

ASCI UPHOLDS COMPLAINTS AGAINST 182 ADVERTISEMENTS OUT OF 243

- ***Suo Moto action against 152 advertisements***
- ***Healthcare: 65, Education: 96, Personal Care: 3, F&B: 7, Others: 11***

Mumbai, February 8, 2018: In November 2017, ASCI's Consumer Complaints Council (CCC) upheld complaints against 182 advertisements. A total of 243 cases were brought to ASCI's notice and *Suo Moto* action was taken against 152 advertisements, and the rest being complaints through direct sources. Out of 182 advertisements against which complaints were upheld, 65 belonged to [healthcare](#), 96 to [education](#), 3 to [personal care](#), 7 to the [food & beverages category](#) and 11 from the ['other'](#) category.

Gross exaggeration of product efficacy was the number one reason for upholding complaints, followed by violation of the Drugs and Magic Remedies Act (DMR Act) and the Drugs and Cosmetics Rules (D&C Rules). The other reasons were failure to provide substantial facts and figures to support claims, and delivering advertisements which were misleading by ambiguity and implication.

Among the various complaints, CCC observed that a prominent auto company was providing false and misleading information by ambiguity and omission of the reference to applicable terms and conditions in the advertisement. Similarly, a popular cement company, in a TVC, displayed violation of traffic rules that is unsafe and a dangerous practice, which manifests a disregard for safety and encourages negligence. Additionally, claims by a healthcare centre to eliminate fat with Cool Sculpting, were not substantiated with supporting clinical evidence and with treatment efficacy data and are misleading by exaggeration.

"ASCI is committed to the cause of Self-Regulation in advertising and it is our continuous effort is to protect the interests of consumers. Grievances against brands from various segments have been upheld for not abiding by the codes put forth by ASCI. Our association with several Government bodies helps us to cover the respective sectors with particular focus." said Ms. Abanti Sankaranarayanan, Chairman, ASCI.



HEALTHCARE:- Total of 65 ads complained against

[Direct Complaint](#) (Nine ads complained against)
[Suo Moto Surveillance by ASCI](#) (56 ads complained against)

PERSONAL CARE: -

[Direct Complaint](#) (Two ads complained against)
[Suo Moto Surveillance by ASCI](#) (One ad complained against)

EDUCATION:- Total of 96 ads complained against

[Direct Complaint](#) (Four ads complained against)
[Suo Moto Surveillance by ASCI](#) (92 ads complained against)

FOOD AND BEVERAGES:- Total of 7 ads complained against

[Direct Complaint](#) (Seven ads complained against)

OTHERS:- Total of 11 ads complained against

[Direct Complaint](#) (Eight ads complained against)
[Suo Moto Surveillance by ASCI](#) (Three ads complained against)

DIRECT COMPLAINTS

ASCI processed complaints against the following advertisements from the general public, industry as well as from the Department of Consumer Affairs' Grievances against Misleading Advertisements (GAMA) Portal. Out of 65 advertisements, complaints against 30 advertisements were upheld. Of these 30 advertisements, nine advertisements against Healthcare, two belonged to the Personal Care category, four belonged to the Education category, seven belonged to Food & Beverage category and eight belonged to other categories.

HEALTHCARE:-

The CCC found the following claims of nine advertisements in healthcare products or services to be either misleading or false or not adequately / scientifically substantiated and hence violating ASCI's Code. Some of the health care products or services advertisements also contravened provisions of the Drugs & Magic Remedies Act (DMR Act), Drugs and Cosmetics Rules (D&C Rules) and Chapter I.1 and III.4 of the ASCI Code. Complaints against the following advertisements were UPHELD.

- 1. Rajvaidya Shital Prasad & Sons (Hempushpa):** The advertisement's claim, "Women Health Problems? Cure from the root" was not substantiated and is misleading by exaggeration as the advertisement does not say "help" but states definite benefits. Claim, "Hempushpa -The number 1 herb and tonic of millions of women since 90 years" was not substantiated with market share/sales data or through a third party validation, and is misleading by exaggeration. Also the claims "Helpful in problems like-Irregularity, Lack of Hunger, weakness, Irritability, cleansing blood, increases beauty, pain during tough days, insufficient blood, Burning sensation in palms and sole, hormonal imbalance, Uterine Tonic, etc" and "Made with 32 effective herbs" were inadequately substantiated and are misleading by exaggeration. Claim, "Don't compromise with your health, have the best Hempushpa" claim is misleading by ambiguity and omission of reference to this being related to use of glass bottle packaging over Plastic. The complaint regarding endorsement by Raveena Tandon was examined and it was observed that the advertiser did not submit any evidence whether Raveena Tandon is in agreement with the claims being made in the advertisement in general. The visual of the actress when seen in conjunction with these unsubstantiated claims are likely to mislead consumers regarding the product efficacy.

2. **Kisan Dham Shree Ladwa Gaushala:** The advertisement's claim, "With the use of Gaumutra diseases like heart diseases, Diabetes, Cancer, TB, Epilepsy, AIDS can be cured" was considered to be prima facie, in violation of The Drugs & Magic Remedies (DMR) Act.
3. **Srigiri Ayurvedic Hospital:** The advertisement's claim, "Hearing Loss? Tinnitus? Ringing or Buzzing Ear? Meniere's disease? Nerve weakness? Puss from ear? Hearing loss after accident? Not hearing even after using hearing aid? Regain natural hearing through our unique ayurvedic treatment without hearing aid or operation," were considered to be prima facie, in violation of The DMR Act.
4. **Cancer healer centre:** The advertisement's claims, "Why fear cancer now? Life is priceless. Keep away from cancer (save yourself from cancer). World renowned Dr. Krishna's cancer healer has proved profitable in all kinds of cancers and helps even in cancer cases of 4th stage (last stage)", "World renowned Dr. Hari Krishna's Cancer Healer is the result of ceaseless efforts and labour of 41 years. This is based on immunotherapy", "World renowned practitioner Dr. Hari Krishna and Dr. Tarang Krishna have received numerous awards for this treatment. WHO has also appreciated this Cancer Healer treatment by Dr. Krishna. This treatment can be taken along with radiotherapy and chemotherapy and can help in fighting the side effects of these treatments. This treatment helps patients to get rest and get healed in all kinds of cancers in all stages. The success rates of this treatment are very high" were considered to be, prima facie, in violation of the DMR Act.
5. **Shathayu Ayurveda:** The advertisement's claim, " Maintain Healthy Weight", "Removes toxins from body", "Boosts metabolism and immunity", "Prevent chronic diseases" under the heading of "Benefits of detox", appear as a definitive benefit of the detox treatment which is not substantiated and is grossly misleading.
6. **StemRx Bioscience Solutions Pvt Ltd:** The contents of the website advertisement implied stem cell therapy for unapproved indications and violated 'The National Guidelines for Stem Cell Research.' The Website advertisement was in breach of the law and contravened Chapter III.4 of the ASCI Code.

7. **Anand Herbal:** The advertisement's claim, "India No. 1 Topmost best Sex Treatment. American Mega HQ-Linga Bardhak Jantra Penis Increases & Sex time Increased" were considered to be, prima facie, in violation of the DMR Act.

8. **Lifezen Healthcare Pvt Ltd. (Tuska):** The advertisement's claims "The Tuska – The 'New Calcium'", "Recommended by experts", "Two times more bio-available", "Two times more absorption" and "Does not lead to kidney stones", are not substantiated and are misleading.

9. **Cosmo Herbals Limited (Cosmo Silky):** The advertisement's claims, "Examined by every means" and "New improved packing" were not substantiated with supporting data, and were misleading.



FAIRNESS



RESPONSIBILITY



DECENCY



HONESTY

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PERSONAL CARE:-

- 1. CavinKare Pvt. Ltd (Nyle Natural Shampoo):** The advertisement's claim, "Say goodbye to dandruff problems with curd" is not substantiated and is misleading by exaggeration. Claims, "With natural ingredients, paraben free, balanced "pH" , "Every drop of Nyle shampoo is Paraben free", "As it has balanced pH, it stops further hair damage" were not adequately substantiated and were misleading. Claims, "Fights against dandruff and conditions your hairs" and "New Nyle Naturals" were not substantiated and were misleading.
- 2. Emami Ltd (HE Deodrant):** The TVC depicts vigorous activities by the celebrity through the day such as jogging and sports and has reference to the fragrance being strong through the day. The claim, "Ek baar lagey Din bhar chaley" ("Use once for the entire day") was not adequately substantiated and was misleading by ambiguity and exaggeration.



EDUCATION:-

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

- 1. Phoenix English Academy:** The advertisement's claims, "English Speaking Course, learn only in 30 days with guarantee" and "Learn English in just 30 days with our new innovative method", were not substantiated with authentic supporting data of detailed list of students who have learnt English in 30 days, and the claims are misleading by gross exaggeration.
- 2. NeoStencil India Private Limited (NeoStencil):** The advertisement's claim, "Crack UPSC 2018 through live online classes", and "India's top 25 IAS teachers", were not substantiated with verifiable supporting data. Claim, "India's #1 live online platform for IAS", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation to prove this claim. The claims are misleading by exaggeration.
- 3. Bridge School Management :** The advertisement's claims, "First time in India, a Global Digital Marketing Program from North western University" and "India's first global strategic digital marketing program for managers", were not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation to prove these claims. The claims are misleading by exaggeration. Claim, "A strategic program for managers with 100% Placement Assistance" – While the advertiser may be offering placement assistance to their students, the use of 100% numerical is not relevant for "placement assistance" claim. The use of "100%" as a descriptor in the claim is misleading by ambiguity and implication.



- 4. Om Career Concept Pvt Ltd:** The advertisement’s claim, “Highest Success Ratio”, was not substantiated with verifiable supporting data of the advertiser’s organization versus other similar organizations offering visa assistance, and is misleading by exaggeration and implication.



FOOD AND BEVERAGES:-

- 1. Kellogg's India Pvt Ltd (Kellogg's Oats):** The advertisement's claim, "New Kellogg's Oats", - While the Advertiser asserted that they launched two new flavours, no evidence to support the same was submitted by the advertiser. The claim of "New" was not substantiated and was misleading.
- 2. Kellogg's India Pvt Ltd (Kellogg's Special K):** While the advertiser declares the protein and fibre content per serve size on the product package to enable consumer make an informed decision, such serve specific reference is missing from the TV advertisement. The claim "High Protein", "High Fibre" does not qualify per serve basis - more so when only one serve of the product is likely to be consumed by a consumer within a day as the product is a "breakfast option". The claim, "It is high in protein and fibre", is false as it is not applicable for the serving size of the product and in the context of a product positioned for weight management, it is misleading by ambiguity. The stand-alone claim of "Foods high in protein and fibre make you feel full and keep hunger pangs away" is not objectionable. But when seen in conjunction with "High Protein" "High fibre", the claim based on 100 gm of product is misleading by implication. While "eating breakfast regularly" as a generic advice for weight management was considered acceptable, the CCC did not consider the claim statement implying "regular breakfast" with the advertised product for weight management to be adequately substantiated. The claim, "To manage weight eat a breakfast like Kellogg's Special K", was considered to be misleading by ambiguity and implication. The advertiser provided details of the e:mail correspondence regarding the endorsement statements as agreed by the celebrity (Deepika Padukone) i.e. "Mere jaise, weight manage karne ke liye, eat breakfast every day", "Stay healthy and eat breakfast every day". It was noted that the celebrity has not used the product name in her approved statements and that the advertiser is required to be consistent with the celebrity endorsed statements in the advertisement. The disclaimers were not in accordance with the ASCI guidelines.
- 3. Abbott Healthcare Pvt Ltd:** The advertisement's claim, "Har roz PediaSure dene se bacchon ko milte hai 37 nutrients jo immunity badhane mein madad karein our de sure growth in 90 days" was considered to be misleading by ambiguity and implication. The disclaimers in the TVC were not legible and the text was white on white. Furthermore "sure growth" term was seen as a guarantee of growth which is incorrect since not every child in the study demonstrated significant growth. (Since the sub-group of Taiwanese children did not demonstrate statistically significant growth). The data presented was only an abstract that referred only to weight for age z score (and not height) and was not considered to be adequate to substantiate the claim. The claim of "Sure growth in 90 days" and its visual depiction, notwithstanding the disclaimer "creative depiction of growth" as referred in the storyboard, was considered to be misleading



4. **Modi Naturals Ltd:** The advertisement's claim, "Oleev Active" helps in reducing serum cholesterol, preventing lifestyle diseases, and has anti-ageing properties etc." was not substantiated for the Oryzanol content in the product or the specific oil blend and was misleading by ambiguity and implication. While the TVC is in Hindi, the disclaimers in the TVC are in English. These pack claims / advertisement contravened Chapters I.1 and 1.4 of the ASCI Code as well as Guidelines on Disclaimers.

5. **Modi Naturals Ltd:** The packaging and advertisement highlights brand name "Oleev Health". The product sold by the advertiser is the blended edible vegetable oil which is a mixture of physically refined rice bran oil and refined rapeseed oil and does not contain any Olive oil. Oleev and olive have such phonetic similarity that ordinary consumers are likely to be misled into believing that this particular product of the advertiser has olive oil. The product name in packaging / advertisement was considered to be misleading. The term "Cardizyme" is not objectionable, but its presentation in conjunction with a heart / heart beat symbol, in absence of evidence of the effective Oryzanol level for heart related benefits, was considered to be misleading by implication. The claim relating with the benefits as Oryzanol properties, the claim was not substantiated for the product constituents / oryzanol content in the product and was misleading by ambiguity and implication.



6. **Modi Naturals Limited:** The word "Oleev" in the advertiser's product name "Oleev Smart" is likely to cause a belief in the consumers at large, in a broad manner that it may contain olive oil especially given that the mother-brand that is advertised in mass media has olive oil. Therefore the product name in packaging / advertisement was considered to be misleading. On second claim, while the advertiser is portraying the benefit of an oil blend versus single oil, in absence of any comparative data or qualifier, the word "Smarter" in the claim "Smarter choice for a healthy lifestyle" is misleading by ambiguity and omission of the comparison being referred to. The advertiser's claims, "Super enriched formula of Vitamin A, D, E & K, Oryzanol and Omega fatty acids. Anti-oxidant properties of Vitamin A and E keep tissues in healthy state and prevents cellular damage, while Vitamin D helps in bone and muscle strength, Vitamin K aids in healing process. Oryzanol improves blood circulation and lowers overall bad cholesterol levels. Also Omega 3, Omega 6 and Omega 9 fatty acids along with other good lipids support and promote heart health" were not substantiated for the oil constitutes / oryzanol content in the product and were misleading by ambiguity and implication. The presentation of the logo unit for "Vitafit+" when seen in conjunction with declaration of Vitamin A, D, E and K, was objectionable, in absence of evidence of the RDA level for these vitamins, and the term was considered to be misleading.

7. **Kaleesuware Refinery Private Limited (Goldwinner):** Vitamin D is a fat-soluble vitamin that plays a number of important roles in the body and fortification of vegetable oils with Vitamin D2 or D3 has been recommended by various agencies to combat its deficiency in general population. While the benefits of Vitamin D and A via fortification of oils are acknowledged in general, the advertiser is attributing these benefits directly to food items fried in the advertised product such as Vada ("vada in my house gives me high energy, strong bones... Plus my bp, sugar, everything is under control), Poori ("I work with full energy all day, I have not taken a single sick leave") etc. These claims, in absence of any qualifiers related to importance of lifestyle, exercise or other aspects having an impact on health, were considered to be grossly misleading since no single food item can help control any disease or disorder such as diabetes or blood pressure.



OTHERS:-

- 1. Asian Paints Ltd (Royale Atmos):** The advertisement's claim, 'But the air inside your home can be 5 times more polluted than the outside', "Aapke ghar ke under ki hawa bahar ki hawa ke mukable paanch guna zyada pradushit hoti hai", "Isiliye Royale Atmos iski activated carbon technology reduces harmful pollutants from the air making it cleaner than before", "Introducing new paint which purifies air with activated carbon technology Royale Atmos and that this paint removes tough pollutants in the air" were inadequately substantiated, and are misleading by exaggeration.
- 2. LG Electronics India Pvt. Ltd. (LG Linear Inverter Compressor):** The advertisement's claim regarding fruits and vegetables staying fresh for one week in LG refrigerator due to "Inverter Linear" feature versus kept in refrigerator with non-linear inverter was not substantiated. The claim was also misleading by ambiguity as the results were based on internal tests and not real life conditions which are subject to variability due to frequent opening and closing of the refrigerator and/or electricity fluctuations.
- 3. Divya Bhaskar (Dainik Bhaskar):** Divya Bhaskar publishes an advertisement everyday that are numbered from 1 to 60 serially for its readers to win 15 crores rupees in prizes. One advertisement shows a young lady who says "I can still win one kg gold jewellery". Another advertisement shows a young lady who says "I can still win a scooter". Yet another advertisement shows a young man who says "I can still win a motorcycle". Coupon No.48 is published on the same day. The advertiser has not given any disclaimer/s stating the details of the contest and the validity of the same. The advertiser did not provide the terms and conditions of the contest nor have the winners been declared on their website. This advertisement is misleading by ambiguity and omission.
- 4. Honda Cars India Ltd:** The advertisement's claim, 'Rs.100,000/- discount on 2017 model' was false and misleading by ambiguity and omission of the reference to applicable terms and conditions in the advertisement.



5. **Reliance Retail Limited (Reliance Jio Digital Life):** The product pack shows the Facebook app which seems to suggest that the particular app is available for use, as such, whereas the said Facebook application was only accessible via the web browser. The advertiser's product pack showing the 'Facebook' app was misleading by implication and ambiguity.
6. **Alply Pvt Ltd:** The advertisement's claim, "Fly anywhere in India" was false and misleading by ambiguity regarding the limited choice of destinations. The claim offer, "Now get 10+5 domestic air tickets in Rs. 31,999/- (All inclusive)", was not substantiated with evidence of genuine customers who have availed of this offer, and is misleading by exaggeration.
7. **SpiceJet Ltd:** The advertisement's claim, "SpiceJet - India's Most Punctual Airline", was not substantiated with any market survey data or with comparative data versus other competitor airlines or any third party validation or research to prove this claim. Also, the claim was misleading by exaggeration and implication.
8. **Lux Industries Limited (ONN Premium Wear):** The advertisement's numerical claim of "150%" Comfort, was not substantiated, and is misleading by exaggeration.



SUO MOTO ACTION

The advertisements given below were picked up through ASCI's Suo Moto surveillance of print and TV media via the National Advertisement Monitoring Services (NAMS) project. Out of 178 advertisements, 152 advertisements were considered to be misleading. Of these, 56 advertisements related Healthcare, 92 belonged to Education, One belonged to Personal Care and three belonged to "others" category.

HEALTHCARE:-

The CCC found the following claims of 56 advertisements in healthcare products or services to be either misleading or false or not adequately / scientifically substantiated and hence violating ASCI's Code. Some of the health care products or services advertisements also contravened provisions of the Drugs & Magic Remedies Act (DMR Act), Drugs and Cosmetics Rules (D&C Rules) and Chapter I.1 and III.4 of the ASCI Code. Complaints against the following advertisements were UPHELD.

- 1. Bhagyesh Health and Beauty Care P Ltd (Height grow range of products):** The advertisement's claim, "Height Grow- Helpful for natural development" was considered to be, prima facie, in violation of The Drug & Magic Remedies (DMR) Act.
- 2. Laborate Pharma India Ltd (Labolia Big Beauty):** The advertisement's claim, "Maintain beautiful & toned up breasts", and "Increase breast volume and fullness, increase breast size naturally, firm and lift sagging breast" were considered to be, prima facie, in violation of The DMR Act.
- 3. Maruthua Pharma/ Maruthua Panchajeeraka Gudom:** The advertisement's claim, "Enhance beauty and give shape to girl's body" was considered to be, prima facie, in violation of The DMR Act.



4. **Mauli Hospital:** The advertisement's claim, "Permanent treatment of diseases like Piles, Fistula and Fissure without operation" was considered to be, prima facie, in violation of The DMR Act and The Drugs & Cosmetics (D&C) Rules.
5. **Innovative Cure Heal & Beauty Clinic:** The advertisement's claim, "Increase height upto 2-5 cms, and "Reduce obesity upto seven kilograms" were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
6. **Sri Ram Hospital:** The advertisement's claim, "Through obesity surgery, get riddance from diabetes, heart problems/ blood pressure, hypothyroid and joints pain" were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
7. **Hair Life India:** The advertisement's claim, "Original hair will return". The before and after visuals in the advertisement appear to be misleading and imply cure from baldness. These were considered to be, prima facie, in violation of The D&C Rules.
8. **Innovative Cure:** The advertisement's claim, "Complete freedom from baldness" was considered to be, prima facie, in violation of The D&C Rules.
9. **Rudra laser Homotherapy Clinic:** The advertisement's claims, "Treat diabetes, blood pressure, paralysis, asthma, arterial diseases, allergy, heart blockages, HIV & many more successfully. These claims were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
10. **Ramkrishna Care Hospital:** The advertisement's claims, "Provide successful treatment to lack of masculinity" and "Freedom from Kidney & bladder Stones using Laser treatment", were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
11. **Rana Hospital:** The advertisement's claim, "It has provided successful treatment to fistula patient" was considered to be, prima facie, in violation of The D&C Rules.

12. **Aproov HiTech:** The advertisement's claim, "Get freedom from obesity" was considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
13. **Piles treatment centre:** The advertisement's claim, "Permanent treatment of piles and fistula through Seton and injection" was considered to be, prima facie, in violation of The D&C Rules.
14. **Sun India Pharmacy (P) Ltd (Swasthya Vardhak Capsules):** The advertisement's claim, "India's No.1 since 30 years", was not substantiated with any authentic evidence. The claim is misleading by exaggeration.
15. **Kismat Foundation (Dr. Ajay Kr. Singh):** The advertisement's claims, "Treatment through mind power therapy without medicines for Infertility, Blood pressure, Blood Sugar" were considered to be, prima facie, in violation of The DMR Act.
16. **Lajwanti Hospital & Nursing Home:** The advertisement's claims, "Get riddance from Obesity and its related diseases, and High blood pressure", were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
17. **Alliance Healing Centre:** The advertisement's claims, "Only one in India who cures deafness by touch therapy" and "Sure-shot treatment for diabetes patients" were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.
18. **RS Hospital:** The advertisement's claim, "Provide permanent solution for piles, fissure and fistula and through latest easy treatment method without surgery" was considered to be, prima facie, in violation of The D&C Rules.
19. **Slim N Slender:** The advertisement's claims, "Remove obesity without exercise, medicine and operation" and "No need for exercise, medicine and even no need for operation" were considered to be, prima facie, in violation of The DMR Act and The D&C Rules.

- 20. Cosmetic Surgery & Laser Centre:** The advertisement's claim, "Best cosmetic surgery & laser specialist in UP - Award Winner", was inadequately substantiated with supporting data, and is misleading by exaggeration.

- 21. Apollo Hospitals Enterprise Ltd:** The advertisement's claims, "Don't replace, regrow", "First time in India, Apollo Hospitals brings to you Regenerative Cell Therapy", "You may not require joint replacement after all", and "Restores mobility", are not adequately substantiated and are misleading by ambiguity and omission of this treatment is part of the PMS project only.

- 22. Mickey Mehta 360 Degree Wellness Temple (360 Degree GYM):** The advertisement's claim, "Fittest in 55 minutes", was not substantiated by supporting data and is misleading by exaggeration.

- 23. Dr. S.K. Jains Burlington Clinic Pvt. Ltd - Burlington Hospital:** The advertisement's claim, "India's No.1 sexologist", was not substantiated with any verifiable data of the advertiser being India's No. 1. The claim was misleading by exaggeration. The claim, "The only sexologist who was honoured with bharat gaurav and swasth bharat ratna award", was not substantiated with details of the awards as well as the authenticity of the awarding organizations, and is misleading by exaggeration. Another claim, "There are 111 questions related to sex and solution is only Burlington clinic", was not substantiated and is misleading by exaggeration and implication that other sex clinics do not provide the solution for sex problems.



FAIRNESS



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DECENCY



HONESTY

So you can trust advertising

24. **CK Birla Hospitals Rukmani Birla Hospital:** The advertisement's claims, "Get rid of your Male Breasts", and "From 40 Inches to 30 Inches get your dream figure", highlight surgery for male breasts but the visual shows a full body of a man implying overall weight reduction. These claims and efficacy being depicted via the visual are misleading by exaggeration and implication.
25. **Rediscover Clinic:** The advertisement's claim (in Gujarati) as translated in English, "Guaranteed to Reduce 7 kilograms", was not substantiated with supporting clinical evidence, and with treatment efficacy data, and is misleading by exaggeration. Also, the visual in the advertisement implies a significant weight loss around tummy would be feasible, which is also grossly misleading.
26. **Doctors Aesthetics Centre:** The advertisement's claim, "World's #1 non-invasive fat removal treatment", was not substantiated with any verifiable comparative data of the Cool Sculpting treatment and other Fat removal techniques, or any third party validation to prove this claim. Another claim "Eliminate fat with Cool Sculpting", was not substantiated with supporting clinical evidence and with treatment efficacy data. The claims are misleading by exaggeration. Also, the visual in the advertisement implies a significant fat loss which is grossly misleading.
27. **Lifezen Health Care Pvt Ltd. (Eye Spa):** The advertisement's claim, "Trusted formula and recommended by eye-specialists", was not substantiated by supporting evidence and is misleading by exaggeration.
28. **GEM Hospital and Research Centre:** The advertisement's claim, "First hospital in the world to introduce robotic lapro surgery, 3D lapro surgery & 4K lapro surgery together", appears to be a deductive claim and was not substantiated with any verifiable supporting evidence and is misleading by exaggeration.

- 29. F2 Fun & Fitness (India) Pvt. Ltd (Gold's Gym India):** The advertisement's claim, "No.1 gym chain in the world", was false, and was not substantiated with any verifiable comparative data of the advertiser's gym and other competitor gyms, or any third party validation to prove this claim. The claim is misleading by exaggeration.
- 30. Shree Baidyanath Ayur Bhawan Pvt. Ltd (Baidyanath Madhumehari):** The advertisement's claim, (in Hindi) as translated in English, "Tested by research and medicine, 83% success rate among users", "With Madhumehari my blood sugar is in control", were not substantiated, and are misleading by exaggeration and implication.
- 31. Jolly Health Care (Jolly Fat-Go Slimming Capsules):** The advertisement's claims "Remove unwanted fat by consuming one capsule in morning and evening", "Advanced and ayurvedic formula which is made from the best mixture of 15 effective herbs which works well to control weight" and "Trusted brand of India since 12 years for weight control" were not substantiated and are misleading by exaggeration.
- 32. Homeo Trends:** The advertisement's claim, (in Telugu) as translated into English, "Treatment for Psoriasis from roots", was not substantiated with proof of product efficacy. Also, the claim-implying cure from psoriasis is grossly misleading.
- 33. Zilaxo Advanced Pain Solution:** : The advertisement's claim, "Awarded as The Most Promising Brand Equipped with Internationally Acclaimed Technologies", is not substantiated with authentic supporting data and is misleading by exaggeration.
- 34. Zilaxo Advanced Pain Solution:** The advertisement's claim, "Get permanent solution to slip disk without any side effect through combined classical homeopathy, ayurvedic-unani formulations and internationally acclaimed advanced physiotherapy", is not substantiated with proof of product efficacy and is misleading by gross exaggeration.

- 35. Zilaxo Advanced Pain Solution:** The advertisement's claim, "Get completely rid from complex diseases like cervical and spondylosis through combination of classical homeopathy, ayurvedic unani formulations and internationally acclaimed advance physiotherapy ", is not substantiated with proof of product efficacy and is misleading.
- 36. Naturoveda Health World:** The advertisement's claim, "Scientists have found out that the radiation being emitted by smart phones when they are used in darkened room can severely impact our sleep. Due to this, we become afflicted with acne, blemishes, dark circles and several other grave diseases", "If you want to get rid of acne, blemishes and dark circles, then stay away from your smart- phone as much as possible", are not substantiated with any conclusive and authentic scientific evidence. The claim "Experience of having treated more than 5 lakh patients" was not substantiated. The claims are grossly misleading.
- 37. Health & Beauty Pvt Ltd / Rich Feel Tricology Centre:** The advertisement's claim, "India's most trusted hair transplant and hair systems expert", was not substantiated as the awards submitted were out-dated and were for a different category / segment than the one claimed. Due to this discrepancy, the claim was considered to be misleading by ambiguity and implication.
- 38. Shree Maruti Herbal (Stay-On Power Oil):** The advertisement's claims, "Massage daily and experience the height of happiness", "Help rejuvenate and strengthen weak nerves" were considered to be prima facie in violation of the DMR Act.
- 39. Shree Maruti Herbal (Stay-On Range Of Products/ Stay On Power Capsule):** The advertisement's claims, "For excitement, vigour and strength" and "That you will get a feeling of youthfulness, resistance power, pep, excitement, strength and vigour in your body" were considered to be, prima facie, in violation of the DMR Act.

40. **Rajnish Hot Deals Pvt Ltd (Play Win Range Of Products):** The advertisement's claims, "Take pleasure of marital life with more vigour", "Massage few drops on weak nerves and make it strong, powerful and hard", "Increase extra timing and pep" along with the visual in the advertisement, read in conjunction with the claims objected to, imply that the product is meant for enhancement of sexual pleasure. These were considered to be, prima facie, in violation of the DMR Act.
41. **Star Ayurveda/ Star Homeopathy:** The advertisement's claim, "Provide quick treatment to cure arthritis without surgery" was considered to be, prima facie, in violation of the DMR Act.
42. **Makewell Pharmaceuticals (Speed Height Capsule):** The advertisement's claim, "Speed Height Capsule" was considered to be, prima facie, in violation of the DMR Act.
43. **Sun Ayurveda (Surya Amrit Jivan):** The advertisement's claims, "Increase sex time upto 50 minutes", "Increase length and thickness of penis, "Give vigour of 30 at the age of 75", and "Make undeveloped breasts tight and shapely" were considered to be, prima facie, in violation of the DMR Act.
44. **Dr Care Homeopathy:** The advertisement's claim, "Give solution to skin disease like Vitiligo" was considered to be, prima facie, in violation of the DMR Act.
45. **Charak Kayakalp Hospital:** The advertisement's claim, "Freedom from stones without operation" " was considered to be, prima facie, in violation of the DMR Act.
46. **Advanced Homoeo Health Centre:** The advertisement's claim, "Relief from prostate cancer through homeopathy - testimonial implying cure which refers to videos of cured patients" was considered to be, prima facie, in violation of the DMR Act.
47. **Sanyasi Ayurveda:** The advertisement's claim, "Sex problems due to childhood mistakes then consume medicine with our consultation and see difference in just 15 days" was considered to be, prima facie, in violation of the DMR Act.



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48. **Meeta Ayurveda:** The advertisement's claims, "Increase sex time upto 50 minutes", "Increase organ length, thickness", "Remove premature ejaculation from the roots" and "Ayurvedic treatment of skin diseases and Leucoderma" were considered to be, prima facie, in violation of the DMR Act.
49. **Meeta Ayurveda:** The advertisement's claim, "Ayurvedic treatment of skin diseases and Leucoderma" was considered to be, prima facie, in violation of the DMR Act.
50. **Positive Homeopathy:** The advertisement's claims, "Guaranteed Natural Homeopathy for – Asthma, Sexual Problems, Sexual Weakness, Deficiency of Libido, and Obesity or over weight, Deficiency of Sperms" were considered to be, prima facie, in violation of the DMR Act.
51. **Positive Homeopathy:** The advertisement's claims, "Sexual Weakness, Sperm Deficiency, Erectile Dysfunction, Premature Ejaculation, Female Infertility, Visual implies cure from infertility" were considered to be, prima facie, in violation of the DMR Act.
52. **Positive Homeopathy:** The advertisement's claims, "Erectile Dysfunction, Premature Ejaculation, Sexual disease, Sperm Deficiency, Visual implies cure from infertility" was considered to be, prima facie, in violation of the DMR Act.
53. **Neomed Hospital:** The advertisement's claim, "Cure your heart without surgery", was considered to be, prima facie, in violation of the DMR Act.
54. **Jand Bavasir Hospital:** The advertisement's claim, "Provide treatment of piles from the roots through BEIM laser machine" was considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
55. **Harshitha Hospitals (Mdr):** The advertisement's claim, "First in the world of holistic integrated cancer care - Protect from cancer ailments, defeat cancer" was considered to be, prima facie, in violation of the DMR Act and the D&C Rule.

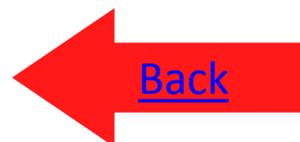


- 56. SBS Biotech Unit II Ayurvedic Division (Sachi Saheli Ayurvedic Syrup):**
The advertisement's claim, "India's Most Trusted Brand", was not substantiated with details of the award, methodology used in the selection and other brands to which this was compared against as well as references of the award such as the year, source and category for the award received. The advertisement is misleading by exaggeration and omission of a disclaimer to qualify this claim.



PERSONAL CARE:-

1. **Floras Cosmetics (Floras Tan Clear Scrub):** The advertisement's claim, "Removes dark circles", was not substantiated by product efficacy data, and is misleading by exaggeration.



EDUCATION:-

The CCC found following claims in the advertisements by 92 different advertisers were not substantiated and, thus, violated ASCI Guidelines for Advertising of Educational Institutions. Hence complaints against these advertisements were UPHELD.

- 1. Sri Chaitanya Educational Institution (Sri Chaitanya IIT Academy):** The advertisement's claim, "Asia's Largest Educational Institution", was inadequately substantiated and is misleading by exaggeration.
- 2. Sarthak Educational Trust -ABS Academy:** The advertisement's claim, "Scholarship Up to 100%", was not substantiated with supporting evidence of 100% scholarships availed by any of their students, provision made by the institute to grant such scholarship. Also, the word "upto" was used in much smaller font as compared to the rest of the words in the claim and hence the advertisement was misleading by ambiguity and implication.
- 3. Dashmesh Education Charitable Trust (S G T University):** The advertisement's claim, "Scholarship Up to 100%", was not substantiated with supporting evidence of 100% scholarships availed by any of their students, provision made by the institute to grant such scholarship and the advertisement was misleading by ambiguity and omission of information regarding the amount of scholarship and the total number of scholarships being offered and the criteria used for the same.
- 4. EuroKids International Private Ltd (Euro Kids Pre-Schools):**The advertisement's claim, "Asia's Most Trusted Brand Asia 2016", was inadequately substantiated and is misleading by exaggeration.
- 5. Lovely Professional University:** The advertisement's claim, "Highest placements record in India", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation to prove this claim. The claim is misleading by exaggeration.



6. **Maharishi Markandeshwar Education Trust:** The advertisement's claim, "Best Private University in Haryana 2017 by NIRF", was inadequately substantiated and is misleading by ambiguity.
7. **Asian School of Business Management:** The advertisement's claim, "The Best B-School", is false since it is not valid in the year 2017 and is misleading by omission of the mention of the year of the award and that it was only limited to being the Best B School in the East.
8. **Apparel Training and Design Centre:** The advertisement's claim, "India's largest vocational training provider for the apparel sector", was inadequately substantiated without any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation to prove this claim. The claim is misleading by exaggeration.
9. **Technobrains Education Pvt Ltd / Tally Brains:** The advertisement's claims, "100% job guarantee courses", "100% placement offered", and "100% job guarantee", were not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. Also, the claims are misleading by exaggeration.
10. **American Institute Of English Language Pvt Ltd:** The advertisement's claim, "India's largest institute of spoken English", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim was misleading by exaggeration.
11. **Dashmesh Academy:** The advertisement's claim, "The most trusted brand careers & coaching since 1996", was not substantiated with any market survey data, or any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim was misleading by exaggeration.



12. **IIT-ian's Pace Education Pvt Ltd (PACE IIT & Medical):** The advertisement's claims, "100% scholarship to top 100 students", and "Scholarships Worth 20 Crores", were not substantiated with supporting evidence of 100% scholarships availed by any of their students, provision made by the institute to grant such scholarships and was misleading by ambiguity and omission of information regarding the amount of scholarship and the total number of scholarships being offered and the criteria used for the same.
13. **Anupam Career & Research Institute:** The advertisement's claim, "100% Fees return guarantee if not selected", was not substantiated with supporting data for 100% selection of their students and / or any supporting evidence of the students who were refunded the fees if they were not selected for the courses offered.
14. **Delhi Public School:** The advertisement's claim, 'Best futuristic school of India-2017"', was false and misleading by exaggeration.
15. **Lyallpur Khalsa College:** The advertisement's claim, "Awarded with "Potential For Excellence" Status by the UGC", was not substantiated with any verifiable data. The claim is misleading by ambiguity.
16. **Vani Institute:** The advertisement's claim, India's first coaching institute for ESE, GATE & PSU's", was not substantiated. The claim is misleading by exaggeration.
17. **Vetrii IAS Circle Vetrii Academy Study IAS:** The advertisement's claim, "Best academy for IAS & TNPSC exams" was not substantiated and is misleading by exaggeration.
18. **Bankersadda.com:** The advertisement's claim, "India's most trusted brand for competitive examination", was inadequately substantiated with any verifiable comparative data of the advertiser's site and other similar sites preparing for competitive examinations, or any third party validation to prove this claim. The claim is misleading by exaggeration.

19. **The Success Mantra (Bankersadda.com):** The advertisement's claim, India's Most Premier Institute for Govt. Jobs", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes for providing Govt jobs, or any third party validation to prove this claim. The claim is misleading by ambiguity and exaggeration.
20. **SR Group of Institution Jhansi:** The advertisement's claim, "Up to 100% special scholarship for meritorious students", was not substantiated with supporting evidence of 100% scholarships availed by any of their students, provision made by the Institute to grant such scholarships and was misleading by ambiguity and omission of information regarding the amount of scholarship and the total number of scholarships being offered and the criteria used for the same.
21. **BFIT Group of Institutions:** The advertisement's claims, "Ranks No-1 multi-disciplinary college in India", and "Best emplacement college in India", were inadequately substantiated with supporting data. The claims are misleading by exaggeration.
22. **Six Sigma Institute of Technology and Science:** The advertisement's claim, "We received the best polytechnic Institute award for 100% placement", was false and misleading by exaggeration.
23. **Shreevidya Infotechnologies:** The advertisement's claim, "100% job oriented" and the use of 100% numerical is not relevant for "job oriented" claim. The use of "100%" as a descriptor in the claim is misleading by implication.
24. **National Institute Of Computer Education Pvt Ltd - Nice Career Plus:** The advertisement's claim, "100% job oriented" and the use of 100% numerical is not relevant for "job oriented" claim. The use of "100%" as a descriptor in the claim is misleading by implication.



Complaints against advertisements of all educational institutes listed below are UPHELD mostly because of unsubstantiated claims that they 'provide 100% placement/AND/OR because of misleading claim that they provide '100% placement assistance/AND/OR they claim to be the No.1 in their respective fields'

Prestige Institute Of Management And Research, SRM University, Invertis Group Of Institute (Invertis University, Reliance Latur Pattern Shree Tripura Junior Science College, Aryabhata group of College (Aryabhata Engineering College), Amazon (Private) Industrial Training Institute (I.T.I) (Amazon Institute Of Hotel Tourism & Management), ASET College of fire and Safety Engineering , Badala Classes Commerce, Sri Palamuru Academy, Tajinder Bhatia's Achieve Max, Himalayan Institute Hospital Trust (Swami Rama Himalayan University), Eetaram Study Circle, AKS University , Ama Odish Acharitable Trust (Sambad School Of Media & Culture), Avanigadda Coaching Centre, Jeevandeep Institute of Management and Technology (Jeevandeep Group of Education Institution), Pride Group Of India, Sharnbasveshwar Vidya Vardhak Sangha- Sharnbasva University, Rubics Rostrum Coaching Institute Pvt. Ltd, Sobhasaria Jankalyar Trust Sobhasaria Group of Institutions, Shree Bhagwat Institute of Technology, Sri Sai R Group of Institutions - Sri Sai ITI, Sant Gajanan Maharaj Education Group-Sant Gajanan Maharaj College of Engineering, VPMM Educational Trust-VPMM College of Architecture for Women, Times Career Institute, Culver Institute Of Hotel Management and Catering Technology, Vidya Maritime Academy, Remo International College Of Aviation, S.S Foundation & Social Welfare Trust, Scope College of Engineering, Ssld Varshney Group of Institutions / Ssld Varshney Engineering College, Starex University, Vindhya Institute Of Technology / Vits College Satna, Vivekanandha Educational Institutions For Women, Aptech Ltd (Aptech Computer Education), Aryan Academy, Bollineni Medskills Paramedical Institution, Jan Pragati Education Society/ Columbia Group Of Institutions, Karnataka State Electronics Development Corporation Limited/ KEONICS Computer Centre, LT Meenatai Jadhav ITI, Narayana Educational Society/ Narayana College Of Nursing, Sri Tulsi Ram Group Of ITI College/ Sri Tulsiram ITI, K.S. First Seeds International School, ALLEN Career Institute, Bharat Institute of Elevators, Career Plus, Chandravansi Group of Institutions, Cipai Govinda Reddy School Of Nursing, Freedom Institute of Industrial Training Centre (FIITC), Smt Shakuntla Educational & Welfare Society (Galgotias School of Law), Smt Shakuntla Educational & Welfare Society - (Galgotias School Of Medical & Allied Science),



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i5 Coaching Centre, Jeet Conceptual Class JCC, Manorama Pvt Industrial Training Institute, Netaji Subhas Institute of Technology, NIMS University, Sky Way Career Hub, Sri Mahesh Institute of Computers, Laxmidevi Senani Charitable Trust- (Vindhya Institute of Technology & Science), Rai Technology University, International Academy of Computer Graphics, East West College, Akshara Academy, Kasturi College of Education, Nandrani Kala Academy, Asian Institute Of Veterinary - Agricultural Sciences, Bharat Group of Institutions - Prince Institute Of Innovative Technology and Subhas Bose Institute of Hotel Management.



OTHERS:-

- 1. MSR India Limited (Dr Copper Seamless Copper Bottle):** The advertisement's claim, "Plastic is Hazardous to Health", read in conjunction with the visual showing a 'plastic water bottle' is false and misleading by ambiguity and implication. It is likely to mislead consumers to believe, without any justifiable basis, that the advertiser's product – copper bottle, is superior to water packaged in plastic bottles in terms of safety, thereby denigrating the entire category of plastic bottle used for packaging water.
- 2. J.K. Cement Ltd (J.K. Super Cement):** The visual shown in the TVC of "a rider and a pillion rider on a two wheeler without helmets", shows violation of traffic rules and is an unsafe and a dangerous practice, which manifests a disregard for safety and encourages negligence.
- 3. Freedom India Marketing Company (Freedom Atta Chakki):** The advertisement's claim, (in Gujarati) as translated into English, "India's No.1", was not substantiated with any verifiable comparative data of the advertiser's product and other similar competitive products, or through a third party validation. Claim, "Upto 40% Power Saving", was not substantiated with comparative technical data/test reports. The claims are misleading by exaggeration.



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About The Advertising Standards Council of India (ASCI)

ASCI is a self-regulatory organization for the advertising industry to promote, maintain, monitor and uphold fair, sound, ethical and healthy principles and practices of advertising for the protection of interest of consumers and the general public. Established in 1985, ASCI's role has been acclaimed by various Government agencies. The Govt. bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI) and Ministry of AYUSH have partnered with ASCI to address all misleading advertisements in their respective sectors. In January 2016, the Supreme Court of India in its judgement has also affirmed and recognized the self-regulatory mechanism put in place by bodies like ASCI as an effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for TV and Radio programmes in India. On the global platform, ASCI is a part of the Executive Committee of International Council on Ad Self-Regulation (ICAS). ASCI has also bagged six awards at the European Advertising Standards Alliance (EASA) Global Best Practice Awards.

ASCI & its Consumer Complaints Council (CCC) deal with Complaints received from Consumers and Industry against Advertisements which are considered as False, Misleading, Indecent, Illegal, leading to Unsafe practices, or Unfair to competition, and in contravention of the ASCI Code for Self-Regulation in Advertising. Under its National Advertisement Monitoring Service (NAMS), ASCI proactively monitors over 80% of new print and all new TV advertisements released in the country every month, for contravention of Chapter I of the ASCI code. (Source: www.ascionline.org)

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For further information, please contact:

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