



The Advertising Standards Council Of India

CCC Recommendations - February 2019

1811-C.1956

COMPANY: One97 Communications Ltd.

PRODUCT: PayTM

Claim objected to:

“Win upto Rs 100 crores of Gold. No KYC Needed. Assured Gold Back on First Transfer”

Complaint:

“Saw this AD displayed at Mumbai Domestic Airport. The Ad falsely claims of winning Rs 100 crores worth of Gold that too without KYC.”

CCC RECOMMENDATION ON RE-EXAMINATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the advertisement was for a promotion of Unified Payment Interface (UPI) as mode of payment to make instant money transfers directly between two bank accounts. Since both the bank accounts involved in money transfers are already KYC compliant, there is no additional requirement of KYC for UPI transactions.

The CCC viewed the Ad - Hoarding and considered the advertiser's response. The CCC observed that KYC was a required criterion which was being fulfilled since the two banks were already had a KYC criterion for the account. The CCC concluded that the claim, “No KYC Needed”, is misleading by omission and ambiguity. The Ad - Hoarding contravened Chapters I.4 of the ASCI Code. The complaint was **UPHELD**. The CCC noted the advertiser's response that the said claim was deleted from their advertisements, prior to the receipt of ASCI complaint

On receiving the CCC recommendation, the complainant reverted that his objection against the claim of winning Gold amounting to a staggering Rs 100 Crores by using UPI on Paytm, was not addressed in the CCC recommendation. As this part of the complaint was missed out earlier, while deliberating on this complaint, the same was taken up for re-examination by the CCC. Accordingly the complainant and the advertiser was apprised of the same.

The CCC observed that the advertisement has reference to Assured Goldback on first transfer. The advertiser stated that their company was offering Digital Gold as an incentive to customers to make UPI payments. This offer of Goldback was subject to terms and conditions which were defined in the web-site and mobile application and visible to customers while making UPI payments. However, the advertiser did not provide the terms and conditions of the offer nor a link showing the same. They also did not provide evidence of the customers who have benefitted by the said offer, nor any details regarding the modality of the offer. The CCC that the advertiser has not stated clearly all material conditions so as to enable the consumer to obtain a true and fair view of their prospects in such activities. Based on this observation, the CCC concluded that the claim, “UPI money transfers on PAYTM - Win upto Rs 100 crores of Gold”, was not substantiated. The claim is also misleading by omission that the offer is subject to terms and conditions. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The Ad-Hoarding contravened Chapters I.1, I.4, I.5 and I.5 (f) of the ASCI Code. This complaint was **UPHELD on Re-examination**.





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1901-C.2318

COMPANY: Hindustan Unilever Ltd

PRODUCT: Vaseline Body Lotion

Complaint 1:

“The ad states traditional coconut oil fails to moisturize the skin hence people should use Vaseline body lotion. Transitional coconut oil has been known for centuries to naturally moisturize the skin and keep it that way for over a day. This malicious ad claims that coconut oil fails to moisturize the skin and Vaseline lotion with its chemicals is far effective than the coconut oil. This is false and malicious propaganda against traditional Indian remedies. The ad could have been neutral without comparing coconut oil and Vaseline. This ad must be withdrawn immediately.”

Complaint 2:

“Hindustan unilever in its advertisement of Vaseline says the skin is damaged by coconut oil. Coconut oil is a natural product and is better than any artificial products. How it affects skin. In fact it is better than Vaseline”

Complaint 3:

“It is degrading coconut oil to promote its product”

CCC RECOMMENDATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed and at which time they submitted their response and explained the shared data indicating the efficacy of their product in terms of 6x longer lasting moisturisation. The advertiser in their response stated that in no way were they degrading the efficacy of coconut oil in providing moisturisation but were merely asserting that their product - Vaseline Deep Restore Lotion provides 6x longer lasting moisturisation as compared to coconut oil. The claim was based on a clinical study for evaluation of the efficacy of the product versus pure coconut oil in maintaining skin hydration for 24 hours.

As claim support data, the advertiser provided a list of specific product ingredients that provided moisturisation as well as clinical study reports of their product versus coconut oil, almond oil, copy of the TVC with storyboard, and sample of the product.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TVC and considered the Advertiser's response as well as the opinion of the Technical expert presented at the meeting. The CCC observed that the test report provided by the advertiser showed that both coconut oil and Vaseline Deep Restore lotion moisturize the skin as measured instrumentally. However, the duration of moisturisation efficacy was much longer for Vaseline Deep Restore due to its composition and formulation. The advertisement merely compares the two products without degrading the comparative product. Based on this observation, the CCC concluded that the efficacy of the product compared to coconut oil in providing better moisturisation via claim, “..... *Ismein hai Vaseline jelly aur yeh twacha mein nami ko lock kare aur nariyal tel ke mukabale twacha ko 6 guna jyada samay tak moisturise rakhe*”, was substantiated. The TVC did not degrade the efficacy of coconut oil. This complaint was **NOT UPHELD**.





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1901-C.2392

COMPANY: Honda Motorcycle and Scooter India P. Ltd.

PRODUCT: Honda

Complaint:

"I seen the advertised in Daily Thanthi Newspaper on 14/01/2019 as 0% interest for Honda vehicles in Triumph Honda, Salem new bus stand show room. But I visited the showroom on same day and getting information as no 0% interest offer and you want to pay 50% amount initially to buy a vehicle. So, I asked to showroom person, why given the advertised as 0% offer and he replied as we are responsible like this. Please take necessary action."

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement (in Tamil) and considered the translation in English, and observed that it was promoting Triumph Honda's emerging Pongal Festival – Grand Loan mela of Honda vehicles. The CCC also noted the grievances of the complainant that he was denied the offer of 0% interest claimed, and was asked to pay 50% amount for purchase of the vehicle. Upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim offer, "0% interest", was false and misleading by omission that it is subject to 50% payment on purchase of the vehicle. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was UPHELD.

1901-C.2366

COMPANY: Reckitt Benckiser (India) Pvt. Ltd.

PRODUCT: Durex Air

Complaint 1: "Twice between 10 am to 1130 am, I noticed that Durex Condom ads were shown on Star Movies HD, during the movie- Amazing Spiderman, a movie that is extensively watched by kids.

As i understand, such ads are not supposed to be telecasted between 6 am and 10 pm. I was shocked to see the ad in the morning slot and have noticed it being telecasted sometimes even before 10 pm on other channels.

Twice between 10 am to 1130 am, I notices that Durex Condom ads were shown in this channel during the Spiderman movie, a movie that is extensively watched by kids."

Complaint 2: "The advertisement was of Durex Condom and was very inappropriate to see this add with parents.

Condom Ads has been banned by the Indian Government from 6 AM to 10PM but still these ads are repeatedly showing on the television in between the banned hours. I was watching B4U channel on my television and at about 5PM and during its commercial brakes i saw durex condom advertisement a lot of times."

Complaint 3:

"The ad shows a couple dancing, as the girl and man strip off their latex clothing as the ad ends. During which time, there is a voice that says, Durex Air. So thin, it's like its not even there." Hate Condoms Love Durex Air.

I have no issue with this ad, except that it plays right in the middle of a kid's movie or a family movie. I thought there were some rules against such advertising during the day or during primetime, but it doesn't seem to be in effect. How do I answer my 6 year old when she asks me "What is a condom?" As it is there is enough content around to make them question so many things. With ads like this in the mix, this only makes things worse. I understand the need to advertise, but at least pick the movies that it should appear during. If it is an adult or a PG rated movie, I frankly don't mind. But I blame the channels, the media planners and the clients for airing such content during kid's movies / family programmes. Please look into this.





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Yes this is the same advertisement that is running on TV. You have, of course, provided the shorter version but I have seen a longer version too.

My objection is not against the advertisement per se, except that it was airing during a child's movie during primetime. My issue is that such ads which target adults should not be airing at this time, when a children's movie is playing. Especially because it openly uses the word "condom" and my child who is 7 years old, wanted to know what it was. This means that the channel, the client and the media agency, did not bother to verify what ads will play during which time and for which audience.

Kindly put a system in place where such ads do not come on during children's movies, at least."

Complaint 4:

"Durex condom so thin.

I & B ministry banned the television channels from showing condoms ad on TV still Sony entertainment television playing it before 10 p.m."

Complaint 5:

"Star movies hd display condom ad during 6-8pm time. Couple with black dress removing with anger.

This was ad which was shows while i was watching movie along with my 9yr old son. During weekend we both watched movie from morning till end of afternoon. Same advertisement used to get displayed atleast of 4-5 times, some time it get displayed continuously two times. I mean at both 1st and 2nd break time.

Issue is my son one time asked me what this condom is. I dont have answer for that. As per recent government order this ad should get displayed after 10PM. But i still c this some of TRP based top channels.

I would like to warn this channels or send one more time of strict announcement to all channels to not to display condom ad at any cost before 10PM."

CCC RECOMMENDATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail but submitted their written response. The advertiser stated that the said TVC depicted a couple performing a "Bachata form of dancing" followed by a "Durex Air" pack shot. The TVC stressed on the use of a condom for sexual well-being without being sexually over toned.-The advertiser emphasized that the advertisement was a simple, creative advertisement which was not indecent or inappropriate. The advertiser provided an extract of the advisory of the Ministry of Information & Broadcasting (Ministry) dated 11.12.2017, which states, "*All TV channels are advised not to telecast the advertisement of condoms which are for a particular age group and could be indecent/ inappropriate for viewing by children. Therefore, such advertisement may be telecast between 10 pm and 6 am to avoid exposure of such material to children....*" The advertiser asserted that the advisory mentions only the prohibited airing of advertisements which are indecent/inappropriate for viewing by children between 6am to 10pm. The advertiser also stated that the complaint's do not specify how the advertisement was indecent or inappropriate for viewing by children since the said advertisement was only a creative dance performance with a shot of the product packet at the end. As a matter of fact, the movies during which the said advertisement aired contained a lot of kissing scenes. The advertiser stated that the complaints were based on the misconceived understanding and interpretation of the ASCI code and the Advisory issued by the Ministry. The CCC viewed the TVC and considered the advertiser's response. The CCC concluded that the visuals of a couple removing pieces from each others clothes while dancing as depicted in the this edit of the TVC was not likely to cause grave and widespread offence if aired during family viewing (non-watershed) hours. The complaint was **NOT UPHELD**.





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1901-C.2260

COMPANY: Sharanya Narayani International School

Claim Objected To:

“Ranked #1 in India-Top Day cum Boarding Schools”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed via telecon, and subsequently submitted their written response. The advertiser stated that the claim was made on the basis of the awards received by their institute from Education Today, for being No.1 in specific categories - Infrastructure Provision and Individuals Attention to students. As claim support data, the advertiser provided copies of the award certificates.

As this response was inadequate, ASCI requested the advertiser to submit details of the survey methodology for the awards claimed. In response to this query, the advertiser replied that they unable to provide these details and advised ASCI to approach directly the award presenting organization and Education Today for the same.

The CCC viewed the print advertisement and considered the Advertiser’s response. The CCC observed that the advertiser did not provide the details of the process as to how the selection for the award was done, i.e., survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar institutes that were part of the survey and outcome of the survey. The credibility and authenticity of the certifying body was also not provided by the advertiser. The CCC concluded that the claim, “Ranked #1 in India-Top Day cum Boarding Schools”, was inadequately substantiated for the ranking claimed. The claim was not qualified to mention the source and is misleading by omission of the specific category of the award. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2301

COMPANY: Bhodhayan Coaching

Claims Objected To:

“Institute providing highest selections.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any support data or evidence of comparison with other similar institutes to prove that they have provided highest selections of students in army / air force. In the absence of this data, the CCC concluded that the claim, “Institute providing highest selections.” was not substantiated and is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2302

COMPANY: Central Technology Training Foundation

Claim Objected To:

“100% Placement for best students”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing placement to their best students; the use of 100% numerical is not relevant for “placement to best students” claim. The use of “100%” as a descriptor in the claim is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2303

COMPANY: Eager Education & Charitable Trust- Eager Training Institute

Claim Objected To:

“100% Placement.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% Placement”, was not substantiated with authentic supporting data giving 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. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2304

COMPANY: iRise Academy for Competitive Exams

Claim Objected To:

“Hyderabad's Best Institute.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful





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consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Hyderabad’s Best Institute”, was not substantiated with verifiable comparative data of the advertiser’s institute and other institutes in Hyderabad, to prove that they are better than the rest in providing coaching for competitive exams for constables, or through an independent third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2305

COMPANY: Ratnam Coaching Centre

Claims Objected To:

1. No.1 coaching centre in the district
2. 100% Job Guarantee

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Sakshi, Jagati Publications Ltd) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “No. 1 coaching centre in the district”. was not substantiated with market survey data, or verifiable comparative data of the advertiser’s institute and similar institutes in the district, to prove that they are better than the rest, or that-it is in leadership position (No.1) for providing coaching for Si, Police, Apsp Constables, or through an independent third party validation. The source for the claim was not indicated in the advertisement.

Claim, “100% Job Guarantee” was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute as Si, Police, Apsp Constables, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate.

Claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2306

COMPANY: Sagar Institute of Research & Technology

Claim Objected To:

“Best Engineering College in Central India.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Best Engineering College in Central India”, was not substantiated with verifiable comparative data of the faculty from the advertiser’s college and other colleges in Central India, to prove that they are better than the rest in providing engineering courses, or through an independent third party validation or with copy of the award certificates, criteria for granting the award, references of the awards received such as the





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year, source, and name of the awarding body. The claim was not qualified to mention the source and is misleading by omission, exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2307

COMPANY: Shankar IAS Academy

Claims Objected To:

1. the most trusted academy for Civil Services Coaching
2. The best IAS academy in South India since 2004

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat, which they did not avail but replied requesting for an extension of time to submit their response. The advertiser was granted an extension of four days to the standard lead time of seven days to submit their reply in response to their request for a week's extension.

The advertiser argued that ASCI does not have any statutory powers as it is not a government body, nor does it formulate any rules for the public or for the relevant industries. In response to the objections raised, the advertiser stated that their institute was formed in 2004 and was converted as a partnership firm in 2013. Since then, 428 candidates cleared the UPSC, Civil Services examination while 68 students cleared Indian Forest Services Examination. Advertiser provided service wise selection of candidates through UPSC 2013-17, and further stated that their institute has produced 900+ officers. The claims made are attributable to these consistent results produced by their students in the UPSC civil service exams, and their institute is one of the few across India to offer an end to end coaching for IAS exams. Apart from providing comprehensive study materials, theirs is one of the most viewed portals in India for civil services exams.

Upon viewing the print advertisement, examining the complaint and the response given by the advertiser, the CCC observed that the advertiser's response has only assertions about their claims. Regarding the advertiser's comment on ASCI's jurisdiction, the CCC referred to the judgement by the Hon'ble Supreme Court titled "Common Cause (A Regd Society) v Union of India and Ors", which affirmed and recognised the self-regulatory mechanism put in place by self regulatory bodies as an effective pre-emptive step to statutory provisions in the sphere of media regulation for TV and Radio programmes in India. The grievance redressal platform provided by self-regulatory bodies, therefore, function as the first step for aggrieved consumers against content in the media which might not be in line with the existing laws. The CCC also advised that the advertiser should take cognizance of the MoU the Department of Consumer Affairs has entered into with ASCI to deal with misleading advertisements.

In the absence of claim support data, the CCC concluded that the claim, "The most trusted academy for Civil Services Coaching" was not substantiated with any market survey data, or verifiable comparative data of the advertiser's academy and other similar academies to prove that they are most trusted academy in providing coaching for civil services, or through an independent third-party validation.

Claim, "The best IAS academy in South India since 2004", was not substantiated with any market survey data, or with verifiable comparative data of the advertiser's institute and similar institutes in South India, on year on year basis since 2004, to prove that it is better than the rest, in providing coaching for civil services, or through an independent third party validation.

The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2308

COMPANY: Vidyapeeth Defence & Sports Academy

Claims Objected To:

1. Only academy of Haryana which has given highest selection
2. Fees returned, if no job given

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the Advertiser did not provide any support data or evidence of comparison with all other Defence & Sports Academies in Haryana, to prove that only they have given the highest selection of students in army / navy / air force. In the absence of this data, the CCC concluded that the claim, "Only academy of Haryana which has given highest selection", was not substantiated. Claim, "Fees returned, if no job given", was not substantiated with supporting evidence of jobs provided to each and every student or the students who were not selected for jobs in defence forces and sports sector, were refunded with full paid fees.

The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2361

COMPANY: Reverberation Films Pvt Ltd (Revmovies acting studio)

Claim Objected To:

"For the first time in Delhi acting classes by Bollywood Production House"

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The Advertiser stated that the claim "For the first time in Delhi" is made on the basis that they are the first acting school started by a Bollywood film production house in Delhi. The said production house is a company registered and based in Delhi and have released a movie in 2017. They were not aware of any acting school that was run by a production house in Delhi.

The CCC viewed the TVC and considered the Advertiser's response. The CCC was apprised that the ASCI Secretariat had verified the data (<https://www.sulekha.com/acting-schools/delhi>) and observed that there are many other production houses in Delhi that provide acting classes. The advertiser's institute was not the only institute run by a Bollywood production house and holding acting classes in Delhi. Based on this observation, the CCC concluded that the claim, "Delhi mein pehli baar acting classes by Bollywood Production House", ("For the first time in Delhi") was false and misleading by exaggeration. TVC contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, and I.4 of the ASCI Code. The complaint was **UPHELD**.

The CCC noted the advertiser's response that the TVC was no longer on air.





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1901-C.2274

COMPANY: Gurukul Classes

Claim Objected To:

“No.1 coaching in Bareilly”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The Advertiser stated that their claim, which was a part of a larger advertisement, was based on a Public Survey/Voting system conducted by M/s Listen Think Shout and Periscope. The survey was carried out through an online and offline voting system for a period of ten days. The advertiser and four other coaching institutes amongst 50 different business categories were nominated for this award. At the end of the voting period, the advertiser cinched the award amongst others. The advertiser asserted that the claim was part of a larger advertisement, which thanked all the voters and displayed the winners of the competition. In support of their response, the Advertiser provided a copy of the award certificate declaring the advertiser as “Bareilly’s No.1 – Coaching (Schooling)” at Public Choice Awards – Bareilly, 2018.

As this response was inadequate, ASCI requested the advertiser to provide details of the survey methodology for the award received by them, which was not provided in time for the CCC meeting.

The CCC viewed the print advertisement and considered the Advertiser’s response. The CCC observed that the advertiser’s was awarded the certificate in 2018 for being “Bareilly’s No.1” in “Coaching (Schooling)” category as per Public Choice award. However, the advertiser did not provide the details of process as to how the selection for the award was done i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar institutes that were part of the survey and the outcome of the survey, and details about the awarding body.

Based on this observation, the CCC concluded that the claim, “No.1 coaching in Bareilly” was inadequately substantiated. The claim is misleading by omission of the sub category, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2391

COMPANY: Gujarat Co-Operative Milk Marketing Federation Ltd.

PRODUCT: Amul Memory Milk-Tropical Fruit

Claims objected to:

1. Milk with goodness of Ayurveda
2. Contains various ayurvedic herbs that are traditionally known to boost memory.

Complaint:

1. Please substantiate claim with claim support data. The claim support data should not be internal or based on studies commissioned by Anand Milk Producers Union Limited.
2. Please provide independent scientific studies to substantiate the claim that Amul memory milk can boost memory.
3. Does the product contain certification from the Ministry of AYUSH? Is it advisable to use milk infused with herbs irrespective of any existing medical conditions? 4. We would like to quote a recent decision by ASCI regarding Lever Ayush Whitening Toothpaste in the month of October 2018, with rock salt where the CCC noted that the ingredients Rock Salt is 1mg per 10 gm and Arimedias Tailam is 5 mg per 10 gm. Quantity of these constituents of the formulation are practically negligible to give claimed benefits and such meagre quantities are





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not justifiable. Is the quantity of the ayurvedic herbs in the present product in sufficient quantity or just symbolic? Please substantiate.

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code.

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint.

The CCC viewed the website advertisement (<http://www.amul.com/products/Amul-Memory-Milk-Tropical-Fruit.php>) and observed that neither did the advertiser provide product specific details such as composition / licence / pack artwork or samples, nor evidence of the ingredients present in the product. The CCC observed that no data has been provided of any scientific rationale or published literature references to support the claimed benefits. The CCC concluded that the claims, "Milk with goodness of Ayurveda", and "Contains various ayurvedic herbs that are traditionally known to boost memory", were not substantiated and are misleading by exaggeration. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2363

COMPANY: Catapult Classes

Claims Objected to:

"CAT 2018 Lucknow Topper from CATaPult"

"CAT 2019 and 2018 Toppers"

"Maximum 99+ Percentilers"

"IIM जाना हैं तो CATapult आना हैं"

Complaint:

"This is with respect to an advertisement by a coaching institute called "CATAPULT" in the newspapers, Times of India (Lucknow edition) and Dainik Jagran City (Lucknow edition) dated 2nd January, 2019.

The ad was regarding CAT 2018 results. The ad was misleading and inaccurate in multiple respects. As an avid reader I wish to bring certain points to your notice:

- 1) CAT has not released any score card or result per say. Moreover, there is no definite date for a result. But the said coaching institute has made bold claims about city and college toppers which are completely unsubstantiated.
- 2) The said coaching institute talks about 2019 and 2018 CAT toppers. 2019 toppers are not possible as the exam is 11 months away.
- 3) The ad talks of city specific college toppers. I demand proof of the same. The student has to be bonafide and has to be proven as the topper for the current year. Without any official result this seems to be far-fetched.
- 4) The ad claims to have maximum 99%ilers from the said institute. The institute has to be able to prove two things, one the students are bonafide and second that no other institute has more students.
- 5) The said institute claims of a "sure shot entry to IIMs" as per the ad. There is no proof to corroborate the same. The matter becomes of critical public importance as this was a front-page ad and the ad mislead the students and parents. Such respectable dailies are expected to refrain from such capitalist ideology. This letter is in good faith requesting you to ask the above-mentioned newspapers to retract the advertisement and publish a visible apology to the public in general"

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this





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complaint. The CCC viewed the print advertisement and observed that the advertiser had made claims about city and college toppers for the CAT 2018 and 2019 exams. The said advertisement appeared in the newspapers on the 2nd of January 2019, whereas the result for CAT 2018 was issued on the 8th of January 2019. Additionally, the CAT 2019 would be conducted on the last Sunday of November 2019. In the absence of any comments or response from the advertiser, the CCC concluded that the claims, “CAT 2018 Lucknow Topper from CATaPult”, “CAT 2019 and 2018 Toppers”, and “Maximum 99+ Percentilers in Lucknow are from CaTaPult” with the photographs of students shown with their secured percentile were not substantiated with supporting evidence. Claim (in Hindi), “IIM जाना हैं तो CATapult आना हैं” and “...sure shot entry into IIMs”, (“If you want to go to IIM then you must come to CATapult”), were not substantiated with supporting evidence of their institute students who were successfully admitted in IIMs across the country. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The print advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2401

COMPANY: IMS Learning Resources Pvt. Ltd

Complaint:

“CAT 2018 results published by IMS Udaipur. Full page advertisement published in Rajasthan Patrika and Dainik Bhaskar Dated 7th January 2019. Advertisement displays CAT results from IMS Udaipur center year on year with Fees Gurantee and other offers.

This advertisement is misleading as no where it is mentioned the students are test series students or classroom students. Same names are published by another player TIME. NEWS given in newspaper was also sharing common names and this is misleading the market whether the student was classroom or test series and where he actually prepared. The advertisement should clearly specify and distinguish between classroom student and test series student so that we can analyse he belongs to which institute and where he actually had prepared for his/her CAT preparation. I am attaching both advertisement and news which was published in newspaper. They have common names and this is misleading the market and students.

The news published in Dainik Bhaskar Udaipur (Rajasthan) Edition Page Number 7 dated 6th January 2019. I have attached entire page on which news was published. The common names claimed by both the institutes are Harshit Chandalia, Manali Mundra, Apaar Patiyat, This news belong to results published by IMS and TIME Udaipur Center. Neither news publisher takes responsibility to check credentials or score card before publishing this news as it would have clearly stated the common names as published by them.

It is impossible, how can a student prepare simultaneously at both the places or either he has taken test series from both the places. The concern is both the institute on their facebook page/ printed leaflet never state a test series or classroom student.”

CCC RECOMMENDATION: **NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail but submitted their written response. Advertiser stated that the advertisement was published by their franchise partner in Udaipur for their local campaign and was based on the results pertaining to the Udaipur Centre for CAT-2018. The advertiser provides test series, coaching, training and mentorship, which the students can avail not only from the advertiser’s institute but other institutes as well. While enrolling for a programme with the advertiser, a student has to fill up an enrolment form. The said enrolment form contains a clause, which gives the advertiser permission to use the student’s name, test scores, photograph, and testimony to communicate their success. The same has been done in this advertisement. As for the objection raised against the common names of students (Harshit Chandaliya, Manali Mundra, Apar Patiyat), shown in the said advertisement and in the advertisement published by another institute (TIME), the advertiser stated that the students are always free to take Test series, coaching, training and mentorship simultaneously from as many institutes as they want. Advertiser further confirmed that Harshit Chandaliya, Manali Mundra, Apar Patiyat, have been students of their institute, for which the advertiser provided their IMS enrollment PINs.





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As claim support data, the advertiser also provided the score cards for CAT 2018 of these students, extracts from their enrolment software containing personal details of the students, call letters, photographs, and emails exchanged with the students, a sample of an enrolment form (offline) with extract of the terms and conditions of their institute. The CCC viewed the Print advertisement and considered the advertiser's response. The CCC was of the view that students can take coaching from multiple centres and hence these centres can/may have the same set of students in common. The advertiser provided evidence to prove that Harshit Chandaliya, Manali Mundra and Apar Patiyat have been students of the advertiser's institute. Based on the advertiser's response with the supporting data provided the advertiser showing the photographs of Harshit Chandalyia, Manali Mundra and Apar Patiyat with their percentile scores and IMS Pin numbers and claiming to be students of IMS Udaipur, was not considered to be objectionable by the CCC. The complaint was **NOT UPHELD**.

1901-C.2444

COMPANY: One97 Communications Ltd

PRODUCT: Paytm Payments Bank Ltd

Claim Objected to:

“India's Most Sincere Bank”

“No Charges on Money Transfer”

Complaint:

“PayTm advt 1st Jan 2019, Times of India New Delhi,

Objection : It's mentioned as Sincere Bank ,also mentioned no charges on money transfers but Paytm charges on money transfer from Paytm Wallet to Paytm Bank.

I had raised two objections, one was line India's most sincere Bank ,second was related to charges, they have mentioned free but details not mentioned, attached is screenshot of my transaction that mentions charges levied.

The following might be helpful:

<https://www.paytmbank.com/ratesCharges>”

CCC RECOMMENDATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail but submitted their written response. The CCC viewed the print advertisement and considered the advertiser's response. Claim - “India's Most Sincere Bank” – In response to this objection, the Advertiser stated that the use of the words “Most sincere bank” was not deceptive. Advertiser's Bank is a customer centric organization, which has been granted a license by the Reserve Bank of India (RBI) to carry on payments bank business. The various bank services provided by them are based on the directions/guidelines issued by RBI. The CCC observed that in the context of the advertisement, the said claim is not absolute or comparative in nature and is not objectionable.

Claim - “No Charges on Money Transfer” - Advertiser explained that the contents specified in the advertisement were only in relation to the Savings Account, and did not make any reference to pre-paid payment instrument (Paytm Wallet). They charge 4% commission on money transfer from Paytm wallet account to bank account which is subject to terms and conditions mentioned on their website (<http://www.paytmbank.com/ratesCharges.html>). Advertiser provided relevant extracts of the terms and conditions applicable for Paytm wallet payment.

The CCC reviewed the evidence provided by the complainant, and observed that he had transferred money from his Paytm Wallet Account to Paytm Account for which he was charged 4% commission which amounted to Rs. 80/- on transferred amount of Rs. 2000/-.

Based on this observation, the CCC concluded that as the Complainant's grievance was with reference to a monetary transaction from Paytm wallet to Paytm Bank. The advertisement was in reference to the Paytm Payments Bank and not the wallet. As a matter of fact, there was no mention of Paytm wallet in the print advertisement. The CCC





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concluded that the claim, “No Charges on Money Transfer” was not in contravention of the ASCI Code. The complaint was **NOT UPHELD**.

1901-C.2079

COMPANY: Amar Paramedical College

Claim Objected To:

“Country's No.1 paramedical institute”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Jagran Prakashan Limited) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Country's No.1 Paramedical Institute”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar Paramedical institutes, to prove that it is in leadership position (No.1) than the rest in providing paramedical courses, or through a third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2258

COMPANY: Anand Enterprises

Claim Objected To:

“India's No.1 Manufacturer & Supplier of Cabinet chargers.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's No.1 Manufacturer & Supplier of Cabinet chargers”, was not substantiated with any verifiable comparative data of the advertiser and other manufacturers & suppliers of Cabinet chargers in India, to prove that it is in leadership position (No.1), or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and implication. The advertisement contravened Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2261

COMPANY: Sri Bhavana Para Medical College

Claim Objected To:
"100% Job Placement"

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim of "100% Job Placement" was not substantiated with authentic supporting data such as detailed list of students who have been in the medical industry, on completion of their paramedical courses, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2342

COMPANY: Bharat Vikas Parishad Hospital & Research Centre

Claim Objected To:
"Highest record of 50 successful heart surgeries in one month than any other hospital in Kota."

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed via telecon, and replied that they are willing to give details of surgeries performed by their hospital, and also suggested for ASCI to call for data from any other hospital claiming more surgeries in a month. As this reply was inadequate, ASCI asked the advertiser to provide additional data to substantiate their claim. In response to this query, the advertiser provided a copy of the advertisement of another hospital making similar claims as that of the advertiser which the CCC did not consider to be a valid reason for making claims. The CCC viewed the print advertisement and observed that the advertiser did not provide any support data or evidence of comparison with other heart care centres in Kota, to prove that they have achieved highest record of 50 successful heart surgeries in one month, nor a third party audited report. The advertiser also did not provide supporting evidence of the patients who were successfully treated by the advertiser's centre for heart problems. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2346

COMPANY: L.R. Builders & Developers- Rameshwaram Residency

Claim Objected To:

“Rameshwaram Residency of L.R. Builders & Developers has become best project of Rajasthan.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Rameshwaram Residency of L.R. Builders & Developers has become best project of Rajasthan.” was not substantiated with any market survey data or verifiable comparative data of the advertiser's project and similar commercial/residency projects in Rajasthan to prove that it is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2347

COMPANY: Madhuram Mini Mall (MM3)

Claim Objected To:

“Kota's No.1 Food Court from all over India.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Kota's No.1 Food Court from all over India.”, was not substantiated with any verifiable comparative data of the advertiser's food court and other food courts in Kota to prove that it is in leadership position (No.1) than the rest in providing food items from all over India, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2349

COMPANY: Malayala Manorama Co. Ltd

PRODUCT: Quickerala.com

Claims Objected To:

1. "Kerala's Largest Online Business Directory."
2. "Kerala's Largest Business/Service Search Website."
3. "Kerala's Largest Business listing website."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "Kerala's Largest Online Business Directory", "Kerala's Largest Business/Service Search Website", and "Kerala's Largest Business listing website", were not substantiated with any verifiable comparative data of the advertiser's online business directory with that of other online business directories in Kerala, to prove that they are larger than the rest, in providing online business directory services, or through a third party validation, and are misleading by exaggeration. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2350

COMPANY: Ramnivash & Company

PRODUCT: Ramnivash Range of Products

Claim Objected To:

"Best product of Bangalore."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertisement is promoting six variants of Agarbathis. Upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "Best product of Bangalore" was not substantiated with any market survey data, or any verifiable comparative data of the advertiser's agarbathi products and other agarbathi brands in Bangalore, to prove that their products are better than the rest, or through a third-party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2351

COMPANY: Sadana Fracture Centre

Claim Objected To:

“Permanent pain relief centre.”

Objection:

Claim implies that knee replacement would not be necessary.

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat, which they did not avail, but submitted their written response. Advertiser stated that their clinic promotes non-surgical alternatives in place of major knee replacement surgeries by using the stem cell treatment, developments in the field of orthobiologicals and 3D printing. The advertiser emphasized on the need for alternative treatment by quoting an article that discussed the need for new medical treatment options for osteoarthritis, and for treating the early phase of the disease where damage may be reversible as well as the need to modify each treatment for each person. The advertiser also quoted an article on Dr McDermott, UK’s leading experts in Biological Knee Reconstruction, that the future of knee surgery lies in biological reconstruction, with allografts, with 3D printed biological scaffolds, with tissue engineering, growth factors, and stem cells.

The CCC viewed the print advertisement and considered the advertiser’s response. The CCC observed that the advertiser only provided excerpts about different strategies for knee replacement and excerpts describing the need for non-surgical alternatives in place of knee replacement surgeries. The advertiser did not provide any details of their treatment procedure for knee pain, nor any details of the medicines, and their approval status by the regulatory authorities. Only superlative claim of permanent pain relief were made by the advertiser. Based on this observation, the CCC concluded that the claim (in Hindi), “*Sthayi Dard Nivaran Kendra*”, (“Permanent Pain Relief Centre”) was not substantiated, and is misleading by implication that knee replacement would not be necessary. The claim also exploits consumers’ lack of knowledge and is likely to lead to grave and widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**. The CCC noted that the advertiser has agreed to withdraw the claim.

1901-C.2352

COMPANY: Sauss Home Products Pvt. Ltd

PRODUCT: Pooja white Detergent Cake and Powder

Claims Objected To:

1. “First choice of Indian housewives.”
2. “Awarded with national and international awards.”

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “First choice of Indian housewives.”, was not substantiated with any market research data, or verifiable comparative data of the advertiser’s product and other detergent cake and powder products in India, to prove that they are the first choice or more preferred over others, by Indian housewives, or through a third party validation.

Claim, “Awarded with national and international awards.”, was not substantiated with copy of the award certificates, criteria for granting the awards, references of the awards received such as the year, source, and name of the awarding





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body. The source for the claim was not indicated in the advertisement. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2353

COMPANY: Singhania Buildcon Pvt. Ltd

PRODUCT: Harshit Harmony

Claim Objected To:

“Chattisgarh's No.1 Real Estate Company.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. In the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Chattisgarh's No.1 Real Estate Company”, was not substantiated with any verifiable comparative data of the advertiser's firm and other real estate companies in Chattisgarh, to prove that it is in leadership position (No.1) in providing real estate services, or through a third-party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2354

COMPANY: Sri Siddhivinayak Hospital

Claim Objected To:

“Most successful treatment on more than 25000 heart patients in 4 years.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any support data or evidence on year on year basis for the last four years to prove that they have achieved highest success rate in cardiac surgeries done on more than 25000 heart patients, nor a third party audited report as evidence of the 25000 patients who were successfully treated by the advertiser's hospital for heart problems. In the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Most successful treatment on more than 25000 heart patients in 4 years.” was not substantiated, and is misleading by gross exaggeration. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2359

COMPANY: Mekapati Rajamohan Reddy Institute of Technology and Science

Claim Objected To:

“In 2016-2017 and 2017-2018 educational year, 100 percent job opportunity providing educational institute”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The Advertiser stated that the claim is based on the on-campus placements of eligible students (passed with over 60%) who have been placed in different companies through their on-campus recruitment drives in the years 2016-2017 and 2017-2018. As claim support data, the advertiser provided (1) Company wise list of selected students for 2017-18 giving details of students name, their roll numbers, branch, names of placed companies, and copy of provisional offer letters / letters of intent, (2) 2016-17 Campus Placement report giving details of students names, names of companies where they were placed, copy of offer letters / letters of intent of students. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TVC and considered the Advertiser’s response as well as the opinion of the Technical expert presented at the meeting. The CCC observed that the claim (in Telugu) as translated in English was “In 2016-2017 and 2017-2018 educational year, 100% job opportunity providing educational institute”. The data showed that some of the placement offers given to the candidates were for internships or provisional offers. Not all the students were provided with or could get a placement offer, but only those students who passed and scored above 60% were given placement offers. There was an eligibility criteria i.e. only those who could achieve 60% and above could be placed through on-campus placement.

Based on this assessment, the CCC concluded that the claim, “In 2016-2017 and 2017-2018 educational year, 100% job opportunity providing educational institute”, was inadequately substantiated. The CCC also noted that while the advertiser may be providing job opportunities to their students, the use of 100% as a descriptor in the claim is misleading by implication, and omission that job offer was only for students scoring above 60%. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2360

COMPANY: TCL Communication

PRODUCT: BlackBerry Key 2/BlackBerry Evolve

Claim Objected To:

“Most secure android smart phone”

CCC RECOMMENDATION: UPHELD

The ASCI approached the concerned Media (Independent News Service Pvt. Ltd.) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. Media replied giving the details of the concerned advertising agency (Prachar Communications Pvt Ltd) handling the account of the said brand (BlackBerry Key 2/BlackBerry Evolve). ASCI then referred the objection raised in the complaint, to the advertising agency. They were offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertising agency had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertising agency prior to the prescribed due date for this complaint. The CCC viewed the TVC, and in the absence of any comments or response from the advertising agency, the CCC concluded that the claim, “Most secure android smart phone”, was not substantiated with comparative data to prove that the advertiser’s Smart phone was more secure or reliable to use than any other android smart phone brands, or through any third-party validation. The claim is





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misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2322

COMPANY: Shankar Pharmacy (Amrita Bindu)

Claim Objected To:

“Tested and proved at Central Government approved NABL labs.”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. On the advertiser’s request, they were offered an opportunity for Personal Hearing with the ASCI Secretariat via a telecon, which they did not avail. The advertiser sought Informal Resolution (IR) of the complaint, by agreeing to remove the objected claim from their advertisement. As the advertiser did not provide the necessary undertaking within the prescribed due date for this complaint, the complaint was taken forward for CCC deliberations. Advertiser provided a copy of the product packaging and copy of product approval license.

The CCC viewed the print advertisement and observed that it makes a reference to National Accreditation Board for Testing & Calibration *Laboratories (NABL)*, a Central Government Institution, by claiming that the product is “Tested and proved at Central Government approved NABL labs”. The CCC noted that the use of NABL labs in the print advertisement poses a potential risk of encouraging consumers to believe that the advertised ayurvedic proprietary medicine is approved by the Government for gastric and stomach related problems. The print advertisement was also in violation of the AYUSH advisory which refrains advertisers/advertising agencies from using the name of Government department and institutions in the advertisements of Ayurveda, Siddha, Unani and Homeopathy Drugs. Based on this observation, the CCC concluded that the reference made to NABL labs in the print advertisement is misleading by implication, exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

The CCC noted the advertiser’s reply that the said claim will not be repeated again in their future advertisements.

1901-C.2323

COMPANY: Arogya Niketan Sansthan & Research Center

Claims Objected To:

1. Successful treatment for all type of joint pain through ayurvedic panchkarm.
2. Successful treatment for piles, fistula and fissure through Ayurvedic Ksharshutra without surgery.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. However, the advertiser had not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide details of the ayurvedic treatment procedures through Panchkarm and Ksharsutra methods for treating joint pain, piles, fistula and fissure, details regarding the medicines to be used or their approval status by the regulatory authorities, and relevant extracts of ayurvedic references from Classical Books, in support of the claims. In the absence of claim support data, the CCC concluded that the claims (in Hindi) as translated in English, “Successful treatment for all type of joint pain through Ayurvedic Panchkarm”, and “Successful treatment for piles, fistula and fissure through Ayurvedic Ksharshutra without surgery.” were not substantiated with supporting credible scientific/clinical evidence, and are misleading by gross exaggeration. The claims exploits the consumers’ lack of knowledge and are likely to lead to grave or widespread





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disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2327

COMPANY: Dr Dev Slimming Clinic

Claims Objected To:

1. Reduce 4 to 5 kgs in 15 days.
2. Thousands of people have reduced weight.
(Before and after visuals in the advertisement appears to be misleading.)

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertisement promoted programme for weight loss. The advertiser did not provide details of their treatment procedure for weight reduction nor any weight loss data based on rigorous trial on statistically significant number of patients. In the absence of claim support data, the CCC concluded that the claim (in Marathi), "*15 divsaath 4 te 5 kilo vazan kami kara*", ("Reduce 4 to 5 kgs in 15 days") was not substantiated with evidence of their customers who achieved the claimed results of four to five kgs weight loss in 15 days regardless of their physiological status. Claim, "*Hazaaron lokani vazan kami kele haaye*", ("Thousands of people have reduced weight") was not substantiated with supporting clinical evidence, and with treatment efficacy data. The claims are misleading by implying that significant weight reduction being feasible, gross exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The CCC also noted that the efficacy being depicted via images of before and after the treatment are misleading as it implies that a significant weight loss around tummy would be feasible. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2328

COMPANY: La Botanique International

PRODUCT: Hca Gold Capsules

Claims Objected To:

1. the most natural way of reducing fat.
2. No side effect, no regain.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the product is an ayurvedic product for reducing and absorption of fat. However, the advertiser did not provide copy of product approval license / product label, and product composition details, nor any evidence of the ayurvedic ingredients present in the product and with specific benefits attributable to the ingredients responsible for fat reduction. In the absence of any comments or response from the advertiser, the CCC concluded that the claims, "The most natural way of reducing fat." and "No side effect, no regain., were not substantiated with product efficacy data, and are misleading by exaggeration. The claims are likely to lead to grave or widespread disappointment in the minds of





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consumers. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2329

COMPANY: Mother Tincture/ Anti-Addiction Liquid

Claim Objected To:

“Few drops of anti-addiction liquid gives riddance from all intoxication.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the advertorial and observed that the advertiser is promoting an herbal anti-addiction liquid for quitting all types of addiction. However, the advertiser did not provide copy of Product approval license / product label, and Product composition details. In the absence of response from the advertiser, the CCC concluded that the headline claim (in Hindi) “*Anti-Addiction liquid ki sirf kuch boonde dilate hain har nasshe se chutkara*” (“Few drops of anti-addiction liquid gives riddance from all intoxication.”), was not substantiated with supporting clinical evidence of product efficacy, and is misleading by gross exaggeration. The testimonial claims of Neeta Sharma whose photograph was shown in the advertisement, are also misleading by gross exaggeration, and exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2331

COMPANY: Herbal Creations

PRODUCT: Herbo Gold Tulsi Power

Claims Objected To:

1. Oldest and real trusted medicine.
2. No.1.
3. Beneficial for more than 200 diseases.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. However, the advertiser has not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that Herbo Gold Tulsi Power contains extracts of 5 types of Tulsi. However, the advertiser did not provide product specific details such as composition/licence/pack artwork. In the absence of comments from the advertiser, the CCC concluded that the claim, “Oldest and real trusted medicine”, was not substantiated with any market survey data or verifiable comparative data of the advertiser’s product and other similar products with tulsi extracts, to prove that their product is the oldest and trusted medicine, or through third-party validation. The claim, “No.1” was not substantiated with any verifiable comparative data of the advertiser’s herbal product and other similar herbal products, to prove that it is in leadership position (No.1) or through a third-party validation. The source for the claim was not indicated in the advertisement. The claim, “Beneficial for more than 200 diseases.” was not substantiated with authentic, credible scientific/clinical evidence of product efficacy.





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The claims are misleading by exaggeration, and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2195

COMPANY: Arputham Aqua

PRODUCT: Arputham Aqua Mineral Water

Complaint:

“Incorrect use of FSSAI logo implying endorsement from FSSAI”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but requested for an extension of a week’s time to submit their response. The advertiser was granted an extension of five days to the standard lead time of seven days to submit their reply in response to their request for extension. The CCC noted that no response was received from the advertiser by the extended due date. The CCC viewed the print advertisement and observed that the advertisement shows an FSSAI logo in a non-standard format, implying that it is an endorsement from FSSAI. The symbol of FSSAI logo in the advertisement did not contain their License number on the principal display panel in the format as suggested in the FSSAI Advisory.

Based on this observation, the CCC concluded that the improper use of FSSAI logo was misleading by implication that the product has been tested/approved/endorsed by FSSAI, and also was in violation of the FSSAI advisory. The advertisement contravened Chapters I.4 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2357

COMPANY: Amour Nutrition

PRODUCT: Ultra Premium 100% Whey Protein-Chocolate (Nature Identical Flavors)

Complaint:

“Improper use of FSSAI logo in contravention of the FSSAI advisory”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertisement shows an FSSAI logo in a non-standard format, implying that it is an endorsement from FSSAI. The symbol of FSSAI logo in the advertisement did not contain their License number on the principal display panel in the format as suggested in the FSSAI Advisory. Based on this observation, the CCC concluded that the improper use of FSSAI logo was misleading by implication that the product has been tested/approved/endorsed by FSSAI, and also was in violation of the FSSAI advisory. The advertisement contravened Chapters I.4 and III.4 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2385

COMPANY: Mallekan Dairy and Agro Pvt Ltd

PRODUCT: Dairylac-A2 Desi Cow Milk

Claim Objected To:

“Protects your body by boosting the immunity cells”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The 1901-C.2385 not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide copy of product label, copy of Product approval license, Product composition details, FSSAI approval for all the claims made. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefit or any credible published literature. In the absence of comments from the advertiser, the CCC concluded that the claim, “Protects your body by boosting the immunity cells”, was not substantiated with scientific / clinical evidence of product efficacy, and is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2386

COMPANY: Sri Selvamathi Idly Factory

PRODUCT: Sri Ammu Idly Dosai Batter

Claim Objected To:

“No.1 Idly Batter”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the claim made by the advertiser is superlative in nature claiming their product to be in leadership position (No.1). In the absence of comments from the advertiser, the CCC concluded that the claim, “No.1 Idly Batter”, was not substantiated with verifiable comparative data of the advertiser’s product and other idly batter brands, to prove that it is in leadership position (No.1), or through a third-party validation. The claim is misleading by exaggeration and implication. The source for the claim was not indicated in the advertisement. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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The following advertisement was considered to be, prima facie, in violation of The Drugs & Magic Remedies Act / The Drugs & Cosmetics Rules, and are being referred to the Ministry of AYUSH:-

Sr. No	Advertiser (Brand / Product)	Claim/S Objected To	Remarks (Clause Applicable)
1	1902-C.2184 Abhinav Healthcare Products Private Limited/Manzil Capsules	Excellent Aphrodisiac – Helps to treat male and female impotency useful in Erectile dysfunction, Prevents premature ejaculation – improves performance Helps to provide strength, prevents post coital weakness. https://www.abhinavayu.com/product/manze-el-capsules/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule
2	1902-C.2427 Abhinav Healthcare Products/wel- end tablets	Improves libido, Prevents premature ejaculation Provides strength and helps treat post coital weakness. https://www.abhinavayu.com/product/wel-end-tablet/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
3	1902-C.2428 Herbal Ayurveda / Herbal Stamina Gain	Improve and increase sexual strength. http://herbalayurvedashop.com/product-details.php?name=Sexual%20Problem	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
4	1902-C.2429 Hashmi Dawakhana / Leucol Plus Capsule	Anti vitiligo herbal treatment for 100% vitiligo cure guaranteed. http://www.hashmidawakhana.org/vitiligo-leucoderma-treatment.html	Leucoderma: Item No.33 - DMR Schedule.
5	1902-C.2432 Hashmi Dawakhana / Leucol Plus Cream	Cure vitiligo permanently, naturally and rapidly. http://www.hashmidawakhana.org/leucoderma-vitiligo-cream.html	Leucoderma: Item No.33 - DMR Schedule
6	1902-C.2433 Rajasthan Aushdhalaya Pvt Ltd./ Breast Torrer Combo Pack	Breast Torrер Combo pack contains Cream & Capsule. It naturally uplifts the sagging breasts. Redefines the shape & cleavage, nourishes the breasts, tightens breast muscles & enhances cup size. http://www.raplgroup.in/shop/beauty-hair-care/breast-torrer-combo-pack/	Form and Stature of the female bust: Item No.21 - DMR Schedule
7	1902-C.2435 Rajasthan Aushdhalaya Pvt Ltd./ Mood On Forever Avaleh	Mood On Forever Avaleh is an exclusive medicine for Men. It enhances Vitality, Stamina, and Energy & ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation. http://www.raplgroup.in/shop/men-health-care/mood-on-forever-avaleh/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule



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8	1902-C.2436 Rajasthan Aushdhalaya Pvt Ltd/ Mood On Forever Capsule	Mood On Forever Capsule is an exclusive medicine for Men. It enhances Vitality, Stamina, and Energy & ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation. http://www.raplgroup.in/shop/men-health-care/mood-on-forever-capsule/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
9	1902-C.2439 Rajasthan Aushdhalaya Pvt Ltd/ Mood On Forever Oil	Mood On Forever Oil is an exclusive medicine for Men. It enhances Vitality, Stamina, and Energy & ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation. http://www.raplgroup.in/shop/men-health-care/mood-on-forever-oil/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
10	1902-C.2440 Rajasthan Aushdhalaya Pvt Ltd/ Nirdosh Churna	Nirdosha Churna is an exclusive medicine for Men. It enhances Vitality, Stamina, and Energy & ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation. http://www.raplgroup.in/shop/men-health-care/nirdosha-churna/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
11	1902-C.2441 Shubham Homeopathic/T hunder M TM	Remedy "Male Disorders" Sexual debility & impotency http://www.shubhamhomeopathy.com/sizeprod.php?nm=VGh1bmRlci1N&cat=MTE=	Sexual Impotence-Item No.45, DMR Schedule
12	1902-C.2479 Shubham Homeopathic/ Vigoral-la	Libido enhancer. Enhances firmness, fullness & duration of erection Increase vitality & virility http://www.shubhamhomeopathy.com/sizeprod.php?nm=Vmlnb3JhbCAtTEE=&cat=MTQ=	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
13	1902-C.2480 Shubham Homeopathic/B Shape 36	For Breast Enhancement http://www.shubhamhomeopathy.com/sizeprod.php?nm=QiBTaGFwZSAzNg==&cat=MTk=	Form and Stature of the female bust: Item No.21 - DMR Schedule
14	1902-C.2495 Shree Baidyanath Ayurved Bhavan/Sripari Oil	It is used to enlargement of breast size https://www.baidyanath.com/product/sripari-i-oil/	Form and Stature of the female bust: Item No.21 - DMR Schedule
15	1902-C.2496 Gaharwar Pharma Products/P. V. Tone Leha	1. PV Tone Leha cures your impotency and erectile dysfunction 2. Break through formula in the natural sexual enhancement solutions. http://gaharwarcompany.in/product/p-v-tone-leha	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule





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16	1902-C.2497 Shaafi Herbal Care/Safarjal ka Murabba	1. cures Intestinal Ulcer 2. gives Strength of 40 Men to a Person http://www.shaafiherbalcare.com/products/2-2-safarjal-ka-murabba-quince.html	Ulcers of the gastro-intestinal tract- Item No. 53, DMR Schedule
17	1902-C.2498 Charak Pharma Pvt Ltd/Pallywyn Forte Tablet	Improves sexual desire in males and females,Enhances sexual satisfaction,Boosts sexual performance https://shop.charak.com/products/healthcare/general/pallywyn-forte-tablet/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
18	1902-C.2499 Hashmi Dawakhana/ Seks Max Power Capsule	Herbal Sexual Enhancement Capsules for men A Natural Way to increase libido and stamina Seks Max power capsule is the fast answer to your erection & sexual performance concerns http://www.hashmidawakhana.org/male-sex-enhancement.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
19	1902-C.2500 Jiva Ayurveda/ Arouse Oil	1. An Ayurvedic stimulant that gives you strength, vigour and stamina. Each ingredient of this oil has been selected after considerable research. Ashwagandha and Shatavari helps in improving the quality of seminal fluids, Jaiphal and Nagkeshar are known to help in maintaining erection. 2. Name of the product "Arouse Oil" - implies that the product is meant for the enhancement of sexual pleasure. https://store.jiva.com/products/arouse-oil/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
20	1902-C.2501 Jolly Pharma/ Jolly Sunsex Gold Capsules	1. Boost up the Sexual Power 2. Improve the Sexual Vigor & Vitality 3. Premature Ejaculation & Less Libido problems http://www.jollyhealthcareonline.com/index.php/premature-ejaculation/jolly-sunsex-gold-capsules.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
21	1902-C.2502 Jolly Pharma/ Jolly Sunsex Gold Oil	1. Boost up the Sexual Power 2. Improve the Sexual Vigor & Vitality 3. Premature Ejaculation & Less Libido problems http://www.jollyhealthcareonline.com/index.php/premature-ejaculation/jolly-sunsex-gold-oil.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.



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22	1902-C.2503 Juvenor Pharmaceutical s/MusliNites Gold TRIPTI Oil	MusliNites Gold TRIPTI Oil- Increase sexual desire in a person. MUSLINITES TRIPTI OIL is a 100% Safe & Ayurvedic oil for the use of ONLY MEN. This oil helps in increasing sexual desire in a male. It is due to improved flow of blood to the sex organ which in turn arouses a person appropriately for the intercourse. It also helps in treatment of premature ejaculation by increasing the time for the erections. Similarly, men suffering from impotency or erectile dysfunction are also benefitted with the use of this herbal oil. It helps in achieving harder and stronger erections and at the same time helps in sustaining the same to have complete pleasure during this essential activity of life. http://muslinites.com/pages/muslinites_tripti_oil	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule
23	1902-C.2504 Juvenor Pharmaceutical s/ MusliNites Capsule	Safed Musli has been used by the locals, for hundreds of years, to improve their vitality, sex drive and sexual performance. The root is the most potent part of this plant and our supplements, made from the root, are the best in the world. This is one of its kind product to help increase libido and sexual desire. http://muslinites.com/pages/muslinites	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
24	1902-C.2505 Jwala Ayurved Bhawan/ Madanshakti	Promote to stamina, semen, lusture, strength and energy.It is the best medicine to cure impotency and weakness due to old age and premature ejaculation. http://jwalaayurvedic.com/product_detail_display.aspx?x=67	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule
25	1902-C.2506 Jwala Ayurved Bhawan/Kilvari	Best for impotency, premature ejaculation, weak erection,ejaculation http://jwalaayurvedic.com/product_detail_display.aspx?x=57	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule
26	1902-C.2507 Himalaya Drug Company/Gokshura tablets	1. Improves sexual desire and drive, which subsequently improves sexual performance. 2. Strengthens the penile tissue and enhances penile erection, making it very useful in erectile dysfunction. https://www.himalayawellness.in/our-products/pure-herbs/gokshura	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.
27	1902-C.2508 Himalaya drug company/Kapikachhu tablets	Increases mood and sexual performance. http://www.himalayawellness.com/products/wellness/kapikachhu.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule.





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28	1902-C.2512 Arogya Divya Sansthan / DME-9	1. An ayurvedic Tablet which is solution for the problem of Diabetes 2. Now no need to spend thousands of rupees when the treatment of diabetes is such cheap and easily available. Suo Moto observation that the advertisement in violation of the DMR regulations	Diabetes - Item no- 9 DMR Schedule
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1901-C.2367

COMPANY: Vivo Mobile India Pvt. Ltd.

PRODUCT: Vivo V11 Pro

Complaint:

“I would like to lodge a complaint against vivo mobile phone selling company for misleading on advertisement. (VIVO-V11- PRO) First of all I would like to mention that I am a big fan of Mr. Amir Khan Sir. As we all know that we get information from advertisement & mostly of them are from television or electronic media. As per the shown advertisement I have decided to buy Vivo V11 Pro & I purchased it on 10/15/2018 (@Rs25,999). As we know it’s a flagship premium device which is specialized in camera & music. So, the main reason behind my purchase (Vivo V11 Pro) was camera, to capture moments of my little angel (girl child 1yr). The camera quality is really good, I appreciate from the bottom of my heart. But the main problem comes in front of me when I tried to capture moments of my angel while she moving, at first, I was thinking maybe she moved too fast or is there any technical function which is beyond my knowledge for hazy result of pictures. As time passed, I tried to figure out what’s going on?? Why pictures coming hazy or distort? Pictures still coming hazy while the subject move slightly. As you can see on the advertisement, When Mr. Amir Khan Sir taking pictures of that little cute angel who was jumping on the couch (Watch the clip 43sec to 45 sec) it comes so sharp & clear except left hand wrist which was little bit distorted. Another shot when Mr. Amir Khan Sir was taking on the advertisement, that Sardarji guy who was dancing (watch the clip 50sec 53 to) while he was moving so fast, but still pictures comes so sharp & clear it didn’t distort. Then I try to find out what’s going on with my phone!

Then I found this phone (VIVO V11 PRO) don’t have EIS (electric image stabilization) OIS (optical image stabilization). So, I would like to ask VIVO that if your product (VIVO V11 PRO) don’t have such kind of technical specification than why you (VIVO marketing & advertising team) guys advertised in such way to mislead consumers like me those reason to buy your product is for capture emotions & moments. I felt really upset. I hope that ASCI team will definitely try to understand my concern & help me to get proper resolution for this inconvenience by misleading as soon as possible. https://youtu.be/o-NgT9Q_54o”

Link of YouTube Ad on their official page: <https://www.youtube.com/watch?v=H9jjGic2LpQ>

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that they would like to resolve the issue with ASCI and the complainant, personally. The advertiser’s product team got in touch with the customer and explained the different features of the product—Low Light, Bokeh Mode, AI Backlight HDR, etc., which the advertiser had added as disclaimers in their advertisement. The advertiser stated that pictures may vary as per different lighting conditions.

The CCC viewed the YouTube advertisement and considered the advertiser’s response. The CCC observed that the advertiser did not provide specific comments on the objections raised against the hazy pictures delivered by the complainant’s purchased phone. Advertiser also did not provide any technical data for Vivo V11 Pro having





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feature of dual rear camera giving good picture quality nor any test reports. The CCC concluded that the claim, “Dual Rear Camera with Dual Pixel Technology”, was not substantiated, and is misleading by exaggeration. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.

1901-C.2408

COMPANY: Asian Paints Ltd

PRODUCT: Asian Paints

Complaint 1:

“The advertisement being aired on TV channels shows a goon becoming political leader, then commits a 20000 crore scam and then becomes a minister wearing lots of gold. Celebrating all the way. The advertisement celebrates and promotes corruption in politics.”

Complaint 2:

“A politician is shown doing corruption, however instead of getting punishment he becomes a minister because he has Asian paints on his wall. In the end he is shown dancing and enjoying on the song “Abhi to aur badhega, abhi to aur chalega”

This Advertisement portrays problem of corruption in politics as a no problem and actually goes to the extent of glorifying corruption. This advertisement will encourage corruption as it shows corruption not only being acceptable in society but also rewarding.”

Complaint 3:

“In the above advertisement ranbir Kapoor is shown as politician. This politician is shown as corrupt politician. However as a laminate paint there is no impact of his corruption as he is seen comparable to a laminate. Ranbir Kapoor is promoting corruption. This is not a good message and against public interest”

Complaint 4:

I have an objection regarding Asian paints new TV commercial ad feat. Ranveer Kapoor. I can share link of that controversial ad. Please watch this TV ad. <https://youtu.be/CshKyCwP-2g>.

This particular is TV ad clearly encourages criminal person activities and also admiring him as a political leader year after year on the name of Asian paints "Abhi toh aur chalega" its jingle. He was a criminal and fight for elections and won and then he caught in 20 crore scam and still winning even after provoking by public and hooting on his crime. Actor in this TV ad should be apologized for this misleading act.

Complaint 5:

Ranbir Kapoor is playing criminal and corrupt leader doing fraud of 20000 cr Rs... Asian paints is big brand and they r promoting corruption openly. Any scam is money looted of common man...n they r showing 20000 cr scam proudly. Really shame...please ban this ad

CCC RECOMMENDATION: **NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser in their response stated that the advertisement was intended to showcase the longevity of their product in a humorous way highlighting the performance of the product through the highs and lows of the weather and other challenges, by creatively drawing parallels with the vagaries of the protagonist’s life. The advertisement is intentionally humorous and over-the-top. However, it does not intend, on any level, to glorify, promote or legitimize any particular individual, group, profession or act. The advertisement is purely fictional, representing tough fortification (lamination) against the changes in weather conveyed through the many disruptions in the protagonist’s career (politics).

The CCC viewed the TVC / YouTube advertisement (<https://www.youtube.com/watch?v=Q9wmzmRGAVQ>) and considered the advertiser’s response. The CCC observed that the protagonist (Ranbir Kapoor) is portrayed as a criminal winning election, then caught in 20,000 crore scam, and again shown as becoming Minister. This portrayal of the protagonist career has no relevance to the product promoted. The CCC concluded that this depiction was a hyperbole, satire, and an obvious untruth intended to catch the eye of the consumers and it does not condone





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corruption. While the advertisement is not in good taste, it was not likely to cause grave and widespread offence. The complaint was **NOT UPHELD**.

However, the CCC recommended that the advertiser should be advised that they should consider the concerns raised by the complainants.

1902-C.2491

COMPANY: Management Development Institute

Claim objected to:

“100% placement achieved for PGPM 2017-19 batch in record time with highest CTC offered ₹ 12.00 LPA and avg. CTC ₹ 9.03 LPA”

Complaint:

Advertiser should substantiate with claim support Data such as detailed list of students, contact details for verification, enrolment forms and appointment letter. Received by students with independent auditor verification certificate

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide authentic supporting data for 2017-18 giving detailed list of students who were placed through their Institute on completion of their PGPM course, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. Advertiser also did not provide evidence of an offer letter of a company/firm which quoted the salary package as CTC ₹ 12.00 LPA and avg. CTC ₹ 9.03 LPA, nor any audit report. The CCC concluded that the claim, “100% placement achieved for PGPM 2017-19 batch in record time with highest CTC offered ₹ 12.00 LPA and avg. CTC ₹ 9.03 LPA”, was not substantiated.–The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2355

COMPANY: Mahindra and Mahindra Ltd

PRODUCT: Swaraj Tractors

Claim Objected To:

“Himachal Pradesh ka no. 1 tractor” “No.1 tractor of Himachal Pradesh”

CCC RECOMMENDATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the claim was made on the basis of the sales figures declared by the Tractor Manufacturers Association (TMA). As claim support data, the advertiser provided a copy of the TMA report, showing the sales figures of tractors from April 1, 2018 upto October 31, 2018. The claim support data was examined by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the leadership claim was made under the banner of Swaraj, a brand of





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M&M Swaraj Division. The report showed that M&M sold 491 tractors in HP than other leading players for the period of April 1, 2018 to October 31, 2018. M&M as a group reported a 48% share of sale of tractors in Himachal Pradesh than their nearest competitor with a 27% share in the sale of tractors.

Based on the advertiser's response with the supporting data provided, the CCC concluded that the claim, "*Himachal Pradesh ka No. 1 tractor.*" ("No.1 tractor of Himachal Pradesh") was substantiated. The complaint was **NOT UPHELD**. However, the CCC recommended that the advertiser should be advised that the claim needs to qualify via disclaimer to mention the source of the support data. The CCC noted the advertiser's response that the said advertisement has been discontinued.

1901-C.2368

COMPANY: Drona Kids

Claim Objected To:

"India's most favourite play school."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the claim, "India's most favourite play school" implies that the advertiser's play school is the most preferred or favourite as compared to all other play schools in India. In the absence of comments from the advertiser, the CCC concluded that the said claim was not substantiated with verifiable comparative data or market survey data of the advertiser's school and other play schools in India, to prove that they are favourite in teaching kids, or through a third-party validation. The claim is misleading by exaggeration and implication, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2369

COMPANY: Elite Academy

Claim Objected To:

"State No.1 English Faculty."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "State No.1 English Faculty", was not substantiated with any verifiable comparative data of the faculty from the advertiser's institute and faculty of similar English coaching institutes to prove that their faculty team is in the leadership position (No.1), or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2373

COMPANY: Mahatma Jyoti Rao Phoole University

Claims Objected To:

1. No.1 Women Law College
2. No.1 Most preferred in Agriculture
3. No.1 in Rajasthan Women Biotech College

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "No.1 Women Law College" and "No.1 in Rajasthan Women Biotech College", were not substantiated with any verifiable comparative data of the advertiser's college and similar women's colleges in Rajasthan, to prove that it is in leadership position (No.1) than the rest in providing law courses and biotechnology engineering courses, or through a third party validation or copy of the award certificates, details of the criteria for granting the award, references of the award received such as the year, source and category, and details about the awarding body, and is misleading by omission of disclaimer to qualify the same. Claim, "No.1 most preferred in agriculture" implies that the advertiser's college is the most preferred over all other agriculture colleges, for which the advertiser did not provide any verifiable comparative data or market survey data to prove that it is in leadership position (No.1) than the rest, in providing coaching for agricultural study courses, of the advertiser's colleges and other agriculture colleges, or through a third-party validation. The source for the claims were not indicated in the advertisement. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2377

COMPANY: Shivalik School

Claim Objected To:

"Awarded Agra's Best CBSE School"

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response through their advocates. The advocate on behalf of the advertiser, stated that the advertiser's school imparts quality education in Agra and provides best facilities to their students. The claim was made on the basis of the award received by the advertiser's school from (Hindustan Times)

The CCC viewed the print advertisement and considered the advocate's response. In the absence of claim support data, the CCC concluded that the claim, "Awarded Agra's Best CBSE School", was not substantiated with a copy of the award certificates, criteria for granting the award, references of the award received such as the year, source, and name of the awarding body. The claim is misleading by exaggeration, and is likely to lead to grave or widespread disappointment in the minds of consumers. The claim is not qualified to mention the source. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**. The CCC noted the advocate's response that the said claim will not be repeated again in the future advertisements.





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1901-C.2378

COMPANY: The Shri Ram Universal School

Claims Objected To:

1. Ranked 1st as Commerce College in India for more than 12 years in running
2. Ranked among the top 3 liberal arts college in India in the last 10 years

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The Advertiser asserted that the claims are made on the basis that both the institutions are top ranking colleges in their respective categories. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the advertisement was for The Shri Ram Universal School.

Claim – “Ranked 1st as Commerce College in India for more than 12 years in running” – As claim support data, the Advertiser referred to website link – <https://www.indiatoday.in/bestcolleges/2018/ranks/1792400> and <http://www.srcc.edu/sites/default/files/rank.pdf> for the ranking claimed. The CCC observed that this data referred to relevant pages of India Today Nielsen Survey from 1997 to 2016 for India's Best colleges. The data showed that Shri Ram College of Commerce (SRCC) ranked No.1 in 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2011, 2012, 2013, 2015, and 2016. In 1997 they were ranked No.3 and in 2010 they were ranked No.2. There was no data provided for 2014, and also there was no ranking data provided beyond 2017. Claim – “Ranked among the top 3 liberal arts college in India in the last 10 years” - As claim support data, the Advertiser referred to website link – <https://www.indiatoday.in/education-today/news/story/top-10-arts-colleges-in-india-1269389-2018-06-25> and <https://www.indiatoday.in/bestcolleges/2017/ranks/1771714> for the ranking claimed. The CCC observed that this data showed names of Top 10 Arts colleges in India 2018 with a brief note on their profile, as per India Today rankings, in which Lady Shri Ram College for Women (LSR) was listed No.2. The said institute was ranked 1 in India's Best Art Colleges in 2017. The data also showed rankings for the institute from 2005 to 2016. The said college ranked No.1 in 2005, 2010, 2011, 2012, 2014, and 2016. In 2009, 2013 and 2015 they were ranked No.2, in 2007 they were ranked No.3, in 2006 they were ranked No.4, and in 2008 they were ranked No.5. Based on these observations, the CCC concluded that the claims, “Ranked 1st as Commerce College in India for more than 12 years in running” and “Ranked among the top 3 liberal arts college in India in the last 10 years” were inadequately substantiated with supporting data for the ranking claimed. The claims are misleading by ambiguity and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2394

COMPANY: Angel's Paradise

Claim Objected To:

“Largest Pre School chain of the city”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Largest Pre School chain of the city”, was not substantiated with any verifiable comparative data of the advertiser's pre-school chain and other pre-school chains in Amritsar, to prove that they are larger than the rest or through an audited report or through a third-party





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validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2396

COMPANY: Motia Developers Pvt. Ltd.

PRODUCT: Motia's Royal Citi

Claim Objected To:

“Awarded as Greenest Society.”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail but submitted their written response. The advertiser stated that the claim was made on the basis of the award received by their society from HT Media Limited (Hindustan Times). As claim support data, the advertiser provided a copy of the award certificate.

The CCC viewed the print advertisement and considered the Advertiser's response. The CCC observed that the advertiser was awarded the certificate for their residential complex (Royal Citi luxury apartments) being the Greenest Society, in the Hindustan Times Best Society Contest 2017-2018.

However, the advertiser did not provide the details of the process as to how the selection for the award was done, i.e. survey methodology, details of survey data whether it was done amongst green or energy efficient environment, criteria used for evaluation, questionnaires used, names of other residential complex/societies that were part of the survey and outcome of the survey. The CCC considered the claim to be vague as the context of the claim was not provided such as whether the claim was pertaining greenery in the complex or energy efficiency or other environmental parameters or if being made out of sustainable options. The credibility and authenticity of the certifying body was also not provided by the advertiser. The claim was not qualified to mention the source and date of research. The claim is misleading by implication and omission, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2399

COMPANY: Queen's NRI Hospital

Claim Objected To:

“Largest Super Specialty Hospital in AP”.

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Largest Super Specialty Hospital in AP”, was not substantiated with any verifiable comparative data of the advertiser's hospital and other similar super specialty hospitals in Andhra Pradesh to prove that they are larger than the rest, in providing comprehensive care for patients with cancer and heart problems, or through a third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in





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the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2400

COMPANY: Rana Hospital

Claim Objected To:

“Unique book and Limca book of records for doing most check-ups and operation in less time”.

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail but submitted their written response. The advertiser stated that the claim was based on the certificates awarded by Unique book Records and Limca Book of Records. Advertiser clarified that Unique World Record certificate indicated that 442 patients having Piles were examined on 24 October 2013 and as on 27 October 2013 a mass event was organized in which doctors performed the procedure on 391 patients within 8 hours 45 min. Unique book of records certificate was issued before the completion of the activity, at that time 300 patients procedure was performed by the team of doctors, using RIKT which is a research based innovated Ksharsutra technique effective for all stages of piles, fistula and fissure, where the Patient does not need any anaesthesia and is discharged on the same day.

As claim support data, the advertiser provided copies of the award certificates – Unique World Records (Most Successful Piles Surgeries in a Day) and Limca Book of Records (391 patients from 8 states within 8 hours 45 minutes – Free Piles Operation Camp).

The CCC viewed the print advertisement and considered the Advertiser’s response. The CCC observed that the Limca award was given to the advertiser (individual) for performing procedures on 391 patients from 8 states within 8 hours 45 minutes in a free Piles Operation Camp. However, this certificate had a disclaimer indicating that grant of the certificate does not guarantee an entry into Limca Book of records. The CCC considered this disclaimer to be contradictory to the claim. While the “Unique World Records” award was given to the advertiser for conducting “Piles OPD” where 442 patients were only examined in 5 hours and not “operated” on October 24, 2013, and for conducting “the most successful piles surgeries” on 300 patients in one day on October 27, 2013. The CCC expressed concerns over the authenticity and credibility of the awarding bodies - “Unique World Records” and “Limca awards”. Furthermore, the Advertiser did not provide any logistics details, nor details of the process as to how the awarding bodies (Limca and Unique) arrived at their respective conclusion or assessed the medical treatment to be the most successful. The CCC also noted that based the information provided by the advertiser, the patients were treated by RIKT (Kshar Sutra) technique (MEDICATED CAUSTIC THREAD) which is considered as Ayurvedic Parasurgical procedure whereas the advertisement refers to the treatment being

Developed by the advertiser via German, American and Italian machines. Furthermore, the treatment procedure was performed by a team of doctors and was not done by a single doctor. In any case, the CCC did not consider the claim of a single individual checking / operating on 400+ and 300+ patients respectively in the claimed time periods to be unrealistic. The advertiser did provide details of the professional qualification for Dr Suri referred in the advertisement nor any evidence of him being a qualified medical professional.

Based on these observations and several discrepancies, the CCC concluded that the claim, “Unique book and Limca book of records for doing most check-ups and operation in less time”, was not adequately substantiated. The claim is misleading by exaggeration, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

The CCC noted that the advertiser agreed to correct their advertisement in future.





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1902-C.2438

COMPANY: Ganga Ayurvedic Clinic

Claim Objected To:

“Sure shot treatment of sugar.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the treatment procedure for treating patients having sugar (diabetes), nor any details regarding the medicines for claimed diseases, and their approval status by the regulatory authorities. In the absence of any comments or response from the advertiser, the CCC concluded that the headline claim, “*Sugar ka ahook upchaar*” (“Sure shot treatment of sugar”) was not substantiated with supporting clinical evidence, and with product efficacy data, and is misleading by gross exaggeration. The claim exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The claim implies cure for Diabetes, which is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 9 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2451

COMPANY: Sahajanand Life Sciences Pvt. Ltd.

PRODUCT: JointAid Oil and JointAid Spray

Claims objected to:

1. Trusted by Doctors, physiotherapists and Lakhs of families
2. 100% Natural
3. Developed by DR

Complaint:

“Claims: 1. Trusted by Doctors, physiotherapists and Lakhs of families

2. 100% Natural
3. Developed by DR

Our objections:

1. Please substantiate claims 1, 2 and 3 with claim support data. The claim support data should not be internal or based on studies commissioned by SuAyu.
2. Ref. to claim 1, we would like to quote an ASCI decision regarding an advertisement of Greek Retail P. Limited (Refollium Capsules) in the month of April 2018. CCC concluded that the claim Dermatologists recommended? Was not substantiated with any details of survey data, criteria used for evaluation, questionnaires used, and name of the independent agency that conducted the survey, and is misleading by exaggeration.
3. Ref. to claim 2, we would like to quote an ASCI decision regarding an advertisement of HemTMs Food Pvt Ltd. (HemTMs Millet Soupy Noodles) wherein the advertisement was upheld in the month of July 2018. CCC concluded that the claims –100% Natural, High Quality Natural Ingredients, Natural Food, Natural ingredients were inadequately substantiated for the product as a whole. The over-emphasis on Natural positioning is misleading, exploits consumersTM lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. Similar claims are made in this advertisement. 4. Please give details of the DR who has developed this. Is the product certified by AYUSH? According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code”





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CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The CCC viewed the print advertisement and considered the advertiser's response.

Claim – “Trusted by Doctors, Physiotherapists and Lakhs of families” - In response to this objection, the advertiser stated that the product was launched in 2014, and till date they have sold lacs of the product to end users. The said claim is made based on the feedback received from their satisfied customers and the Doctors and Physiotherapists recommendation of the product.

The CCC observed that the Advertiser's response has only assertions about the claim. Advertiser did not provide any market survey data conducted amongst consumers/families, and amongst Doctors, Physiotherapists for the brand being trusted or recognized by them for its efficacy or through an independent third-party validation. The claim is misleading by implication that the medical community of doctors and physiotherapists are recommending the product. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. This complaint was **UPHELD**.

Claim, “100% Natural” – Advertiser stated that the product is natural as all the ingredients used in the product are 100% natural or ayurvedic. The solvent and propellant contained in the JointAid Spray are non-active components and work as carrier / vehicle for active components, which are commonly known and used in all kinds of spray formulation. Advertiser provided a copy of label of JointAid oil and JointAid spray, and License copy of both the products. Based on the product composition details on the pack labels of both the products, the CCC observed that JointAid oil contains natural ingredients, whereas JointAid spray contains solvent and propellant, which can not be considered to be “100% natural”.

Based on this observation, the CCC concluded that the claim “100% Natural” for JointAid Spray is false and misleading by ambiguity. The advertisement contravened Chapter I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**. The CCC did not consider the claim, “100% Natural” for JointAid oil to be objectionable.

Claim, “Developed by DR” – Advertiser asserted that this product has been developed by their in-house doctors. Advertiser provided names of two of their employees - Dr. Dipak Patel, PhD (Pharmacology) and Dr. Nirav Joshi, BAMS MD (A. Med), along with copy of their appointment letters, educational certificates. Advertiser further stated that the formulation for JointAid oil was developed in August 2014 and for JointAid spray it was developed in May 2017. The CCC observed that Dr Dipak who was responsible for product formulation was a PhD holder with Pharmacy background. Based on this information, the CCC concluded that the claim, “Developed by DR” when seen in conjunction with the visual of a stethoscope, was inadequately substantiated and is misleading by ambiguity and implication, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. This complaint was **UPHELD**.

1902-C.2473

COMPANY: Lord Dhanvantari Ayurvedic Hospital

Complaint:

“This is yesterday's add in rohtak bhaskar. X rays reports are same. But patient changed

दी अखबार दैनिक जागरण और दैनिक भास्कर दोनो में डॉ धन्वंतरी का इशतेहार दोनो में एक ही एक्स-रे रिपोर्ट लेकिन दोनो में मरीज के नाम अलग-अलग गजब कि बात यह है कि दोनो मारीजों के 6 महिने के उपचार के दौरान एक समान सुधार नजर आए दोनो अखबारो में एक जैसी कहानी भी लिखी गई है

इससे पता चलता है किस प्रकार तथाकथित कहानियां रचकर अखबारो में झूठे इशतेहार छाप कर लोगों को भ्रमित किया जाता है I दिनांक 26 नवम्बर 2018 के यह दोनो अखबार उठा कर आप भी देख सकते हैं I”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The





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Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement that appeared in Dainik Jagran and Rohtak Bhaskar and observed that the advertisements showed photographs with testimonials and X-ray progress reports of two patients - Urmila and Manpreet Kaur. The testimonial claims and X-ray reports appeared to be similar. Advertiser did not provide any details of the specific patients referred in the testimonials, their treatment procedure nor any data for claimed treatment based on rigorous trial on statistically significant number of patients. No details regarding the medicines, their approval status by the regulatory authorities was provided by the advertiser. The CCC concluded that the claims (in Hindi), claiming cure of Knee Pain and Joint Pain by showing similar testimonials and same X-ray reports, were not substantiated with supporting clinical evidence. Visuals showing the same X-ray reports for two separate individual patients and claiming progress on 1st day of treatment, and treatment after 3 and 6 months, and the testimonial claims of the patients are misleading by gross exaggeration and exploits the consumers' lack of knowledge and is likely to lead to grave widespread disappointment in the minds of consumers. The advertisements contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2443

COMPANY: Xiaomi Technology India Private Limited

PRODUCT: Mi LED Smart TV 4A Pro 49

Claims objected to:

1. 7 Lac hours content
2. TV is with Bluetooth 4.2 version

Complaint:

"This company boast in advertisement of MI TV 4A Pro 49 inch that this tv has followings. 1. 7 Lac hours content. No where mentioned that this needs to be purchase? 2. Advertisement boast that TV is with Bluetooth 4.2 version and no where mention that it will work with MI devices only. After purchase company refused to accept that it is not working and refused with statement that it will work with MI Device only. Cheating with Customers with Misleading features. I have attached copy of Advertisement listed on company site. Please see attached photos which has details.

Further overall advertisement file is of size 11Mb or can be visible from <https://www.mi.com/in/mi-led-smart-tv-4a-49-pro/>"

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response through their Advocates.

The advocate on behalf of the advertiser argued that ASCI does not have statutory powers that would render its decisions applicable on non-members. Since their client (advertiser) not being a member of ASCI is not bound to follow the decisions of ASCI. The advocate further responded to the objections raised in the complaint. The CCC viewed the website advertisement (<https://www.mi.com/in/mi-led-smart-tv-4a-49-pro/>) and considered the Advocate's response. Regarding the Advocate's comment on ASCI's jurisdiction, the CCC referred to the judgement by the Hon'ble Supreme Court titled "Common Cause (A Regd Society) v Union of India and Ors", which affirmed and recognised the self-regulatory mechanism put in place by self regulatory bodies as an effective pre-emptive step to statutory provisions in the sphere of media regulation for TV and Radio programmes in India. The grievance redressal platform provided by self-regulatory bodies, therefore, function as the first step for aggrieved consumers against content in the media which might not be in line with the existing laws. The CCC also advised that the advertiser should take cognizance of the MoU the Department of Consumer Affairs has entered into with ASCI to deal with misleading advertisements.





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Claim – “700,000 Hours of Content.....” – In response to this objection, the advocate stated that the advertisement nowhere says that 700,000 hours of content are accessible free of charge. The content of the Website and the concerned webpages relate to the Patchwall interface of the MI TV PRO A49, whose interface enables a viewer to access content made available by one or more online streaming content providers, including Voot, Sony Liv, Hungama, Sun Nxt, Hooq, Tvf, amongst others. The availability of the number of content hours is an aggregation of the available content hours by the advertiser’s content providers. The terms and conditions unique to each content provider is at the absolute discretion of these providers and are not controlled or monitored by the advertiser, hence the advertiser stated that in its capacity as an intermediary, it is not in a position to predict whether any such content is free content or requires to be paid for since each of these have different product offerings., some of which may be free and some of which may be paid for - and any of which can be accessed through the MI TV PRO A49.

The CCC was of the opinion that the product feature offering 7,00,00 hours of content is chargeable, needs to be highlighted in the advertisement. The CCC concluded that the claim, “7,00,00 hours of content on Patchwall”, “7,00,000+ hours of content” is misleading by omission and implication that it is accessible free of charge. The website advertisement contravened Chapter I.4 of the ASCI Code. This complaint was **UPHELD**.

Claim - “Bluetooth 4.2” - Advocate stated that the advertiser’s product has Bluetooth communication capabilities which can communicate with other Bluetooth devices that have such communication capabilities. There is no restriction in the MI TV Pro A49 that only allows Bluetooth communication with Mi devices. As claim support data, the advertiser provided snapshots of a successful pairing between the MI TV Pro A49 and a SONY WH-1000 Bluetooth 4.2 enabled headphone product. Based on this data, and in absence of any evidence from the complainant in support of the objection, the CCC concluded that the product feature having “Bluetooth 4.2” version was substantiated. This complaint was **NOT UPHELD**.

1901-C.2388

COMPANY: Krishndev Dairy Farm

PRODUCT: A2 Gir Cow Milk

Claims Objected To:

1. Low fat A2 milk provides more strength.
2. 100% pure ghee is made from A2 milk which creates many miracles in physical development.

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied requesting for an extension of two weeks to submit their response. The advertiser was granted an extension of additional seven days to the standard lead time of seven days to submit their reply in response to their request for extension. The CCC noted that no response was received from the advertiser by the extended due date.

The CCC viewed the print advertisement and observed that the advertiser did not submit any product specific details such as composition/pack artwork or samples, evidence of the ingredients present in the product, and product efficacy data. The CCC noted that no data was provided of any scientific rationale or published literature references to support the claimed benefits. In the absence of specific comments from the advertiser regarding claim support, the CCC concluded that the claims, “Low fat A2 milk provides more strength” and “100% pure ghee is made from A2 milk which creates many miracles in physical development”, were not substantiated. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1901-C.2407

COMPANY: Parle Products Pvt. Ltd

PRODUCT: Parle Magix Biscuit

Complaint:

“There are 2 adverts in parle g .in one a boy is shooting the shopkeeper for not giving him the biscuit! It’s coming in nick junior...Kids channel! The kids watching the show are thinking it’s the right thing to do!!!

Yes ...where the kid is shooting the gun at the shopkeeper

Kindly do the needful”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the said creative is the shopkeeper’s figment of imagination, where he imagines various consequences of not giving the correct biscuit brand to the consumer. Finally, when confronted by the customer and out of guilt he hands over the correct packet of biscuit. The advertiser further stated that the boy wasn’t pictured hurting the shopkeeper but it was a humorous imaginative take on what could happen if the shopkeeper doesn’t give the boy what he has asked for. The advertisement does not portray or promote violence. The bullet is fired without any fire or smoke, or any bloodshed. The shopkeeper even imagines a slap (through audio cue) though he is not slapped. The different avatars (superhero, army officer, police officer, activist or lawyer, etc.) being imagined by the shopkeeper are the outcome of the shopkeeper’s bad choice and depicts strict law keepers who are known to stop the wrong doers in society and are aspirational figures for children. The advertisement asserts that children should be more confident while buying things on their own, i.e., they should be able to spot the difference between the correct or the fake product.

The CCC viewed the T.V. Commercial / corresponding YouTube advertisement (<https://www.youtube.com/watch?v=ni2n8kQsf2o>) and considered the advertiser’s response. The CCC observed that the child dressed in the police uniform pulls the trigger and a bullet is fired (through an audio cue). The CCC concluded that though the overall TVC is not objectionable, the specific visual showing the protagonist pulling the trigger and shooting at the shopkeeper, saying in anger tone, “*Koi bhi cream biscuit magic ki jagah chipkaoge*”, shows a dangerous practice, exploits the vulnerability of minors and more particularly encourages minors to emulate the modus operandi of any crime. The TVC contravened Chapters III.2 (b) and III.3 of the ASCI Code. The complaint was **UPHELD**.





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The following advertisement was considered to be, prima facie, in violation of The Drugs & Magic Remedies Act / The Drugs & Cosmetics Rules, and are being referred to the Ministry of AYUSH:-

Sr. No	Advertiser (Brand / Product)	Claims Objected to	Remarks (Clause Applicable)
1.	1902-C.2411 Janki Herbal / Janki Herbal Range of Products	Claims: 1. Get rid of problem such as small, thin and crooked penis, impotence, Premature ejaculation, nightfall, childlessness and also get desirable sex time. 2. Get Masti Gel, Uttejana Capsules free with full course of medicines Objection: The visual in the ad, read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3 (b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule
2.	1902-C.2563 Sex Samasya	Claims: 1. Instrument to increase size, thickness of your sexual organ, get rid of crooked, obliquity and make your organ hard and strong. 2. Increase your sex time. Objection: The visual in the ad, read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
3.	1902-C.2564 Yaun Samasya	Claims: Get rid of small, thin, crooked organ, childlessness, and Pre-mature ejaculation, and nightfall, lack of sexual desire, weak nerves and Impotence. 1. Increase your sex time with 30 Days medicine together with "Joshila Tel" Objection: The visual in the ad, read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule. Sexual Impotence-Item No.45, DMR Schedule Sterility of Women Item no. 48, DMR Schedule



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4.	1902-C.2565 Borvankar Polyclinic	With the use of researched medicine, patients suffering from Deafness, Kidney stones, Kidney failure, Enlargement of Prostate Glands Cancer & Paralysis, Gall Stones, HIV get completely cured.	Deafness- Item No 8-DMR Schedule Gall Stones, Kidney Stones- Item No.22- DMR Schedule Disorders of Prostate Gland- Item No.15 DMR Schedule Cancer: Item No 6-DMR Schedule Paralysis: Item No.39- DMR Schedule AIDS(HIV)- Rule 6, DMR Rules 1955
5.	1902C.2566 Dhanwantari Ayurveda	Freedom from diabetes Successful treatment on Arthritis	Diabetes- Item No.9 DMR Schedule Rheumatism- Item No 43, DMR Schedule

1811-C.1944

COMPANY: Iba Halal Care

PRODUCT: Iba Hair Color

Claims objected to:

1. Presenting India's first halal certified and vegan Hair colour
2. The only hair color which takes care of your hair
3. Keeps hair strong

Complaint:

Objection:

1. Please substantiate claims 1, 2 and 3 with claim support data. The claim support data should not be internal or based on studies commissioned by Iba Halal Care.
2. Ref. to claim 1, we would like to quote an ASCI decision regarding an advertisement of Eurofobes Tech Pvt Water Ltd Water (Eurofobes Purifier) with similar claim in the month of January. CCC concluded that the claim - "India's 1st mineral added RO water purifiers with next generation technology" was not substantiated with any verifiable comparative data of the advertiser's product and other water purifiers or any third party validation to prove this claim. Similar claims are made in this advertisement.
3. Reference to claim 2, reference to the claim, the only hair colour which takes care of your hair"; we would like to point out ASCI's decision wherein the complaint of Ayurwin Pharma Private Limited (Nutrigain plus Range of Products - Capsules & Powder) was upheld in the month of April 2018. CCC concluded that the claim "The only product to increase weight and strengthen the body based on Ayur Science" was not substantiated with evidence of product efficacy, and is misleading by exaggeration.
4. Reference to claim 3, strength of hair depends on many factors like age, genetic composition, life-style, diet, etc. How does Iba claim to keep hair strong?
5. Actress Sanjeeda Sheikh appears in the advertisement. We would like to quote ASCI's decision of upholding the celebrity complaint in the ad of Blue Mount Appliances Pvt Ltd. (Blue Mount RO) in the month of July 2018. "The CCC observed that Karisma Kapoor endorsing such claims in the advertisement was in violation of ASCI's Guidelines for Celebrities in Advertising." Did the actress Sanjeeda Sheikh do due diligence prior to endorsement, to ensure that all description, claims and comparisons made are capable of substantiation?
According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI code and Guidelines for Celebrities in Advertising Action to be taken: We propose that the advertisement should be immediately withdrawn.

CCC RECOMMENDATION on RE-EXAMINATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant. The matter was examined by the CCC on the basis of the advertiser's response with the supporting data provided then,





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and the complaint was Upheld for the claims, “Presenting India’s first certified and vegan Hair colour”, “The only hair color which takes care of your hair”, and “Keeps hair strong”.

On receiving the ASCI’s Vice-Chairman’s Request for Confirmation of Compliance, the advertiser responded disagreeing to the CCC recommendation for the claim of "Presenting India’s first certified”, which according to the advertiser, was wrongly worded by the Complainant; the correct translation being “Presenting India’s Halal certified.....”. Hence, as a special gesture, the advertiser was offered a free re-examination waiving off the re-examination processing fee.

In response to this objection, the Advertiser referred to an article link in the Economic Times (<https://economictimes.indiatimes.com/small-biz/entrepreneurship/sisters-mauli-and-grishma-teli-start-a-company-which-makes-halal-cosmetics-for-indian-women/articleshow/45787026.cms>) which quoted that the advertiser had launched its range of 60 halal cosmetic products under the brand Iba in September 2014, making it India’s first halal brand in the organised cosmetic market segment. A representative of the Halal India, a Chennai-based halal certification company, added that the advertiser was the first to get a halal certificate in India for their cosmetic products.

The CCC viewed the print advertisement and considered the advertiser’s response for Re-examination. The CCC noted that the complainant had missed the word “halal” in the claim objected to. The complainant had also not provided grounds for objection for the claim such as evidence of any other hair colour brand having received halal / vegan certificate prior to the advertised product. The CCC reviewed the Halal Certificate of 2018, which was submitted by the advertiser with their initial response. The CCC observed that the Halal certificate of February 2018 (valid till February 2019) certified the advertiser as Halal as their product contains permitted ingredients being lawful for Muslim consumption or use and that it had ingredients to qualify as vegan (as per PETA certificate).

Based on this data, the CCC concluded that the claim (in Gujarathi) as translated in English, “Presenting India’s first Halal certified and Vegan hair colour”, was substantiated. This complaint was **Not Upheld on re-examination**. The CCC recommended that the source of the claim should be mentioned in the advertisement.

The CCC noted the advertiser’s assurance to modify the claims, “The only hair color which takes care of your hair”, and “Keeps hair strong”.

1901-C.2365

COMPANY: One97 Communications Ltd.

PRODUCT: PayTM

Complaint:

“Paytm’ has been duping costumers by luring into buying vouchers for 'Kalyan Jewellers' through its app offering vouchers for movie tickets, paytm mall and flight booking without any conditions of use mentioned at the time issuing those vouchers however upon redemption adding various conditions eg. Validity of 10 days for each, mall voucher validity on select products available on 'paytm mall' app, voucher activation only upon shopping for minimum 2,000/-, etc. This is fraudulent as conditions of use are not being mentioned at the time of purchase. Furthermore, grievances raised on their support channels including apps and their Twitter support handles are not being responded to with any resolutions. This is fraudulent as conditions of use of vouchers being offered are not being mentioned at the time of purchase. Furthermore, grievances raised on their support channels including apps and their Twitter support handles are not being responded to with any resolutions.

Yes, I did purchase the said voucher of 'Kalyan Jewellers', in fact I bought 3 vouchers in all - 2 vouchers worth 50,000/- each and one voucher worth 25,000/-, so a total of 3 vouchers worth 1,25,000/-.

All these vouchers, besides being available for use in the jewellery shop also offered additional cash back vouchers for use in paytm and paytm mall apps for purchase of flight tickets, shopping on paytm mall and buying movie tickets. My grievance is, at the time of advertising these 'Kalyan Jewellery' vouchers, paytm DID NOT mention any condition of use for the flight, movie and mall vouchers. They added conditions of use for flight, movie and mall vouchers only after the 'Kalyan Jewellers' vouchers were purchased. Ergo my grievance of this being an unethical and fraudulent advertising practice. This is in fact deciept!





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Please refer the attached screenshots evidencing I purchased 3 vouchers totaling 1,25,000/- for 'Kalyan Jewellers' as well as the conditions (or lack of it as per my grievance) for use of cashback vouchers that came with them.

The paytm order IDs for the same are -

Order no: # 6731501487 for 2 vouchers of 50,000/- each. Order no: # 6736771334 for 1 voucher of 25,000/-

Hope this helps. Happy to get into a call or discuss in more detail in whatsapp chat as convenient

I'm happy to provide my concurrence for you to share my name, email Id and contact no. with paytm for this grievance as desired.”

Link of Ad: <https://paytm.com/shop/p/diamond-jewellery-voucher-worth-DEADIAMOND-JEWELKALY861243D5600A9D?src=store&tracker=%7C%7C%7C%7C%2Fh%2Fkalyan-jewellers-clpid-8091-Kalyan%20Diamond%20Jewellery%7C47484%7C1%7C>

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser (Paytm E-Commerce Pvt Ltd with copy marked to Kalyan Group) for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but the advertiser (Paytm E-Commerce Pvt Ltd) submitted their written response.

In support of the complaint, the Complainant provided copy of 3 vouchers (2 vouchers of 50,000 and 1 voucher of 25,000), and copy of his correspondence with the advertiser. The advertiser argued that the principal display panel of Paytm Mall on their website is not an advertisement. They further stated that the said display panel includes the terms and conditions which govern the use and sale of Kalyan Jeweller's Voucher which is the primary part of the invitation to offer the cashback vouchers, the terms and conditions of which are communicated to the customers. It is not necessary in law to mention the terms and conditions of any additional benefit which is being offered as free to the customers. Further, the principal display panel was upgraded with the terms and conditions of additional cashback and other benefits offers.

As the advertisement was modified, ASCI offered the advertiser with an option of Informal Resolution (IR) of the complaint or to substantiate the claim offer made in the advertisement. Subsequently, the advertiser provided a copy of their email communication exchanged with the complainant and informed that they had resolved the matter with him by providing him the cash back codes.

However, as the complainant reverted that his grievances were not resolved satisfactorily, and as the advertiser did not provide evidence of making good the deficiency to the complainant, within the stipulated time, the complaint was processed further for Consumer Complaints Council deliberations.

The CCC viewed the website advertisement (<https://paytm.com/shop/p/diamond-jewellery-voucher-worth-DEADIAMOND-JEWELKALY861243D5600A9D?src=store&tracker=%7C%7C%7C%7C%2Fh%2Fkalyan-jewellers-clpid-8091-Kalyan%20Diamond%20Jewellery%7C47484%7C1%7C>) and considered the advertiser's response. As per the CCC, ASCI code's definition of Advertising states that "Any communication which in the normal course would be recognised as an advertisement by the general public would be included in this definition even if it is carried free-of-charge for any reason." Therefore promotion via Website too is considered as Advertising and in ASCI's purview. The CCC noted that the consumer has seen the advertisement on the PayTM website and the transaction for purchase also has taken place between the Complainant and PayTM.

Based on this observation, the CCC concluded that the claim offer, "Rs.50,000 Redeemable on purchase of Diamond Precious Jewellery. Diamond Jewellery voucher worth Rs.50000", was misleading by omission of additional terms and conditions of cashback offer, which should be stated upfront in the advertisement. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The website advertisement contravened Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

The CCC noted that the website advertisement has been modified to mention the additional terms and conditions of the claim offer. Subsequently, post the CCC meeting, the Complainant informed that the advertiser has resolved his grievances.





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1902-C.2454

COMPANY: VMware Software India Pvt. Ltd.

PRODUCT: VMware

Complaint 1:

“This ad is showing passengers and drivers without seat belt. Will you please take action? Will be great if you can acknowledge”

Complaint 2:

“Irresponsibility at its peak. This as in today's issue shows a vehicle being driven and none of the passengers in the front is wearing a seat belt.

Definitely not acceptable from reputed brands like VMWare and Airtel together”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement showing four persons in a jeep. The CCC concluded that the visual of “a driver and the person seated in the front seat shown without seat belts”, shows violation of Central Motor Vehicle Rules, 1989, and promotes an unsafe and a dangerous practice, which manifests a disregard for safety and encourages negligence. This advertisement contravened Chapters III.3 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2474

COMPANY: CTC Impex (India) Pvt. Ltd.

Claims Objected to:

1. World's Largest Paper Mill Bearing Distributors.
2. World's Largest Heavy Bearing Distributors.

Complaint:

“CTC Impex (India) Pvt. Ltd. in its advertisement campaign is claiming that it is offering 'World Largest Paper Mill Bearing Distributor'. World Largest Heavy Bearing. I state that by using the word "World Largest Paper Mill Bearing Distributor' in the Social Media, Add and Posters and Cards without substantiating the claim and in the absence of any supporting data or certification, CTC Impex (India) Pvt. Ltd. is deliberately misleading the consumers. The Copy of the Misleading advertisements are attached herewith as Annexure A.

I further state that deception and misrepresentation is inherent in the campaign, as it is aiming to entice and lure viewers to subscribe to CTC Impex (India) Pvt. Ltd. Bearings and give preference to CTC Impex (India) Pvt. Ltd. Bearings over the other Bearing Companies basis false and misleading claims. I state that the claim is being made without any supporting evidence/ disclaimers/ data.

The claim that CTC Impex (India) Pvt. Ltd.'s to provide "World Largest Paper Mill Bearing Distributor', & World Largest Heaviest Bearing in market is clearly misleading and incorrect. There are several other companies who are selling the Paper Mill Bearings and turnover and the sale of the company is large as compare, what CTC Impex (India) Pvt. Ltd. is offering. Hence the claim of "World Largest Paper Mill Bearing Distributor', & World Largest Heaviest Bearing is patently erroneous and misleading.

As per Balance Sheet of Ms/ SKF, M/s Timken & M/s SCHAEFFLER INDIA LIMITED it has been stated that it has, largest sales. The copy of the Balance sheet is annexed herewith as Annexure A-1. In view of the aforesaid, it





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is evident that of Ms/ SKF, M/s Timken & M/s Schaeffler India Limited is the largest selling bearing across the globe, as it has Sale and Turnover. Hence, the claim of CTC Impex (India) Pvt. Ltd. to be the "World Largest Paper Mill Bearing Distributor", is incorrect and misleading.

Further, CTC Impex (India) Pvt. Ltd. being the World Largest Paper Mill Bearing Distributor, is required to be certified by an independent recognized body for CTC Impex (India) Pvt. Ltd. to claim the same.

Any claim being made by an advertiser is required to be based on facts and figures available in the public domain and certified by an independent recognized third party/ agency. None of the above has been shown and the claim is unsubstantiated.”

Links –

<https://www.facebook.com/groups/381756879019965/permalink/510734402788878/>
<https://www.facebook.com/groups/259423864098661/permalink/2523483101026048/>
<https://www.facebook.com/groups/259423864098661/permalink/2524559487585076/>
<https://www.facebook.com/groups/381756879019965/permalink/510734402788878/>

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed, and subsequently requested for an extension to submit their response. The advertiser was granted an extension of three days to the standard lead time of seven days to submit their reply in response to their request for a week’s extension. Advertiser stated that the claims made are on the basis that the advertiser is the dealer and distributor for world’s largest bearings companies viz Kayo, Kinex, ZWZ, KYK, etc. Advertiser imports these bearings from Japan and the entire printing and packaging of these products are carried out by their principles. As claim support data, the advertiser provided certificate of authorization certifying the advertiser to be an authorized distributor for their bearings in India. Advertiser also provided the company profile of these companies. The CCC viewed the Ad – promotional material and Facebook advertisement and considered the advertiser’s response. The CCC observed that the advertiser did not provide any verifiable comparative data worldwide to prove that they are larger than other bearings distributors, nor any independent audit or verification certificate. As per complainant’s arguments, Ms/ SKF, M/s Timken & M/s Schaeffler India Limited are the largest sellers of bearing across the globe. Based on this observation, the CCC concluded that the claims, “World’s Largest Paper Mill Bearing Distributors” and “World’s Largest Heavy Bearing Distributors”, were not substantiated, and are misleading by gross exaggeration, and are likely to lead to grave or widespread disappointment in the minds of customers and consumers. The Facebook advertisement and the Ad – promotional material contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2538

COMPANY: Colgate-Palmolive (India) Ltd

PRODUCT: Colgate Strong Teeth

Complaint:

“It is with a fair sense of sadness and immense hope that I am writing this letter to shed light on a recent TV toothpaste commercial of a brand called Colgate named “Colgate strong teeth”. The Preamble of ASCI Codes Chapter IV points out that the advertisements have a significant influence on peoples behaviour, similarly, the sexist nature of this advertisement makes a dire effect on the children of our country.

It has hazardous implications as it germinates the idea of inequality among children at such a tender age, exploiting their vulnerability. Colgate contravenes ASCI Code Chapter III 3.1 (b) and 3.2. These allegations are justified below so that appropriate action(s) can be taken. In the advertisement, Colgate compares a mother’s role with its product





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claiming that just like a mother lays the foundation of her child's inner strength, similarly, the new Colgate strong teeth add natural calcium to our teeth and gives them inner strength.

To promote this idea about its product, a team of 49 people (as per the list on Colgates YouTube channel, available at <https://youtu.be/NpwxOZ7x--8>) created Colgate strong teeth advert which shows a bunch of boys (not teenagers yet) playing football when one of them brings a girl saying that she would also play. One of the boys, seeing her, says that, how can she play? She is a girl and if she gets hurt whilst playing she would start crying. The ad then shows girls mother giving her an encouraging nod and it goes on to explain that the inner strength the mother gives to the girl reflects in her smile and her strong smile is nurtured by the new Colgate strong teeth toothpaste.

The text above in bold shows how Colgate has used a gender-biased idea to promote its product. It makes a distinction between male and female children depicting that only boys can play and, would not cry in case they get hurt whilst playing. This distinction communicates and perpetuates the notion that girls and boys are not equal, girls are not as strong as boys and, are inferior when it comes to playing in the playground. Thus, the brand contravenes code 3.1 (b) by using dismissive and contemptuous illustration against female children. I also speculate that Colgate might argue that it is trying to foster the idea that girls can play too, but, this is an unnatural and pseudo upliftment. As such commercial can make male children mock such behaviour in playgrounds and think girls and boys are not equal, sports are only for boys and, girls are weak and only command the crying business.

Such advertisement attacks the subconscious of children and thus influence their behaviour, playing a substantial part in making them gender-biased. At first, such an ad creates prejudices in children based on the idea of the inferiority of one gender (female) and the superiority of the other (male), and then companies like Colgate make such commercials on the name of girl/women empowerment. I defy and strongly think that no gender be it female, male or any other requires such a hypocritical and pseudo empowerment. Furthermore, Colgate also contravenes code 3.2 as this advertisement can potentially harm the moral of the children. A team of 49 people worked to create this commercial and I feel bamboozled that none of them realised the sexist nature of it or how this could impact the moral of their children or of the children of our nation! Children will grow up having learned the idea of inequality between genders. If men would not find women as equal, they will not be able to respect them and thus will not be respected in return. The lack of equality and respect against women albeit against each other sprouts the seeds of crimes such as sexual harassment, rape and domestic violence.

Hence, being a citizen of the great democracy India, I demand embargo on the broadcast of this commercial. A great and integrated nation is made of integrated people who dignify the existence of the other be it male, female or any other. Kindly do the necessary. I am glad you spotted the advert I am complaining about right! I confirm that you have sent the correct link to the advertisement (<https://www.youtube.com/watch?v=tzXNGBzd3-Q>) I have objected against."

CCC RECOMMENDATION: **NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the situation of boys and girl playing football in the TVC has been used to highlight the importance of providing inner strength. The TVC encourages kids to play with everyone without any gender bias thus promoting gender equality. The overall message of the TVC does not give an impression that girls and boys are unequal and in fact the scenes of the children playing football together leaves a positive impact in the minds of children. Advertiser referred to similar social message based TVCs of other advertisers for which they provided the YouTube links and copy of the TVCs, and further asserted that there are many Bollywood movies based on positive message revolving around sports children and the role of their parents in their growth.

The CCC viewed the TVC and considered the advertiser's response. The CCC observed that the girl protagonist is shown joining the game with the boys and in the end of the game she runs towards the goal post sends the ball flying scoring a goal. Based on this observation, the CCC concluded that the situation shown in the TVC is not gender biased, as the girl protagonist is projected as a confident and a superior player than the other boys in the game. The complaint was **NOT UPHELD**.





The Advertising Standards Council Of India

1902-C.2078

COMPANY: Agra Career Point

Claim Objected To:

“The only institute providing No.1 results in TET”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (HT Media Ltd) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any support data or evidence of comparison with other similar institutes to prove that they have provided No.1 results in TET exams than other institutes. In the absence of this data, the CCC concluded that the claim, “The only institute providing No.1 results in TET”, was not substantiated with verifiable comparative data or through an independent third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2221

COMPANY: Flying Turtle Studio

Claims Objected To:

1. 100% Placement Guarantee
2. Job Guarantee or Money Back

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Amar Ujala Publications Ltd) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement and in the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “100% Placement Guarantee”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in web and graphic designing services, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate.

Claim, “Job Guarantee or Money Back”, was not substantiated with supporting evidence of the students who were not selected for jobs in web and graphic designing services were refunded with full paid fees.

The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2224

COMPANY: Liberty Career Academy

Claim Objected To:

“Gujarat's No.1 institute for civil services”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (The Sandesh Ltd) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement and in the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “Gujarat's No.1 institute for civil services”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in Gujarat, to prove that it is in leadership position (No.1) in providing coaching for civil services, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and implication and likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2345

COMPANY: Beacon Education

Claim Objected To:

“By result, the No.1 IELTS training centre in Kerala, since 2001.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “By result, the No.1 IELTS training centre in Kerala, since 2001”, was not substantiated with any verifiable comparative data on year on year basis since 2001, of the advertiser’s institute and other similar institutes in Kerala, to prove that it is in leadership position (No.1) than the rest in providing coaching for IELTS, or through an independent third party validation. The source for the claim was not indicated in the advertisement. This claim is misleading by exaggeration and implication, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2417

COMPANY: Krishnaben Mukeshbhai Jani College of Nursing

Claim Objected To:

“Possibility of 100% Job Placement”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing placement to their students in nursing, the use of “100%” as a descriptor in the claim, “Possibility of 100% Job Placement” is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1901-C.2419

COMPANY: Matha College of Nursing/ Matha School of Nursing

Claims Objected To:

“100% placement arrangements”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be arranging placements for their students in nursing sector, the use of 100% numerical is not relevant for “Placement Arrangements” claim. The use of “100%” as a descriptor in the claim is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2420

COMPANY: Anurag Dixit's Musicology School of Music & Performing Arts

Claims Objected To:

1. India's No.1 professional music institute
2. 100% placement assistance

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "India's No.1 Professional Music Institute", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar music institutes in India, to prove that it is in leadership position (No.1) than the rest, in providing coaching in professional singing and music production, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers.

The CCC also concluded that while the advertiser may be providing placement assistance to their students in music industry, 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 implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2421

COMPANY: New King's Academy

Claim Objected To:

"No.1 Institute"

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "No.1 Institute", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, to prove that it is in leadership position (No.1) than the rest in providing courses for army and police training, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2422

COMPANY: R.K Group of Institutions
(R. K School of Nursing & Paramedical)

Claims Objected To:
“100% Job Opportunity”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing job opportunity to their students in Medical industry on obtaining diploma in nursing and paramedical courses, the use of 100% numerical is not relevant for “Job opportunity” claim. The use of “100%” as a descriptor in the claim is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2423

COMPANY: Sagar Public School

Claim Objected To:
“No.1 in Madhya Pradesh & Ranked No.1 in Bhopal”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the said claim was based on the survey conducted by EducationToday.co, which listed the advertiser’s school in the category of India’s Top 20 CBSE Schools. However, the advertiser did not provide verifiable comparative data of the advertiser’s school with similar other schools for the ranking claimed, details of the process as to how the selection for the ranking was done, i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar institutes that were part of the survey and the outcome of the survey. In the absence of claim support, the CCC concluded that the claim, “No.1 in Madhya Pradesh & Ranked No.1 in Bhopal”, was not substantiated, and is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2425

COMPANY: Spice Air Academy

Claims Objected To:

1. No.1 brand 2017
2. 100% Job Assistance

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "No.1 brand 2017" was not substantiated with copy of the award certificate, details of the criteria for granting the award, references of the awards received such as the year, source and category, and is misleading by omission of disclaimer to qualify this claim. The CCC also noted that while the advertiser may be providing job assistance to their students in the airline industry, the use of 100% numerical is not relevant for "Job Assistance" claim. The use of "100%" as a descriptor in the claim is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2430

COMPANY: Chetak Clinic

Claim Objected To:

"Successful ayurvedic treatment for all kind of sex problems."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. However, the advertiser has not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the ayurvedic treatment procedure for sex problems, nor any details regarding the medicines and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claim, "*Sabhi prakar ki sex samasyaon ka safal ayurvedic ilaaz*" ("Successful ayurvedic treatment for all kind of sex problems"), was not substantiated with supporting scientific rationale or clinical evidence. Specific to the claim implying successful treatment of sex problems by the medicines provided, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (Section 3(b)). The claim exploits the consumers' lack of knowledge, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2431

COMPANY: Hero Clinic

Claims Objected To:

1. Successful ayurvedic treatment of all types of sexual weakness.
2. Cure all types of Venereal disease in only 7 days.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. However, the advertiser has not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the ayurvedic treatment procedure for sexual weakness in men as claimed, nor any details regarding the medicines and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claims, "Successful ayurvedic treatment of all types of sexual weakness" and "Cure all types of Venereal disease in only 7 days", were not substantiated with supporting scientific rationale or clinical evidence. Specific to the claims implying cure for sexual weakness and cure for venereal diseases by the medicines provided, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (Section 3(b) and (item 54 under DMR schedule). The claims exploit the consumers' lack of knowledge, and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2434

COMPANY: Dr. Dixit's Accupuncture

Claims Objected To:

1. Forget diabetes without medicine and insulin.
2. Successful treatment of diabetes.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Dainik Bhaskar) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement, and observed that the advertiser did not provide any details of the acupuncture treatment procedure for Diabetes. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claims (in Hindi) as translated in English, "Forget diabetes without medicine and insulin" and "Successful treatment of diabetes", were not substantiated with supporting clinical evidence in statistically significant sample size of patients that were successfully treated, and are misleading by exaggeration. The claims exploit consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. Specific to the claims implying cure from Diabetes through their treatment, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 9 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2437

COMPANY: Venkateshwar Homeopathic Clinic

Claim Objected To:

“Successful treatment of Vitiligo (White Spots).”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the Homeopathic treatment procedure for Vitiligo (white spots), nor any details regarding the medicines used for Vitiligo, and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claim, “*Vitiligo (Safed Daag) ka Homeopathic vidi dwara bina kisi dushprabhav ke safaltha purvak kiya jhata hai*” (“Successful treatment of Vitiligo (White Spots)”) without side effects, was not substantiated with supporting clinical evidence or with treatment efficacy data. The claim is misleading by exaggeration and exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The claim implying cure for Vitiligo (white spots) with their medicines, which is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 33 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2455

COMPANY: Reckitt Benckiser (India) Pvt. Ltd

PRODUCT: Mortein

Claim objected to:

“100% Kill Guarantee* on Dengue Mosquito”

Complaint:

1. Reference to claim, please substantiate with claim support data as an evidence of its efficacy. The claim support data should not be internal or commissioned by Reckitt Benckiser.
2. Reference to claim 1; how can a mosquito repellent claim 100% kill guarantee? This is grossly misleading. In a similar complaint of ~1803-C.2430 (1) - Reckitt Benckiser (India) Pvt. Ltd. - Mortein™ dated 7 May 2018, which claimed 100% faster dengue protection, the CCC concluded that the claim, 100% Faster Dengue Protection, was inadequately substantiated and is misleading by ambiguity and implication. Can the advertiser substantiate the 100% kill guarantee claim in the present case?
3. The Disclaimer states 100% mortality rate after 24 hours of product exposure under test conditions. Does it mean the mortality rate is 100% only under test conditions? If so, how can the advertiser make the claim of 100% kill guarantee. In a similar complaint of 1803-C.2430 (1) - Reckitt Benckiser (India) Pvt. Ltd. - Mortein™ dated 7 May 2018, the CCC concluded that the claim, 100% Faster Dengue Protection, was inadequately substantiated and is misleading by ambiguity and implication since it could have been correctly worded as 2x faster protection from dengue-causing mosquitoes for the first 5 minutes. The YouTube advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD. Is it so in the present case?
Please substantiate.
4. Does it work only on dengue mosquitoes? What about other types of mosquitoes?
According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code, and Guidelines for Disclaimer.
Action to be taken: We propose that the advertisement should be immediately withdrawn”





The Advertising Standards Council Of India

CCC RECOMMENDATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the product contains triple actives – Permethrin, D-Trans Allethrin and Imiprothrin, that work together in providing a superior defense against flying and crawling insects. The claim is based on a test conducted by an independent third party lab for bio-efficacy and surface persistency of triple active aerosol against household insect pests. The results indicated that the product delivered a 100% mortality rate after 24 hours of exposure against Aedes Aegypti breed of mosquitoes that are responsible for transmitting dengue virus, Anopheles stephensi mosquito which is responsible for transmitting the malaria virus; and Culex quinquefasciatus mosquito responsible for brain fever and filariasis.

As claim support data, the advertiser provided a copy of the third party lab report. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the product was tested to show 100% kill at 24 hours, and it was equally efficacious against other species of mosquitoes as well. The claim was qualified to mention "100% mortality rate after 24 hours of product exposure under test conditions". Based on the advertiser's response with the supporting data provided, the CCC concluded that the claim, "100% Kill Guarantee* on Dengue Mosquito", was substantiated. The complaint was **NOT UPHELD**.

1812-C.2197

COMPANY: Dr. Food & Banatone Industries

Claim Objected To:

"Dr. Food's Premium Quality oats imported from Australia, can control diabetes, cholesterol and obesity"

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement (in Malayalam) and observed that the advertiser did not provide copy of product label, copy of Product approval license, or FSSAI approval for the claims made. The CCC noted that no data has been provided of any scientific rationale or published literature references to support the claimed health benefits. In the absence of claim support data, the CCC concluded that the claim, "Dr. Food's Premium Quality oats imported from Australia, can control diabetes, cholesterol and obesity", was not substantiated and is misleading by exaggeration. The CCC also expressed their concern for promotion of this food product with therapeutic claims, which exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1902-C.2489

COMPANY: Nanophyto Wellness Pvt Limited.

PRODUCT: Jumpstart Nutrition

Claims Objected to:

1. Jumpstart is a milk drink which contains active plant compounds known to enhance concentration, immunity and overall growth.
2. Unlike cheap milk drink which contains malted powder, synthetic vitamins, minerals, high sugar ,and acidity regulators, Jumpstart uses premium, clinically evaluated& imported USFDA GRAS approved ingredients.
3. Testimonial by Karishma Gulati, “Her grasping capacity has improved”

Complaint:

1. Please substantiate claims 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Nanophyto Wellness Pvt. Ltd.
2. Reference to claim 1; what are these active plant ingredients and are they present in sufficient quantities? We would like to quote ASCI decision regarding Zenith Nutrition (Memory Fab Capsules) in July 2018: The advertisement’s claim, “Powerful combination of Ginkgo, Brahmi & Mandukaparni” was not substantiated with supporting data showing presence of these ingredients in the product, and is misleading. The claims, “Improves blood circulation in the brain promotes better concentration and memory”, and “Brahmi and Mandukarparni known for brain boosting benefits since ancient times”, were inadequately substantiated with scientific rationale, or clinical evidence of product efficacy, and are misleading by exaggeration. Promotion of this food product with therapeutic claims, exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
3. Reference to claim 2 this is disparaging the entire category of malted beverages. We would like to quotate an ASCI decision regarding the advertisement of Lever Ayush in the month of November 2017. CCC concluded that “while the advertiser has substantiated Ayurvedic classification for their product, it is unclear how (only) Lever Ayush produts can be considered as “Sahi (correct) Ayurveda”. The CCC did not agree with the advertiser’s contention that other products in the market claiming ayurvedic / natural are not based on authentic ayurvedic texts and the CCC considered their comparison with products with “cosmetic” licence to be incorrect. The CCC were of the view that the statement “matlabsirf haripatiyandikhane se koi ayurvedic nahi ban jaata, sahi Ayurved hai lever ayush”, by implication is demeaning the whole category of Ayurvedic products.”
4. Reference to claim 3; is the testimonial genuine and unpaid? Please substantiate. Can it be proven that the grasping capacity has increased due to the use of Jumpstart? 5. If the product is to be consumed with milk how can all the benefits be attributed to the product alone?

According to us, the advertisement contravenes Chapter 1.1and 1.4 of ASCI code and ASCI Guidelines for Food and Beverages.”

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide copy of product label, copy of Product approval license, Product composition details, FSSAI approval for the claims made, and evidence of the ingredients present in the product. The CCC noted that no data was provided of any scientific rationale or published literature / journal references to support the claimed benefits. In the absence of claim support data, the CCC concluded that the claims, “Jumpstart is a milk drink which contains active plant compounds known to enhance concentration, immunity and overall growth”, and “Unlike cheap milk drink which contains malted powder, synthetic vitamins, minerals, highsugar ,and acidity regulators, Jumpstart uses premium, clinically evaluated & imported USFDA GRAS approved ingredients”, were not substantiated.

Claim, “Unlike cheap milk drink which contains malted powder, synthetic vitamins, minerals, high sugar, and acidity regulators...” unfairly denigrated other products in the milk drinks category.

Advertiser did not submit any evidence of Karishma Gulati, mother of 5 year old Miraya Gulati (photographs of mother and daughter shown in the advertisement), agreeing with the product claims. The testimonial claim, “Her grasping capacity has improved”, was not substantiated with any clinical evidence.





The Advertising Standards Council Of India

The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1902-C.2456

COMPANY: Gemini Edibles & Fats India Pvt. Ltd.

PRODUCT: Freedom Refined Sunflower Oil

Claims objected to:

1. Oil So Healthy
2. Clear and Lite
3. Less absorbent

Complaint:

“Please find below paper advertisement of Freedom oil stating below words, which is misleading.

1. Oil So Healthy
2. Clear and lite
3. Less absorbent

Kindly do the needful

The complaint is on the following grounds:

1. "Oil so healthy" is an exaggeration implying that other oils are not as healthy.
2. "Clear and lite" implies that other oils are not clear and lite. The brand also needs to have documents supporting that the oil is clear and/or lite.
3. "Less absorbent" needs to be substantiated.

Publication date: 05-01-2019

Paper: Times of India”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, and submitted their written response. As the advertiser informed that the said Ad campaign had concluded in the first week of January 2019, and the same Ad would not be repeated again, ASCI offered them the option of resolving this matter via Informal Resolution (IR) of complaint. Subsequently, the advertiser reverted that the claim, “Oil So Healthy” should be considered for IR, as it would not appear again. For the claims, “Clear & Lite” and “Less Absorbent”, the advertiser advised that these should be processed for CCC deliberations based on the explanation provided in their response.

Advertiser stated that Clear & Lite are the characteristics of a standard refined oil. Their oil is transparent and has a watery look which is achieved due to standard refining process adhering to FSSAI quality norms. Any sunflower oil when refined as per FSSAI standards will be clear and lite and hence will be less absorbed.

As claim support data, the advertiser provided copy of the product label with product Composition details, and product approval license from FSSAI.

The CCC viewed the print advertisement and considered the advertiser’s response submitted for the claims, “Clear & Lite” and “Less Absorbent”. The CCC observed that the advertiser’s response has only assertions about the claims of their oil being “lite” (implying light) and “less absorbent” (versus other oils). Advertiser did not provide any technical data, test reports, scientific rationale, or comparative study reports conducted using Freedom Refined Sunflower Oil Vs commonly used Sunflower oil. In the absence of claim support data, the CCC concluded that the advertiser claiming their product to be “Lite” and “Less Absorbent”, was not substantiated and are misleading by exaggeration and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.





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The CCC did not consider the claim of “Clear” to be objectionable, as it was made in the context of being the characteristics of a standard refined oil. This complaint was **NOT UPHELD**.
The CCC noted the advertiser’s response that the claim, “Oil So Healthy”, will not be repeated again in their future advertisements.

The following advertisement was considered to be, prima facie, in violation of The Drugs & Magic Remedies Act / The Drugs & Cosmetics Rules, and are being referred to the Ministry of AYUSH:-

Sr. No	Advertiser (Brand / Product)	Claim/S Objected To	Remarks (Clause Applicable)
1	1902-C.2632 S.G.Phyto Pharma Pvt.Ltd./ Boostex Forte Capsules	1. Promotes vigour for improved performance and fertility aspects. 2.Increase the libido https://www.sgphyto.com/product/b-oostex-fortecapsules/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
2	1902-C.2633 Shaafi Herbal Care/Shaaafi Power Plus	It Increases the power of erection. http://www.shaafigherbalcare.com/products/23-shaafi-power-plus.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
3	1902-C.2634 Hashmi Dawakhana/ Hard Rock	1. Completely curbs erectile dysfunction 2.Increased ability to last longer in bed http://www.hashmidawakhana.org/hard-rock-best-erection-capsules.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
4	1902-C.2635 Hashmi Dawakhana/ PXXL Capsules	1. Increased Sex Drive and Sexual Stamina 2. PXXL for Men is a Natural Male Enhancement.Stimulates the Erection and Enhances Sexual Potency and Pleasure! http://www.hashmidawakhana.org/male-enhancement.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule Sexual Impotence-Item No.45, DMR Schedule
5	1902-C.2636 Hashmi Dawakhana/ Mughal-e- Azam Cream	1. Gain up to 2 inches in length and 1 inch in girth Maximize your length, girth And maintain stronger, firmer erections! 2. Name of the product-“Penis Enlargement and Enhancement Cream” read in conjunction with the claim objected to imply that the product is meant for the enhancement of sexual pleasure. http://www.hashmidawakhana.org/penis-enlargement-and-enhancement-cream.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule





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6	1902-C.2637 Hashmi Dawakhana/ Sikander-e- Azam Plus	1. Increased penis size (thickness and length) 2. Name of the product –“Penis Enlargement Capsule” read in conjunction with the claim objected to imply that the product is meant for the enhancement of sexual pleasure. http://www.hashmidawakhana.org/penis-enlargement-capsule.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
7	1902-C.2638 Hashmi Dawakhana/ Mughal-e- Azam Plus	1. You Can Permanently End The Personal Hell Of Premature Ejaculation Forever! 2. Increase sexual stamina and sex drive http://www.hashmidawakhana.org/remature-ejaculation.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
8	1902-C.2639 Hashmi Dawakhana/ Extream-X Plus Capsule	1. Incredible erections, improved stamina and libido 2. Increase sexual desire and performance. http://www.hashmidawakhana.org/male-sex-stamina-booster.html	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
9	1902-C.2640 Kalan Drugs & Remedies/ Prameha Samhari	1. For recovery from diabetes and to increase immunity. 2. Prameha Samhari Dhahasamani is a mixture of herbal drink for diabetic patients as a cure http://kalandrugsandremedies.com/product_detail/prameha-samhari/	Diabetes -Item no- 9 DMR Schedule
10	1902-C.2641 Khodiyar Ayurvedic/ Zoom Eye Drops	Cures cataract https://61773-in.all.biz/eye-drops-g462123	Item No.7- DMR Schedule
11	1902-C.2642 Prince pharma/ 2 Much Gold	Generates new vigor in the body and helps to increase duration of hard erection.. It keeps men on the top by fulfilling his emotional desires when administered with milk one hour before intercourse. It helps in maintaining healthy circulation responsible for supporting healthy, strong erections. It maintains healthy levels of sexual energy, stamina and sexual arousal. http://princepharmaonline.com/princepharma/index.php?page=2-much-gold	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule



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12	1902-C.2643 Prince pharma/ Kamraz Course (Only For Men)	1. For Masturbation induced weakness, Semen Problem, Erectile Dysfunction 2. Increases libido and boost male sexual drive. 3.Increases stamina, libido, duration of erection & The strength of orgasm http://princepharmaonline.com/princepharma/index.php?page=kamraz-course	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
13	1902-C.2644 Prince pharma/ Kasak Capsules	These have been trusted and used since ages by people of all walks of life to enhance their sexual power and boosting energy http://princepharmaonline.com/princepharma/index.php?page=kasak-capsule	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
14	1902-C.2645 Prince pharma/ Prince Tilla	1. PRINCE TILLA massage oil is completely safe & natural oil for youthful vigour and sustained effect. It builds and tones up muscles of penis. It is known to increase the blood flow to the penile tissues when applied locally and thus strengthens erectile power 2.Beneficial In: Enhances and prolongs pleasure. Improves strength of the organs. Increases the blood circulation to the applied part. http://princepharmaonline.com/princepharma/index.php?page=prince-tilla	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
15	1902-C.2646 Prince pharma/ 2 Much Breast Cream	2 Much Breast Cream of Prince Pharma has all natural ingredients that nourishes and feeds the cells below the breasts, enhancing Firmness, plumpness, fullness, and a more youthful appearance. Breasts increase in both size and weight, resulting in a new and satisfied feeling. 2 Much Breast Cream is amazing cream excellent for breast firming and enlargement. http://princepharmaonline.com/princepharma/index.php?page=2much-breast-cream	Form and structure of the female bust Item No.21- DMR Schedule
16	1902-C.2647 Prince pharma/ 2 Much Herbal Capsule	2 Much Herbal Capsule is a blend of choicest ayurvedic herbs those are found to be very effective in increasing libido/stamina in female. This combination of ancient aphrodisiac herbs is thought to increase the desire for sex by acting	Form and structure of the female bust Item No.21- DMR Schedule





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		<p>on progesterone receptors in women. It lubricate the vaginal walls, sensitize the clitoris while orgasm and hence give rise to successful intercourse.</p> <p>2 Much Herbal capsule encourages the multiple sexual drive with your partner, when taken regularly. It is prepared especially for women's needs and sexual pleasure.</p>	
17	1902-C.2648 Mohanji Pansari Herbal Products/ Mahakamdev Force	<p>It boosts your sexual performance to optimum.</p> <p>http://www.mohanjiherbals.com/sexual_care.asp</p>	<p>The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule</p>
18	1902-C.2649 Vijay Ayurvedic Pharmaceutical /breasto capsules	<p>Breasto capsule is a blend of some unique herbs, helpful in the beautification of breasts. It improves the underdeveloped breasts and their shape. The herbs work well in toning the muscles of breasts and give you a new confidence.</p> <p>http://vijayayurvedic.com/product/breasto-capsule/</p>	<p>Form and structure of the female bust Item No.21- DMR Schedule</p>
19	1902-C.2650 Vijay Ayurvedic Pharmaceutical / Breasto Oil	<p>Breasto oil is a blend of herbs with sesame & olive oil. It is helpful in the beautification of breasts. It improves the underdeveloped breasts and their shape. The herbs work well in toning the muscles of breasts and give you a new confidence.</p> <p>http://vijayayurvedic.com/product/breasto-oil/</p>	<p>Form and structure of the female bust Item No.21- DMR Schedule</p>
20	1902-C.2651 Vijay Ayurvedic Pharmaceutical / Diacure capsules	<p>Diacure capsule- A cure for Diabetes</p> <p>http://vijayayurvedic.com/product/diacure-capsule/</p>	<p>Diabetes -Item no- 9 DMR Schedule</p>
21	1902-C.2652 Vijay Ayurvedic Pharmaceutical s/Musli Capsule	<p>Boosts up the strength of the body with its rejuvenating properties. It helps in increasing sexual stamina, controlling ejaculation time, getting harder erections, enhancing libido, and increasing the count of sperms. It improves overall sexual health and also boosts up the immunity of the body.</p> <p>http://vijayayurvedic.com/product/musli-capsule/</p>	<p>The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule</p>



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22	1902-C.2653 Vijay Ayurvedic Pharmaceutical s/Shilajit capsules	Eradicates sexual weakness, asthma,diabetes. http://vijayayurvedic.com/product/s/hilajit-capsule/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule Asthma Rule No. 06, DMR Act Diabetes -Item no- 9 DMR Schedule
23	1902-C.2655 Vijay Ayurvedic Pharmaceutical s/Kaunch Capsules	An Ayurvedic herb which has been used over the ages as an enhancer of libido both in men & women http://vijayayurvedic.com/product/kaunch-capsule/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
24	1902-C.2656 Vijay Ayurvedic Pharmaceutical s/Viagra M capsules	1. A unique formula for improving the sexual health of men. The herbal ingredients of this capsule possess aphrodisiac properties and the formula is considered as an extremely beneficial one for the treatment of premature ejaculation, nocturnal emissions, and sperm-count. It helps in increasing sexual stamina, controlling ejaculation time, getting harder erections, enhancing libido, boosting body strength, and increasing the count of sperms. It improves overall sexual health and also boosts up the immunity of the body. 2. The visual on the product pack read in conjunction with the claim imply that the product is meant for the enhancement of sexual pleasure. http://vijayayurvedic.com/product/viagra-m-capsule/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
25	1902-C.2657 Vijay Ayurvedic Pharmaceutical s/Viagra F capsules	1. Vijagra-F Capsule improves the sexual health of women. It acts as an enhancer of libido in women. The herbal ingredients of this capsule possess aphrodisiac properties and help in increasing sexual stamina, boosting body strength, and all sort of sexual problems. 2. The visual on the product pack read in conjunction with the claim imply that the product is meant for the enhancement of sexual pleasure. http://vijayayurvedic.com/product/viagra-f-capsule/	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule
26	1902-C.2577 Dr Ayurveda/Dr Ayurveda Power Prash	1. Provide better sex life 2. One and only ayurvedic medicine to get rid of all kind of sexual problems	The maintenance or improvement of the capacity of human beings for sexual pleasure, Section 3(b) - DMR Schedule





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27	1902-C.2671 Paul Pharmacy /Paras Range of Products	1."Jeete Pyaar Mohabbat ki har jang jab paras ho sang" 2.Give new strength, new vigour and Increases stamina Objection: The visual in the ad and product packaging read in conjunction with the claims objected to implies that the products are meant for the enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
28	1902-C.2673 Repl India/super sonic capsule	Pleasant feeling each time Objection: The visual on the ad read in conjunction with the claims objected to implies that the products are meant for the enhancement of sexual pleasure	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
29	1902-C.2675 Ganga Grow up Ayurvedic Powder	Helpful in increasing height Objection: The visual in the ad & name of the product (Ganga Grow up Ayurvedic Powder) read in conjunction with the claim objected to imply that the product is meant for increase in height.	Stature of Person Item No. 47- DMR Schedule
30	1902-C.2677 Elan Impex/Reliefon	1.Reliefon Kit will help in fighting all types of Arthritis 2.Permanent treatment for arthritis	Rheumatism: Item No. 43- DMR Schedule
31	1902-C.2678 Vini Pharma/Vini Diabtonixx Capsule	1.Sureshot medicine 2.Successful ayurvedic medicine for the treatment of diabetes	Diabetes -Item no- 9 DMR Schedule
32	1902-C.2679 Yuktamukhi Capsule & Gel	1. Increase sex time by 30 to 35 minutes by making the organ long, thick, straight, hard and shapely. 2.Removes impotence 3. masti spray, Kaamsutra booklet free	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule Sexual Impotence-Item No.45, DMR Schedule



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1902-FTC.20

COMPANY: MARICO LTD

PRODUCT: True Roots Botanical Hair Tonic

NATURE OF COMPLAINT

Fast Track Complaint received against the Ad – Hoarding, Product Packaging, Print advertisement, YouTube Commercial, TV Commercial of “Marico Ltd – True Roots Botanical Hair Tonic”, from Hindustan Unilever Limited. This Complaint is being filed against the following blatantly false and misleading advertisements being extensively published/aired across all media where the Advertiser is claiming to “STOP NEW GREY HAIR”.

The Copy of the Advertisement which is currently published in print media is annexed herewith and marked as Annexure A. We would also like to point out that the Advertiser has undertaken an outdoor advertising campaign across India using same claims and depicting the benefit in identical manner which is annexed herewith and marked as Annexure B. Further the TVC being aired by the Advertiser across traditional and digital media also has the impugned claims. The Copy of the TVC as available on YouTube on True Roots official channel is annexed herewith and marked as Annexure C. The same can also be checked using the link:
<https://www.youtube.com/watch?v=Wf4GdUyP0eo>

A copy of the product packaging is annexed as Annexure D.

The relevant portion of the script of the TVC depicting the claims made by the Advertiser is as follows:

“Naya TRUERROOTS Botanical Hair Tonic, ek revolutionary hair root spray jo naye safed balon ka aana roke, jad se!”;

Safed balon ka karan hai melanin ki kami. True Roots ke 100 % natural extracts balonke jadonme jakar melanin bhadaye.

90 days tak regularly lagayen taki safed balon ka aana band ho jaye.

Safed baalon ka jaldi aana jad se rokiye, with TRUERROOTS.”

and the disclaimer as mentioned by the Advertiser across the TVC is as follows:

Designed for delaying early greying of hair amongst age group of 18 to 45 years. Benefit lasts till usage of product and basis daily usage for 90 days, As per clinical study December, 2017. Continue usage even after greying slows down.

We would like to submit the following in support of the objections raised on the above-mentioned claims:

It is submitted that the Advertiser is misleading the consumers through the advertisements by making an absolute claim “STOP NEW GREY HAIR”. It is known fact that hair greying is a natural biological phenomenon and no product can stop it completely.

It is relevant to point out that the Advertiser has clearly stated in the disclaimer that the benefit will last only till the product is being used and thus one may infer, though without admitting, that the product is capable of providing temporary benefit but cannot completely stop hair greying.





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The Advertiser is relying upon a clinical study conducted in 2017 and should be called upon to prove the claims made in the Advertisement basis such study. It is also not clear if 100% of the subjects of the said clinical study were able to reach a condition of complete stop to new grey hair in 90 days.

Further, while Advertiser has claimed and depicted that the Product will provide claimed benefit in 90 days, the Advertisements are completely silent on the time frame from when the product will start giving the benefit and to what extent and thus by implication the claim is that the product will start working from the very first day, which needs clinical substantiation.

The Advertiser has also emphasized on the fact that the Product will eliminate the root cause of the hair greying problem by using the statements such as “safed ballon ka aana jads roke!”. Though the Advertiser has tried to mislead the consumers by depicting it as a product benefit, the real intention of the Advertiser is very clear that it wants to give an impression to consumers at large that the Product is capable of stopping hair greying by eliminating its root cause. This is clear by use of the claim “safed balon ka anna jad se roke” multiple times in the TVC. Further as stated earlier, it is clear from the disclaimer itself that the Product is not capable of providing such benefit.

While explaining the mechanism in which the product will act to solve the hair greying problem, the Advertiser claimed and depicted that lower levels of melanin is the cause for white hair and the natural extract from the Product will go to hair roots and increase melanin in such roots. The Advertiser shall be called upon to prove the same. It is submitted that absence of melanin or reduction in melanin is a natural biological phenomenon and no product can stop the process completely as claimed by the Advertiser.

Further the Advertiser has specifically claimed that the natural extracts in the Product will act to increase melanin in hair roots and it shall be called upon to prove the same. The Advertiser must show to the satisfaction of the FTC which of the ingredients in the formulation directly work on the scalp to increase melanin content. The Advertiser must also prove that the product is capable of acting on the hair roots and is not merely dyeing the hair strands superficially.

The Advertiser has also tried to portray that the product is comprised of natural extracts only by stating that its 100% natural extracts go into the roots and increase the melanin levels which halts the hair greying. The Advertiser should be called upon to prove the same.

The disclaimer in the advertisement further recommends continuous usage even after greying slows down or as claimed 90 days, without clarifying if there will be excess melanin production due to prolonged use of the product and what effect it will have on the hair/scalp.

It is also submitted that the human head area on an average is about 500 cm sq, and there are on an average 1,00,000 hair present. It is therefore practically impossible to claim ‘no new grey hair’ that can be measured over 90 days continuously.

While the Advertiser is making an absolute claim of STOP grey hair in the advertisements, it is submitted that the Advertiser is claiming “delay in hair greying” on the product packaging, which are contrary claims and the advertiser cannot be allowed to continue with this practice.

It is submitted that the on pack claim of “delays hair greying from the roots” also needs to be substantiated with adequate scientific and clinical evidence as it is not possible to quantify the delay that occurs in greying of human hair.

In relation to the advertisements of the product showing celebrity Rashika Apte endorsing the product claims, the Advertiser is also called upon to prove that ASCI celebrity guidelines have been complied with while creation and publication of the same.





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It is further submitted that the Advertiser has published a youtube advertisement where a doctor named Dr. Avani Mainkar is being shown recommending the product as a remedy for stopping new grey hair. A copy of the youtube video is enclosed herewith as Annexure E. The same can also be checked using the link:

https://www.youtube.com/watch?v=s7ZXitZPX_E It is submitted that the video does not show the full credentials of the doctor being depicted and the advertiser is trying to mislead the consumers by showing that doctors are prescribing the product for stopping grey hair which needs to be proved to the satisfaction of the FTC. The Advertiser must therefore be asked to remove the said youtube video from public viewing immediately.

FTCP RECOMMENDATION: UPHELD

The Complainant as well as the Advertiser representatives were given the opportunity for personal hearing with the Technical expert and the ASCI Secretary General. The data submitted by the complainant and the advertiser was reviewed by the technical expert.

The FTCP examined the TV Commercial (TVC) and corresponding YouTube ad (<https://www.youtube.com/watch?v=Wf4GdUyP0eo>), YouTube link complained against regarding Dr Avni (https://www.youtube.com/watch?v=s7ZXitZPX_E), Hoarding, print advertisement, product packaging and claims made therein with disclaimers and noted the Advertiser's written response.

Complainant as well as advertiser were given an opportunity to address queries raised by the FTCP. Complainant was asked to elaborate on the action of Ayurvedic ingredients such as Bhringaraj on hair fibre wherein they confirmed kesh ranjak effect of Bhringaraj. Advertiser was requested to submit details of placebo product that was tested in the quoted clinical study (which they did not submit but presented an image of absence of any effect of product application on grey hair swatches after 30 applications).

Claim -

“STOP NEW GREY HAIR”.

“.... jo naye safed balon ka aana roke, jad se!”

“Safed balon ka karan hai melanin ki kami. True Roots ke 100 % natural extracts balonke jaddonme jakar melanin bhadaye. 90 days tak regularly lagayen taki safed balon ka aana band ho jaye.”

“Safed baalon ka jaldi aana jad se rokiye, with TRUERROOTS.”

Disclaimer - Designed for delaying early greying of hair amongst age group of 18 to 45 years. Benefit lasts till usage of product and basis daily usage for 90 days, As per clinical study December, 2017. Continue usage even after greying slows down.

The advertiser states that - “the first line of defense for prevention of greying is to use agents that stimulate melanin synthesis and regulate inflammation and anti-oxidant levels in melanocytes by scavenging reactive oxygen species. True Roots Botanical Hair Tonic (the “Product”) works by increasing the melanin levels in the hair roots and thereby delays early hair greying. True Roots Botanical Hair Tonic contains Anti Greying Complex (AGC) made with the following actives from Chamomile, from Coleus, Aloe vera, Grape seed extract, Fraction of Coconut oil

This active mixture is all natural and multimechanistic, designed to work on 3 major mechanisms impacting hair greying: Melanin synthesis & transfer, Antioxidant activity, Anti inflammatory activity. AGC actives are potent Melanin synthesis promoters. Along with Aloe vera & grapeseed extract, they also confer antioxidant & anti inflammatory activity. The Anti Greying Complex has been extensively studied using in-vitro & Ex-vivo models. As per the tests, AGC when incubated with co-culture model system (melanocytes and keratinocytes) has shown decrease oxidative stress by scavenging reactive oxygen species and thus stimulates melanocytes for increasing melanin synthesis by 40% as compared to untreated. Further it helps to regulate certain cytokine biomarkers to have antiinflammatory benefits.

The product was tested for hair penetration in vivo and it penetrated hair root within 1 hr of application.

The product containing the AGC has been assessed for in vivo benefit through a clinical study. The study design was double blind, randomized & placebo controlled. The study included healthy volunteers suffering from early





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greying, gender ratio balanced between the groups for a period of 180 days (6 months). Several assessments were taken :

- Manual grey hair count (through microscopic image of trimmed hair in a selected area) - Shade card assessment by trained panelists - Dermatological evaluation.

The clinical study justifies the benefit of the product in reducing grey hair within 90 days of product usage as compared to placebo for the claim of “Delays Hair Greying”.

The FTCP noted that the advertised product is an Ayurvedic proprietary medicine and also contains other well known ingredients such as Bhringaraj (Eclipta alba), Neelini (Indigofera tinctoria) , Japa (Hibiscus-rosa sinensis). These ingredients are known to have “kesh Ranjak” (imparts natural colour to hair) benefits as per Classical Ayurvedic texts as per formulation details presented by the advertiser.

While the advertiser presented the in vitro and ex-vivo data for the AGC, the clinical study was done for the entire product. The FTCP observed that the results of the clinical study can not be conclusively attributed to the action of AGC alone. While the AGC action on potential melanin generation was supported by in vitro / ex-vivo study, the clinical study was not considered as an acceptable extrapolation of the same as the product also contained other potentially interfering/ influencing ingredients. Therefore, FTCP concluded that the following claims were not adequately substantiated –

- “STOP NEW GREY HAIR” and
- “ jo naye safed balon ka aana roke, jad se!”
- “True Roots ke 100 % natural extracts balonke jaddonme jakar melanin bhadaye. 90 days tak regularly lagayen taki safed balon ka aana band ho jaye.”,
- “Safed baalon ka jaldi aana jad se rokiye, with TRUERROOTS.”
- “No New Greys in 90 days”

While the product may cause darkening of grey hair by virtue of Kesh Ranjak ingredients, the above claims are misleading by ambiguity and implication.

The graphic in the TVC and on the pack depicting grey hair turning black was considered as a misrepresentation of actual product action.

The FTCP did not agree with the advertiser’s contention that word “Stop” used along with limitation to time or suffixed with time value is equivalent to pause.

The FTCP did not find the text “Designed for delaying early greying of hair amongst age group of 18 to 45 years. Benefit lasts till usage of product” objectionable. However, this reference of age group was missing in the pack to qualify the product positioning. With respect to the objection of presenting Avani Mainkar in the YouTube advertisement as Dr. Avani Mainkar , the advertiser admitted the error of missing the qualification of the Dr Mainkar and submitted a revised YouTube advertisement for reference. <https://www.youtube.com/watch?v=qtUPorJTZkk>
The advertisements were misleading by omission. Although the advertiser produced evidence to show the celebrity agreeing with the advertiser’s communication, the advertisements were in violation of the ASCI Guidelines for disclaimers in advertising as the claims were not adequately substantiated. The disclaimers in the TVC / YouTube advertisements were not in the same language as that of the voice over (Hindi)

The TVC, YouTube advertisement, Hoarding, Print advertisement and packaging were in contravention of Chapter I.1 and I.4 as well as Guidelines for Disclaimers in advertising and Guidelines for Celebrities in advertising.





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1902-IRP.22

COMPANY: Voltas Ltd

PRODUCT: Refrigerator

NATURE OF COMPLAINT (1811-C.1790):

Complaint:

Claim of 'Veg remains Fresh even after 30 days' needs to be substantiated. Also, disclaimers in the advertisement is not as per ASCI guidelines for Disclaimers”

IRP RECOMMENDATION: UPHELD

Heard the Learned Representatives of 'Voltas Limited' represented by Mr. Prasenjit Basu, Head Marketing Voltasbeko, Mr. Fikri Ozdemir, CTO Voltasbeko, Mr. Ugur Can Turcan, Product manager, Voltasbeko and Ms. Asawari Sathaye, Corporate Communications & Investor Relations (Advertisers) who are the manufacturers of 'Voltas Beko Refrigerator' at length.

Perused the Freshness Evaluation Report Dated 17th August 2018 for Lettuce only. Perused another Freshness Evaluation Report dated 20th January 2019 (mentioned as Third revised version) for Tomatoes only. Visually saw the TV Commercial in the above matter, wherein it is claimed that “sabziyan tees din tak fresh rahti hain” (Vegetables remain fresh upto 30 days).

The present Review has been filed by the Advertiser, aggrieved by the Order of the CCC dated 9th January 2019, the above claim was held to be inadequately substantiated and is misleading by exaggeration. The claim is likely to lead to grave and widespread disappointment in the minds of the consumers. Hence TVC contravened Chapters 1.1, 1.4, and 1.5 of the ASCI Code. The Advertiser contends that their specialised unit uses Neo Frost Dual Control Cooling Technology and Active Fresh Blue Light hence they keep Vegetables Fresh upto 30 days.

It should be noted that in the study of Lettuce the product was purchased from the local market. Whereas in the study of Tomatoes the same was directly procured from the farmer. Even out of them fresh ones were specially selected for the analysis based on their appearance.

In the report submitted for this IRP that is pertaining to Tomatoes, on the 15th day there was a weight loss of ~6% in specialised Refrigerator and in the conventional one it was ~11% for Fully-ripe tomatoes. On the 29th day weight loss in Fully-ripe tomatoes was ~14% and ~21% respectively. In the specialised unit of Fully-ripe tomatoes in 3 to 4 Tomatoes there was mould formation and deformity from outside on the 32nd day. The advertisement implies that the vegetable stored in the Voltas Beko Refrigerator would be as fresh on the 30th day as it was on the 1st day that it was purchased. However, the above test shows that there is a ~15% weight loss in the vegetable weight after a 30 day storage.

The above testing is not at all satisfactory. Infact, various Vegetables should be kept together as normally done and as depicted in the advertisement under normal use condition (open & close of refrigerator several times on a daily basis). It is noticed that some Vegetables deteriorate faster and moulds form on them that spreads to all other Vegetables that are stored together. Over and above as a general practice, one does not purchase Vegetables directly from the farmer and select the good ones and keep in the Refrigerator.

While the refrigerator may be providing a better “freshness” aspect as compared to an ordinary refrigerator, the stand alone claim of “fresh upto 30 days” is not tenable since the tests conducted did not cover all aspect of “freshness” as would be expected by a consumer (such as taste/nutrient profile etc) and the parameters like appearance did not remain unchanged.

The above Review is totally devoid of merits, hence stands dismissed.

The Order of CCC dated 9th January 2019 stands Upheld.





The Advertising Standards Council Of India

1902-IRP.23

COMPANY: Zydus Wellness Ltd

PRODUCT: Everyuth Naturals Pure and light Tan Removal pack

NATURE OF COMPLAINT (1809-C.1085):

Claim Objected To:

1. Anti-oxidants chocolate and multivitamin Cherry
2. Helps remove tan from deep in the skin and makes skin bright

Complaint:

Description: Two girls look at their tanned faces in the mirror and say that they look like a zebra. A girl looking at her tanned skin says that she will have to go for parlor treatment. Another girl shows new Everyuth Tan removal face pack with goodness of Chocolate and Cherry. Visual - Anti-oxidants chocolate and multivitamin cherry. Voiceover says- Helps remove tan from deep in the skin and makes skin bright

Objections:

“1. Please substantiate claims 1 and 2 with claim support data. The claim support data should not be internal or based on studies commissioned by Everyuth Naturals.

2. Is the amount of Anti-oxidants chocolate and multivitamin cherry significant to make an impact on the performance of the product as claimed? Was the efficacy data specific to the benefits of the formulation attributable to the claimed ingredients provided?

3. Can the advertiser prove that the product as sold in its present form has the effectiveness of each and all of the ingredients as is being claimed in the advertisement since the ingredients appear to have symbolic presence in the product?

4. Is the effect on the models due to the usage of the product or is it photoshopped?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.”

IRP RECOMMENDATION

Heard the Learned Representatives of ‘Zydus Wellness Limited’ represented by Mr. Manish Joshi, Business Development and Dr. Govindarajan, R&D (Advertisers) who are the manufacturers of ‘Everyuth Naturals Pure and light Tan Removal pack’ at length. The Complainants (CERC) chose not to attend the hearing.

Visually saw the TV Commercial. Perused the Report dated 1st January 2018 Of Dr. Geeta J Patel, Dermatology, Trichology & Aesthetics, to determine the tan removal effect of Everyuth Detan range of products. Perused also the Article “Statistical Reasoning vs Magical Thinking” by Chuck Chakrapani, PhD, CMRP.

The above Review has been filed by the Advertiser, aggrieved by the Order of CCC dated 28th November 2018, where the claim “Twaacha ki gehraai se tan ghatana mein help kare aur skin ko banaye bright” (Helps to remove tan from deep in the skin and makes skin bright) was inadequately substantiated and is misleading by exaggeration. The Claim is likely to lead to grave and widespread disappointment in the minds of consumers. Hence TVC contravened Chapters 1.1, 1.4 and 1.5 of ASCI Code, and the complaint was Upheld.

It is pertinent to note that the Advertisers did not submit the detailed Clinical Report with the IRP application, instead the same was submitted at the time of this IRP. On perusing the report in the limited time, it was observed that the TVC deals with only one product (face & body pack) from a range of products (Scrub, Face Pack, Serum and Night Cream) whereas in the Study conducted by the Dermatologist, the 20 Subjects were asked to use all four products several times a day for a period of 15 days.





The Advertising Standards Council Of India

Study states that Scrub and Serum also helps in removal of tan. The above study was based on use of all four products and not only Face & Body Pack. There is absolutely no study with regard to use of Face Pack alone as claimed in the Advertisement.

Furthermore, the information provided is insufficient to draw conclusions about the validity and reliability of the clinical study as it is a single arm study among 20 subjects; unlike a robust clinical study that is randomized, double blind, placebo controlled etc.

The above Study does not help the Advertiser in any manner, when admittedly no separate study was conducted for Face Pack alone. The study is the effect of cumulative use of all the four products.

Under the above facts and circumstances, the Review is totally devoid of merits hence stands dismissed.

The Order passed by CCC dated 28th November 2018 is Upheld.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

So you can trust advertising