrued Interest on Investments and Bank Deposits			4,50,122	3,13,235
(b) Cash & Bank Balances	E		51,46,972	18,88,746
(c) Sundry Debtors			0	10,000
(d) Loans and Advances	F		1,00,067	90,633
			56,97,162	23,02,614
4. Less: **Current Liabilities & Provisions**				
(a) Current Liabilities	G		1,45,530	96,660
(c) Provisions	H		1,26,450	1,37,063
			2,71,980	2,33,723
Net Current Assets			54,25,182	20,68,892
TOTAL RUPEES			2,43,43,231	2,11,04,480

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

Lalit Khanna
Partner
Membership No. 5185
Mumbai, 9th, July 2009

For and on behalf of
the Board of Governors

Dhananjay Keskar
Vice Chairman

Members:
Narendra Ambwani
Bhaskar Das
Rajiv Dube
Vikram Kaushik
Partha Rakshit
Arvind Sharma
Srinivasan K. Swamy

INCOME AND EXPENDITURE

ACCOUNT FOR THE YEAR ENDED 31ST MARCH, 2009

Sl No.	Particulars	This year Rupees	Previous Year Rupees
	INCOME		
1	Membership Subscription	42,29,500	34,48,750
2	Interest on Investments, Bank Deposits, etc.	17,62,583	14,80,938
3	Other Income	0	32,243
		59,92,083	49,61,931
	EXPENDITURE		
4	Salaries, Wages and Bonus	8,04,524	11,40,740
5	Staff Welfare	18,545	28,524
6	Legal and Professional charges	10,66,670	4,72,511
7	Printing, Stationery and Xeroxing Charges	2,43,776	1,86,624
8	Electricity Charges	65,038	62,781
9	Telephone Expenses	69,306	65,892
10	Travelling & Conveyance	83,563	54,212
11	Subscriptions and Fees	88,350	33,626
12	Meeting Expenses	10,534	1,28,078
13	Repairs & Maintenance	31,656	43,123
14	Website charges	0	52,179
15	Society Outgoings	19,626	21,514
16	Postage and Courier charges	68,757	82,568
17	Computer Software	42,540	35,352
18	Audit Fees	24,000	24,000
19	Miscellaneous Expenses	69,409	19,641
20	Depreciation	1,43,038	1,60,813
21	Total Expenditure	28,49,332	26,12,178
Excess of Income over Expenditure for the year		31,42,751	23,49,753
Add : (i)Transfer from Accumulation under Section 11 (2) as amount no longer required		25,500	
(ii)Balance at the beginning of the year		45,61,315	46,56,208
Amount available for accumulation and appropriation		77,29,566	70,05,961
Accumulations andAppropriations			
(i) Accumulation under section 11(1)(a) of the Income tax Act, 1961		8,08,452	6,44,646
(ii)Accumulation under section 11(2) of the Income tax Act, 1961		24,21,000	18,00,000
(iii)Balance carried to Balance Sheet		45,00,114	45,61,315
		77,29,566	70,05,961

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

Lalit Khanna
Partner
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Srinivasan K. Swamy

SCHEDULES ANNEXED

to and forming part of the Balance Sheet as at 31st March 2009
and the Income and Expenditure Account for the year ended on that date

	This year		Previous year
	Rupees	Rupees	Rupees
SCHEDULE A			
Council's Corpus			
Balance as at the beginning of the year		33,90,180	32,69,367
Add :(i) Transfer from Accumulation u/s 11(2)		0	76,813
(ii) Entrance fees received during the year		96,000	44,000
		34,86,180	33,90,180
SCHEDULE B			
Reserves & Surplus			
(i) Accumulation under Section 11(1)(a) of the Income tax Act 1961			
As per last Balance Sheet	51,17,357		44,72,711
Add : Amount accumulated in the current year	8,08,452		6,44,646
		59,25,809	51,17,357
(ii) Accumulation under Section 11(2) of the Income tax Act, 1961			
As per last Balance Sheet	80,35,628		63,12,441
Less : Amount utilised in the current year	25,500		76,813
	80,10,128		62,35,628
Add : Amount accumulated in the current year	24,21,000		18,00,000
		1,04,31,128	80,35,628
(iii) Surplus as per Income & Expenditure Account		45,00,114	45,61,315
		2,08,57,051	1,77,14,300

FINANCIAL YEAR 2008-2009

SCHEDULE C
SCHEDULE OF FIXED ASSETS ANNEXED TO AND FORMING PART OF THE BALANCE SHEET AS AT 31st MARCH 2009

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 Rs.	For the year year Rs.	Deductions Rs.	Upto the end of the year Rs.	As at 31st March 2009 Rs.	As at 31st March 2008 Rs.
1.	Office Premises	22,13,159	0	0	22,13,159	7,37,989	73,758	0	8,11,747	14,01,412	14,75,170
2.	Computers	3,76,824	25,500	0	4,02,324	3,01,329	32,984	0	3,34,313	68,011	75,495
3.	Air Conditioners	38,000	0	0	38,000	22,221	2,195	0	24,416	13,584	15,779
4.	Office Equipments	1,61,690	0	0	1,61,690	56,546	14,626	0	71,172	90,518	105,145
5.	Furniture & Fixtures	2,41,708	0	0	2,41,708	1,34,109	19,475	0	1,53,584	88,124	107,599
Total Rupees		30,31,381	25,500	0	30,56,881	12,52,194	1,43,038	0	13,95,232	16,61,649	17,79,189
Previous Year Total Rupees		29,54,568	76,813	0	30,31,381	10,91,380	60,813	0	12,52,193	17,79,188	18,63,188

SCHEDULES ANNEXED

to and forming part of the Balance Sheet as at 31st March 2009
and the Income and Expenditure Account for the year ended on that date (continued)

	This Year Rupees	PreviousYear Rupees
SCHEDULE D		
Investments (at cost) - Unquoted Long term Investments		
1. Bonds		
(a) 6564 - 6.60 % Tax Free ARS Bonds of Rs.100 each of the Unit Trust of India	6,56,400	6,56,400
(b) 8% Savings (Taxable) Bonds, 2003	1,56,00,000	1,56,00,000
	1,62,56,400	1,62,56,400
2. Fixed Deposits		
(a) 9.55 % Premium Deposit Annual Income Plan with Housing Development Finance Corporation Ltd.	10,00,000	10,00,000
	1,72,56,400	1,72,56,400
SCHEDULE E		
Cash and Bank Balances		
(i) Cash in hand	5,545	3,653
(ii) In Savings Accounts With Scheduled Bank	50,367	24,033
(iii) In Term Deposits with Scheduled Banks	50,91,060	18,61,060
	51,46,972	18,88,746
SCHEDULE F		
Loans and Advances Unsecured Considered good		
(i) Deposits	8,000	8,000
(ii) Prepaid Taxes	83,522	81,588
(iii) Prepaid Insurance	1,045	1,045
(iv) Prepaid Profeesion Tax	7,500	0
	1,00,067	90,633
SCHEDULE G		
Current Liabilities		
a) Advance Payments	73,000	50,000
b) Sundry Creditors & Outstanding Expenses	72,530	46,660
	1,45,530	96,660
SCHEDULE H		
Provision for Leave Encashment	1,26,450	1,37,063
	1,26,450	1,37,063

SCHEDULES ANNEXED

to the Balance Sheet as at 31st March, 2009 and the Income and Expenditure Account for the year ended on that date (continued)

SCHEDULE I : Notes and significant accounting policies

1 Significant accounting policies :-

(a) Method of Accounting

1 Accounts are maintained on accrual basis except in respect of bonus payment which is accounted on cash basis

(b) Fixed Assets and Depreciation

All Fixed assets are valued at cost less depreciation. 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) Retirement Benefits

The Council does not have any scheme for payment of Provident Fund, Gratuity or Superannuation. Provision for Leave Encashment is made on the assumption that all the employees will retire at the end of the accounting year.

2 Sundry Debtors this year are nil. In the Previous year, they amounted to Rs.10000/- which were unsecured considered good and were outstanding for a period exceeding six months

3 Fees for taxation services Rs.12000/- (previous year Rs.12000/-) are paid to M/s Lalit Khanna & Associates, which is the sole proprietorship of Mr. Lalit Khanna who is one of the partners of M/s Lalit Khanna & Co., the Auditors of the Council.

4 Staff Welfare include Insurance in respect of Staff Accident Policy amounting to Rs.1045/- (Previous year Rs.1045/-)

5 Repairs and Maintenance comprise as under :-

	This year Rs.	Previous year Rs.
(i) Office Premises	20,268	19,748
(ii) Other Repairs	11,388	23,375
	31,656	43,123

6 Miscellaneous Expenses include an amount of Rs. 45,684 (Previous year Nil) in respect of framing charges of certificates.

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

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

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

THE ADVERTISING STANDARDS COUNCIL OF INDIA
SCHEDULE ANNEXED TO THE BALANCE SHEET AS ON 31.03.2009
AND THE INCOME/EXPENDITURE ACCOUNT FOR THE YEAR ENDED ON THAT DATE

BALANCE SHEET ABSTRACT AND COMPANIES GENERAL BUSINESS PROFILE

I Registration Details

Registration No.	37820	State Code	11
Balance Sheet Date	31 (Date)	03 (Month)	2009 (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 24615	Total Assets 24615
Sources of Funds	
Corpus 3486	Reserves & Surplus 20857
Secured Loans -	Unsecured Loans -
Application of Funds	
Fixed Assets 1662	Investments 17256
Net Current Assets 0	Misc. Expenditure -
Accumulated Losses -	

IV Performance of Company (Amount in Rs. Thousands)

Turnover 5922	Total Expenditure 2849
Profit before tax 3143	Profit after tax 3143
Earning per Share in Rs. Not Applicable	Dividend rate % Not Applicable

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

Item Code No. (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 J

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

Lalit Khanna
Partner
Membership No. 5185
Mumbai, 9th, July 2009

For and on behalf of
the Board of Governors

Dhananjay Keskar
Vice Chairman

Members:

Narendra Ambwani
Bhaskar Das
Rajiv Dube
Vikram Kaushik
Partha Rakshit
Arvind Sharma
Srinivasan K. Swamy

REPORT OF CONSUMER COMPLAINTS COUNCIL (CCC)

COMPLAINTS THAT WERE UPHELD BY THE CCC

From April 2008 to March 2009

Sr. No.	Advertiser / Agency / Media	Claim / Description of Ad/ TVC	Complaint	ASCI Code/CCC Decision
# Intra-Industry Complaints * ASCI Member $ Complaint received from Consumer Representational Organisation				
Advertisements Modified Appropriately / Withdrawn / Concluded				
1. Suo motu	Sanjeevan Retinopathy Clinic (Diabetic Eye Problem) The Times of India(*) (2/2008)	Claim - "Our researched treatment not only cures the symptoms (blindness, blurred vision, black spots or floaters in the vision) but also cures it root cause successfully".	(Complaint registered in 2/2008). Ad appears to claim treatment for `blindness', a disease which is mentioned in Schedule of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954. Ad appears to be misleading and is in contravention of the provisions of the said Act.	April 2008 Chapter I.1. Claim not substantiated. ***Ad modified.***
2. Suo motu	Eureka Forbes Ltd.(*) (Aquaguard Total) Triton Comms(*) Business & Economy (12/2007 issue)	Claim - "Only Aquaguard Total water purification systems guards the liver, bones and digestive system".	(Complaint registered in 2/2008). Claim needs to be substantiated with proof, supporting technical information with details of tests/ trials reports from an independent recognised testing institution.	April 2008 Chapter I.1. Claim not substantiated. ***Claim modified.***

3.	Coca-Cola India P. Ltd.(*) (Thums Up) Star Sports(*) (2/2008)	Visuals - "an actor with a lady occupant driving a car in a very rash and negligent manner for a 'Thums Up bottle'. He then meets with an accident and is shown in the hospital, with a fractured leg and sipping a bottle of 'Thums Up'.	(Complaint received in 3/2008) Any individual inspired by this Ad, if attempts to perform such daredevil acts/feat, there is a very likelihood that he will loose his life/ limb, and therefore this Ad should be prohibited.	April 2008 Chapter III.3 of the ASCI Code. Clauses A and B of the Guidelines on Advertisements for Automotive Vehicles. Actions portrayed in the visuals depicted in the TVC, show dangerous practices and manifest a disregard for safety without justifiable reason. Ad portrays violation of the Traffic Rules, and shows speed in a manner which encourages unsafe or reckless driving, which could harm the driver, passengers and/or general public. ***TVC modified.***
4.	Hindustan Unilever Ltd.(*) (Lux) Cartoon Network (2/2008)	Ad is in a cartoon format, the contents, portrayal and background audio is of adult content.	(Complaint received in 3/2008) Ad telecast on the said channel is watched by children in the age group of 3 to 10. Ad bombards images of sexual nature, which is likely to create a negative impact on the young minds.	April 2008 Chapter II. As the TVC was aired on Cartoon Network, a channel watched by children, the contents, depiction of visuals in a cartoon format, was considered offensive to generally accepted standards of public decency. ***TVC discontinued since March 2008.***

5.	Bajaj Auto Ltd.(*) (Bajaj Pulsar) Ogilvy & Mather (*) Star Gold(*) (3/2008)	Visuals - "some bikers performing extremely dangerous stunts on motorbikes followed by the Ad slogan - `Pulsar Mania'. The `safety warning' for stunts being performed by experts, appears at the bottom of the Ad in an almost transparent font.	(Complaint received in 3/2008). Keeping in mind the several instances in the past where such stunt Ads have caused youngsters to get carried away and try these dangerous acts leading to injuries and even deaths, the `warning' given in the Ad is not prominent enough to avoid danger which may result out of the fantasies of a young child after watching the Ad. **(Two similar complaints received against the same TVC).**	April 2008 Chapter III.3. Actions portrayed in the visuals depicted in the TVC, show dangerous practices and manifest a disregard for safety without justifiable reason. ***TVC modified.***
6.	HT Media Ltd.(*) (Hindustan – # Jharkhand's No.1 newspaper) Ogilvy & Mather(*) Hindustan Times(*) (3/2008)	Claim - Hindustan is "Jharkhand's No.1 newspaper since inception".	(Complaint received in 3/2008). No authentic source of information has been published in the Ad for establishing the claim of it being the No.1 newspaper of Jharkhand. Claim needs to be substantiated. Ad is bound to mislead the readers and advertisers of other newspapers and detrimental to their reputation.	April 2008 Chapters I.1 and I.4. Claim not substantiated adequately. Also, the source of information on the basis of which this claim was made, was not indicated in the Ad. ***Ad modified.***
7. Suo motu	Hindustan Unilever Ltd(*) (Red Label Natural Care Tea) Zee TV(*) (1/2008)	Claim (in Hindi) - "Fark sirf immunity ka hai"	(Complaint registered in 1/2008). Claim needs to be substantiated.	April 2008 Chapter I.1. Claim not substantiated. ***Claim modified.***
8. Suo motu	VLCC Personal Care Ltd. (Shape Up Anti-Cellulite Oil & Gel) India Today Women (1/2008 issue)	Claim - "Reduces flab & firms skin. Beautiful arms & legs in just 14 days".	(Complaint registered in 2/2008). Claim needs to be substantiated with proof, supporting information with details of tests/trials reports from an independent recognised testing institution.	May 2008 Chapter I.1. Claim not substantiated. ***Ad campaign concluded in July 08.***

9.	Maruti Suzuki Ltd. (Maruti Zen Estilo) Ogilvy & Mather (*) Star Sports(*) (2/2008)	Visuals - "two kids playing, one kid becomes a patient and the other kid a dentist. During their course of play, one of the kids picks up a drilling machine and points it towards the other kid. Ad cuts to a product shot of the car promoting its test drive".	(Complaint received in 2/2008). Visual depiction of "a drilling machine in a child's hand", is extremely dangerous. Children can take it literally and use it to play with if they stumble upon it.	May 2008 Chapters III.2 (b) and (c). Visual depiction of "a minor using an electrical appliance (drill machine)", showed a dangerous act, which could encourage minors to emulate such acts in a manner which could cause harm or injury, and the careless use of such a product could lead to an injury. ***TVC withdrawn.***

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C 3149

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10. #	Hindustan Unilever Ltd (*) (Fair & Lovely multi vitamin with Fairness Meter) Lowe(*) Star Plus(*), Sony TV(*), Zee TV(*) (4/2008)	TVC shows - "a shoot of a TVC wherein a model is endorsing a skin cream product. The model talks about a cream that she trusts that gives "gori aur shine free twacha". A character in the TVC says, "kissi aur ke jhoot ko sach manegi ya apni expert khud banegi.."	(Complaint received in 4/2008). The general layout, visual presentation, look and feel of this portion of the TVC is very similar to the TVC of "Garnier Light Matte". `Garnier Light Matte' is the first and the only product advertising this product benefit of "Gori aur shine free twacha" and has established a strong brand equity in this regard. The `Fair & Lovely' TVC is targeting `Garnier Light Matte' product and the key benefit it communicates via its main claims.  TVC is unfairly attacking `Garnier Light Matte'.	May 2008 Chapter IV.1(e). Statement, "kissi aur ke jhoot ko sach manegi ya apni expert khud banegi", read in conjunction with the claim, "shine free twacha", unfairly denigrates the Complainant's product. ***TVC discontinued.***

Loreal

C.3159

259 cc

11.	Prakash Air Freight P. Ltd.	Claims - "India's Largest Courier Company".	(Complaint received in 4/2008). Claim needs to be substantiated with validated industry/market data from an independent recognised audit/research institution. Advertiser should clarify and provide details whether this claim made is with respect to the area covered by it, the capital invested, the speed of collection and delivery, etc.	May 2008 Chapter I.1. Claim not substantiated. ***Sticker withdrawn from use by the Advertiser.***
$	(PAFEX Couriers)			
	Sticker			
	CERC			
	C.3160			

12.	Henkel India Ltd. (*)	Claims – "all other detergents make white clothes look dull after repeated washes while Mr. White, even after repeated washes, keeps white clothes white as new".	(Complaint received in 4/2008). Claim is completely unqualified and it does not say what kind of other detergents against which the same is compared with. TVC attempts to give an impression that even against all kinds of detergents, Mr. White is superior.	May 2008 Chapter I.1. Visual claim of Mr. White detergent being better than "other detergents", not substantiated. ***TVC modified.***
#	(Mr. White Detergent)			
	Mudra Comms (*)			
	Sahara One(*), Star Plus(*), Zee Cinema(*) (3/2008)	"New Mr. White with whiteness boosters that not only cleans clothes well but also keeps your white clothes always white as new"	There are certain products available with lemon power which provide better efficacy of cleaning. In addition, it is an exaggeration in as much as under no circumstances after repeated washes white clothes can be as new bright white.	
	HUL			
	C.3162			
	259 cc			

13. $	Novartis India Ltd.(*) (Calcium Sandoz Soft Chew) Grey Worldwide P. Ltd.(*) Star Plus(*), Pogo channel. Promotion message on the product pack.	TVC claims - "Bones become stronger by eating toffee if toffee is Calcium Sandoz Soft Chew". Product pack claims - "A proprietary ayurvedic medicine". Pack claim - "Keep this and all drugs out of reach of children". Pack uses the word "Chocolate"	(Complaint received in 4/2008) Advertiser needs to substantiate this claim by providing – (1) independent research data, (2) data supporting the myth that added sugar and artificial flavour, present in toffee, doesn't have adverse effect on children health, (3) data regarding short and long term side effects of consuming this product, especially on children. This appears to contradict the claim made in the TVC which shows it as a toffee for all children. Advertiser should provide clarification as to why a toffee which makes the bone of the children strong, be kept out of their reach. This suggests that the product is a chocolate rather than a medicine, and this may tempt the youngsters to consume this product more and more.	May 2008 Chapter I.4 of the ASCI Code, and point 4 of Self-Regulation Guidelines on the Advertising of Foods & Beverages. Ad misleading and encouraged excessive consumption of the product. ***Subsequently, the Advertiser provided additional data, specifying the calcium content in each Soft Chew, which clarifies that the consumption is not excessive.***

CERC
C-3163

14.	Tata Teleservices Ltd. (Plug 2 Surf) Star Plus(*), Sony TV(*), and Zee TV(*) (3/2008)	TVC shows "a film personality helping three girls who need to connect to the web, by plugging in her own USB modem into their laptop".	(Complaint received in 4/2008). This modem needs to be installed on a computer. It cannot and does not work "plug-and-play". The Ad is misleading for people who think they will merely be able to take this modem wherever they go and log on from any computer.	May 2008 Chapter I.4. In the absence of a clearly readable super, "For complete installation procedure please refer manual available with Plug2Surfwhiz", the Ad is likely to mislead the consumers that the product promoted is a plug and play device. ***TVC discontinued.***

Shiv Mathur
C-3167

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15. $	ALT Training College Brochure and Website	Claims - "World's Largest Apparel Knitwear & Leather Training College", "The ALT Training college is the first composite training college in India both technologically advanced and ....."	(Complaint received in 5/2008). Claims need to be substantiated with proof, validated industry/ market data from an independent recognised audit/research institution.	June 2008 Chapter I.1. Claims not substantiated. ***Claims deleted from the Brochure and Website.***

CERC
C.3183

16.	Gillette India Ltd.(*) (Gillette Victor Plus Blade) Jaya TV (4/2008)	Voice over – "blade lasts for 3 weeks". Fine print - "on the basis of one shave every 3 days"	(Complaint received in 5/2008). The consumer is led to believe that the blade lasts for 21 shaves whereas it lasts for only 7 shaves. Fine print appears on the screen for a short time that one cannot read it fully. Ad is misleading.	June 2008 Chapter I.4. Ad misleading. ***TVC withdrawn.***

S. Kothandaraman C.3185

17.	Parle Agro P. Ltd. (Frooti) Sun Music (4/2008)	Visuals - "children being hit by various people and belittled by adults". "Elders forcing their children not to eat fresh mangoes. In frustration, the children throw the mangoes in water and are then shown drinking "Frooti".	(Complaint received in 5/2008). Ad promotes corporal punishment and violence against children. Ad is insulting the natural fruit – mango which is called the `King of fruit'. Ad is likely to spread wrong messages to teenagers. **(One similar complaint received against the same TVC).**	June 2008 Chapters III.2 and IV.1(e). Ad depicts children being physically harmed. Ad unfairly denigrates a natural fruit. ***TVC modified.***

vidya Reddy
C. 3186

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18. $	Times Business Solutions Ltd. (Magicbricks.com) Website	Claim - "India's No.1 Property Site".	(Complaint received in 4/2008). Claim needs to be substantiated with proof, validated industry/ market data from an independent recognised audit/research institution.	June 2008 Chapter I.1. Advertiser did not provide any `market research report' in support of the claim. Claim not substantiated. ***Subsequently, the Advertiser provided comparative data from the Google Ad Planner, in substantiation of the claim.***

CERC
C.3164

19. #	Reckitt Benckiser (India) Ltd(*) (Dettol Herbal soap) Raj TV, (2/2008) Sun TV (2/2008)	Claim - Dettol Herbal "gives 10 times better / more protection than bar/ liquid soap without actives". Qualifier in the TVC mentions - "as per standard testing protocol against bar/liquid soap without actives".	(Complaint received in 4/2008) Complainant found out from their analysis that Dettol Herbal soap does not contain TCC, which is the "active" commonly used in all its soap bars including the other variants of Dettol viz sold under Dettol original. Dettol Herbal claims to contain natural ingredients – avocado oil and aloe barbadensis extract. Therefore the comparison with "soaps without actives" is misleading. Also, the Complainant has carried out the `standard test' to assess the skin protection benefit. In this test, Dettol Herbal has been compared against four of the soaps which do not contain "actives". The comparison amongst these soaps clearly proves that Dettol Herbal soap bar does not offer 10 times more protection than soaps without actives. Therefore, the claim is not capable of being substantiated.	June 2008 Exparte (absence of comments from the Advertiser). Chapter I.1. Claim not substantiated. ***Subsequently the Advertiser provided the Delhi High Court judgement which accepted their claim based on the independent laboratory report.***
		TVC shows - "a mother telling her child – "It is not enough to have nature's goodness. It is essential to have protection".	This is an indirect indictment on one of the soap brand (Hamam) which is a soap based on nature's goodness and is one of the widely sold variant.The test carried out by an independent laboratory establishes that `Hamam Sampoorna snaan' soap bar is much better than Dettol Herbal soap.	
20. #	Procter & Gamble Home Products Ltd(*) (Olay Total Effects) Eenadu TV(*), Set Max(*), Star Plus(*), Zee TV(*) (4/2008)	Claim - "India's best Anti-Ageing Cream".	(Complaint received in 5/2008) Claim is completely unsubstantiated and unqualified and is a mere attempt to mislead the consumers. It is unclear what is the basis of the claim and what market survey and / or testing has been conducted, to substantiate such a strong claim to disparage all other Anti Ageing products sold in India.	July 2008 Chapter I.1. Advertiser did not provide statistically significant data. Claim not substantiated adequately. ***TVC withdrawn.***

21. $	Amara Raja Batteries Ltd(*) (Amaron Batteries) Ogilvy & Mather(*) Ad appeared on Company's website	Claims - "India's most powerful battery", "lasts long"	(Complaint received in 5/2008) Claims need to be substantiated with proof, validated industry/ market data from an independent recognised audit/research institution.	July 2008 Chapter I.1. Claim, "India's most powerful battery", not substantiated. September 2008 **Decision on Review** **Upheld decision stands.** Chapter I.1. Advertiser did not provide any comparative data in support of the claim. Claim not substantiated. ***Advertiser assured appropriate modification of the claim.***

CERC
C.3184

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22. Suo motu	Tata Sky Ltd(*) (Rs.200 pm family channel pack) Star News(*) (6/2008)	TVC promotes a Rs. 200 pm family channel pack. Ad shows various other package offers and mentions "baaki ke packs pehle se saste damo mein" (other packs at lower than earlier prices).	(Complaint registered in 6/2008) Tata Sky's super saver pack which costed Rs.300 pm previously is now offered at Rs.260 pm. But channels like Star Sports, Star Cricket, ESPN, Ten Sports, BBC News and BBC Entertainment, which were part of the same Super Saver channel pack costing Rs.300 pm previously, are taken out from the Super Saver pack and are put on as `Add On Packages'. And the cost of Add On Packs having these same channels as before comes to Rs. 85 pm extra. Meaning, subscribers of Super Saver Packs have to pay Rs. 345 (Rs. 260 + 85) to get these channels available within Rs. 300 pack previously. In fact, this is no price reduction but actually a price increase. The claim of price reduction of the Super Saver pack is totally false.	July 2008 Chapter I.4. Ad misleading, as the super saver pack along with the Add on packs were more expensive than the original pre discount packs. ***Subsequently, the Advertiser provided additional data, specifying that the TVC communicated a genuine price reduction in the base package offering of Tata Sky coupled with freedom of choice with regards to viewing of sports channels.*** ***TVC discontinued in June 2008.***

Bharat Patel
C.3191

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23. Suo motu	Yum! Restaurants Marketing Pvt Ltd (Kentucky Fried Chicken) Ogilvy & Mather(*) HBO channel (6/2008)	TVC shows - "young men in a car eating fried chicken. Even the driver is shown as eating while driving. And the car ends up topsy turvy most likely due to an accident. The Ad is for Bucket (large pack) of Kentucky Fried Chicken (KFC), and the voice over says, "non stop khao, non stop khilao".	(Complaint registered in 6/2008) Showing eating while driving a car, is promoting an unsafe practice. The words "non stop khao, non stop khilao", in conjunction with the Ad being of KFC bucket size pack, is clear intention of advertiser promoting over/excessive consumption of KFC, which being fried chicken has high content of fat in it.	July 2008 Chapter III.3. Visual depiction of the "driver licking his finger" implied that he has been eating whilst driving, which could result in harm to the driver/ passengers. Ad shows a dangerous practice without justifiable reason. ***TVC modified.***

Bharat Patel
C.3192

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24. $	Alkem Laboratories Ltd (Alkem's Ayurvedic Jeevanprash) DNA(*) (3/2008)	Claims - "More benefits than powerful chyawanprash", "F.O.S (Fibre) reduces cholesterol", "F.O.S gives sweetness like sugar, calories negligible", "Builds power of resistance, strength, stamina and confidence", "Best energizer for diabetics", "Delicious Health Builder", "Keeps males and females, elderly, young and kids healthy and active all 12 months of a year".	(Complaint received in 5/2008) Claims need to be substantiated with supporting technical/clinical information with details of tests/ trials reports from an independent recognised testing institution.	July 2008 Chapter I.1. Claims not substantiated with tests/trials reports from an independent laboratory. ***Ad withdrawn.***

CERC
C.3196

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25. #	Hindustan Unilever Ltd(*) (Fair & Lovely Multivitamin fairness cream) Lowe(*) Zee TV(*), Star TV(*), Sony (*) (5/2008)	TVC shows shots of various creams with central focus on an unbranded pump jar.	(Complaint received in 6/2008) This verbatim resembles the "Olay total effects Pump Jar". A plain glance at the said visual clearly denigrates and discredits Olay total effects as being inferior to 'Fair & Lovely'. That Olay total effects is being specifically targeted for disparagement also becomes clear from the fact, that though it is a highly reputed anti-ageing cream, the TVC seeks to illogically compare its benefits with Fair & Lovely which is merely a fairness cream.	August 2008 Chapter I.4. Claims, "Fair & Lovely Duniya Ki No.1 fairness cream", "Aur consumers ne ise chuna 100 mein se 99 baar", and "Fair & Lovely hai anya international creams se behetar", were misleading. ***Advertiser informed that the TVC has been off air since August 2008, well before receiving the ASCI letter (decision of the CCC).***
		Claim - "Fair & Lovely Duniya Ki No.1 fairness cream" (Fair & Lovely is the World's No.1 fairness cream). The super refers to "Based on volume sales in key skin lightening markets, as per AC Nielsen retail panel".	This contradicts the claim of "world's no.1" position since the data is restricted only to a select key skin lightening markets and not to the entire markets world wide.	
		Claim -"Fair & Lovely hai anya international creams se behtar" (Fair & Lovely is better than any of the other international creams), is based on a 'blind monadic test'.	Claim is misleading as it conveys to the consumers that Fair & Lovely is better than all the other competing brands in the market.	
		Claim - "Aur consumers ne ise chuna 100 mein se 99 baar" (Consumers selected this cream 99 times out of 100)	Claim is ambiguous, confusing and in fact misleading. This leads to an impression that the consumer was given a variety of creams to choose from and out of which he opted for Fair & Lovely. This is contradictory to the concept of a monadic test which is being used in support by the TVC.	
		Usage of the term "multi vitamin" as a part of the name of a cosmetic product Fair & Lovely	This is highly misleading. The TVC nowhere carries any reference to any support or substantiation as to how the presence of multi vitamins in the cream can lead to fairness.	

26. #	Hindustan Unilever Ltd(*) (Ponds Flawless White) Zee TV(*), Star TV(*), Sony(*) (2/2008)	TVC shows - "a girl who applies the cream on her face gets a beaming and glowing face 7 days after usage and this is shown by a comparative visual showing her face before and after the usage of the cream. A beauty expert claims that, "only the Ponds Flawless White cream can make your skin flawless white within 7 days of usage".	(Complaint received in 6/2008) Claim is highly exaggerated and unsubstantiated and has the potential of misleading the gullible consumers. A translation of the term `Flawless White' would mean that the usage of the cream can completely erase dark spots, scars, lines and wrinkles, and removes any and all other facial skin imperfections. The comparative visual can only lead an innocent consumer into believing that by merely using the cream for 7 days, she would get a beaming and glowing flawless white skin.	August 2008 Chapter I.4. Claim misleading by exaggeration. ***TV campaign discontinued since April 08.*** ***Advertiser assured appropriate modification of the Ad.***

P&G

C.3190

262 CCC

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27. #	Hindustan Unilever Ltd(*) (Pond's Age Miracle Cream) Star TV(*), Sony(*), Zee TV(*) (Nov 07) Femina(*) (10/2007)	TVC starts with a question – "Can your cream do this in just 7 days? Take up Pond's Age Miracle 7 days challenge. If in 7 days you don't start looking young, then you will get your money back". Super in the TVC reads – "Based on a chromo meter reading and photo self assessment against untreated skin in a clinical test". Print Ad states - "Pond's Age Miracle cream does what no other anti-ageing cream can. It reduces age spots and brings about a visible change in wrinkles in just 7 days.* And that's a challenge. If it doesn't work, you get your money back". Fine print states - "Based on a chromo meter reading and photo self assessment against untreated skin in a clinical test".	(Complaint received in 6/2008) It is clear that the claim made in the TVC and in print Ad, is supported by a clinical test carried out on an "untreated skin" i.e. on consumers who were not using any cream. Therefore, even assuming without admitting that the said tests/results are relevant, the mere fact of the advertiser targeting the consumer with a question "Can your cream do this?" assumes consumers currently using some other cream. Whereas factually and on the advertiser's own admission, the claim is based on tests carried out only on the "untreated skin". The claim is false and misleading the consumers in making them believe that only Pond's gives the benefits, without substantive support, and is directly denigrating and discrediting the efficacy of the similar products available in the market place.	September 2008 Chapter I.1. Claim was not supported by a comparative data with other leading creams. Claim not substantiated. ***Advertiser informed that the Ad was aired from September 2007 to December 2007, and the same is no longer on air.***

P&G

C.3187

263 CCC

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28. $	Cheil Communications India Pvt Ltd(*) (Samsung Bio Sleep Air Conditioners) Ahmedabad Mirror(*) (4/2008)	Claims - "When you bio-wake up, it shows"	(Complaint received in 6/2008) Explain the term "bio-wake up" and what is shown when you bio-wake up.	September 2008 Chapters I.1 and I.4. Claims, "designed to give you the deepest sleep", and "They work with your bio-rhythm to adjust the room temperature", not substantiated. Claim, "designed to give you the deepest sleep", was misleading, as deepest sleep is induced by other factors besides an air conditioned environment. ***Ad suspended temporarily.***
		"Designed to give you the deepest sleep".	Explain how does it measure the depth of sleep, and how does the design of the air conditioner induce the deepest sleep.	
		"They work with your bio-rhythm to adjust the room temperature".	Explain the term `bio-rhythm', how does the air conditioner work with the human bio-rhythm, how the same air conditioner works differently with the bio-rhythm of different individuals in the same room. To provide data on the maximum number of persons to whose bio-rhythm its air conditioner can adjust.	
		"30% Electricity Savings".	Claim needs to be substantiated with independent data.	
		"Powerful cooling even at 54 degree C"	Explain the tests carried out to substantiate this claim.	
		"BEE star rating. Available in select models only".	To specify whether its bio sleep model air conditioner has been rated by the BEE. To provide information about the number of stars the bio sleep model has to its credit.	

29.	Cheil Communications India Pvt Ltd(*) (Samsung Guru 200 mobile) Zoom channel(*) (6/2008)	TVC shows "a tourist guide recording songs from FM to impress some foreign tourists. As told through the voice-over, "Ab FM se record kijiye or jab chahe suniye". The phone comes with an FM recording feature.	(Complaint received in 6/2008) Ad not only promotes music piracy, but actually teaches people to `steal music'. **(Three similar complaints received against the same TVC).**	September 2008 Chapter III.4. Ad promotes infringement of Copyrights, which is an illegal act. Ad in breach of the law since the Ad was in apparent violation of The Copyright Act. ***TVC withdrawn.***

30.	Hindustan Unilever Ltd(*) (Axe Deodorant – Dark Temptation) CNN IBN(*) (8/2008)	TVC shows - "a boy spraying the Axe deodorant on himself and he gets converted into a boy made of chocolate, as the fragrance of the deodorant is of chocolate. As he walks on the street, the girls start licking him, two girls lick and bite his ears on both sides, in the bus a girl bites his butts, enjoys the taste and licks her lips. The boy is shown enjoying it all".	(Complaint received in 8/2008) Ad is in bad taste and is vulgar, as it shows the girls licking and biting the boy. The scene of the girl biting his backside is highly objectionable. **(Two similar complaints received against the same TVC).**	September 2008 Chapter II. Visuals of the "girls licking the chocolate boy", and "girl biting his rear", was indecent and likely to cause grave or widespread offence. ***TVC modified.***

P. Naithani

C-3211

263 cc

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31. Suo motu	RG Stone Urology & Laparoscopy Hospital 91.1 FM (8/2008)	Ad says "if a lady suffers from irregular or heavy periods, she should "get rid of her troublesome uterus" by contacting R G Hospital".	(Complaint registered in 8/2008) This is a dangerous and irresponsible claim and in any event, uterus removal or hysterectomy cannot be treated as some sort of elective or cosmetic surgery.	September 2008 Chapters I.4 and II. Voice-over was misleading, and was likely to cause grave or widespread offence. ***Radio spot off air from September 08.***

P. Joshi

C-3213

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32. #	L'Oreal India P. Ltd(*) (Garnier Light Fairness and Dark Spots prevention daily moisturiser) Publicis India(*) Sony TV(*), Star Gold(*), Zee TV(*) (5/2008) Femina(*) (6/2008)	Claim - "Get Upto 2 Tones Fairer in Just 7 Days*" Small print shows a qualifier "*91% agree – self assessment. Individual results may vary".	(Complaint received in 8/2008) Claim is misleading. The said communication coupled with the qualifier that individual results may vary, would clearly demonstrate that the claim otherwise is not tenable. As such it is patently false as no cosmetic can claim to achieve two shades or two tones change in skin fairness within such a short period of 7 days. The overall impression created by the Ad is that a similar Fairness Scale is available with the product Garnier Light. The different scales and/or shades and/or tones of fairness are also depicted on the Fairness Scale. The reference to clinical study is confused with instrumental evaluation and consumer perception. Dramatic improvement in skin shade like "2 tone change in short period of time", cannot be provided by daily use cosmetic products using safe ingredients and in fact such result is seen by use of bleaches, dermatological treatments eg. peel etc. Further, the claim needs to be substantiated with supporting technical information and with details of tests/trials reports from an independent recognised testing institution.	September 2008 Chapter I.1. Claim not substantiated adequately. ***Advertiser assured appropriate modification of the claim.***
33.	Triveni Media Ltd (Voice of India – 24 Hours Hindi news channel) Economic Times(*) (8/2008)	Ad shows – "a picture of a lady doing her exercise".	(Complaint received in 8/2008) Ad is offensive, in bad taste, hurts the sensibility of common readers and has apparently no connection whatsoever with whatever they are trying to sell or provide. Ad is disgusting, obscene and inappropriate for readers' taste. **(One similar complaint received against the same Ad)**	September 2008 Chapter II. Visual was repulsive and likely to cause grave or widespread offence. ***Ad withdrawn.***

34. $	Symbiosis (International English Course) Billboard Ad put up in Kerala (8/2008) PETA C.3220	Ad shows - "a Squirrel chopped into pieces with the pieces being shown as pieces of fruit" Tagline states - "want to be fruitful?"	(Complaint received in 8/2008) Squirrels are protected under the Wildlife Protection Act 1972 and killing them is an offence under this Act. This cruel depiction of an animal may encourage viewers to kill Squirrel, which is a punishable offence under the Wildlife Protection Act.	October 2008 Chapter II. Picture shown in the Ad promotes violence towards an animal, which is likely to cause grave or widespread offence. ***Ad withdrawn. Advertiser assured that the said picture will not be used in any of their future Ads.***

35.	The Telegraph (Classifieds auto market) The Telegraph, Calcutta (6/2008) Dr B.K. Roy Chowdhury C.3221	Ad shows - "four persons on a motorbike". Ad headline states - "Ready to buy a car?"	(Complaint received in 8/2008) Ad is hazardous and harmful. It also appears to be in violation of the Motor Vehicles Act 1988.	October 2008 Chapters III.3 and 4 of the ASCI Code, and Clause A of the Guidelines on Advertisements for Automotive Vehicles. Ad shows a dangerous practice and manifests a disregard for safety without justifiable reason. Also, the Ad is considered to be in breach of the law, and portrays violation of the Traffic Rules. ***Ad discontinued.***

36.	Tele Health Care (Tall You Cosmetic) Mumbai Mirror(*) (6/2008) Dr. Ajay Kothari C.3224	Ad states - "It makes you proud to have good height. Apply 'Tall You' once a day on sole for 3-6 months".	(Complaint received in 8/2008) Bones attain their final heights after 20 years of Age. Height cannot be increased by any medicines, exercise or by any cosmetics. Ad is totally misguiding the lay public. Further, the claim needs to be substantiated with proof, additional supporting information with details of tests/trials conducted.	October 2008 Chapters I.1 and I.4. Claim implies that 'Tall You' can increase height, which appears to be false and was not substantiated. Ad misleading by ambiguity. ***Ad modified.***

37. suo motu	Neo Sports Broadcast Pvt Ltd(*) (Neo Cricket) Ad appeared on BEST Bus (observed in 9/2008) P. Joshi C.3228	Ad shows - "a bleeding Toe", and states, "Last year, not all of Brett Lee's Yorkers hit the wicket".	(Complaint registered in 9/2008) Ad appears to be in contravention of the ASCI Code.	October 2008 Chapter II. Visual shown in the Ad, is repulsive and is likely to cause grave or widespread offence. ***Advertiser advised that the campaign had already ended as it was an event specific time bound communication.***
38.	Yahoo Web Services India Pvt Ltd (Yahoo India – Search Engine) Ogilvy & Mather(*) Aired on various channels (9/2008) Vishal Wadhu C.3231	TVC shows - "a stammerer skydiving and failing to count uptill 10".	(Complaint received in 9/2008) Ad is in very bad taste and embarassing for a stammerer.	October 2008 Chapter II. The insensitive portrayal of "a stammerer" in the Ad, was likely to cause grave or widespread offence. ***Advertiser assured appropriate modification of the TVC.***
39.	Pantaloon Retail (India) Ltd (Big Bazaar) Print Ads, Banners, Bills K. Ramakrishnan Iyer C.3226	Claim - "Is se sasta aur accha kahin nahi!".	(Complaint received in 8/2008) According to the Complainant, there are items available outside, which are cheaper than what Big Bazaar claims.	October 2008 Exparte (absence of comments from the Advertiser). Chapter I.4. Claim misleading by exaggeration. ***Subsequently, the Advertiser provided comparative bills of Big Bazaar and other stores, which proved that on a basket of commodities, they are cheaper.***

40.	Naveen Advertisements (Hanuman Kavach) Zee TV(*), Sahara TV(*), UTV Movies, Nick channel I&B C-3222	Claims – "there will be no health and household problems", "Hanuman Kavach is the cure for all financial worries and other mishap and unfortunate incidents".	(Complaint received in 9/2008) Advertiser is cheating the common public by exploring their religious feelings and sentiments. Further, the advertiser should provide proof, additional supporting information in substantiation of the claims made in the Ad, with details of any survey conducted by an independent market research agency.	November 2008 Exparte (absence of comments from the Advertiser). Chapters I.1 and I.5. Claims not substantiated. Claims appeared to be gross exaggerations which is likely to lead to grave or widespread disappointment in the minds of consumers. ***Advertiser informed that the said TVC has been discontinued, and the claims will not be repeated again in their TVC.***
41. suo motu	Timex Group India Limited (Timex Watches) TVC P. Joshi C-3212	TVC shows - "a boy and a girl are driving their respective cars. They are talking to each other whilst driving. At a given time, the girl drives with the same speed in reverse".	(Complaint registered in 8/2008) This is in gross violation of safety norms and will encourage reckless driving which could harm the driver and the passenger.	November 2008 Chapter III.3. Action sequences as depicted in the TVC, shows dangerous practices and manifest a disregard for safety without justifiable reason. Cautionary message shown in the TVC is not of a readable font size. ***TVC modified.***

42.	Wings Pharmaceuticals Pvt Ltd (Diclowin Plus Gel) Foresight Comm P. Ltd NDTV(*) (6/2008)	TVC shows - "a chemist shop, where the chemist is recommending the brand to his consumers". Ad mentions `Diclowin Plus' tablets as a remedy for pain and Gel for local pain.	(Complaint received in 6/2008) In this TVC there is a promotion of `Diclowin Plus Tablets'. Also, it implies that like Diclowin Gel, it is also a over the counter product which does not require any medical practitioner prescription.  `Diclowin Plus' tablets is covered under the category prescription Drugs, Schedule `H' of the Drugs & Cosmetics Act 1940 & Rules thereunder 1945. Diclowin Plus tablets contains a molecule Diclofenac that falls under the category of Schedule "H" drugs, which are essentially "To be sold by retail on the prescription of a registered medical practitioner only". This is clear and intentional breach of rules & regulations applicable to drug products under Drugs & Cosmetics Act 1940 & Rules thereunder 1945.	November 2008 Chapter III.4. Claim of "Diclowin Plus tablets is for headache and bodyache", as made in the TVC, is in apparent violation of The Drugs & Cosmetics Act 1940 and Rules thereunder 1945. Ad was in breach of the law. ***TVC modified.***

Rajendra Ukale

C.3204

43. #	M M Publications Ltd(*) (Vanitha – Ornament Special) Folder (1st Dec 08 issue)	Folder states - "Vanitha: Hard Facts. Over 36% readers belong to SEC A1 + Over 30% readers have an MHI of 10001 + Over 78% readers are regular shoppers".	(Complaint received in 11/2008) The source of data is not shown anywhere in the folder, which is not as per the usual practice.	December 2008 Chapter I.4. Claims were not supported with the source of data, and also it did not mention the state/ area of the readers. Brochure/folder was misleading. ***Brochure modified appropriately.***

The Mathrubhumi Ptg & Pub.

C.3245

44. suo motu	Fem Care Pharma Limited (Fem Herbal Stratum) Red C Advertising Mumbai Mirror(*) (10/2008)	Ad headline - "Colouring your hair? Beware!" Claims - "Colouring your hair can cause Rough hair/ hair loss, Eye irritation, Itchiness of scalp, Facial skin pigmentation", "Most hair colours and dyes contain harmful chemicals like Para-phenylene diamine (PPD) that do not get washed off completely from hair and scalp even after shampooing", ".....protects me from the harmful effects of hair colour". Pack claims - "Neutralizes harmful effects of hair colour".	(Complaint registered in 10/2008) Ad is misleading and it puts a fear into the readers mind that hair colour is harmful.	January 2009 Chapters I.4 and IV.1(e). Press Ad and TVC is misleading as it puts undue fear in the minds of consumers about hair colours in general, and also it unfairly denigrates other products directly. ***Advertiser assured appropriate modification of the Ad.***

P. Arya

C. 3234

45. #	Makemy Trip India Pvt Ltd (MakeMyTrip.com) TVC aired on various channels	MakeMyTrip.com have aired the very same Ad film shot for "Express Money".	(Complaint received in 11/2008) The Ad of Express Money was shot on 18th May 2008 and was aired for the first time on the leading TV channels in the first week of June. MakeMyTrip.com started airing their Ad which was none other than the film shot for Express Money.	January 2009 Chapter IV.3. First scene of "MakeMyTrip.com" TVC featuring the "Groom's father and mother", was identical to the scene shown in the "Express Money" TVC. Remaining part of the Advertiser's TVC was generic of a festival celebration. ***TVC withdrawn.***

Ramanenjini

Dubai take one Prod. Co.

C. 3247

46.	Coca Cola India Inc(*) (Coca Cola) McCann-Erickson(*) Star Plus(*) (10/2008) IBN7 (10/2008)	TVC shows - "a minor boy is playing with a fire cracker (Ful-jhadi) in a dangerous way".	(Complaint received in 11/2008) By watching this TVC, children may get provoked/tempted to perform the similar act which is against the safety standard of using fire crackers and harmful in nature for the children.	January 2009 Chapter III.3. Visual showing "use of sparklers in a dangerous manner", manifests a disregard for safety and is likely to encourage negligence. ***TVC withdrawn.***

Ashok Singh
Support India foundation
C.3248

47.	VRS Foods Ltd (Paras Malamaal Offer) Percept H(*) Navbharat Times (Hello Delhi) (11/2008 and 12/2008)	Ad (in Hindi), as translated in English, states - "with the purchase of every litre of Paras Ghee, the consumer gets an opportunity to win lots of grand prizes", which is through Lucky Draw Coupons. Ad shows 4 packs of Ghee i.e. 1 ltr, 2 ltr, 5 ltr, and 15 kgs. The scheme is advertised to have commenced on and from 15th November 08.	(Complaint received in 12/2008) On 30th November 08, the Complainant bought a 15 kg tin, produced under batch No.188 in Nov 08 from a Delhi market. The shopkeeper refused to give any lucky draw coupons, stating that the company has not supplied any coupons to him. On a written complaint lodged with the Advertiser, it replied that the said scheme does not apply to 15 kg tin which is considered to be a bulk pack. Ad does not state that the scheme does not apply to 15 kg tin or that it applies only to 1, 2 and 5 ltr packs.	January 2009 Chapter I.4. Claim, read in conjunction with the visual showing "4 packs of Ghee", was misleading by ambiguity. ***Ad discontinued.***

Gopal Mohan
C.3254

48.	Citibank N.A.(*) (Senior Citizen Account – value added services) Brochure	Brochure states - "Citibank presents Senior Citizens Account – packed with the privileges only age deserves – Free home delivery of medicines. Free complete fitness evaluation ...."	(Complaint received in 12/2008) The value added services claim offered by Citibank are false. This represents false advertising and not honouring the obligations made. The Bank does not provide these services despite repeated requests.	January 2009 Chapter I.4. Brochure was misleading by ambiguity. ***Advertiser informed that the services mentioned in the old brochure were discontinued. New Brochure does not include the medical benefits.***

K. Padmanabham
C.3258

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49. # Henkel India C.3253 267 CCC	Hindustan Unilever Ltd(*) (Vim Active Gel) Star One(*), Star Plus(*), Colors (11/2008)	TVC shows - "Vim Gel is applied directly on the sponge and it is used for cleaning the vessels. Concurrently, an `ordinary liquid' utensil cleaner is applied directly on the sponge and it is used for cleaning the vessels". Claim - "two times longer lasting foam on sponge vs. diluted dish washing liquid".	(Complaint received in 12/2008) Visual shows ordinary liquid being applied directly (without dilution) on the sponge during the cleaning process while in the text the comparison is made between an undiluted Gel vs. diluted dish washing liquid. Thus the visual misrepresentation and the text are factually contradictory, and creates a false impression in the minds of the consumers that Vim Gel is superior to ordinary liquid in its normal form (direct application – without dilution) rather than the diluted form. Voice over claims that "Vim Gel stays in the scrubber twice as long as compared to the ordinary liquid". But the source for this claim is not mentioned in the TVC which is a clear violation.	<u>January 2009</u> Chapter I.1. Claim not substantiated with an independent laboratory report. ***Subsequently, the Advertiser provided a report from an independent third party laboratory.***
50. suo motu CCC C.3261	Kent RO Systems Ltd (Kent RO Water Purifier) Colors (10/2008)	Claim - "Only Kent Mineral RO Water Purifier retains all essential minerals and gets you and your family 100% pure water".	(Complaint registered in 2/2009) Advertiser should provide proof, supporting technical information with details of reports of tests/trials conducted from an independent recognised testing institution.	<u>February 2009</u> Chapter I.1. Claim was false, since there are other products in the same category providing this service. ***Advertiser assured that the claim is being modified.***
51. suo motu CCC C.3262	Maruti Suzuki India Limited (Maruti Swift Car) Capital Advertising(*) National Geographic channel (10/2008)	TVC shows - "Maruti Swift Car being driven rashly on the road, going fast over speed breakers without stopping, and driving in the wrong lane cutting through the road".	(Complaint registered in 2/2009) TVC encourages reckless driving which could harm the driver and the passenger.	<u>February 2009</u> Clause B of Guidelines on Advertisements For Automotive Vehicles. Ad encourages reckless driving which could harm the driver and the passenger. ***Advertiser assured appropriate modification of the TVC.***

52. #	Taj Television India Pvt Ltd(*) (No.1 Sports channel) Impact magazine (Jan – Feb 09 issue) Neo Sports C.3263	Claim - "Ten Sports is the No.1 Sports channel for the 6th consecutive year", as per television viewership data taken from TAM, source: CS: 4+ years, All India. Wk 1-52, 2003-2008.	(Complaint received in 1/2009) As per the data from TAM, Ten Sports is not the No.1 Sports channel of 2008 but Neo Cricket is the No.1 Sports channel of 2008. Ad is misleading the general public.	February 2009 Chapter I.4. Claim misleading by ambiguity. ***Ad suspended.***
53.	Diageo India P. Ltd(*) (Johnnie Walker Blue Label Whisky) Business India(*) (11/2008 issue) N.G. Wagle C.3270	Ad shows - "a whisky glass inscribed with the words "Johnnie Walker Blue Label Blended Scotch Whisky". Ad states - "Whiskies so rare that some of the distilleries no longer exist. The master blender at John Walker & Sons can detect a single part of flavor in a billion, a skill and craft that is exceptionally rare", "Only about one in ten thousand are considered to possess the exceptional flavors and properties sought for Johnnie Walker Blue Label", "These last precious drops can truly never be replaced".	(Complaint received in 1/2009) Ad appears to be a surrogate Ad for a liquor brand – Johnnie Walker Blue Label whisky.	February 2009 Chapter III.6. Ad is a promotion for a liquor product – Johnnie Walker Blue Label Whisky. This Promo/Ad has been published by Business India and not by the Advertiser. ***Concerned Media (Business India) assured that the said promotion will not be published again.***
54. #	Nimbus Communications Ltd(*) (cricketnirvana.com) Neo Cricket(*) (12/2008)	Claim - "The No.1 cricket website".	(Complaint received in 2/2009) Cricketnirvana is not the No.1 by any metric, hence the claim is wrong and misleading. Also, there is no substantiation for the claim.	February 2009 Chapters I.1 and I.4. Claim not substantiated and misleading. ***Advertiser assured appropriate modification of the TVC.***

Cricinfo India P. Ltd. C.3273

55.	HDFC Standard Life Insurance Co Ltd (Life Insurance Plans) Leo Burnett(*) TVC aired on various channels (12/2008)	TVC shows - "a child at home searching for his remote controlled car which is lost. One of the male guests present in his home tells the child that he would get him a new car in place of the one that is lost, to which the child replies that his father would get one for him. Then the guest says what if his father gets lost, on hearing this the child becomes sad. Luckily the father returns and tells his son that "even if his father does get lost, he will ensure that his son can buy his own car".	(Complaint received in 1/2009) This is a scary Ad for kids of impressionable age and even scary for fathers.	February 2009 Chapter III.2. Ad is likely to frighten children of impressionable age. ***TVC modified.***

manish k. Mukherjee

C. 3274

56.	Pernod Ricard India P. Ltd(*) (Seagram's Blenders Pride) O & M(*) Business India(*) (11/2008)	Ad states - "Taste blend", "Taste that speaks for itself". Visual depiction of Brand name, logo, brand symbol, are suggestive of a well-known brand of liquor product.	(Complaint received in 1/2009) Ad appears to be a surrogate Ad for a liquor brand – Seagram's Blenders Pride.	February 2009 Chapter III.6. Ad was a surrogate Ad for a liquor product – Seagram's Blenders Pride. ***Advertiser assured appropriate modification of the Ad.***

N. G. Wagle

C. 3269

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57. #	Four Season Hygiene Care Pvt Ltd (Feathers Sanitary Napkins) Kairali TV (12/2008)	TVC (in Malayalam), as translated in English, claims - "UK's No.1 Product now in India".	(Complaint received in 2/2009) Feathers is not the No.1 product in UK and this is corroborated from the data provided by the Complainant. The perusal of this data very clearly establishes the fact that the brand "Always" is the No.1 brand and market leader in UK. As per the independent market tracking agency based in UK, based on the value and volume sales/share for the sanitary napkins in UK, "Always" is the numero-uno brand. Claim is false and misleading.	March 2009 Chapter I.1. Complainant submitted a data from an independent market agency. Claim false and not substantiated. ***TVC modified.***

P & G

C. 3277

58.	Havmor Foods Pvt Ltd (Havmor Ice Cream) Pamphlet	Ad (in Gujarathi), as translated in English states - "Frozen Dessert looks like ice-cream is made from milk without fat and from vegetable fat which is dangerous for digestive system", "Frozen dessert is prepared from fats obtained from vegetable ghee and there is difference between real ice-cream and frozen dessert, the difference is like difference between pure ghee and dalda ghee".	(Complaint received in 2/2009) The vegetable oil which has not undergone the process of hydrogenation cannot be called vegetable fat. Under such facts the statement that `frozen dessert contains vegetable fat' is without any basis.  The statement that `milk without fat i.e. separate milk weakens the digestive power' is false, as the skimmed milk / separate milk / milk without fat is easy in digestion and is also recommended to kids and old age people having problem of digestion. Ad distort facts and is false. Claims are misleading without independent research or assessment.	March 2009 Chapters I.4 and IV.1(e). Claim (as translated in English), "..... a blend of separated milk and vegetable fat used in making of Frozen Desserts slows down digestion power", is misleading and unfairly denigrates another product (Frozen Desserts). ***Advertiser assured appropriate modification of the Pamphlet.***

Ashok B Trivedi

C.3279

59.	Diageo India P. Ltd(*) (Smirnoff) India Today(*) (11/2008 issue)	Ad states – "What is celebration without a little flavor in it?"	(Complaint received in 3/2009) Ad is compelling the consumer to consume alcohol at home on festive occasion. Ad does not mention "Smirnoff" is an alcohol drink, and also that "alcohol is injurious to health". Ad does not carry the message "Not for minors".	March 2009 Chapter III.6. Promo / Ad is a surrogate Ad for a liquor product – Smirnoff. Promo/Ad was published by India Today and not by the Advertiser. ***Concerned media (India Today) assured that said Ad / Promo will not appear again in future.***

Sudhir Mishra

C.3286

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60. #	ICICI Prudential Life Insurance Company Ltd(*) Lowe Lintas(*) NDTV Profit(*) (2/2009) Ad appeared on a Bus shelter put up in Mumbai	Claims - "ICICI Prudential have been awarded best life insurer in Asia", "Asia's Best Life Insurance Company" (yehi hai Asia ki sarvasreshth life insurance company).	(Complaint received in 3/2009) ICICI Prudential Life was awarded the Life Insurance company of the year at the 12th Asia Insurance Industry Awards 2008, this however is not the equivalent of being the `sarvasreshth' life insurance company. The commercial appears to be misleading in nature owing to the misrepresentation of information, withholding the actual fact from the consumers.	March 2009 Chapter I.4. Though ICICI Prudential was awarded "the Best Life Insurer in Asia", to claim that ICICI Prudential is "Asia's Best Life Insurance Company", is misleading. ***TVC and Hoarding modified.***

LIC
3281

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61. $	S.C. Johnson Products Pvt Ltd(*) (All Out Liquid Mosquito Destroyer) Promotion message on the pack	Claim - "World's No.1 Liquid Mosquito Destroyer".	(Complaint received in 3/2009) Advertiser needs to substantiate this claim by providing the following details – (1) independent research data. (2) Name of the independent agency which has certified All Out as the "World's No.1 liquid mosquito destroyer". (3) Year in which All Out has been adjudged the "world's No.1". (4) Explain whether the claim of being the No.1 in the world is with respect to sales, performance, appearance, ease of use, availability, etc.	March 2009 Chapter I.1. Claim not substantiated. ***Promotion claim modified.***

CERC
C·3283

62.	Bacardi Martini (I) Ltd(*) (Bacardi Razz) Rediffusion DY&R(*) Business India(*) (11/2008 issue)	Ad headline states - "Get delicious with the flavoured mix". Ad shows the brand name of a liquor product – Bacardi Razz. Ad mentions "Music CDS", without any visual depiction of the same.	(Complaint received in 2/2009) Ad appears to be a surrogate Ad for a liquor brand. This bears no relation to the product/service being promoted.	March 2009 Chapter III.6. Ad was a surrogate Ad for a liquor product – Bacardi. ***Ad withdrawn.***

N·G. Wagle
C·3271

COMPLAINTS THAT WERE UPHELD BY THE CCC
From April 2008 to March 2009

Assurance of Compliance awaited from the Advertisers / Ad. Agencies.
Need to ensure that offending claims are not repeated.

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
# Intra-Industry Complaints * ASCI Member $ Complaint received from Consumer Representational Organisation				
63. $	SRL Ranbaxy Pathology Laboratory (Wellness Camp – Health Check Packages) Handouts distributed in Ahmedabad CERC C-3165	Claims - "India's Largest Pathology Laboratory Network", "Trusted by Millions".	(Complaint received in 4/2008). Claims need to be substantiated with proof, validated industry/ market data from an independent recognised audit/research institution.	June 2008 Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated.
64. #	Bansal Eye Hospital (Custom Vue Lasik Laser Treatment) The Tribune (4/2008) Arpit Advtg. C-3174	Ad states - Bansal Eye Hospital has made available the 'Advanced CustomVue' individual Laser Vision Correction Technique for the "First Time in the Region".	(Complaint received in 4/2008). This is a misleading statement. M/s. Grewal Eye Institute procured the 'Advanced CustomVue' Technique around a year ago in April 2007.	June 2008 Chapter I.1. Claims not substantiated.
		"25 times more accurate measurement & safe treatment"	Claim is not based on facts. None of the studies support the claim.	
		"Most preferred lasik system all over the world".	Claim is wrong. The manufacturers of CustomVue equipment (AMO India) has recently introduced 'iLasik', hence it is wrong and unethical to claim an old system the 'most preferred', when there is a new and better technology available.	

65. #	New Bharath Tyres India Pvt Ltd (Imported Tyres & Alloy Wheels) 'Top Gear' (Nov 08 issue) 'Fast Track' (Nov 08 issue)	Ad states - "Beware ... All imported tyres and alloy wheels available in most of the other outlets are not suitable for Indian roads and conditions. Various manufacturers make their products in the same pattern to suit their own road condition and safety norms which may not suit the Indian road conditions". ".... New Bharath Tyres are the official sellers of imported tyres and alloy wheels of all well known brands which are best suited for Indian road conditions & safety requirements and all these products are covered by the official guarantee of the respective manufacturers, against manufacturing defects".	(Complaint received in 11/2008) Ad is misleading the customer and damaging the industry. By making such unethical Ads especially in leading auto magazines, will cause apprehensions and confusion about the imported tyres among the public at large and they tend to be scary to buy the various imported branded tyres.	<u>December 2008</u> Chapter IV.1(e). Ad unfairly denigrated other products of the competitors.
66. $	National Academy of Event Management & Development Ahmedabad Mirror (7/2008)	Press Ad claims - "Asia's No.1 Institute for Event Management". Website claims - "Get Trained on India's biggest events & get placed at top most companies in India", "World class faculty & elite speakers", "Only college to teach live events by actually conducting them", "World's highest Event professionals producing institute".	(Complaint received in 10/2008) Claims need to be substantiated with proof, supporting information, validated industry/market data from an independent recognised audit/ research institution.	<u>January 2009</u> Exparte (absence of comments from the Advertiser). Chapter I.1. Claims not substantiated.

Origa Rubber
C·3246

CERC
C·3243

COMPLAINTS THAT WERE NOT UPHELD BY THE CONSUMER COMPLAINTS COUNCIL (CCC)

From April 2008 to March 2009

Sr. No.	Advertiser / Agency / Media	Claim / Description of Ad/ TVC	Complaint	Comment/ CCC Decision
# Intra-Industry Complaints * ASCI Member $ Complaint received from Consumer Representational Organisation				
1. Suo motu	Somany Ceramics Ltd. (Strata Wall Tiles) Business Today (1/2008)	Visual – "a woman who hides her nudity behind a wall tile"	(Complaint registered in 2/2008). Visual is unrelated to the product promoted – Strata Wall Tiles. Ad appears to be indecent.	April 2008 Ad not indecent and not likely to give rise to grave or widespread offence, as no sensitive parts of the human anatomy by the woman, are shown.
2.	Havell's India Ltd. (Crabtree Taps) Lowe(*) Various channels (2/2008)	Visual – "a bridegroom flicking a switch on and off on the bride's upper arm to make her cry or smile". Ad says – "it is this easy to operate a Crabtree tap".	(Complaint received in 2/2008). Ad is downright offensive to woman as if suggesting that a woman can be operated by a man like a robot, at the flick of a switch.	April 2008 Ad not offensive.
3.	Bajaj Auto Ltd(*) (Bajaj XCD 125 bike) Lowe(*) Star Plus(*), Sony TV(*) (3/2008)	Visuals – "other 100cc bikers crying as they watch the 'Bajaj XCD 125' zoom by with the voice over specifying the bike's features. Voice over – "wohi 40000 rupaiyon mein aapne aam 100cc bike li, toh royenge hi naa".	(Complaint received in 3/2008). This undervalues the sentiments of those buyers who previously bought 100cc bikes for more than Rs.40,000 just about a few months back.	April 2008 Ad was not objectionable as the choice of the buying decision rests with the consumers.

4.	Tata Autocomp GY Batteries P. Ltd. (Tata Green Battery) Draft FCB-Ulka(*) Star One (3/2008) Levine Lawrence C-3151	Claims – Tata Green Battery is "long lasting" and "environment friendly".	(Complaint received in 3/2008). Claims need to be substantiated with proof, supporting technical information with details of tests/ trials reports from an independent recognised testing institution.	April 2008 Advertiser has not made the claims of Tata Green Battery being "long lasting" and "environment friendly", as cited in the complaint. Complaint not valid.
5.	J G. Hosiery P. Ltd(*) (Amul Macho Innerwear) Saints & Warriors Comm Zoom channel(*), Sony TV(*) (3/2008) Sumit Madon C-3155	Visuals – "monkeys wearing undergarments and making vulgar gestures".	(Complaint received in 3/2008). It is a vulgar Ad and it can have a very bad impact on children.	April 2008 Visuals depicted in the Ad were not indecent and not likely to give rise to grave or widespread offence.
6.	Motorola India P. Ltd. (Motoyuva W230 mobile phone) Ogilvy & Mather (*) Star Sports(*) (3/2008) Vikas Khattar C-3153	TVC shows – "a father telling his son to be responsible and not to litter the house. The son who is shown having a mobile phone (Motoyuva model) with earphones just keeps staring at his father and increases the voice of the music on the mobile phone therby making the voice of his father fading".	(Complaint received in 3/2008). Ad conveys the message that it is cool for today's youth to just ignore what their elders are telling them. Ad is in bad taste. **(Two similar complaints received against the same TVC)**	May 2008 The "behaviour of the son ignoring his father", as shown in the Ad, was not likely to cause grave or widespread offence.

7.	Anchor Health & Beauty Care P. Ltd. (Anchor Toothpaste) Art Advtg & Mktg.(*) Star Plus(*) (3/2008)	Claim – Only Anchor's each toothpaste has "Fluoride – upto 30% more cavity protection".	(Complaint received in 3/2008). There are several fluoridated toothpastes available in the market which contain the same level of fluoride as in the case of Anchor toothpaste. This claim is false and misleading unless the Advertiser is able to provide clinical study done comparing Anchor toothpaste with all other fluoridated toothpastes available in the market.	May 2008 Claims, were substantiated. Claim, Anchor is "India's first all round protection toothpaste", was not false.
	Dr. Santosh Ravindran C.3157	Claim – "Calcium – keeps teeth and gums strong"	Calcium is an abrasive agent and per se cannot strengthen teeth or gums. This claim needs to be substantiated with clinical evidence. **(One similar complaint received against the same TVC)**	
8.	Hindustan Unilever Ltd.(*) (Pureit Water Purifier) Brochure	Claims – "Removes cancer causing pesticides" "Kills harmful viruses and bacteria".	(Complaint received in 3/2008). Claim needs to be substantiated with proof, whether pesticides are removed totally or upto what level? When the Complainant checked with their outlet, he was told that the germicide is "chlorine tablet" whose use life is 1500 litres of water. It is not known whether water in Mumbai (BMC supply) only, or any other supply may be treated by the process.	May 2008 Claims substantiated.
	N. G. Wagle C.3161 259 CCC			

9.	Pepsico India Holdings P. Ltd.(*) $ (Lays Potato Chips) Promotion messages on the product pack	Claim – "The world's No.1 Potato chip". "Cholesterol Free".	(Complaint received in 4/2008). Claim needs to be substantiated with comparative quantitative data from a research conducted by recognised independent agency. Claim appears to be misleading the consumers, when it is known that Potato chips are fried in vegetable oils, and this oil does not contain any Cholesterol. Further, Cholesterol is proven to be dangerous to health. By claiming this product to be Cholesterol free, it is motivating the consumer to restort to a free intake of such food.	May 2008 Claims substantiated.
10.	Britannia Industries Ltd.(*) (Tiger Banana Biscuits) Lowe Lintas India P. Ltd.(*) Cartoon Network (3/2008)	TVC (animated film) shows – "lots of bananas falling from trees and becoming biscuits".	(Complaint received in 3/2008). TVC gives the impression that 'Tiger Banana biscuits' is full of Bananas. But the product contains only 0.5% of banana powder. The number of bananas shown is disproportionate to the actual content.Regarding the 'iron content' emphasized in the TVC, Bananas are poor source of iron, the same applies to the biscuits too.	May 2008 Claims substantiated.

11.	DLF Ltd. (IPL Cricket) Set Max(*) (4/2008)	Ad shows – "a lady in a lift complains about another man that he has done some mischief with her, like pinching her, whereas the man is quietly standing along with other persons in the lift. The lady shouts at the man with false charges because he is supposed to be a supporter of a different cricket team." Ad shows – "a boy in a bus who initially agrees to offer a seat to an elderly person who is standing, refuses to budge from his place after seeing the badge of the opponent cricket team with that old man".	(Complaint received in 4/2008). Ads tend to lower the standards of civilized behaviour in a society.	<u>May 2008</u> Ads not likely to cause grave or widespread offence.

Shiv kapoor
C-3171

12.	DLF Ltd. (IPL Cricket) Set Max(*) (4/2008)	TVC shows "a dentist", and says, "Which team do you support".	(Complaint received in 4/2008). Ad is against professional ethics. Ad promotes rivalry and hatred which is against the spirit of any game.	<u>May 2008</u> Ad not likely to cause grave or widespread offence.

Vijay chohdda C-3172

13.	Hitachi Home & Life Solutions (India) Ltd. (Hitachi ACE Air Conditioner) Bates India (*) Mumbai Mirror(*) (4/2008)	Ad shows – "a Catholic Priest turning his head and gleefully looking, as the dress of a girl is blown upwards by the wind and she attempts to keep the dress in place".	(Complaint received in 5/2008). Ad offends the religious sentiments of Catholics since it holds up to ridicule the figure of a Catholic Priest. **(Two similar complaints received against the same Ad)**	<u>May 2008</u> Ad not likely to cause grave or widespread offence. ***Ad withdrawn.***

A.G. D'mello C-3173

14.	Virgin Mobile India Ltd. (Virgin Mobile) Bates India(*) Zee Studio(*) (3/2008)	TVC shows – "a young girl misleading her parents into thinking that she does not like boys, so that they then urge her to go on a field trip to Goa with her classmates for the MBA course."	(Complaint received in 3/2008). Ad teaches the children that it is OK to manipulate their parents, and indeed others, to get their own way, even if it means that they have to tell lies to them. **(One similar complaint received against the same TVC)**	June 2008 The "young girl telling lies to her parents", as shown in the TVC, was not likely to cause grave or widespread offence.

Katy Emm
C. 3152

15.	Maxwell Industries Ltd. (Frenchie X Undergarment) Set Max(*) (4/2008)	Visuals – "a male coming out of the bathroom with just a Frenchie on – his private parts oozing out. A young girl sees him, gets excited and closes the door".	(Complaint received in 5/2008). To view this commercial is so embarrassing when one is sitting with a family. Ad is vulgar.	June 2008 Ad not likely to give rise to grave or widespread offence. Advertiser was advised that as the said TVC is not suitable for family viewing, it should be shown on TV outside Family Viewing Hours.

I&B
C.3175

16.	Pantaloon Retail (India) Ltd. (Brand Factory – Big Deals Buy 3 Get 4 Free Offer) The Times of India(*) (3/2008)	Ad states – "Big Deals Buy 3 Get 4 Free. Grab 7 for the price of 3 on 120 Best Brands".	(Complaint received in 5/2008). The Complainant visited the Abids showroom in 3/2008. The attenders in the showroom informed him that the offer is on only 2 Brands – Indian Terrain and Alan Solly. Ad is misleading.	June 2008 Complaint was an unintentional lapse in the non-fulfillment of the offer as presented in the Ad. ***Advertiser assured that such a lapse will not be repeated again.***

R. Parthasarthy
C 3176

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17. #	Roche Diagnostics India P. Ltd. (Accu Chek Integra Blood Glucose Monitoring System) Aaj Tak(*) (4/2008) Eenadu TV(*), Sony TV(*) (3/2008), Zee Cinema (*) (4/2008).	TVC shows – "a person finding the 'Accu Chek Integra meter' on the table and searching for strips in the entire room, his friend later informs him that the new meter requires no strips".	(Complaint received in 5/2008). This is a false claim which is misleading the innocent patients to believe into existence of strip free meter, in fact the meter uses a drum like cartridge which contains 17 strips. **(One similar complaint received against the same TVC).**	June 2008 TVC not misleading, as it clearly shows "the use of a test strip drum with preloaded test strips".
18. #	Bayer Healthcare (Contour TS Blood Glucose Monitoring System) Hoarding in Mumbai	Ad states – "No. coding. No confusion".	(Complaint received in 5/2008). Ad is inaccurate and may mislead the consumer into believing that if they use the meters with manual coding, they will get confused. Additionally, superiority of the product with "no coding" is not proved and clearly nowhere in the world it has been established that 'no coding' provides better performance.	June 2008 Claim was justified, and was not misleading.
19.	Britannia Industries Ltd.(*) (Britannia Treat Biscuit) Promotion message on the pack	Pack states – "free gift inside each pack"	(Complaint received in 5/2008). Complainant bought a pack of "Britannia Treat biscuit" Batch No. 24395, in the second week of February 2008. When he opened the pack, he found a carton inside which was kept for free gift. Inside the carton there was a label saying "your free gift is balloon and a stick". But the gift items were missing.	June 2008 Complaint was an unintentional lapse in the non-fulfillment of the offer as presented on the product pack. ***Advertiser has made good the offer to the Complainant.***

20. #	Bhima Jewels (Bhima Diamonds Jewels) Mathrubhumi(*) (4/2008) Asianet, Surya TV (4/2008)	Ad (in Malayalam), as translated in English, states – "Making charges should not be Trapping charges". "When you buy gold seeing wedding season offers, you will be charged highly for making charges". "When you buy gold through exchange offers, take notice how much the jeweler is billing as making charges". "Beware of marketing agents. They will canvas you to a showroom and will charge you a lot as making charges".	(Complaint received in 5/2008). Ad is vague and confuses customers. The Gold business in Kerala works a lot on trust which has developed over the years with established jewelers. Hence this type of claim will affect the industry as such. Making charges are billed to the customer depending on the design of jewellery they buy. The discounts on this will vary from jeweler to jeweler depending on the volume and the relationship with the customer. Marketing agents is a marketing strategy to expand business in terms of geographical reach and volume. No agent will force the customer to buy from a particular shop.	June 2008 Ad does not disparage any other Advertiser, but only gives cautionary tips to the consumers on purchase of jewellery.

Maitri Advtg.

C.3182

21. Suo motu	Sony Entertainment Television (I) P. Ltd(*) (DLF IPL Success Story) Internet Ad	Claim - "IPL semi final and final TV ratings were higher than semi and finals of T20 World Cup".	(Complaint registered in 6/2008) Actual TV ratings of T20 World Cup semis and finals were higher than IPL's. The viewership data shown in the Ad of the T20 World cup is of only one channel i.e. ESPN, while in fact two channels, ESPN and Star Cricket had carried T20 world cup matches. By omitting the viewership data of T20 World Cup matches on Star Cricket channel and by not mentioning the fact that T20 world cup matches viewership data is only of one channel viz, ESPN, the advertiser is making false and misleading claim.	July 2008 Ad was not misleading, as it clearly compared the ratings of IPL on Max with T20 on ESPN, based on the published TAM ratings.

Bharat Patel

C.3188

22.	Tata Motors Ltd(*) (Tata Indica CS) Draft FCB-Ulka(*) Neo Sports(*) (6/2008)	TVC shows - "a young man reversing the car in a dangerous manner".	(Complaint received in 6/2008) Ad depicts very bad driving practice.	July 2008 Visual of "the car being reversed slowly and carefully", did not depict a bad driving practice.

Surender Iyer C.3193

23.	Big Flicks Pvt Ltd (BigFlix.com) Law & Kenneth(*) Times Now channel(*) (5/2008)	TVC shows - "a man with just a towel around his hip, stands on his bed and opens his towel in front of a young lady."	(Complaint received in 5/2008) Ad is indecent and is in bad taste. **(Three similar complaints received against the same TVC)**	July 2008 Visual depicted in the Ad, which was a spoof from an Hindi movie, was not likely to cause grave or widespread offence.

V. Anand C.3194

24.	Deccan Chronicle Holdings Ltd(*) Hoardings put up in Bangalore	Hoardings show - "a girl in various seductive poses, with a lot of body exposure".	(Complaint received in 6/2008) Ads break all norms of decency.	July 2008 Visuals were not indecent so as to cause grave or widespread offence.

Amita Braganza C.3197

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25. #	Kothari Products Limited (Pan Parag Pan Masala) Harmony Multimedia Pvt Ltd 9X (6/2008) Aaj Tak(*), CNBC Awaaz(*)	Baseline – "The Choice of Young India"	(Complaint received in 7/2008) Pan Parag's Rising of India campaign's baseline is "The Choice of young India" which is same as that is used by `Rajnigandha Meetha Mazaa'. Pan Parag copied the same baseline and has started its campaign from 17th June 08 onwards. Rajnigandha Meetha Mazaa's TVC with baseline "The Choice of young India", is on air since 8th March 08 on Hindi channels and since 18th March 08 on English channels. They are also using this baseline in other Media including outdoor campaign.	August 2008 Advertiser first released the Ad with this baseline on 1st January 2008 before the Complainant aired the same on 8th March 2008. Suo motu complaint Advertiser and the Complainant should substantiate the claim, "The Choice of Young India".

Arvind Kumar C.3198

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26. #	Cheil Communications India P. Ltd(*) (Samsung Mobile) Hoardings	Tagline – "I am Samsung Mobile"	(Complaint received in 7/2008) Samsung's Ad campaign "I am Samsung Mobile" is an unethical copy of the Ad campaign of Noika named "I am Nokia N-series". It is therefore a clear case of Plagiarism on the part of Samsung. Nokia conceived, developed and ran the said campaign worldwide during 2007 through TVCs, newspaper Ads, POSM, danglers, flyers and various other modes. TVC of "Samsung Mobile" "Samsung TVC is a copy of the original and creative TVC released by Nokia as a part of their worldwide campaign with tagline "I am Nokia N Series", and imitates the concept of "self discovery", the main theme of Nokia campaign.	August 2008 Words, "I am" used by the Advertiser in their Ads, has been done so in introduction, and it is not a proprietary phrase. Brand idea of the Advertiser is not so similar to that of the Complainant so as to suggest plagiarism.

Lowe (Nokia)

C. 3199

27. #	ITC Ltd(*) (Fiama Di Wills Skinsense soap) Law & Kenneth Comm(*) Sahara One(*), Sony TV(*), Zee Cinema(*) (2/2008) Hindustan Times(*)	Print Ad and the TVC claims - "Enhance retention of skin proteins", with a qualifier, "Enhanced retention of skin proteins on the surface of skin as compared to a normal soap without any active ingredients, based on a study conducted by ITC R&D centre, June 2007 to October 2007".	(Complaint received in 7/2008) Claims made are completely misleading. The product is a cleansing product and not a leave on product. In such circumstances it is not clear how the protein retention would be enhanced. Assuming that glycerine, decyl glucoside and free fatty acid are the actives that Fiama Di Wills relies on, and as the TV qualifier mentions "as compared to a normal soap without any active ingredients", the Zein test performance of Fiama Di Wills soap that contains all these 3 ingredients were compared against a soap without any of these ingredients, would clearly reveal that Fiama Di Wills Skinsense is not better than other soap on protein retention. A direct in vivo test protocol was followed to assess the extent of protein removal from skin after washing with two different soaps, which are very different in their formulations. The test results clearly show that the amount of protein removed, measured as nitrogen in milligrams, is no different to each other. Thus, the data suggest that Fiama Di Wills soap bar does not enhance retention of proteins on skin.	August 2008 Advertiser provided test reports of the Zein Tests conducted in the Independent Laboratory. Claim substantiated.
28. $	Kent RO Systems Ltd (Kent Mineral RO Water Purifier) Alliance Ad on website, India TV(*), Set Max(*) Star Sports(*)	Website claims - "Now mineral RO technology allows to set TDS of purified water to a desired level at site". TVC claims - "Double purification by RO and UV while retaining essential minerals".	(Complaint received in 7/2008) Claims need to be substantiated with independent research data, supporting technical information with details of tests/trials reports from an independent recognised testing institution.	August 2008 Claim, "Double Purification by RO and UV whilst retaining essential Minerals", was substantiated.

29.	Exide Industries Limited(*) (Super Sonic Battery) J Walter Thompson(*) NDTV(*), CNN-IBN, Times Now(*), AXN(*) (7/2008)	TVC shows – "Two very old men trying a bout of WWE Wrestling. They are made to wear shiny & skimpy WWE wrestler uniforms on their fragile frames, and are unfortunately unable to see even the opponent because of failing eye power, or even pick up a chair because of failing muscle power".	(Complaint received in 7/2008) Ad is in extremely bad taste, especially in terms of insensitivity to old people, and is likely to hurt their sentiments.	August 2008 Ad was not so insensitive to old people so as to cause grave or widespread offence.

Prof Sujoya Basu C.3202

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30. $	Hyundai Motor India Limited (Hyundai i 10 car) Star Gold(*) (1/2008), Aaj Tak(*) (3/2008), Sony Max(*) (5/2008) Hoarding put up in Baroda (Feb 08)	Claim - "Car of the Year 2008".	(Complaint received in 5/2008) Advertiser needs to substantiate this claim as the Car of the year 2008. Further, the advertiser should provide validated global industry/ market data from an independent recognised audit/research institution.	August 2008 Advertiser had received the Award as the "Car of the Year 2008" for their Hyundai i10 car. Claim was not misleading.

CERC

C.3207

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31. $	Department of Environment, Govt of NCT of Delhi (Plastic Bags) The Hindu(*) (6/2008)	Ad headline - "Plastic Kills, Avoid it".	(Complaint received in 7/2008) Plastics serve the healthcare industry and food packaging industry. Ad is contradictory thus ignoring the positive contributions of plastics to the society.	September 2008 Exparte (absence of comments from the Advertiser). Ad headline not misleading.

(AIPIA)

Plastics Chintak C.3209

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32. $	NDTV Imagine Ltd(*) (Promoting the serial 'Ramayana') Hoardings in Ahmedabad	Ads show – "a writing slate where a child has written the words "D=Don", "a paper pistol in the hands of a child", "a school going kid smoking a cigarette and fuming the puff out".	(Complaint received in 8/2008) The Ads may influence the tender minds of the children and inspire them to smoke. Also, it could send out a wrong message to them that anything can be made possible with the power or under the pressure of pistol.	September 2008 Ads were designed to counter negative influences with good positive values, and hence not likely to cause grave or widespread offence.
33. $	Nestle India Ltd(*) (Maggi Vegetable Atta Noodles) Star Gold(*) Promotion messages on the product pack	TVC claims - "A 100 gm pack of Maggi Vegetable Atta Noodles provides the goodness of 3 rotis (energy, carbohydrates, dietary fibre, protein and calcium)", "Taste Bhi Health Bhi" Pack claims - "One serve (90g) of Maggi Vegetable Atta Noodles meets 20% of your child's RDA for protein and 35% of your child's RDA for Dietary Fibre".	(Complaint received in 6/2008) Claims need to be substantiated with comparative data from a research conducted by an independent agency.	October 2008 Advertiser provided an independent laboratory report. Claims were substantiated.
34. #	I T C Ltd(*) (Mangaldeep 5 in 1 Agarbattis) Sun TV(8/2008) Vijay TV(8/2008)	Voiceover- "Mangaldeep 5in1 is available at the price of 3in1".	(Complaint received in 7/2008) The direct comparison between these products would do further damage to the 3in1 brand. Ad is misleading the consumer by means of implications and unfair competition.	October 2008 Price comparison made is against '3 in 1' Agarbattis and does not denigrate a particular brand.

35.	Reliance Communications Ltd(*) (Reliance Mobile) Cartwheel Creative Consultancy Pvt Ltd Star Movies(*) (9/2008)	TVC shows - "a young couple talking on the phone, the husband is on the mobile while his wife is at home. The husband is traveling down a road where the couple has been before as can be made out from the conversation when the wife asks if he's passed a certain spot or not. The husband reaches the place and goes over to an old temple and rubs away the dust off one of the pillars and looks at an inscription made there many years ago with the husband declaring his love for his wife".	(Complaint received in 9/2008) At a time when there are campaigns going on to stop people from defacing heritage monuments, this Ad comes as a direct contradiction of all the efforts.It is sheer recklessness and irresponsibility on the advertiser's part to encourage such behaviour in people. Not to mention, gross violation of a well-known law.	October 2008 Ad was not in violation of the law, as the inscription was made on a dilapidated building and not on a temple or a heritage monument, as shown in the TVC.

Sonali Mahajan C.3230

36.	Gillette India Ltd(*) (Gillette Vector Plus) Promotion message on the packaging		(Complaint received in 10/2008) Advertiser is selling newer product of "Gillette Vector Plus" at Rs.22/-, yet deceptively selling older model of same product at discounted price of Rs.20/-, under the guise of MRP being Rs.35/-.	October 2008 The originally priced packs of Rs.35/- now being sold at Rs.22/-, was not considered to be deceptive or misleading.

Bhagwan Kaira C.3233

37.	Vodafone Essar Ltd(*) (Conferencing Facility) CNN/IBN(*), NDTV(*), Times Now(*)	TVC shows - "three persons in conference on Vodafone".	(Complaint received in 8/2008) The conversation is full of double entendres and obscene, although its about tie wearing.	October 2008 Ad was not indecent so as to cause grave or widespread offence.

Ekanath Kalyanpur C.3215

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38. suo motu	Kothari Products Limited (Pan Parag Pan Masala) 9X (6/2008) Aaj Tak(*), CNBC Awaaz(*) (6/2008)	Claim - "The Choice of Young India". ccc meeting C.3218	(Complaint registered in 9/2008) Claim needs to be substantiated.	November 2008 With Pan Parag's market share, it is the choice of the Indian people who mainly fall in the young generation category.
39.	Pepsi Foods Pvt Ltd(*) (Tropicana 100% Juice) Promotion message on the packs Vipin Vishwanathan C.3236	Packs of 'Tropicana 100% Orange Juice' and 'Tropicana 100% Apple Juice' claim - "contains added flavour".	(Complaint received in 10/2008) How can they be "100% Juice"?Advertiser is misleading and misguiding the consumers.	November 2008 Promotion messages on the packs were not misleading, as the addition of 'natural flavours' in the said products is only to restore the natural fruit flavour of the juices as permitted by the PFA Rules and CODEX Standards.
40. suo motu	Dharampal Satyapal Ltd (Rajnigandha Meetha Mazaa) ccc meeting C.3219	Claim - "The Choice of Young India".	(Complaint registered in 9/2008) Claim needs to be substantiated.	November 2008 `Rajnigandha Meetha Mazaa' is the choice of the Indian people who mainly fall in the young generation category.
41. #	Hewlett-Packard India Sales Pvt Ltd (Compaq Computers) McCann Erickson(*) NDTV 24x7(*) (10/2008)	Storyline and execution of 'Compaq laptop computers' TVC Dentsu Comms C.3235	(Complaint received in 10/2008) Bears very close resemblance similar to the TVC of 'Acer Travelmate 5700 series' (a range of laptops) which has been on air from 12th July 2008.It is a virtual copy of the idea by a competitive brand (Compaq) in the same category (laptop computers) as that of Acer.	November 2008 Storyline and the brand idea of the Advertiser's TVC is not so similar to that of the Complainant's TVC, so as to suggest plagiarism.

42.	Motorola India P. Ltd. (Motorola Yuva A810 mobile phone) India TV(*) (10/2008)	TVC shows - "a college class room in which an elderly teacher is teaching and writing on the board and all the students are busy talking, eating, playing, doing hair plats etc. It is a complete chaos but the old teacher continues to teach. Also, a boy is shown drawing a cartoon of the teacher on his Motorola mobile phone, which has the option of drawing".	(Complaint received in 10/2008) The commercial is objectionable because it is making fun of the teacher. It is showing use of the phone for a completely wrong purpose.	November 2008 Ad was not objectionable, as it was not intended to make fun of the school teacher.

P. Naitthani
C-3240

43.	Lee Cooper (India) P. Ltd (Lee Cooper) Bombay Times(*) (10/2008)	Ad headline - "You shall be judged by the colour of your skin. Your second skin". Photo shows "two girls and two boys, both the boys have burning wooden torches in their hands. One boy is tied to a pole with ropes and has wood around him, as if they are all prepared to set him ablaze".	(Complaint received in 10/2008) Ad is projecting hatred, violence, threats and discrimination. The statements made are objectionable and discriminatory.	November 2008 Ad not objectionable and discriminatory.

P. Naitthani
C-3241

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44. # Rajeshwesai Harmony multimedia C.3217	Dharampal Satyapal Ltd (Rajnigandha Meetha Mazaa) Various TV channels (3/2008)	Baseline - "The choice of young India".	(Complaint received in 8/2008) This baseline is already being used in the Ads of "Pan Parag" since 1st January 2008, whereas this is being repeated by the Ad of Rajnigandha, creating brand confusion, attempting to bank upon the already generated awareness and attraction through the Pan Parag Ad campaign by investing huge amounts.	December 2008 There was an overlap on Radio and TV airings of both TV and Radio commercials of `Rajnigandha Meetha Mazaa' and `Pan Parag'.
45. $ CERC C.3229	Cheil Communications India P. Ltd(*) (Samsung Silver Nano washing machine) Times of India(*), Ahmedabad (8/2008)	Claim - "Experience the freshness of new clothes". Claims - "Unique Diamond Drum", "Dirt free, completely removes dirt, Ensures sparkling clothes", "Germ Free, 99.999% sterilization, Anti-bacteria effect", "Tangle Free, prevents fabric damage" Claim - "Odour Free. Protection against sweat, prolonged freshness"	(Complaint received in 9/2008) Clothes washed by a machine cannot be compared to new clothes. Claims need to be substantiated with proof, supporting technical information with details of tests/ trials reports from an independent recognised testing institution. Claim needs to be substantiated with independent data. The period of freshness in terms of measurable units (hour, day, etc) not specified.	December 2008 Claims substantiated.
46. Gautam G. Rao C.3232	Kitply Plywood Boards (Kitply) Aaj Tak(*) (9/2008)	TVC shows - "a timid man gets married. On their first night, his wife sits on the bed and the bed makes noise. Then, they both look below and see that the board bears the label "any ply". The wife says, "why did you not buy Kitply?" as she slaps him hard."	(Complaint received in 9/2008) Ad promotes domestic violence by a person on the spouse.	December 2008 Ad did not promote domestic violence and it was not likely to cause grave or widespread offence.

47.	Virgin Mobile India Limited (Virgin Mobile's YoYo Offer) Bates India(*) Various channels (10/2008)	TVC portrays the sexuality of the nurse as a gimmick to sell the product.	(Complaint received in 10/2008) TVC may well encourage patients in similar medically intimate situations to view nurses and other ancillary staff in terms of their body parts rather than as professionals worthy of their respect and gratitude.	December 2008 Exparte (absence of comments from the Advertiser). Ad was not likely to cause grave or widespread offence.

Akshaara C-3237

48.	Bank of Baroda (India's # International Bank) Various channels (9/2008)	TVC shows – "a world map" Tagline - "India's International Bank"	(Complaint received in 11/2008) Commercial of `Bank of Baroda' exhibits the world map which is similar to the world map being exhibited by `HSBC' in its commercials across the world, for the last several years. Furthermore, Bank of Baroda's tagline is inspired from and is similar to HSBC's tagline "The World's Local Bank", which is a registered trademark of HSBC and is being used by HSBC across the globe. It is similar in concept, style and creative expression.	December 2008 Advertiser's TVC was not so similar to the Complainant's TVC, so as to suggest plagiarism.

HSBC
C-3244

49.	Cipla Ltd (i-pill) Star Gold(*) (12/2008) Set Max(*), Zee Cinema(*)	TVC shows - "an unmarried girl is worried by the fear of getting pregnant".	(Complaint received in 12/2008) Ad advises women to avoid unwanted pregnancy by using i-pill. Ad is highly objectionable as it seems to promote premarital sex.	December 2008 Ad was not objectionable as it does not promote premarital sex.

Adeel Husain C-3251

50.	Arvind Murjani Brands Pvt Ltd (Tommy Hilfiger – sale upto 60% off) Bombay Times(*) (8/2008)	Ad shows - "a man and a woman kissing each other". Ad states - "End of season sale upto 60% off".	(Complaint received in 12/2008) In which way is the close kissing of the couple connected to the product promoted?	December 2008 Ad was not likely to cause grave or widespread offence.

Ajay Kothari C.3252

51.	Dabur India Ltd(*) (Dabur Babool Toothpaste) McCann Erickson(*) India TV(*) (7/2008)	Claim - "Babool toothpaste makes teeth strong from roots" (Takki daant bane jad se mazboot).	(Complaint received in 9/2008) Based on the declarations appearing on the pack, the product is a non-fluoridated toothpaste. This clearly establishes that the product does not contain a clinically proven anti-caries agent like Fluoride. The product claims to have used Babul extract, but it does not declare the level of babul extract used in the product. Claim needs to be substantiated.	January 2009 Claim substantiated.

Dr. Sanjay Joshi
C.3225

52. $	Reliance Communications Ltd(*) (Reliance Mobile) Cartwheel Creative Consultancy V Channel (7/2008)	Claim - "India's No.1 network" Claims - "No oxygen, total network; no food, total network; no water, total network; no fuel, total network; no sunlight, total network"	(Complaint received in 10/2008) This needs to be substantiated with proof, validated industry/market data from an independent recognised audit/research institution. The network quality is not 100 percent at all places, and it is very weak at several nodes even within city limits. Claims need to be substantiated with independent data.	January 2009 Advertiser provided comparative data which showed Reliance's coverage in most towns and villages. Claims substantiated.

CERC
C.3242

53.	Kent RO System Ltd. (Kent RO Water Purifier) Colors (10/2008) N. G. Wagle C. 3250	TVC shows - "a child being given drinking water through a feeding bottle"	(Complaint received in 11/2008) An infant should not be encouraged to drink a fluid through a feeding bottle which is the intent of the law. Ad offends `Infant Milk Substitutes Feeding Bottles' and `Infant Foods (Regulation, Production, Supply and Distribution) Act, 1992.	January 2009 TVC does not encourage the usage of feeding bottles and hence does not contravene the said Act. Suo motu complaint Claim, "Only Kent Mineral RO Water Purifier retains all essential minerals and gets you and your family 100% pure water", needs to be substantiated. *(Complaint Upheld at February 09 CCC meeting)*
54.	Maruti Suzuki Limited (Maruti Swift Car) Capital Advertising(*) National Geographic channel (10/2008) Shaifali Sethi C-3238	TVC shows - "a couple in the car driving recklessly is chased by a policeman. The lady hides a football under her shirt to disguise as a pregnant lady to outsmart a caring and sympathic policeman".	(Complaint received in 10/2008) Ad will damage the respect and concern of a common man towards pregnant women.	January 2009 Ad does not show any disrespect towards any person or profession, and is not likely to cause grave or widespread offence. Suo motu complaint TVC shows "reckless driving which could harm the driver and the passenger". *(Complaint Upheld at February 09 CCC meeting)*
55.	Idea Cellular Limited (Idea) Lowe(*) Zee Cinema(*) (10/2008) Anand Mule C.3239	TVC shows - "as there is no adequate school facility in rural area, the education is done by mobile".	(Complaint received in 10/2008) Ad creates a wrong picture of education system in rural Maharashtra.	January 2009 Ad does not denigrate the education system in Maharashtra.

56. #	KERG Internationals (Be Sure Sanitary Napkins) Jaya TV, Sun TV (10/2008)	TVC (in Tamil) shows - "a lady doctor/scientist by way of a laboratory test compares the benefits of `Be Sure' sanitary napkin with two X brands of sanitary napkins." Claim - "BeSure sanitary napkin has non return valve and acquisition layer on top that keeps it dry and hence it offers 100% safety and 100% protection". Visual shows "a blue coloured liquid being poured on the napkins" (on the X brands and on the `Be Sure' napkin). The X brands fail to absorb the liquid fully whereas the BeSure brand absorbs it completely". Super - "under lab conditions only and conditions apply".	(Complaint received in 11/2008) TVC does not refer to any specific independent laboratory tests. The claims are also not corroborated by any consumer surveys. Visual shows X brands of competitive sanitary napkins which are basically `Whisper Choice' and `Whisper Ultra'. Ad disparages the product – Whisper, by depicting that they do not have distinctive and unique features as compared to Be Sure, thereby projecting `Whisper' to be inferior to Be Sure.	January 2009 Claim substantiated. Also, as most sanitary napkins are similar in design, the Ad does not denigrate any specific brand of sanitary napkins.
57. $	Faber Heatkraft Industries Ltd (Faber Chimneys) Saints & Warriors	Ads depict "a woman with the head of a goat cooking a mutton curry in the kitchen", and "a woman with the head of a rooster cooking a chicken curry in the kitchen". Tagline states - "Do you smell like the food you cook?"	(Complaint received in 12/2008) Depicting animals as decapitated pot fodder promotes violence.	January 2009 Ads show digital images which portray the concept that the person preparing the meal is free of food smell. Ads do not promote violence towards animals.

58.	Crompton Greaves Ltd(*) (Crompton Greaves Bulbs & Lamps) Sun TV (12/2008) Adyith.S C.3260	Claim – "Crompton Greaves lamps are the brightest like a star".	(Complaint received in 1/2009) Claim without substantiation is misleading consumers and belittles the quality of other competitors.	January 2009 Term "brightest" in the TVC was used as an analogy.
59.	Billabong High International School Hoardings in Mumbai Ad displayed on Bus panels of BEST buses Rustomjee Icecreamwala C.3255	Claim - "Goregaon Billabong High & Kangaroo Kids shifted to Malad".	(Complaint received in 12/2008) Ad makes a false representation to the public of the existence of any Kangaroo Kids centre or Billabong High School in Goregaon. Ad by implication misleads the public more particularly parents who are seeking admission for their children for the next academic year in `Vibgyor High' school. The only pre-school and primary school operating in Goregaon in the name of `Billabong High' was the school i.e. now called `Vibgyor High' after 2006.	February 2009 Exparte (absence of comments from the Advertiser). Ad makes no reference to `Vibgyor High school' run by the Complainant.
60.	Department of Posts (Express Post Parcel) Times of India(*) Anand Hule C-3256	Ad claims that "tracking facility" is provided to the customer. Ad states - "with completely hassle free transfers across India".	(Complaint received in 12/2008) Letter received by the Complainant, from the Sr. Superintendent, Bhandup post office, clearly mentions that tracking facility is not provided. In the letter, they have admitted that 30% consignment are delayed and accepted that customer is suffered due to Indian Post inefficiency. Ad is misleading.	February 2009 In the absence of a contract between the complainant and the advertiser, and in the absence of a barcode which is required to be affixed on the EPP article, the services promoted in the Ad were not misleading.

61.	Gujarat Co-operative Milk Marketing Federation Ltd(*) (Amul Butter) daCunha Comm P. Ltd(*) Hoarding put up in Bangalore Archanna muthuppa Sadguru computer C.3264	Ad shows "Satyam's name and its corporate logo along with a caricature of its former Chairman with the slogan, "Satyam, Sharam, Scandalam!"	(Complaint received in 1/2009) Ad falsely ties the Satyam company to alleged crimes committed by its former Chairman. Ad further weakens Satyam's reputation affecting client confidence and associate morale, and can result in potentially material damages to Satyam's financial condition.	February 2009 Ad covered the issue in a humorous manner. ***Ad withdrawn.***
62.	Hindustan Unilever Ltd(*) (Rin detergent powder – Power Brand) Zee Marathi(*) (1/2009) 268 CCC N.G.Wagle C.3265	TVC shows - "a woman mixing the product (detergent) in water placed in a bucket with her bare hands".	(Complaint received in 1/2009) Detergents are likely to cause contact dermatitis (skin disease); may be sensitisers. The TVC promotes a hazardous practice and encourages a dangerous direction for use of the product.	February 2009 TVC shows the typical washing habit of Indian consumers. The quick duration of washing does not lend itself to a situation which is likely to cause dermatitis.
63.	Mangalam Perfurmery Works (Mangalam – Sai Ganesh Flora Bathi) Promotion message on the packaging M. Vijai chand C.3266	Packaging shows - "pictures of Lord Ganesha and Sai Baba".	(Complaint received in 11/2008) Such empty packets with pictures of God are seen lying on the roadside and public dustbins. This very much affects the religious sentiments.	February 2009 Pictures of God on the product pack were not likely to hurt religious sentiments or to cause grave and widespread offence.

64.	Mangalam Perfurmers (Mahaveer 4 in 1 Agarbathi) Promotion message on the packaging M. Vijaichand C. 3268	Packaging shows - "a picture of Mahaveer".	(Complaint received in 11/2008) Such empty packets with pictures of God are seen lying on the roadside and public dustbins. This very much affects the religious sentiments.	February 2009 Exparte (absence of comments from the Advertiser). Picture of God on the product pack was not likely to hurt religious sentiments or to cause grave and widespread offence.
65. # The mathrubhumi Ptg&Pub C.3272	Malayala Manorama Co Ltd(*) (Radio Mango 91.9 FM) Stark Comm Malayala Manorama(*) (11/2008)	Ad (in Malayalam) as translated in English claims, "As per the most reliable survey of India – IMRB survey, Radio Mango 91.9 the No.1 FM station in Kerala". Radio Mango claims "a listenership of 46% in Cochin, 51% in Thrissur, 43% in Kozhikode (Calicut) and 53% in Kannur".	(Complaint received in 1/2009) In the article which appeared in Malayala Manorama on 2nd November 08, they claim an all Kerala listenership of 74.5%. How the average of 46%, 51%, 43% and 53% becomes 74.5%. This is a false and misleading claim.	March 2009 Claim of "74.5% listnership of Radio Mango", is not false and not misleading.
66. $ Diana Ratnagar C 3259	IDBI Bank Limited O & M(*) Star World(*) (12/2008)	TVC shows – "an Elephant is made to play football".	(Complaint received in 12/2008) TVC depicts an Elephant's unnatural performance and an indecent representation of Lord Ganesha. TVC appears to be in contravention of the Cruelty Under Prevention of Cruelty to Animal Act 1960 as amended in 1982.	March 2009 Advertiser provided a copy of "No Objection Certificate" obtained from the Animal Welfare Board of India. Ad does not appear to contravene the said Act.

67.	Priya Enterprises (Silpi Candles) Promotion message on the packaging	Packaging shows - "a picture of Jesus Christ".	(Complaint received in 11/2008) Such empty packets with pictures of God are seen lying on the roadside and public dustbins. This very much affects the religious sentiments.	March 2009 Exparte (absence of comments from the Advertiser). Picture of God on the product pack, was not likely to hurt religious sentiments or to cause grave and widespread offence.

M/s. Vijaicheend
C.3267

68.	Cadbury (India) Ltd(*) (Bournvita ++) O & M(*) Radio City 91.1 (2/2009)	Claim - "iodine and manganese as scientific products which are good for health of the child".	(Complaint received in 3/2009) Iodine and Manganese from natural resources are only good for health that too only in trace amount, so how can the advertiser claim them to be scientific products.	March 2009 Radio commercial does not claim "iodine and manganese as scientific products". Claims (in Hindi), "Nature ke Gun", "Science ki shakti", "Bournvita ++ se mile tan aur maan ki shakti", were not misleading.

Gaurav Verma
C.3285

COMPLAINTS THAT WERE CONSIDERED NON-ISSUES BY THE CCC
From April 2008 to March 2009

Sr. No.	Advertiser / Agency / Media	Claim / Description of Ad/ TVC	Complaint	Comment/CCC Decision
1.	Maharashtra Pradesh Congress Committee (Loan Waiver a lifesaver for farmers) Goldmine Advtg.(*) Maharashtra Times(*), Times of India(*) (3/2008)	Ad shows a picture of "a woman laughing". Renu Parekh C 3169	(Complaint received in 4/2008). This same photograph was clicked by the Complainant (a freelance photographer) in May 2005 in Ambernath, and the same was affixed on to her flickr account, which is her personal account and which has all copyrights reserved mark. The Advertiser has used this photograph in their Ad, without obtaining the Complainant's permission, and even though she is the author, the advertiser has not attributed the work to her.	May 2008 Since this matter appeared to be a case of `Intellectual Property Rights', the complaint was outside the purview of ASCI.
2.	Sakal Papers(*) (www.sakaal.in/ foundation.htm) Website Renu Parekh C 3170	Ad shows a picture of "a small girl holding a slate in her hand".	(Complaint received in 4/2008). This same photograph was clicked by the Complainant (a freelance photographer) in August 2006 in Ambernath, and the same was affixed on to her flickr account, which is her personal account and which has all copyrights reserved mark. The Advertiser has used this photograph on their Website, without obtaining the Complainant's permission, and even though she is the author, the advertiser has not attributed the work to her.	May 2008 Since this matter appeared to be a case of `Intellectual Property Rights', the complaint was outside the purview of ASCI.

Intra-Industry Complaints * ASCI Member $ Complaint received from Consumer Representational Organisation

3.	Planet Retail Holdings Pvt Ltd (Guarana Lip Butter) Seventeen India (April 08 issue)	Ad states - "Get lippy and prevent HIV !".	(Complaint received in 5/2008) This magazine – Seventeen India, is for pre-teens and teens. General levels of knowledge about HIV are still very low. Ad is misleading and gives a wrong information by implication. It is also irrelevant since a face mask has nothing to do with being `lippy'.	August 2008 Advertiser did not advertise their product, and the Magazine in its editorial has misprinted the headline.

V-Linda Capoor
C.3205

CONSUMER COMPLAINTS COUNCIL (CCC) MEETING PROCEDURE

A : PRE CCC MEETING PROCEDURE

PREAMBLE

There are three types of Complaints which are received by ASCI

1. Complaints from the general public including from govt. officials, consumer groups, etc.
2. Suo Motu complaints
3. Intra industry complaints

COMPLAINTS FROM THE GENERAL PUBLIC

Complaints received from the general public should be in the prescribed format providing relevant particulars including clipping or copy of print Ad/promotion material / timing, date and channels of TVC broadcast.

However, in order to facilitate the General Public making complaints, the Secretariat will not insist on accepting complaints in the prescribed format or requiring a copy of the clipping as long as details of product / service, publication / channel / location, date / time and nature of complaint is clearly stated. The Secretariat using services of ad tracking agency will obtain the ad, in case a person from General Public is not able to furnish clipping, etc. The Secretariat will accept telephonic complaints also as is done by SRO's outside of India. It will confirm and verify the complaints by writing to the party concerned when a complaint is made orally.

SUO MOTU COMPLAINT

When a member of the ASCI Board, CCC, or the Secretariat makes a complaint then it is treated as a suo motu complaint. The Board member, CCC member or the Secretariat has to register a complaint in writing. When a complaint is deliberated upon by the CCC, it can raise a suo motu complaint on another matter against other claims made in the originally complained advertisement. Suo moto complaint goes through the same process as other complaints, ensuring that the Advertiser is given an opportunity to explain their view point. If a suo motu complaint is raised by the Secretariat, it needs the approval of the CCC. The CCC member/s who make a complaint should not be part of the deliberations and evaluation of the specific complaint.

INTRA INDUSTRY COMPLAINT

When a competitor makes a complaint against another Advertiser, it is considered to be an Intra Industry complaint. If the complainant in this case mentions or quotes any reference to a test or study contradicting the claim made by the advertiser, then the complainant will be required to produce the same. Where there is an Intra Industry complaint and both parties give contradictory reports on a claim made in the ad, then the Secretary General shall forward both reports to the CCC's technical experts whose views shall be tabled before the CCC for further deliberation on the Complaint. In case a third party Independent Report is required after that, the CCC shall ask the Advertiser for the same.

PROCESSING A COMPLAINT

On receipt of a complaint (should be complete with relevant particulars including clipping or copy of print Ad/ promotion material provided by complainant), the Secretariat will acknowledge the complaint and request the advertiser / agency to provide comments / response in respect of the complaint. Secretariat will send out these two letters within 5 working days of receipt of the complaint.

ASCI's letter to the advertiser will carry an annexure, which contains verbatim the entire complaint of the complainant (with annexures/attachments), but care will be taken to see that the identity of the complainant is not revealed. In case, if the attachments include laboratory test reports, the identity of the laboratory or the source of authentication will be concealed.

Complainants, who are advertisers themselves, are required to provide an additional copy of the complaint and annexures/attachments, if any, on plain paper so that the additional set may be forwarded to the advertiser for their comments.

1. ASCI will give the advertiser 2 weeks for response, from date of receipt of ASCI letter. ASCI Secretariat will allow 3 days for receipt of letter by the advertiser.

2. In the first instance, if the complaint appears extremely frivolous and there seems to be no basis for the complaint, then the Secretary General will not send out a letter to the advertiser but will put up the same at the next CCC meeting to decide whether complaint should be processed or not. The CCC will direct further action.

3. Complaint with all supporting information provided by the complainant and the advertiser / agency complained against, along with CCC's technical experts' opinion, if any, will be placed on the agenda of the next CCC meeting (usually held in the 4th week of each month).

4. If the matter requires deeper technical evaluation, the CCC should refer the complaint to independent expert/s, if available, chosen from a list of experts nominated by the Board as experts in certain areas like soaps and detergents, drugs, lubricants, white goods, etc.

B : CCC MEETING PROCEDURE

PREAMBLE

• With the increasing importance / responsibility taken by the ASCI it is essential that the CCC creates the appropriate meeting procedure expeditiously. To ensure focus in functioning efficiently and effectively, the deliberations of the CCC is to be conducted in the following structured manner:-

MEETING PROCEDURE

a. The Secretary General should read out the complaint number and complaint. He should also summarise the Advertiser's response.

b. The Chairperson should ensure that each member present gets an opportunity to express his/her opinion. After each person has given his / her views the Chairperson should give his views and then seek a consensus on the decision. If a consensus is not forthcoming, the decision should be voted upon and the Secretary General should record the overall vote only and not the specific vote of any individual CCC Member.

CHAIRMAN

The regular presence of an ASCI Board member in the CCC meeting is appreciated. The 5th CCC member who arrives at the meeting chairs the Meeting.

ADVANCE COMMUNICATION

If due consideration is to be given to the complaints and advertiser's response, the Summary of the complaints and the Advertiser's response should be sent by the Friday preceding the meeting, by e-mail to those who confirm their attendance.

A CCC member who is "interested in the complaint", being an advertiser or an agency associated with the advertiser, as the complainant or the party complained against, will not participate in the CCC proceedings and will not be present when the complaint is being discussed. Such interested members will also not be sent papers relevant to the complaint. A CCC member who has raised the Suo Motu complaint will not participate in the discussions.

C : POST CCC MEETING PROCEDURE

Once the CCC has taken a decision on the complaint, (which will be recorded in the minutes of the CCC meeting), the party complained against will be informed of the CCC decision, within 5 working days. If the complaint is Not Upheld, the complainant and the advertiser will be informed simultaneously.

.If the complaint is Upheld, then the Advertiser and its Agency will be informed of the CCC decision within 5 working days. The advertiser will be given 2 weeks to assure time bound compliance with the CCC decision. On receipt of this assurance, the complainant will also be informed of the CCC decision.

If a positive response is not received or compliance is not assured by the advertiser, within 2 weeks as above, a letter from the Vice-Chairman, ASCI, will be dispatched to the advertiser requesting their commitment within 2 weeks, to the withdrawal of the offending Ad or its appropriate modification so as to avoid contravening the ASCI Code. Simultaneously the concerned agency and the concerned media vehicle will be advised that the Ad contravenes the Code. The Secretariat will then advise the complainant of the CCC decision.

If such positive assurance from the advertiser, is still not received, the offending Ad will be included in the ASCI's Media Release (on an All India basis), which will be issued once in every 3 months, along with the Quarterly Compilation Report of CCC decisions. This Report is circulated to all ASCI members, concerned Associations of Practitioners in Advertising, (e.g. ISA, AAAI, INS, IBF, RAPA, etc.), government authorities including the Ministry of Information & Broadcasting and Media all over the country. (Members of ASCI are obliged to comply with the CCC decisions on complaints, since the Memorandum & Articles of Association stipulate the observance of the ASCI Code, by all members).

Peer Group influence will be extended through respective Associations of Practitioners in Advertising (AAAI, IAA – India Chapter, ISA, INS, IBF, RAPA, etc), who will be sent requests from the Chairman, ASCI, to influence their own constituents responsible for such offending Ads, to refrain from indulging in Ads which lack credibility and erode consumer confidence in advertised goods and services. Copies of such communications will be sent to the concerned agency and media vehicle.

.An Advertiser / Agency failing to comply with the CCC decision in writing on a complaint Upheld against a T.V. Commercial, may be considered as a violation of the Cable TV Networks (Regulation) Act 1995 and notified amendments of 2nd August 2006. ASCI will therefore inform the Ministry of I&B and IBF, about the T.V. Commercial contravening the ASCI Code.

If an Advertiser / Agency fails to comply with the CCC decision in writing on a complaint Upheld against a Press Ad, the ASCI will inform the Press Council of India and the INS, about the print Ad contravening the ASCI Code.

The CCC Procedure provides for a Review of a CCC decision if all of the following conditions are satisfied:

a) A written application for a Review is made within 2 weeks of receipt of a CCC decision.
b) The advertiser is in a position to provide additional pertinent information/material not submitted earlier, to ASCI.
c) The advertiser has confirmed suspension of the offending Ad, pending review.
d) The advertiser has given an undertaking in the review application, that he will accept and comply with the review decision.

Complaints of a same or similar nature, on the same or similar Ads, on which CCC decisions have been notified, will generally not be taken up for renewed deliberation by the CCC.

The Procedure will ensure that the name/identity of the complainant is not disclosed/revealed to anybody, except at the CCC meetings, which are attended only by the CCC members. However, the text of the complaint along with all annexures will be sent to the party complained against.

The CCC meeting protocols do not provide for personal representation by complainant/advertiser/agency in respect of complaints being deliberated upon at the CCC meeting.

The ASCI and the CCC are not Clearing Houses or Voluntary Censor bodies, and hence Ads are not cleared or approved. The ASCI Code is well publicized and made available promptly on request. It is recognized by almost all Practitioners in Advertising as the universally relevant/applicable Code for Self-Regulation in respect of Ads in India. It is broad based to cover the entire gamut of Media vehicles – Print, AV, Outdoor, Promotion/ Merchandising vehicles and even packaging as a vehicle of promotion.

However, ASCI now offers **pre production/release copy advice** to members. A panel of experienced persons has been formed who have a) close knowledge of the ASCI Code and Rules and b) experience in working of ASCI Board and/or its CCC.

Copy advice is defined as confidential, non-binding pre-publication/release advice about a specific advertising proposal, provided by ASCI to its member advertiser, agency or media. The forms which copy advice takes may vary, but it has two essential characteristics:

* it is non-binding;
* it concerns a specific advertising proposal (i.e. an advertisement or a campaign).

The advertisers, agencies or media members of ASCI can ask for copy advice. There will be no charge for Copy Advice for the ad of an advertiser who is a member of ASCI. However, copy advice for the ad of an advertiser who is not an ASCI member will be charged at Rs 1000 per ad. The advice is not binding on the advertiser or on ASCI's CCC. This will be stated upfront to the member seeking copy advice

Modifications in Ads, even though carried out in response to CCC decisions as advised, are not cleared or approved by the CCC/ASCI. It is implicit that such modifications are in observance of the ASCI Code and have been motivated by the spirit of the Code, not just the letter itself. Such modified Ads will therefore again be subject to the forces/conventions in the market place and to the perceptions of the consuming publics.

Chairman, Board of Governors, ASCI

Revised on September 18th, 2008

If you think an Advertisement is misleading, dishonest or indecent, contact ASCI.

022-23513982 | asci@vsnl.com



The Advertising Standards Council of India

78 Tardeo Road, Mumbai 400 034. www.ascionline.org

Advertisement for Product / Service (name) : .....

.....

Appeared on : ..... *news paper / Channel etc.*

on : ..... *Date :* .....

Your reasons / objections : .....

.....

Postal address : .....

.....

.....

Phone / Mobile : ..... *e-mail :* .....

Signature : ..... *Date :* .....

ASCI AWARENESS CAMPAIGN:

Print Ad


THEY TANTALISE AND LURE, BUT SOMETIMES ADS CAN HAVE AN OFFENDING BITE

Does this ad offend you?

Elizabeth Soumya, BANGALORE

If ads are to be believed, branded hair shampoo is all you need to find true love, a new vessel scrubber can keep your family picture perfect happy and a tube of face cream is likely to help you bag your dream job. A tad bit carried away in their effort to persuade us from parting without money for a particular product, ads do lose track once in a way.

To anchor the imaginations of ads in truth is precisely why the Advertising Standards Council of India (ASCI) was born. In keeping with the practice followed in almost 38 countries around the world, the fashion, marketing and advertising professionals took the initiative of setting up the ASCI to self regulate the content of advertisements' reads an excerpt from the site's website that explains the council's genesis.

Allen Collaco, the secretary-general of ASCI, stating why a self regulatory body is important, says, "If we don't regulate ourselves, someone else will." He then moves on to give three ways in a person who has a problem with an ad. "If you find an ad offensive, you can complain to the council. People approach the council with objections.

The ASCI is playing the watchdog to make sure consumers are not offended by advertisements

These ads can be television commercials, print ads, outdoor hoardings, online ads, radio ads or even SMS ads. We communicate this with advertising agencies and the advertisers. We give the ad agency some time to express their point of view. Post which, the ads are either withdrawn or amended to ensure that they are more palatable. In almost all the cases, agencies comply with our orders

IT ALL ADDS UP: Although ads like the one featuring the Zeezees have a zero offense factor, others can be a tad insensitive, and sometimes unconsciously

THE ADS THAT CROSSED THE LINE, ACCORDING TO THE ASCI

GILLETTE INDIA
Ad: Gillette Victor Plus Blade, TV Ad aired on Zeya TV
Problem: The voice over claims, "blade lasts for three weeks". Fine print says, "on the basis of one shave every three days". The consumer is led to believe that the blade lasts for 21 shaves, whereas it lasts for only seven shaves. Fine print appears on the screen for a short time and one cannot read it fully.
Response: June 2008, ad withdrawn.

COCA COLA INDIA
Coca Cola, aired on Star Plus, IDNT
Agency: McCann-Erickson
Problem: Ad shows "a minor boy dancing with a firecracker very close to his head and face. Also, he is playing with firecracker in a dangerous way".
Offence: A minor is used to perform a harmful act which is dangerous in nature.
Response: Jan 2009 ad withdrawn.

HDFC STANDARD LIFE INSURANCE
Agency: Leo Burnett
Problem: Ad shown "a child at home searching for his lost RC car. One of the male guests tells the child that he would get him a new car, to which the child replies that his father would get one for him. Then the guest says what if his father gets lost, on hearing this the child becomes sad.
Offence: This is a scary ad for kids
Response: Feb 2009, ad modified

AXIS BANK
Problem: Ad shows "a parakeet picking up a fortune card with the tagline, 'Your wishes are now fulfilled within 48 hours'".
Offence: Parakeets are protected under the Wildlife (Protection) Act 1972. The trade and trafficking of these birds is banned, and this includes the caging, displaying, and performance.
Response: Advertiser assured that the said creative will not be used in any ads.

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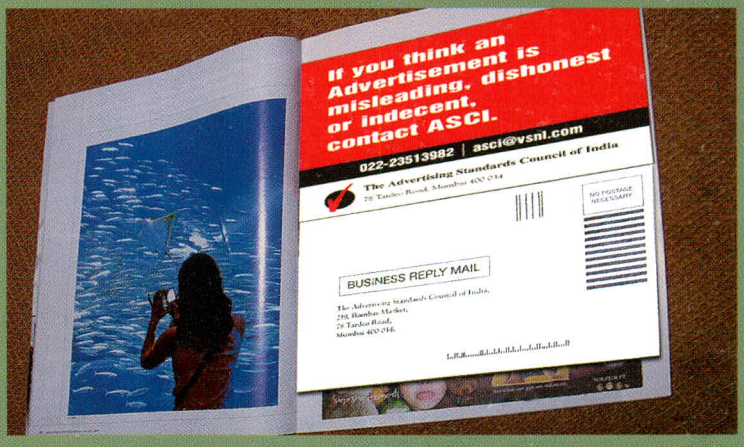
2012
Healthcare spending is expected to double in the country by 2012

8.5%

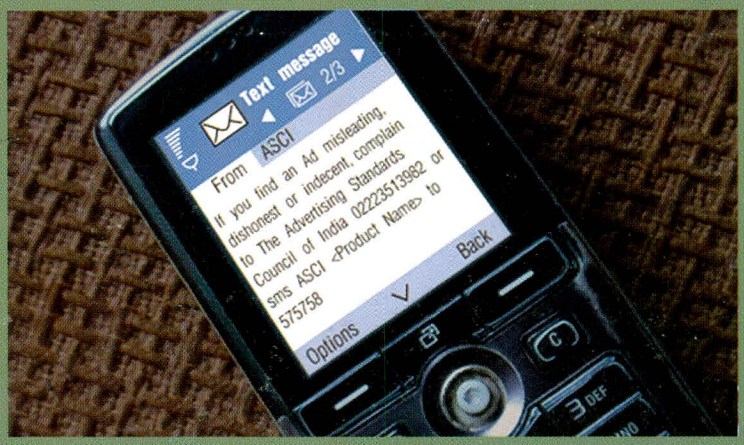
Hoarding



Magazines: Tear Away Cards



SMS Promotion



Goal
- Why Self-Regulation
- Why ASCI
- Objects of ASCI
- ASCI Mission
- Role & Function of ASCI

Regulation
- ASCI Code - Pertinent Extracts
- How to Complain
- Schematic Process

Support
- Application for Membership
- ASCI Members
- Board of Governors
- Members of Consumer Complaints Council (CCC)
- Members of Board of Governors since inception
- Members of CCC since inception

Progress
- The Board of Governors Report
- The Genesis of ASCI
- Awareness : a) Read; b) View

Feedback
- Recent decisions by CCC on complaints
- FAQ
- Recent Developments
- Self-Regulation in Advtg - Global perspectives

The Advertising Standards Council of India is a self regulatory voluntary organisation (SRO) of the advertising industry.

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

The Advertising Standards Council of India

The watch tower of the Indian Advertising Industry

