

CCC Recommendations - July 2018

COMPANY: Jagran Prakashan Limited

PRODUCT: Dainik Jagran

Complaints:

“Triton Communications has developed a campaign for Dainik Bhaskar which communicates the advantages of the power of knowledge and ends with a baseline Ek Smart Soch. The copy in Hindi is as follows:

H/L : Ho knowledge ki pyaas toh bade atma
vishwas Sign Off : Knowledge aapki soch ko
banata hai smart.

Dainik Bhaskar Ek Smart Soch

There are 6 such ads in the campaign with different headlines. This campaign was first released on April 2, 2018.

We discovered that Dainik Jagran (published largely in UP, Bihar, Jharkhand, Utrakhand) has brought out an

Ad that has Smart Padho, Smart Bano (Read Smart,

Be Smart.) as a baseline for their Dainik Jagran inext (a broadsheet daily with an e-paper version).

Now only that the body copy starts with our kind of stance: In a world where knowledge is power... and ends with ...not only does it provide knowledge, but also, the confidence to stay ahead of the pack. This is plagiarism and a serious issue considering the investments on Ek Smart Soch campaign of ours. They are even running a promo of John Abrahams Parmanu that ends with a super that says Smart Padho, Smart Bano.

The scanned images and links are attached in the appropriate box.

Dainik Jagrans iNext Advertisement clearly and blatantly flouts the Article 4.3 and 4.2 of the ASCI Code besides showing utter disregard to general advertising norms of propriety prevailing in the industry.

4.2 states Advertisements shall not make unjustifiable use of any other firms, company or institution, nor take unfair advantage of the goodwill attached to the trademark or symbol of another firm or its product or the goodwill acquired by its advertising campaign and this is precisely what Dainik Jagrans iNexts Ads do they try and leverage the goodwill and equity created by our campaign that was launched on 2nd of April and have been carried across our publications with multiple insertions every week ever since and with some phenomenal exposure through outdoors across the states of MP, Chattisgarh, Chandigarh, Punjab, Haryana, Bihar, Jharkhand, Gurajrat, Maharastra, and Rajasthan (over 100 billboards, uni-poles and kiosks)

4.3. states that Advertisements shall not be similar to any other advertiser's earlier run advertisements in general layout, copy, slogans, visual presentations, music or sound effects, so as to suggest plagiarism and this is plagiarism as open as it can be.

We strongly urge the ASCI to take immediate action and bring to stop this glaring plagiarism, creative heist on part of Dainik Jagran and its Advertising Agency.”

CCC RECOMMENDATION: NOT 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 viewed the advertisements of the complainant as well as the advertiser, and observed that there is no ownership of using the word “Smart” in the advertisement. The CCC concluded that the advertiser's advertisement (in English) claiming, “In



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*a world where knowledge is power.....not only does it provide an edge in knowledge, but also, the confidence to stay ahead of the pack” with the tagline, “Read Smart, Be Smart”, was not similar in general layout, copy, and slogan to the complainant’s advertisement (in Hindi) claiming, “Ho knowledge ki pyaas toh bade atma vishwas. Knowledge aapki soch ko banata hai smart”, with the tagline, “Ek Smart Soch”, so as to suggest plagiarism. The complaint was **NOT UPHELD**.*

COMPANY: Sriram Clinic

Claim Objected To:

“Electrohomeopathic successfully treat Arthritis, Diabetes, Asthma, Piles, childlessness, hair fall, stones.”

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. In the absence of response from the concerned media and comments from the advertiser, the CCC observed that the advertiser did not provide details of the Electrohomeopathic treatment procedure for the diseases claimed in the advertisement. The CCC concluded that the claim,

“Electrohomeopathic successfully treat Arthritis, Diabetes, asthma, Piles, childlessness, hair fall, stones”, was not substantiated with any scientific rationale or evidence of treatment efficacy, and is misleading by exaggeration. Specific to the claims implying cure for Asthma, Arthritis, Diabetes, and Childlessness, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act, Rule 6 and (items 43, 9, and 48). The advertisement exploits consumers’ lack of knowledge. The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Career Point

Claim Objected To:

“India's Most Trusted 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, “India's Most Trusted Institute”, was not substantiated with any market survey data, or any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was not indicated in the advertisement. 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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COMPANY: Sri Sai Coaching Centre

Claim Objected To:

“No. 1 Coaching Centre who generated 12000 teachers”.

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 Coaching Centre who generated 12000 teachers”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim 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**

COMPANY: Vinay’s IAS Academy

Claim Objected To:

“No.1 in 24 cities”.

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 supporting data to prove its leadership position in 24 cities as compared to other IAS Coaching classes. The CCC concluded that the claim, “No.1 in 24 cities”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was not indicated in the advertisement. 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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COMPANY: Yuwam Education Pvt. Ltd

Claim Objected To:

“Kota's only reliable 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, “Kota's only reliable institute”, in providing Bank Clerical jobs, railway jobs, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim 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**

COMPANY: Brilliant Tutorials

Claim Objected To:

“India's No.1 Institution.”

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 Institution”, was not substantiated with verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was not indicated in the advertisement. 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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COMPANY: Dr. Virendra Swarup Group of Institutions

Claim Objected To:

“100% placement assistance”
(100% Numerical is misleading by implication).

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 assistance to their students, the use of 100% numerical is not relevant for “Placement Assistance” claim for all the courses being offered in the advertisement. 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.

COMPANY: V Rahul Coaching

Claim Objected To:

“100% job guarantee coaching batches.”

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% job guarantee coaching batches”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration and is 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.



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COMPANY: Sri Akshara Coaching
PRODUCT: Nellore

Claim Objected To:

“100% SGT job guarantee or else fee return.”

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, “100% SGT job guarantee”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate, and is misleading by exaggeration. Claim of the “fee return” was not substantiated with any supporting evidence of the students who were refunded with the fees back in case they were not offered jobs. The claim is misleading by exaggeration and is 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**.

COMPANY: Turning Point/Srushti Pu Clg,

Claim Objected To:

“Trusted as 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, “Trusted as No.1 Institute”, was not substantiated with any market survey data, or with verifiable comparative data of the advertiser’s institute and other similar institutes, to prove that it is the most trusted institute, 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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COMPANY: Bhanwar Rathore Design Studio

Claim Objected To: “India's No.1 Design & Architecture Entrance Coaching Centre”.

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 Design & Architecture Entrance Coaching Centre”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim 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**.

COMPANY: Panache Academy

Claim Objected To:
“100% Job guarantee.”

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



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COMPANY: Vijetha Coaching Centre

Claim Objected To:

“State No.1 Educational Institute.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Eenadu)) 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, “State No.1 Educational Institute”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes or through a third party validation. The claim is misleading by exaggeration. The source for the claim was not indicated in the advertisement. 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**.

COMPANY: Munna Agarbatti Company

PRODUCT: Munna Agarbatti Range

Claim Objected To:

“India's No.1 Natural Rajni Gandha Agarbatti”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. 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 Natural Rajni Gandha Agarbatti”, was not substantiated with any verifiable comparative data of the advertiser’s product and other agarbatti brands, or through a third party validation. The claim was misleading by exaggeration. The source for the claim was not indicated in the advertisement. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.



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COMPANY: Global Institute - Global Computer Training Academy

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

COMPANY: Matsya Health Care Skills Learn Academy

Claim Objected To:

“100% Job Assistance.”

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 assistance to their students, 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.



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COMPANY: Royal Lips Lotion

Claim Objected To:

“Remove blackness of lips permanently in just 7 days through lotion”

Objection-

“The visuals in the advertisement appears to be misleading”

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. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “Remove blackness of lips permanently in just 7 days through lotion”, was not substantiated with product efficacy data, and claim regarding permanency of action is misleading by exaggeration. Efficacy being depicted via images of before and after the use of the product was also misleading by exaggeration. The advertisement 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**.

COMPANY: Super Thyroid Capsule

Claim Objected To:

“Get rid of thyroid permanently in just 15 days.”

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. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “Get rid of thyroid permanently in just 15 days”, was not substantiated with any scientific rationale or evidence of product efficacy. The claim regarding permanency of effect 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 advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Dr Alagappans Kidney Care Center

Claim Objected To:

1. Solution for Kidney Failure in Siddha medicine
2. Several infected patients are getting cured by getting treatment from our herbal medicine treatment

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, “Solution for Kidney Failure in





The Advertising Standards Council Of India

Siddha medicine”, and “Several infected patients are getting cured by getting treatment from our herbal medicine treatment”, were not substantiated with scientific rationale or supporting evidence of treatment efficacy. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. Specific to the claims implying cure for Kidney, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 22). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Dr Care Homeopathy

Claim Objected To:

“The actual reason for the cause of problem will be identified and treated from the grass roots thus helping in getting rid of infertility problem”

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 details of the treatment procedure nor any data for claimed treatment based on any scientific rationale or evidence of treatment efficacy. No details regarding the medicines, their approval status by the regulatory authorities was provided by the advertiser. The CCC concluded that the claims, “The actual reason for the cause of problem will be identified and treated from the grass roots thus helping in getting rid of infertility problem”, were not substantiated with clinical evidence. Specific to the claims implying cure for infertility, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 45 under DMR schedule). The claims are misleading by gross exaggeration 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**.

COMPANY: Taj Dawakhana

Claim Objected To:

“Successful treatment of venereal diseases”

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, “Successful treatment of venereal diseases”, was not substantiated with supporting clinical evidence. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. Specific to the claim related to the treatment of venereal diseases, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 54 under DMR schedule). The advertisement contravened Chapters I.1, I.4 and III.4 of the ASCI Code. The complaint was **UPHELD**.



COMPANY: Artreya Ayur Panchkarm Clinic

Claims Objected To:

1. Permanent treatment of headache.
2. Quick freedom from your oldest Migrane pain.

Objection-

The claims objected to imply cure for Migrane.

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, "Permanent treatment of headache" and "Quick freedom from your oldest Migrane pain", were not substantiated with any scientific rationale or evidence of treatment efficacy. The claims are misleading by exaggeration, exploits 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 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Shiv Agro Food Products

PRODUCT: Shudh Amras

Claims:

1. Certified by National Laboratory
2. Pure natural Mango Juice without essence or preservatives
3. Orders will be taken throughout the year.

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 Shiv Agro Food Products.
2. Kindly provide the details with the certificate of National Laboratory.
3. Ref. to claim 2 & 3, Mango being a seasonal fruit; if no preservatives are used, then how can advertiser claim to take orders throughout the year? According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5 of ASCI code.

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 evidence of their product being certified by National Laboratory, and supporting data showing presence of ingredients in the product. The CCC concluded that the claims, "Certified by National Laboratory" and "Pure natural Mango Juice without essence or preservatives", were not substantiated, and are misleading. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.



The Advertising Standards Council Of India

The claim, “Orders will be taken throughout the year”, was not considered to be objectionable. This complaint was **NOT UPHELD**.

COMPANY: Indospirit Beverages Pvt Ltd.

PRODUCT: Bro Code

Complaint:

The text on the label.

“For portraying a wrong image whilst coercing the drinker to indulge in unethical behaviour. Would appreciate if appropriate action is taken by taking this off and due penalty imposed for hurting the sentiments of the local populace”.

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 product label which was of an alcohol product – Beer, and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the text on the product label, “Are you game? Because this drink really is. Kickstart the Fireworks, sink in the electricity and you’re up for a ride. A bullet start to a night of debauchery”, refers to an unsafe practice and manifests a disregard for safety, as it is promoting drinkers to indulge in unethical behavior. The product label contravened Chapter III.3 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Florence College Of Nursing

Complaint:

<http://epaper.livehindustan.com/epaper/Jharkhand/Ranchi/2018-06-17/127/Page-5.html>

The advertisement is regarding admission notification it was published in Bihar Jharkhand edition on 17.06.2018 in page no.

The advertisement says 100% Placement which is misleading the students as it is impossible to guarantee 100% placement. The number mentioned in the advertisement is 9334645053, 8226829786

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 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” with respect to jobs for Nurses, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. 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**





The Advertising Standards Council Of India

COMPANY: Saregama India Ltd

PRODUCT: Saregama Carvaan

Complaints: “This advertisement shows an animation film a father and daughter is shown and the daughter is narrating a story. The father and daughter are shown on a scooter, both are not wearing helmet. Riding two wheeler without helmet is a punishable offence. Kindly look into it. The advertisement was shown on Movies Now, on 28th June 2018 at 09:06 am.”

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 TVC showing a caricature of a father and daughter on a scooter without helmets. The CCC concluded that this visual of “a rider and a pillion rider on a two wheeler without helmets”, shows violation of traffic rules and is an unsafe and a dangerous practice, which manifests a disregard for safety and encourages negligence. This part of the TVC contravened Chapters III.3 and III.4 of the ASCI Code. The complaint was **UPHELD**

COMPANY: Natraj Atta Maker

Complaint:

“Today I saw an Ad of NATRAJ Atta Maker in SANDESH Gujarati News Paper, which in my opinion is incorrect, improper and misleading. For your ready reference a newspaper cutting of the said ad of NATRAJ Atta Maker published in Ahmedabad Main Edition of SANDESH is attached herewith. My observation and also the reasons as to why in my opinion the said advertisement is illusive and dishonest, are as under: In the advertisement the NATRAJ Atta Maker has claimed that:

- A. Their Atta Maker is the only SARVA SHRESHTHA (The Best).
- B. Their Atta Maker is Indias No:1 Domestic Flourmill.
- C. They have a customer base of more than 8 Lacs Satisfied Customers.

All the above claims of the Advertiser are totally false and baseless. Only to get personal monetary benefits, the Advertiser as drafted an illusive and false Advertisement which will create an impression in the readers mind that this is the only Best Atta Chakki he should buy. For your information there are other brands in the same product category which are far. better than this Atta Maker. The claims of the Advertiser need to be substantiated with Proof. By such an Advertisement the advertiser tries to prove his superiority over other players in the market only by making false and illusive propaganda and take personal advantage from the same. Also such wrong communication may harm other good brands in the same product category honestly playing in the market. I hope that you will surely take actions in this regard so that such misleading and false Advertisements are stopped immediately. I also request you to share with me the reply/justifications that you may receive from the above Advertiser.”

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 upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim (in Gujarati), as translated in English, “Their Atta Maker is the only Sarva Shreshtha (The Best)”, was not substantiated with any market survey





The Advertising Standards Council Of India

data, or with verifiable comparative data of the advertiser's atta maker and other atta maker brands to prove that their brand is the "only best" than the others, or through an independent third party validation. Claim, "India's No.1 Domestic Flourmill", was not substantiated with any verifiable comparative data of the advertiser's atta maker brand and other atta maker brands to prove that they are in leadership position (No.1) in India than the rest, or through a third party validation. The source for this claim was not indicated in the advertisement. Claim, "More than 8 Lacs Satisfied Customers", was not substantiated with supporting evidence of customers who were satisfied with the product, or with any independent audit or verification certificate. The claims are misleading by exaggeration. The advertisement contravened Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**

COMPANY: Heer Computer Education

Claim Objected To: "100% Job Assistance."

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 assistance to their students in graphic designing, 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Kaplon Education Pvt Ltd.

PRODUCT: American Academy of Aviation & Hotel Management

Claim Objected To:
"100% Assured Job in Abroad"

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% Assured Job in abroad", was not substantiated with authentic supporting data such as detailed list of students, who have been placed through their Institute contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. 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**.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

So you can trust advertising



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COMPANY: Sri Chaitanya Degree College

Claim Objected To: “No.1 since last 11 years.”

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 since last 11 years”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes to prove that they are in leadership position (No.1) on year on year basis for the last 11 years as compared to the rest of the institutes, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**

COMPANY: Shekhars Institute

Claim Objected To:

“No.1 Institute in police coaching.”

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 in police coaching”, 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 coaching for police, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was also not indicated in the advertisement. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Sagar Dispensary

Claim Objected To:

“With their successful treatment, lakhs of disappointed patients have got new life”

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, “With their successful treatment, lakhs of disappointed patients have got new life”, was not substantiated with supporting evidence of the patients suffering from sexual diseases who were successfully treated by the advertiser’s hospital, or through a third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread





The Advertising Standards Council Of India

disappointment in the minds of consumers. Specific to the claims implying successful treatment for sexual diseases, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 45). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Abhigyan Sarokar

Claim Objected To:

“Only Institute of Rajasthan- which has given highest selections in the past 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 upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Only Institute of Rajasthan- which has given highest selections in the past years”, was not substantiated with verifiable comparative data of the advertiser’s institute and other similar institutes in Rajasthan, to prove that the advertiser’s institute has only given highest selections than the rest, or through an independent third party validation. The claim 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**

COMPANY: Chandigarh University

Claims Objected To:

1. University with best placements.
2. Scholarships worth 10 crores.

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, “University with best placements”, was not substantiated with any market survey data, or with verifiable comparative data of the advertiser’s institute and similar institutes in to prove that it is better than the other universities in providing placements to their students, or through an independent third party validation. The claim is misleading by exaggeration and implication. Claim “Scholarship worth 10 crores.” was not substantiated with any evidence of such scholarships being provided or the financial provision made by the advertiser for the same. 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**.





The Advertising Standards Council Of India

COMPANY: My Class Teacher

Claim Objected To:

“India's No.1 Online Learning for IIT-JEE (M&A), NEET, AIIMS, KVPY & NTSE”

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 Online Learning for IIT-JEE (M&A), NEET, AIIMS, KVPY & NTSE”, was not substantiated with any third party validation or with 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 learning courses through their online services. 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**.

COMPANY: Bhargava Phyto Lab Pvt. Ltd

PRODUCT: Spondin Drops

Claims Objected to:

1. Clinically Proven for acute and chronic Cervical Spondylitis and Cervical Spondylosis.
2. Doctor's Most Trusted Brand for Cervical Spondylosis.
3. India's No. 1 Selling Brand for Neck and Shoulder Pain.

Complaint

1. Please substantiate claims 1, 2 and 3 with independent claim support data. The claim support data should not be internal studies or studies commissioned by Bhargava Phyto Lab Pvt. Ltd.
2. Please substantiate the claims – “India's No. 1 Selling Brand for Neck and Shoulder Pain” and

“Doctor's Most Trusted Brand for Cervical Spondylosis” with source and year of the study based on which claims are made.

According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

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 – “Clinically Proven for acute and chronic Cervical Spondylitis and Cervical Spondylosis” – As claim support data, the advertiser provided a copy of clinical study report for evaluation of the efficacy of the product for management of Cervical Spondylosis and improvement of Cervical Spondylitis. The CCC reviewed the clinical report and observed that the sample size of Standalone treatment was 18 subjects. This number of volunteers was





The Advertising Standards Council Of India

not considered to be statistically significant to unequivocally prove efficacy of the stand alone treatment. The advertisement does not indicate that the claim is made on the basis of the product being clinically proven to be effective when used as an adjunct treatment. Based on this assessment, the CCC concluded that the claim, “Clinically Proven for acute and chronic Cervical Spondylitis and Cervical Spondylosis” was misleading by ambiguity and omission of the use of the product as an adjunct therapy.

Claim – “Doctor’s Most Trusted Brand for Cervical Spondylosis” – Advertiser did not provide any survey data conducted amongst doctors for the brand being “the most trusted brand” versus other similar brands in the same category. In the absence of claim support data, the CCC concluded that the said claim was not substantiated and is misleading by exaggeration and implication.

Claim – “India’s No. 1 Selling Brand for Neck and Shoulder Pain” – Advertiser stated that the claim made is based on their own sales figures in homeopathy. They asserted that there are no other brands in the spondylitis segment. The CCC did not agree with the advertiser’s assertions as some references to other brands were available for Spondylosis treatment. The CCC concluded that the claim, “India’s No. 1 Selling Brand for Neck and Shoulder Pain”, was not substantiated with verifiable comparative market share data (by volume / value) of the advertiser’s product and other similar brands in the same category, or through a third party validation. The claim is misleading by ambiguity and exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**

COMPANY: Medlife International Private Limited

PRODUCT: Medlife Copper Bottle

Claims Objected to:

1. With ayurvedic benefits
2. Helps in maintaining cardiovascular health and regulates the working of thyroid glands
3. Has anti-inflammatory and antimicrobial properties which relieve aches caused due to inflamed joints and kill germs

Objection:

1. Please substantiate claims 1 to 3 with claim support data. The claim support data should not be internal or based on studies commissioned by Medlife International Private Limited.
2. Reference to claims 2 and 3, are the benefits claimed due to the usage of this particular bottle or due to the presence of copper in the making of the bottle (as claimed)? If they are a general property of copper, then the claims are misleading. According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

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 website 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, “With ayurvedic benefits”, “Helps in maintaining cardiovascular health and regulates the working of thyroid glands” and “Has anti-inflammatory and antimicrobial properties which relieve aches caused due to inflamed joints and kill germs” were not substantiated with direct references from classical ayurvedic texts or evidence for the claimed benefits of the product. 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**.



COMPANY: Dwisha International

Claims Objected to:

1. 100% satisfaction on immigration Work
2. 80% of approval Ratio
3. Coaching class with Scores Guarantee

Complaint:

1. Please provide claims 1 to 3 with claim support data. The claim support data should not be internal studies or studies commissioned by Dwisha International.
2. Ref. to claim 3, guarantee as to what is not mentioned. There is an omission in the advertisement.

According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5 and Guidelines for Advertising of Educational Institutions and Programs of ASCI Code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

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 upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "100% satisfaction on immigration Work", "80% of approval Ratio", and "Coaching class with Scores Guarantee", related to the immigration and visa services provided by the advertiser, were not substantiated with verifiable supporting data, and are misleading by exaggeration. The advertisement 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**.

COMPANY: Blue Mount Appliances Pvt. Ltd.

PRODUCT: Blue Mount RO

Claims Objected to:

1. India's 1st Alkaline RO Water Purifiers with LED Display
2. Adds essential minerals.
3. Enhances oxygen level of purified water

Complaint:

1. Please substantiate claims 1 to 3 with claim support data. The claim support data should not be internal or based on studies commissioned by Blue Mount Appliances Pvt. Ltd.
2. How can an advertiser claim that RO adds essential minerals and enhances oxygen level of purified water? Please substantiate
3. Karisma Kapoor features on the advertisement. As per the ASCI Guidelines for Celebrities in Advertising, a Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive. The celebrity (Karisma Kapoor) in this advt violate this clause of the ASCI guidelines. According to us, the advertisement contravenes Chapter 1.1, 1.2, 1.4 and Guidelines for Celebrities in Advertising of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.



The Advertising Standards Council Of India

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 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 1st Alkaline RO Water Purifiers with LED Display", was not substantiated with any verifiable comparative data of the advertiser's product and other RO water purifiers in India, to prove that their product is India's first with the feature of LED Display or through a third party validation. Claims, "Adds essential minerals", and "Enhances oxygen level of purified water", were not substantiated with technical test reports for the claimed benefits of the product. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. Karishma Kapoor featuring in the advertisement was therefore in violation of ASCI Guidelines for celebrities in advertising. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Hyundai Motors India Limited

PRODUCT: Hyundai Creta

Complaint:

On 10th June 2018, Hyundai advertised in Times of India about creta face lift model. It was also mentioned that special offer for select corporates, Doctors, CAs and SMEs. When I inquired about the same, almost all dealers in Gurgaon refused for any such offer. Also when approached to Hyundai Co, they also denied for any such offer and said that such offer are applicable on other models whereas ad was only for creta face lift and no details of others models were given in whole ad. This was misleading advt by Hyundai. Attached herewith copy of ad. PFA mail correspondence with Hyundai.

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.

Complainant provided copy of correspondence exchanged with the advertiser in respect of the claim offer made in the advertisement. On reviewing the same, the CCC observed that the advertiser's representative in their response to the complainant's grievance replied that the claim offer "Special offer for select corporates, doctors, CAs and SMEs", is available on its various models. They further denied having any discount offer on Hyundai variant – Creta SUV.

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, and based on the evidence provided by the complainant, the CCC concluded that the said claim offer was false and misleading by ambiguity and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

So you can trust advertising



The Advertising Standards Council Of India

COMPANY: Shyam Oils

PRODUCT: Sona Sikka Refined Groundnut Oil

Complaint:

Advertisement depicts FSSAI logo.

Objection-

Improper use of FSSAI logo however FSSAI logo and license number is not mentioned in Standard Format of FSSAI logo as well as in violation of the FSSAI advisory.

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 in their response stated that they had obtained the appropriate certification required to display the FSSAI logo in the manner that was used in the advertisement. They further sought for Informal Resolution (IR) of the complaint by agreeing to modify the said advertisement, for which they requested for a week's time to respond. However, as they did not confirm this compliance within the stipulated period, the complaint was processed for CCC deliberations.

The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that 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. The CCC concluded that the improper use of FSSAI logo was misleading the consumers 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**.

COMPANY: Kelzai Secrets Limited

PRODUCT: Kelzai Volcanic Water

Claims:

1. Enriched to provide you with a rich source of silica, magnesium, calcium and, potassium.
2. Naturally alkaline, Kelzai with a pH level of 7.09-7.9 serves as a natural oxidant detoxifying the body and improving skin tone, energy levels and overall health to keep you young.

Objections:

1. Reference to claims 1 and 2 please substantiate with claim support data. The claim support data should not be internal or based on studies commissioned by Kelzai.
2. Reference to claim 1; is the amount of silica, magnesium, calcium and, potassium sufficient to impart the benefits claimed. Please substantiate.
3. Reference to claim 2; Please substantiate how packaged drinking water can claim to detoxify and improve overall health.
4. Reference to claim 2, is there seasonal variation in the pH of water? If so, how is the alkaline pH maintained naturally? Please substantiate.
5. Please provide the details of the Regulatory agency which has approved the marketing of the product. As per ASCI guidelines, Advertisements that include what consumer, acting reasonably, might interpret as health or nutritional claims shall be supported by appropriate scientific evidence and meeting the requirement of basic Food Standards laid down under the Food Safety Standards Act and Rules, wherever applicable. According to us, the advertisement contravenes Chapter 1.1, and 1.4 of ASCI code and the provisions of Guidelines of advertising of food and beverages.





The Advertising Standards Council 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 availed, and they were provided with an opportunity to discuss their submission via telecon.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. During the deliberation of this complaint, the CCC members verified that the advertiser's website was not accessible on the day of the CCC meeting (18th July 2018).

Claims – “Enriched to provide you with a rich source of silica, magnesium, calcium and, potassium” – Advertiser provided copy of laboratory report in support of this claim. The CCC observed that the report shows that the water does not conform to IS-14543 packaged drinking water standard, and its values for the stated elements/minerals are not remarkable. The words "rich source" implies a substantial fraction of RDA of the elements/minerals claimed is provided with typical consumption; no evidence to that effect was provided. The CCC concluded that the claim, “Enriched to provide you with a rich source of silica, magnesium, calcium and, potassium”, was inadequately substantiated and is misleading by exaggeration.

Claim – “Naturally alkaline, Kelzai with a pH level of 7.09-7.9 serves as a natural oxidant.....” - Advertiser provided copy of laboratory report in support of this claim. The report declares the water to have pH of 7.8. The claim of "alkaline" “pH level of 7.09 – 7.9” was substantiated. However, the claims, of “naturally” and “Kelzai with a pH level of 7.09-7.9 serves as a natural oxidant.....” were inadequately substantiated, and are misleading.

Claim - "...detoxifying the body and improving skin tone, energy levels and overall health to keep you young" – In the absence of any published scientific research papers or evidence of product benefit via clinical data, the CCC concluded that this claim was not substantiated. The claims are misleading and exploit consumers' lack of knowledge and are likely to result in widespread disappointment in the minds of consumers. The website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Kelzai Secrets Limited

PRODUCT: Kelzai Volcanic Water

Claims:

1. BIS certified. 2. India's First bottled water encased in a biodegradable PET bottle.
3. Kelzai is naturally purified, patiently filtered and enriched over millennia to give you water as pure and natural as the earth itself.

Objections:

1. Reference to claim 1; the website does not carry any BIS certificate. Please substantiate with a valid recent certificate. 2. Reference to claim 2; please substantiate the claim ‘India's First bottled water encased in a biodegradable PET bottle’, with claim support data. The data should have third party validation. The claim support data should not be internal or based on studies commissioned by Kelzai.
3. Reference to claim3; it is grossly misleading. Please substantiate with claim support data. According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI code and the provisions of Guidelines of advertising of food and beverages





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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 availed, and discussed their submission via telecon.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. During the deliberation of this complaint, the CCC members verified that the advertiser's website was not accessible on the day of the CCC meeting (18th July 2018).

Claim – “BIS Certified” - Advertiser provided a copy of the BIS certification and copy of BIS license Renewal fee receipt. The CCC observed that the product conformed to BIS Spec IS 13428:2005. Based on this data, the CCC concluded that the claim, “BIS Certified” was substantiated. This complaint was **NOT UPHELD**.

Claim – “India's First bottled water encased in a biodegradable PET bottle” – As claim support data, the advertiser provided certificate of Indian Institute of Packaging, Mumbai, certifying the biodegradability ratio at various intervals, and a copy of the report received from the supplier of the biodegradable additive ‘BIOTEC, USA’. The claim of being India's "FIRST" bottled water encased in Bio-degradable PET bottle was made basis the study of various bottled water brands in India packed in PET bottles. Based on this data, the CCC concluded that the claim, “.....bottled water encased in a biodegradable PET bottle”, was substantiated. This complaint was **NOT UPHELD**.

However, the claim of the product being “India's First” was not substantiated with comparative data of the advertiser's product and similar bottled water brands, or through a third party validation, and is misleading by exaggeration and implication. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**. The CCC noted the advertiser's response that the claim of “First” is being deleted from their advertisements.

Claim – “Kelzai is naturally purified, patiently filtered and enriched over millennia to give you water as pure and natural as the earth itself” – Advertiser stated that this claim is made basis the Geology/Hydrology of the place where the plant is situated. During their personal discussion with the ASCI Secretariat, the advertiser informed that Kelzai Volcanic Water source is in the former volcanic Sahyadri range. Kelzai Volcanic Water is bottled directly at the source in a state of the art bottling facility to maintain the quality and character of the water. Based on the advertiser's submissions, the CCC concluded that the claim, “Kelzai is naturally purified, patiently filtered and enriched over millennia to give you water as pure and natural as the earth itself”, was not objectionable. This complaint was **NOT UPHELD**.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

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The Advertising Standards Council Of India

COMPANY: Cargill India Pvt. Ltd

PRODUCT: Leonardo Just Lite Olive Oil

Claim Objected to:

“67% less usage”

Objection:

1. Claim is misleading by ambiguity.
2. Potential contravention of the ASCI disclaimer guidelines Clause 2 and Clause 4.V

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 had stated in their response that the claim made is based on the results of analytical test conducted by third party lab in October 2014, on the following hypothesis - "*Spreadability of Leonardo vis-a-vis other commonly used cooking oils*". The sensory evaluation study proved that food can be cooked in Olive Oil in quantity which is 1/3rd of other oils retaining same or better taste and also giving higher degree of palatability and thus resulting in 67% less usage of Olive Oil as compared to other commonly used cooking oils. As claim support data, the advertiser provided a copy of the said lab report. Further, the advertiser also provided a copy of the opinion of a Faculty member in the Department of Oil, Oleochemicals & Surfactants Technology at Institute of Chemical Technology, who has highlighted beneficial effects of Olive Oil on human body and also characteristics of olive oil resulting in lower absorption of oil during cooking and thereby enabling cooking of food in lesser quantity of oil. 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 Lab had conducted cooking studies using Cargill Leonardo Lite Olive oil Vs commonly used cooking oils such as refined Soybean oil, Sunflower oil Safflower oil and Rice bran oil. In this study both Olive oil (Pomace) and Olive oil (pure) were used to compare against other cooking oils. It was not clear if this matched with the advertised product "Just Lite Olive oil Extra Light". A few selected recipes had been taken for this study. The recipes selected were not representing pan Indian cookery specialities. Non Veg dishes were excluded from the study. The dish being advertised (Chole) was not part of the recipe tested. Few pictorial presentations of food cooked in vessels were presented to show that excess oil was not absorbed by food and food surface was not oily. This was not supported by analysis of food for oil content after cooking for olive oil vs other oils. It was claimed that olive oil is thick and viscous and easily spreads as against other oils. The claim was made on lab test under controlled conditions and not representing a home cooking situation as done by a house wife. The oil uptake can vary from recipe to recipe used by house wife. This was not established by conducting the study using housewives as part of the study. Based on this assessment, the CCC concluded that the claim, "67% less usage", was inadequately substantiated, and contravened Chapter I.1 of the ASCI Code. The CCC considered this attributing 67% reduction of oil consumption in the advertisement to be misleading by ambiguity and implication. The said claim read in conjunction with the disclaimer, "*Based on sensory evaluation result found to be at par on select recipes and oils under standard lab conditions*" contravened Chapter I.4 of the ASCI Code and Clauses 2 and Clause 4(V) of ASCI Guidelines on Disclaimers ("A disclaimer should not attempt to hide material information with respect to the claim...." And "For comparative claims, the basis of comparison must be in a font size that is at least 25% of the size of the claim being qualified and positioned in close proximity of the claim....."). The complaint was **UPHELD**.



HONESTY



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RESPONSIBILITY



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The Advertising Standards Council Of India

COMPANY: MDJ Agro Fibre Pvt Ltd

PRODUCT: Payasa High Fibre Energya

Claims Objected to:

1. 2x more protein.
2. Diabetic Friendly.
3. Helps in Weight Loss.
4. Helps Reduce Cholesterol

Objections

Claims are misleading by ambiguity and implication that the product would provide these therapeutic benefits.

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 had stated in their response that the product is white rice with protein 14.01 gm and 16.88% of Dietary Fibre which has been certified by the food testing laboratory. As claim support data, the advertiser provided analysis report for Total Dietary Fibre, Proximate analysis of product for protein and fibre content, article published in New England Journal of Medicine on high fibre diet improving glycemic control, Journal references on Dietary Fibre and its components on Metabolic Health, and Cholesterol lowering effect of Dietary Fibre, Product label with product composition details, and copy of FSSAI license. 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. Claim – "2x more Protein" – analysis report submitted by the advertiser shows that the Payasa rice has protein (14%), fibre (16.8%), soluble fibre (13.87 %) and insoluble fibre (3.8%). Based on the nutritional value table of white rice submitted by the advertiser as a comparison with Payasa rice, the CCC observed that rice generally contains 7% protein and 0.5 to 1% fibre. As per the report, Payasa rice contains 2x proteins as against commonly available white rice as per analysis report submitted. Based on this data, the CCC concluded that the claim, "2x more protein", was substantiated. However, the CCC recommended that the claim is required to be qualified to mention the basis of comparison.

Claim – "Diabetic Friendly" – the claim is made on the basis of the soluble fibre content in Payasa rice. In support of this claim, advertiser provided published research papers on the effect of fibre in blood sugar control. However, the CCC observed that the advertiser did not submit evidence for the low Glycemic Index (claimed as 44.2%) for their rice via in vivo assessment. The CCC also considered the claim to be misleading in the absence of mention of serving instructions on pack or in the advertisement as rice cannot be eaten by diabetics in excess. High intake of carbohydrates, even though low in GI value and / or high in fibre, will ultimately increase sugar levels.

Based on this assessment, the CCC concluded that the claim, "Diabetic Friendly", was inadequately substantiated and is misleading.

Claims – "Helps in Weight loss" and "Helps Reduce Cholesterol" – The CCC observed that the advertiser has based his claims on the fibre content in the product. However, it was not clear if these claims can be directly extrapolated to Indian population as per the Indian food habits. Attributing these benefits directly to the advertised products was misleading by ambiguity and implication. The claims exploit consumers' lack of knowledge and are likely to result in 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**.



HONESTY



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The Advertising Standards Council Of India

COMPANY: Mankind Pharma Ltd

PRODUCT: Kaloree 1

Claim Objected to:

“Controls Blood Sugar”

Objections

1. Claim is implying therapeutic benefits.
2. Ad in violation of ASCI Celebrity guidelines

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 had stated in their response that aspartame consumption is not associated with alterations on blood glucose levels and accordingly Kaloree 1 artificial sweetener only claims to maintain the sugar levels irrespective of whether the user is weight conscious individual, a pre-diabetic or a diabetic. As claim support data, advertiser provided copy of product label, copy of FSSAI License, copies of advertisements of other advertisers claiming benefits associated with diseases mentioned in Schedule J of the Drugs and Cosmetics Act.

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 agreed that sugar substitutes do not add to calories and as a result would help in management of weight. However, the CCC considered the terminology “For controlling your blood sugar” to be incorrect since the word “control” also implies bringing down an already high value – which is not the role of sugar substitutes. The claim was misleading by ambiguity and implication and exploit’s consumers’ lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code.

The complaint regarding endorsement by the Sports personality (Sania Mirza) was examined by the CCC. The CCC observed that the advertiser was not able to submit any evidence that this celebrity is in agreement with the claim being made in the advertisement. The visual of this celebrity when seen in conjunction with the claim is likely to mislead consumers regarding the product benefit. This contravenes Clauses (c), (d) of the ASCI Guidelines for Celebrities in Advertising.

The complaint was **UPHELD**

COMPANY: Tirumala Milk Products Pvt Ltd

PRODUCT: President Butter

Claim Objected to:

“France's No.1 Butter”

Objection:

Claim is misleading by exaggeration.

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 an interim reply denying the objections raised in the complaint, and subsequently requested for an extension of 30 days time to collate the relevant supporting data for the claim made. Since the complaints have to be processed in a time bound manner, as a special gesture,





The Advertising Standards Council Of India

the advertiser was granted an extension of only four days to the standard lead time of seven days to submit their reply. However, the Advertiser did not provide their response by the extended due date. In the absence of claim support data, the CCC concluded that the claim, "France's No.1 Butter", was not substantiated with any verifiable comparative data of the advertiser's product and other Butter brands in France, to prove that it is in leadership position (No.1), or through a third party validation. The claim is misleading by exaggeration. The data source for the claim was not indicated in the advertisement. The advertisement contravened Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Kaleesuwari Refinery Pvt Ltd

PRODUCT: Gold Winner Vita D3

Claim Objected to:

"Gold winner Vita D3 is recognized as first food item with D3 by FSSAI standard"

Objection:

Reference to FSSAI in violation of the FSSAI order.

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 provided the Product Label and Product approval license. The advertiser in their response referred to a website link <http://www.thehindu.com/news/cities/mumbai/fortified-foods-to-tackle-malnutrition/article18348218.ece> for an article in The Hindu where FSSAI had made a mention of the fortification program and also made a mention of the company name. The CCC viewed the print advertisement and considered the advertiser's response and referred the link. The CCC observed that the news article did not have any reference to the specific brand and specific ingredient as claimed in the advertisement. The article is only generic "Now, a number of enterprises will begin adding premixes of micronutrients to launch fortified foods. Smita Mankad, head of the FSSAI's Food Fortification Resource Centre, told *The Hindu* that in the next few months, ...Kaleesuwari Refineries are working on oil,..." . The CCC concluded that the claim, " Goldwinner Vita D3 is the first edible oil to come fortified with Vitamin D 3 as per FSSAI standard of fortification" is false and misleading by ambiguity and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Eveready Industries India Ltd

PRODUCT: Eveready Tez Tea Premium

Claim Objected to:

"India's largest tea manufacturer"

Objection:

Disclaimers not as per ASCI guidelines

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. Further, they were provided with an





The Advertising Standards Council Of India

opportunity to discuss their submission via telecon. Advertiser in their response stated that the basis for the claim was that "McLeod Russel India Ltd" is the tea producing company of the Williamson Magor Group and the largest tea producer in India. Eveready Industries India Ltd is a group company of Williamson Magor group, the India's largest tea producer. Subsequently, the advertiser provided a letter from Indian Tea Association (ITA), and further stated that McLeod Russel India Ltd is the tea producing company of the Williamson Magor Group and the largest tea producer in India which makes Eveready Industries India Ltd. – a group company of Williamson Magor group, the India's largest tea producer.

Although the advertiser initially availed an Informal Resolution (IR) of the complaint as they did not provide their assurance of not using the said claim in their future advertisements, the complaint was processed for CCC deliberations. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that as per the ITA's certificate the production of tea from M/s McLeod Russel India Limited (MRIL) in 2017 was 90.10 million Kg, making M/s McLeod Russel India Ltd the largest tea producer amongst all tea producing companies in India.

This data was considered to be inadequate as it did not provide details about other key competitors. Secondly the data was for MRIL and did not hold for the advertiser. Based on this assessment, the CCC concluded that the claim, "India's largest tea manufacturer", was inadequately substantiated and is misleading by ambiguity and exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The disclaimers in the advertisement were not in the same language as the claim, they were not legible, and the position of the disclaimer was not in the same direction as that of the claim and not in close proximity. The advertisement contravened Clauses 2, 4 (I) (IV) (V) and VII of the ASCI Guidelines for Disclaimers. The complaint was **UPHELD**

COMPANY: A-One Tea Company

Claim Objected to:

"Hyderabad's No.1 since 1977."

Objection:

Claim is misleading - substantiation required

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 had stated in their response that the claim is made basis their quality, sales, infrastructure, concept and their store outlook. Their organization started in 1977 with four branches spread across the Hyderabad city. They are serving the best quality teas to thousands of customers with a daily footfall of nearly 800 to 1000 customers with a turnover of 4.67crores in the preceding financial year 2017-18, the highest for any Retail Tea Store in Hyderabad. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions about their organization. In the absence of claim support data, the CCC concluded that the claim, "Hyderabad's No.1 since 1977", was not substantiated with any verifiable comparative data of the advertiser's organization and other manufacturers of tea products in Hyderabad to prove that it is in leadership position (No.1) than the rest, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

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The Advertising Standards Council Of India

COMPANY: Hem's Food Pvt Ltd

PRODUCT: Hem's Millet Soupy Noodles

Complaint:

“The advertisement claims -

- A. 100% Natural & Safe
- B. No Added Artificial Color, Flavor, Taste Enhancer, Preservative & MSG.
- C. High Quality Natural Ingredients.
- D. A Chemical Free Product.
- E. Natural Food
- F. Natural Ingredients

In addition to the above claims, the website carries a Brand story which is as below:

"Hems Soupy Noodles is a healthy mix of millet powders and other natural ingredients"

Prima facie, the Advertiser is referring to product attributes which are being offered to the consumer. However, by using words like "100% Safe", "100% Natural" and "Natural Ingredients" the Advertiser is misleading by way of exaggeration. Nevertheless, it is submitted that all products manufactured in accordance with FSSAI are "Safe" to consume and hence the impression which Advertiser is trying to create is improper.

Similarly, the claim "chemical free product" is specifically targeted towards gullible consumers who understand the term "chemical" in a generic sense. It is well known that no chemicals are permitted to be added in food and only Ingredients and Additives mentioned in the Food Safety and Standard Regulations, are used to manufacture a product. Therefore, stating the obvious and projecting the product as a specialized product against other noodle products, is a farce and not truthful.

Further, the Advertiser has not substantiated as to how, in what manner a product like noodles, which undergoes various stages of industrial processing can be termed as having "natural ingredients" and "natural food".

While a small portion of the ingredients used by the Advertiser may be healthy like millets etc. the fat % of the product, mentioned as a part of "Nutritional. Information" is higher than many leading brands. It is not unlikely to believe that the use of millets in the formulation will provide some micronutrients like calcium, iron etc. to the consumer. However, the claim, "healthy mix of millet powders" is unsubstantiated. The Advertiser's product is made with Wheat Flour, Salt and fried in oil. Therefore, it is not offering anything unique when compared to other noodles variants.

It is submitted that the Advertiser is claiming that Hem's Noodles has natural ingredients, is safe, is chemical free and by implication better as compared to other Noodles. Such exaggerated, unsubstantiated, and unfounded claims are likely to mislead the consumers into believing that Hem's noodles are beneficial for health and are full of Natural Ingredients.

It is pertinent to note that the Advertiser is misleading the consumers by way of communicating deceptive claims and product attributes. Hem's packaging mentions it is a "Natural Food" has "Natural Ingredients" is "100% Natural". It is pertinent to note that the tagline mentioned just below the brand name is "Health Conscious Foods". The consumers are likely to purchase the Product assuming the stated product attributes, which are not proven, baseless and unsubstantiated. Majority of the Ingredients in Advertiser's product are processed and cannot be termed as "Natural", by any stretch of imagination.

Hem's noodles consist of Noodle cake as well as Seasoning mix. Noodle cake is made with wheat, salt and fried in Rice Bran oil. Seasoning sachet is a mix of millets and spices as well as Sugar and Salt. Seasoning sachet forms hardly 10% of the overall product. Therefore, the overall product cannot be termed as "healthy" by addition of an Ingredient like "millet". The Advertiser has still gone ahead and branded its product as "Millet Soupy Noodles" to take advantage of the consumer perception associated with millets. The Advertiser is misleading the consumers by way of unsubstantiated, mischievously crafted claims without any relevant disclaimers and qualifiers”





The Advertising Standards Council 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, but submitted their written response post the due date. The advertiser submitted list of ingredients used in their Millet Soupy noodles taste maker Vs Knorr Soupy Noodles as a comparison, and also the medicinal properties of all natural ingredients present in their taste maker to substantiate their claims. The advertiser provided rationale for each of the objected claims. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting.

Claims – “100% Natural” “High Quality Natural Ingredients”, “Natural Food”, “Natural Ingredients”- Advertiser stated that their products are natural food whose ingredients come from natural sources, and contains no artificial additives or preservatives. Advertiser stated that they are pounding naturally obtained raw materials to produce masalas and seasonings for traditional taste. Wheat flour used to make noodles is fine wheat flour in natural form and is not bleached or chemically processed. Edible Rice bran oil used is naturally enriched with vitamin E and has not been oxidized. Advertiser stated that they are using only high quality raw materials as natural ingredients to enrich the taste of the product without using any additives. The CCC observed that the raw materials used in manufacturing noodles and taste maker are industrially processed before they are used in the manufacture of Noodle and taste maker. Hems Millet Soupy noodle is 70.59% noodle manufactured in a factory by processing Wheat flour, salt and rice bran oil. The remaining 29.41% contains Sugar, Salt and other ingredients as declared on the label. Majority of these ingredients being processed, cannot be considered to be “Natural” as would be commonly understood by a consumer. In view of the above, in the context of the current communication, 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 consumers' lack of knowledge and is likely to result in widespread disappointment in the minds of consumers.

Claim - “A Chemical Free Product” – In response to this objection, the advertiser asserted that none of their products have ever undergone through any chemical process. The CCC observed that while the product claims to be without any artificial color, Flavor, Taste Enhancer, Preservative and MSG, it does contain Iodised salt which is a purified salt with added iodine source. In the context of “Natural” positioning taken by the product, the claim “A Chemical Free Product” is misleading by ambiguity and implication.

The website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code and Guidelines for advertising of food and beverages. The complaint was **UPHELD**

Claim – “No Added Artificial Color, Flavor, Taste Enhancer, Preservative & MSG” - Advertiser stated that they have not been using any artificial color, Flavor, Taste Enhancer, Preservative and MSG in their product.

As stated by the complainant, all products manufactured in accordance with FSSAI are safe to consumer. Based on this assessment, the claims “No Added Artificial Colour, Flavour, Taste Enhancer, Preservative & MSG”, “Safe” were not considered to be objectionable. This complaint was **NOT UPHELD**.





The Advertising Standards Council Of India

COMPANY: Hem's Food Pvt. Ltd

PRODUCT: Hem's Noodles - Natural Taste Mix -Tomato Onion

Complaint:

The advertisement claims -

- A. 100% Natural & Safe
- B. No Added Artificial Colour, Flavour, Taste Enhancer, Preservative & MSG.
- C. Home grown and natural prepared mix
- D. Healthy and natural taste
- E. 100% Natural Ingredients
- F. Chemical free

In addition to the above claims, the website carries a Brand story which says:-

"Worried about your kid's noodle eating habits? Fret not, Hem's noodles is here for your rescue. Fed up of health issues caused on children by other noodle brands, we at Hem's strived to come up with unique formula for preparation of noodles. Our formations are chemical free and prepared out of 100% natural ingredients, We do not add any chemicals, coloring agents or preservatives. Hem's Instant Noodles is made up of natural ingredients with indigenous mix of tomato and onion."

Prima facie, the Advertiser is referring to product attributes which are being offered to the consumer. However, by using words like -100% Safe-, -Homegrown" and "Natural" the Advertiser is misleading by way of exaggeration. Nevertheless, it is submitted that all products manufactured in accordance with FSSAI are -Safe" to consume and hence the impression which Advertiser is trying to create is improper. Similarly, the claim -chemical free product" is specifically targeted towards gullible consumers who understand the term -chemical" in a generic sense. It is well known that no chemicals are permitted to be added in food and only Ingredients and Additives mentioned in the Food Safety and Standard Regulations, are used to manufacture a product.

Therefore, stating the obvious and projecting the product as a specialized product against other noodle products, is a farce and not truthful.

Further, the Advertiser has not substantiated as to how, in what manner a product like noodles, which undergoes various stages of industrial processing can be termed as "home-grown and "natural" and with -100% Natural ingredients".

The claim-Fed up of health issues caused on children by other noodle brands" is disparaging and unsubstantiated. The Advertiser cannot assume that other noodle brands cause health issues for children. In other words, the Advertiser's product is made with Wheat Flour, Salt and fried in oil. Therefore, it is not offering anything unique when compared to other noodle variants. In this context to build a brand story which talks about "unique formula" to rescue from kids' noodle eating habits and harp on the -natural" attribute of a industrially processed product is a plain mockery.

It is submitted that the Advertiser is claiming that Hem's Noodles has natural ingredients, is safe, is chemical free and by implication better for children as compared to other Noodles. Such exaggerated, unsubstantiated, and unfounded claims are likely to mislead the consumers into believing that Hem's noodles are beneficial for health and are full of Natural Ingredients. It is pertinent to note that the Advertiser is misleading the consumers by way of communicating deceptive claims and product attributes. Hem's packaging mentions it is a "Natural Food" has 'Natural Ingredients" is "100% Natural". It is pertinent to note that the tagline mentioned just below the brand name is "Health Conscious Foods". The consumers are likely to purchase the Product assuming the stated product attributes, which are not proven, baseless and unsubstantiated. Majority of the Ingredients in Advertiser's product are processed and cannot be termed as -Natural", by any stretch of imagination

Hem's noodles consist of Noodle cake as well as Seasoning mix. Noodle cake is made with wheat, salt and fried in Rice Bran oil. Seasoning sachet is a mix of spices as well as Sugar and Salt. Seasoning sachet forms hardly 10% of the overall product.

Therefore, there is no unique ingredient either in the Noodle cake or in the Seasoning sachet of the Advertiser. The Advertiser has still gone ahead and projected their product to be full of Natural Ingredients, better than other noodles brand and better for children. The Advertiser is misleading the consumers by way of unsubstantiated, mischievously crafted claims without any relevant disclaimers and qualifiers.





The Advertising Standards Council 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, but replied requesting for an extension of 20 days to submit their response. The advertiser was granted an extension of two days to the standard lead time of seven days to submit their reply in response to their request for this extension. However, the advertiser did not submit their response by the extended due date. Upon carefully viewing the website advertisement, examining the complaint and the reply given by the advertiser, the CCC observed that the advertiser did not submit any product specific details such as composition / licence / pack artwork or samples and FSSAI approval etc. to substantiate their claims. In the absence of claim support data, the CCC concluded that the claims, “100% Natural”, “Home grown and natural prepared mix”, “Healthy and natural taste”, “100% Natural Ingredients”, and “Chemical free”, were not substantiated with supporting data, and are misleading by exaggeration and implication when seen in the context of their comparison with other marketed noodle brands. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code and Guidelines for advertising of food and beverages. This complaint was **UPHELD**.

The claims “No Added Artificial Colour, Flavour, Taste Enhancer, Preservative & MSG”, “Safe” were not considered to be objectionable in absence of any grounds for objection from the complainant. This complaint was **NOT UPHELD**.

COMPANY: Dharwad Mishra Pedha & Food Processing Industry

PRODUCT: (Big Mishra Pedha)

Claim objected to:

“South India's Biggest Sweet Mart”

Objections:

- 1.Claim requires substantiation as misleading by ambiguity and omission.
- 2.Source of claim not mentioned in the advertisement

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 replied requesting for an extension of 30 days to submit their response. The advertiser was granted an extension of eight days to the standard lead time of seven days to submit their reply in response to their request for this extension. Advertiser stated in their response that the claim is made on the basis that they have got more than 110 Franchisee, 500 SKU's in Loose Sweets, 150 in Namkeens, more than 180 Packed Item SKU's. They are the only sweet mart producing special Dharwad Pedha more than 1500 Kgs everyday and approx. 5,40,000 Kgs a year. They are the only sweet mart house of South India whose different products are sold in more than 3500 outlets and are diversified in more than 10 category of businesses. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions about their sweet mart house and their products. The advertiser admits that they have no source to prove themselves to be the Biggest. Based on this assessment, the CCC concluded that the claim, “South India's Biggest Sweet Mart”, was not substantiated with any market survey data, or with any verifiable comparative data of the advertiser's sweet mart and other similar sweet marts in South India to prove that it is biggest than the rest, or through a third party validation. The claim is misleading by exaggeration and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

COMPANY: Rising Sun Sales Corporation

PRODUCT: Jinwar Ragi Malt

Claims Objected to

“Reduce cholesterol”, “Reduce stroke” and “Control blood pressure”

Objections-

Claim is misleading by implication that the said product has therapeutic benefits.

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 had stated in their response that the advertisement was only an attempt to inform the consumers of the properties and benefits of Ragi, if consumed regularly.

As this response was inadequate, ASCI requested the advertiser to provide supporting clinical evidence or published scientific literature in substantiation of the claims made, copy of the Product label along with the Product composition details, and product approval copy from the licensing authority etc. Advertiser did not provide these details in time for the CCC meeting.

The CCC viewed the print advertisement and considered the advertiser’s response. The CCC observed that the advertiser did not submit any product specific details such as composition details / content of Ragi or pack artwork in support of their claims. Advertiser also did not provide any technical data, or published scientific literature on the claimed benefits of Ragi. The CCC concluded that the claims, “Reduce cholesterol”, “Reduce stroke” and “Control blood pressure”, were inadequately substantiated. The claims are misleading by exaggeration, exploit consumers’ lack of knowledge and are likely to result in widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code and Guidelines for advertising of food and beverages. The complaint was **UPHELD**.

COMPANY: Palash Udyog

PRODUCT: Savoury Gold Meera Chudda Powder

Claim Objected to:

“To make memory sharper”

Objection:

Claim is misleading by implication that the said product has therapeutic benefits

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 replied seeking for informal resolution (IR) of the complaint. However, they did not fulfil the prerequisites by confirming compliance by way of appropriate modification or withdrawal of the objected claim, within the stipulated period. Therefore, the complaint was processed for CCC deliberations. The CCC viewed the TVC and considered the advertiser’s reply. The CCC observed that the advertiser did not submit any product specific details such as composition / licence / pack artwork or samples etc. in support of their claim. Advertiser also did not provide any technical



data, or published scientific literature on the claimed benefits of the product. The CCC concluded that the claim (in Odia) as translated in English, “makes memory sharper”, was not substantiated. The claim is misleading by exaggeration, exploits consumers’ lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4 and I.5 of the ASCI Code and Guidelines for advertising of food and beverages. This complaint was **UPHELD**.

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.	Baljiwan Medicines Pvt Ltd - Baljiwan Shakti Tarang	1. Power booster for men. 2. Beneficial in impotency, premature ejaculation and increases time Objection: The visual in the product packaging read in conjunction with the claims objected to implies that the product is 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, Sexual Impotence: Item No.45, DMR Schedule
2.	Adi Herbal - Diabatags X Gold Capsule	1. Sexual energy Activators 2. Cures erectile dysfunction. 3. Be the man you used to be	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
3.	Herbal No 1 Range of Products	Make penis 8-9" long, thick and hard. Increase sex time 50 minutes Objection: The visual in the ad read in conjunction with the claims objected to implies that the product is meant for sexual enhancement.	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
4.	Sikandar-EAzam Plus Capsule Hashmi Herbal	1. Restore sexual desire, 2. For vigour and pleasure	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
5.	Sks Ayurveda Range Of Products- Sks Ayurveda Range Of Products	1. Ayurvedic solution for sex problems. Increase sex time & increase length and thickness of penis. 2. Objection: The visual in the product packaging read in conjunction with the claims objected to implies that the product is 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


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6.	Benmoon Pharma Research, Benmoon Tulsi Curcumin Drops	Everyday consumption of few drops of it saves you from asthma like diseases.	Asthma: Rule No.6 – DMR Act
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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 Health:-

Sr. No	Advertiser /Brand	Claim objected to	Remarks
1	Perna Speech & Hearing Clinic	Freedom from deafness and stammering.	Deafness : Item no.8- DMR Schedule Stammering Item No.49-Schedule J

COMPANY: Sri Chaitanaya Educational Institutions

No of Complaints: 3

Complaint 1:

It is an advertisement promoting their colleges regarding JEE Main results. The advertisement appeared in "Eenadu" Newspaper on May 1st 2018.

The advertisements appeared on the 1st & 3rd pages of the newspaper. In the 1st page there is an advertisement of "Sri Chaitanya IIT Academy". In the advertisement they showed that a student named "Bhogi Suraj Krishna" All India 1st Rank H.T.No: 11720999.

In the 3rd page there is an advertisement of "Narayana Group". In the advertisement they showed that a student named "B. Suraj Krishna" All India 1st Rank H.T.No:11720999.

In the two advertisements they showed the picture of the student and they both are same with accurate details. How come one student can be in 2 different institutions?

The advertisers are misleading us by trying to grab the attention of viewers by showing fake student information by one of the two institutions. Only one Institution can claim the student and the other is deceiving us. Kindly review the attached pdf and take necessary steps to control them.

Complaint 2:

Please find below advertisement in Eenadu telugu May 1st by Sri Chaitanya College and Narayana Collage. Both are claiming same student is studied at their college. Please look in to the matter.

Complaint 3:

Two different collages gave paper ad, but both collages has put one student in both ads. Bogi Suraj Krishna Hall Ticket number:11720999. On May 1st 2018, in Eenadu daily newspaper, Srichaithanya junior collage and Narayana Juniour collage both gave Paper ad. Regarding 2018- Jee- Main results. Both collages are claiming that Mr. B. Suraj Krishna (Ht. no: 11720999) as their student. Who secured 1st rank. <http://epaper.eenadu.net/index.php?rt=index/index#>

CCC RECOMMENDATION ON RE-EXAMINATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant. However, in the absence of response prior to the due date, the matter was examined by the CCC on the basis of the materials available then and an exparte decision was taken. On receiving the CCC Recommendation, the Advertiser replied seeking for re-examination of the CCC recommendation and also assured compliance pending re-examination.





The Advertising Standards Council Of India

Advertiser in their response stated that Sri Chaitanya Narayana Junior College is affiliated to Board of Intermediate Education, AP, sponsored by Sri Sarvani Education Society which is promoted by Sri Chaitanya and Narayana Institutions jointly. In support, the advertiser provided copy of provisional affiliation accorded by Board of Intermediate Education (BIE), AP for Sri Chaitanya Narayana Junior College, and Registration Certificate of Sri Sarvani Education Society.

Advertiser further stated that Bhogi Suraj Krishna, the All India first ranker with Hall Ticket No:11720999 in IIT JEE Mains, 2018 is a student of Sri Chaitanya Narayana Junior College. This college has been coaching him for two years - 2016 –17 and 2017–18 with IIT JEE Mains, 2018. Advertiser provided 2nd year hall ticket of Bhogi Suraj Krishna, which mentions his college name as Sri Chaitanya Narayana Junior college, Penamaluru(m), his admit card issued by CBSE for IIT JEE, Mains, 2018, and Secondary School Certificate which mentioned his school name as Sri Chaitanya high school, Punadipadu, Krishna District. The CCC viewed the print advertisement and considered the advertiser’s response for re-examination. Evidence provided by the advertiser supports that Bhogi Suraj Krishna was a student of Sri Chaitanya Narayana Junior College. The CCC concluded that the ranking claimed for student “Bogi Suraj Krishna Hall Ticket number:11720999” as a student of Sri Chaitanya Junior College was substantiated. This part of the complaint was **Not Upheld on Re-examination**. However, the CCC did not agree that Bogi Suraj Krishna was a student of Sri Chaitanya IIT Academy or Sri Narayana school. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code along with Clause 4 of the ASCI Guidelines for Advertising of Educational Institutions and Programs. This part of the complaint **stands Upheld on Re-examination**.

COMPANY: KAFF Appliances (India) Pvt Ltd.

PRODUCT: KAFF Kitchen Appliances

Claims Objected to:

1. World’s best quality kitchen appliances
2. Think Green with Kaff

Complaint:

1. With reference to the above claims, kindly substantiate the claim with claim support data. The claim support data should not be based on internal studies or studies commissioned by Kaff Appliances Pvt. Ltd.
2. Reference to claim 2; it implies that the product is environmental friendly/ energy efficient. The advertiser needs to substantiate the claim. According to us, the claim contravenes Chapter 1.1 and 1.2 of the ASCI code.”

CCC RECOMMENDATION ON RE-EXAMINATION: NOT UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant. However, in the absence of response prior to the due date, the matter was examined by the CCC on the basis of the materials available then and an ex parte decision was taken. On receiving the CCC Recommendation, the Advertiser replied and sought for re-examination of the CCC recommendation for the claim, “Think Green with Kaff”. They also confirmed suspension of the advertisement pending re-examination, and assured that the claim, “World’s best quality kitchen appliances”, will not be used in their future advertisements. Advertiser in their response for re-examination stated that ‘Think Green With KAFF’, is the registered trademark of the advertiser. Under the provision of Section 17 of the Trademark Act 1999 the advertiser is entitled to use its registered trademark. Advertiser provided a copy of this registration certificate, and registration certificate of “Kaff” in class 6 and 11. Based on this data, this part of the complaint is **Not Upheld on Re-examination**.





The Advertising Standards Council Of India

COMPANY: Gillette India Ltd

PRODUCT: Oral- B Toothbrush

Complaint:

“Neem extract brushes. briselse neemer upadan ache, "dentist dwara recommended”.

Mail was sent to consumercare.im@pg.com on 09/04/2018 as Like to know in details regarding your claim as briselse neemer upadan ache "dentist dwara recomended" and "brand biswabyapi" vide advertisement published in Ananda Bazar Patrika Dt. 24.3.2018 for Oral-B Neem Extract Toothbrush. Though had several correspondences but no satisfactory reply received.

How they can say “briselse neemer upadan ache”, "dentist dwara recomended" and "brand biswabyapi". (i) “briselse neemer upadan ache”, brisels are usually made of synthetic materials then how they mix extract of "neem" with it.

(ii) "dentist dwara recomended", which doctors have recommended.

(iii) "brand biswabyapi", how word wide.”

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 via telecon, and subsequently submitted their written response. Advertiser provided a copy of the English language version of the same advertisement, and art work of the product. 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. Claim - “*Briselse neemer upadan ache*” – Advertiser stated that the Neem extract is taken from the neem plant and added in the filament material before the filaments are extruded or made to final shape. As claim support data, the advertiser provided data on making of Oral B 123 brushes with neem extracts infused in the bristles, and a Certificate of the supplier, confirming presence of neem leaf extract in the PBT used for making the bristles. The CCC observed that the declaration from the bristle manufacturer stated that the neem extract along with green coloring is added during the extrusion of the polymer into the bristle filament. Advertiser neither provided any report showing the presence of neem component in the bristles nor proof of any benefit due to its presence in the brush. The CCC observed that Neem is a very well known for its antibacterial properties. The print advertisement visually shows prominent presence of Neem and has a reference to “brushes away bacteria” in body text. While no direct claim is made about the antibacterial benefits of *neem*, *claiming presence of neem and use of the word “infused”* implies that consumers would derive such benefit from the neem component present into the bristles. Based on this assessment, the CCC concluded that the claim (in Bengali) “*Briselse neemer upadan ache*” (“Bristles infused with neem extract”) was not substantiated. The claim is misleading by ambiguity and implication that Oral-B toothbrush users will benefit as the bristles contain *neem* extract 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**.

Claim - “dentist dwara recommended”, “brand biswabyapi” – Advertiser stated that the claim reads as “#1 Dentist Recommended Brand World Wide” and is made on the basis of surveys of dentists conducted in countries around the world. This data shows that globally the Oral-B brand leads in toothbrush recommendations among dentists over all other toothbrush brands. Advertiser provided a copy of the quantitative research study. The CCC observed that the claim pertains to the Umbrella brand “Oral B” and not to the *Neem* variant. Based on this data, the CCC concluded that the claim, “*dentist dwara recommended brand biswabyapi*” (“#1 Dentist Recommended Brand Worldwide”) was substantiated. This complaint was **NOT UPHELD**.





The Advertising Standards Council Of India

COMPANY: Kalyan Group

Complaint:

An advertisement saying 25 fully automatic benz car for its customers by lucky draw by Actress Manju Varier in TV commercial. Nobody has claimed that they got it even after one FB video asking anybody got it by someone. I think there is no body received it. Either the Kalyan should reveal the winners or do not advertise. The advertisement is available at <https://www.youtube.com/watch?v=XZ6ttN7A9dg>

I saw a news showing the winner names of Kalyan lucky draw winners and same is attached. Can you please get the vehicle numbers verified, for confirmations. The winners with name and locations is suspicious. The winners are given with the name and district & how can I verify it? If I ask directly, they will understand that I am behind it. But you can ask for vehicle numbers at least as an authority and ownership can be verified online. Note that the news is only in a printed edition in malayalam and not available online as per google search.

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 had stated in their response that they had launched the Mercedes Benz campaign across its stores in India and Middle East. The winners of the contest were declared on 11th June 2018 which was also published on their website. Of these winners, three have settled the prize in the form of the Mercedes Benz Car, and the other seven winners have chosen to have the gift in the form of jewellery.

In support of their response, the advertiser provided a weblink for reference to the list of winners of the contest <https://www.kalyanjewellers.net/benz-campaign/index.php>, and also provided a sample raffle coupon with the terms and conditions printed thereon, and a photograph of the winner of Mercedes Benz Car. Advertiser in their response also provided details of 10 winners in India giving their names, store, state and contact nos. The CCC viewed the TVC (in Malayalam) and considered the advertiser's response. The CCC observed that the claim offer in the TVC was qualified to mention "Conditions apply. Mercedes Benz CLA 2000 in India and CLA 250 in Middle East". The list of winners provided showed that 10 winners were from India, 2 from Kuwait, 3 from Oman, 7 from UAE, and in Qatar 3 winners would be announced shortly. ASCI verified part of the data provided of the 10 winners in India, and noted that one winner had received the Mercedes Benz car and three had opted the gift in the form of jewellery. However the CCC noted that the reference to 25 cars in the advertisement ("At Kalyan Jewellers lucky shoppers will get not 1 but 25 Mercedes Benz") was misleading to the viewers in India since this offer was only for ten and not 25. The TVC did not provide the details where the T&C are accessible to consumers for details of the offer. The hold duration and the language of the disclaimer in the TVC was also not as per ASCI Guidelines for Disclaimers. The TVC contravened Chapter I.4 of the ASCI Code. The complaint was **UPHELD**





The Advertising Standards Council Of India

COMPANY: Godrej Consumer Products Ltd

PRODUCT: Good Knight Power Activ+

Complaint:

I recently came across an advertisement for Godrej's Good Knight Power Activ+ mosquito repellent machine and refill. Various aspects of this advertisement appear untruthful and exaggerated and basis my limited knowledge of rules made by Advertising Standards Council of India, I understand your organisation takes strict action against such advertisements and corporates. Hence this complaint.

The advertisement claims that with Good Knight Power Activ+ extra power molecules, the mosquitoes won't just leave the house, they'll leave the world; in other words, they will die (machhar sirf ghar nahin, duniya chhod ke bhaagega). Is the product indeed strong enough to kill mosquitoes? Basis my limited understanding and research, liquid vaporizer machines are only capable of repelling mosquitoes or making them unconscious but are not capable of killing them. In that case, has Godrej come across a revolutionary formula that can kill mosquitoes when other machines can't? This seems very misleading for consumers like me. On what basis are they claiming this? Is there any substantiation available?

Godrej is calling this product "sabse shaktishaali" (most powerful) in the advertisement. Is this indeed the most powerful and effective mosquito repellent in the market? What is the basis of saying that? I have collected and read the information provided on other mosquito repellants in the market and some of them have equally strong main ingredient/insecticide in the refill. In that case how does this product become the most powerful in the market?

Godrej claims that this product has 50% more powerful molecules. How do the molecular properties of the product help in killing mosquitoes and what is the basis of saying that? I understand that if TFT or transfluthrin is the active used in the product refill, a molecule of TFT would remain the same regardless of what the concentration is. Please ask Godrej to share substantiation report to support this.

The ad also claims that normal mode drives away stubborn mosquitoes and active mode drives away most stubborn mosquitoes. Is there a way of classifying mosquitoes basis their personality traits? This sounds very exaggerated and intended to misguide the consumers.

I have shared a Youtube link of the advertisement. Please let me know the way forward. I'll be happy to assist if any additional information is required.

Link of the advertisement - <https://www.youtube.com/watch?v=yIJnWti0Ktw>

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 submitted their response. Advertiser provided a sample of the product and label along with product composition details.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the YouTube advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting.

Claim – "With Good Knight Power Activ+ extra power molecules, the mosquitoes won't just leave the house, they'll leave the world" – Advertiser stated that the advertisement claims effective repellency of the Product and they haven't claimed that with the use of the Product mosquitoes will die. It is an artistic depiction or a dialogue between a mother and her small daughters shown in the TVC. The CCC did not agree with the advertiser's contention that the term is an artistic depiction as the term "... duniya chhod ke bhaagega", is clearly indicative of product resulting in death of mosquitoes. The claim was false and misleading by implication.

Claim - "Sabse Shaktishaali" - The advertiser stated that this claim is specific to the liquid vaporizer formula and they have not compared with entire range of mosquito repellants available in the market.





The Advertising Standards Council Of India

The claim made there being no other Transfluthrin based liquid vaporizers with more than 1.6% w/w Transfluthrin used in the Product. The CCC noted that the claim "*Sabse Shaktishaali*" was a superlative claim which was not substantiated. The claim is misleading by exaggeration, exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.

Claim – "Product has 50% more powerful molecules" – Advertiser replied that the claim is based on the higher concentration of active molecules in the Product in comparison with Transfluthrin 0.88% w/w liquid vaporizer product. Advertiser in their response provided a table showing the calculation of 50% more powerful molecules for Power Active+ Vs Active+.

The CCC observed that the molecule in the product is the same, and only its concentration used is at 1.6% or 0.88%. There are other mosquito repellants who also have 1.6%. active ingredient. The claim, "..... *jisme hai 50% zyada power molecules*", was considered to be a misrepresentation of facts and was not substantiated.

The TVC contravened Chapters I.1, I.4 and I.5 of the ASCI Code. These complaints were **UPHELD**

Claim – "Normal mode drives away stubborn mosquitoes and active mode drives away most stubborn mosquitoes" ("*normal mode dheet machchar bagaye aur active mode dheet se dheet machchar*") - In response to this objection, the advertiser replied that the word stubborn is used in a creative manner. They have made an attempt to educate consumers on usage of the product in a more creative way. In the context of the objection raised whether there is a way of classifying mosquitoes basis their personality traits, the said claim was not considered to be objectionable. This complaint was **NOT UPHELD**

COMPANY: Institute of Engineering & Management

Complaint:

Advertisement of Institute of Engineering and Management published in the Telegraph, Bhubaneswar edition on 24.05.2018 - Jacket 1st page

"All Passout Students Of All Batches Got 1 To 2 Job Offers On Average"

"All eligible students got at least 1 job offer"

Comment - This tall claim without any document leads to suspicion

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 had stated in their response that the claims made are basis the number of job offers received by the students being more than the number of students passing out, as many of the passed out students got multiple job offers. In 2017 there were 830 students and the number of job offers was 1190, in 2016, there were 787 students and the number of job offers was 1035, and in 2015, there were 424 students and the number of job offers was 792. All their students who did not have any supplementary got at least one job offer. Further, since the advertiser expressed their willingness to modify the future advertisement, ASCI offered them the option of resolving this matter via Informal Resolution (IR) of complaint. However, the advertiser did not submit the necessary undertaking by the due date. Therefore the complaint was taken forward for CCC deliberations. As claim support data, the advertiser provided excel sheets of list of placements of 2017, 2016 and 2015 giving details of the student's names, courses offered, and number of job offers received by them. The CCC viewed the print advertisement and considered the advertiser's response with the supporting data given by the advertiser. The CCC observed that the advertiser did not provide details of students for verification, with their enrolment forms, and appointment letters / job offer letters of the students, nor any





The Advertising Standards Council Of India

independent audit or verification certificate. In the absence of this data, the CCC concluded that the claims, "All Pass out Students Of All Batches Got 1 To 2 Job Offers On Average" and "All eligible students got at least 1 job offer", were inadequately substantiated and 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**.

COMPANY: Reckitt Benckiser Healthcare India P. Ltd

PRODUCT: Dettol Cool

Claims objected to:

Video commercial of Dettol Cool on Social media claims it gives 100 percent better protection.

Objections:

The advertiser needs to clarify against which product is its product giving 100 percent better protection. Please find attached the link to the ad on Social Media.

It is in HINDI. <https://www.facebook.com/search/top/?q=Dettol%20India%20%23DettolCool>
Please note that the ad also violates the ASCI Disclaimer guidelines.”

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 had stated in their response that the claim is based on an in vitro test conducted at an independent third party lab, for checking the antimicrobial efficacy of liquid hand wash and bar soaps against select microorganisms. The product Dettol Cool Bar soap was tested against two competition ordinary bar soaps without actives. On each of the organisms, Dettol Cool showed a difference of at least 0.3 log reduction against ordinary soaps, which in logarithmic (base 10) terms shows a doubling effect in reduction of sample count of organisms tested, and hence “100% better protection” was claimed. As claim support data, the advertiser provided a copy of the third party lab report, and a certificate from an independent agency, which explained how success criteria for "100% better protection" is defined as at least a difference of 0.3 log or greater reduction in a one minute contact time against the test organisms. The said Certificate endorses how, by definition, a 100% improvement is equivalent to stating that a value has doubled in size. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the Facebook advertisement and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC noted that the TVC is set in the context of increased risk of skin infections for growing children and present Dettol Cool bar offering 100% better protection. The header text for the Facebook post also states “As you kid grows,And they stay protected all day” The CCC observed that the advertiser has submitted results of in vitro testing for antimicrobial efficacy of Dettol Cool Bar soap against two competitor ordinary bar soaps without actives. The advertiser did not provide any “in use” test result to demonstrate that Dettol Cool bar is able to provide better protection from germs as compared to ordinary soaps without active ingredients. There was no data to support that the protection lasts all day. In the context of the overall communication when seen in totality, the CCC concluded that regardless of the disclaimer referring to the in vitro test, the claim “*Issi liye aapko chahiye strong protection. Dettol Cool gives 100% better protection*” is misleading by ambiguity and implication that Dettol Cool bar is better than ordinary soaps in providing protection from skin infections and that it has day long prophylactic effect. The claim exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The Facebook advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.



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COMPANY: Times Network Ltd

PRODUCT: Times Now

Complaint:

On Air Channel promotion on 05th Jul'18.

Times Now used sliced Target Group NCCS AB 22-50, to calculate market share. According to BARC guidelines the Market Share should be calculated in Target Groups of NCCS 2+, NCCS 15+, NCCS 22+. Every week Times Now has been using NCCS AB 22-50 to calculate market shares, which is strictly not recommended by BARC guidelines.

CCC RECOMMENDATION: NOT 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. Feedback was sought from a technical expert on the merits of the complaint. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad TV promo and noted that while the complaint on audience definition is based on the stipulations for SINGLE EVENT REPORTING, the promo in this instance is not for single event reporting but channel performance for 24 hours across 4 weeks. As the target group NCCS AB Males 22-50 can be directly queried from the BARC system, the CCC did not consider such reference to be objectionable in the context of the advertisement. The complaint was **NOT UPHELD.**"

COMPANY: Law Prep Tutorial

Complaint:

Law Prep Tutorial is a coaching providing service for law entrance examination preparations. In the Lucknow edition of Times of India, dated June 23, 2018, it published an advertisement which does not comply with the requirements of fairness, truthfulness and honesty as required in the ASCI Codes and guidelines and also violates the law laid down by the courts in the Republic of India. The advertisement includes a visual description which has a tagline which translates as our girls are no less than boys. Further, the advertisement contains two misleading claims "Highest number of selections" and "India's best CLAT coaching". Neither of these statements have been corroborated with empirical data or third-party substantiation and violates ASCI standards of advertisement.

We submit that the consumers generally lack any empirical data on which they can determine the quality and efficacy of an educational institution and such information is to be provided by the institution which makes any special claim; in absence of the advertiser provided such data the advertisement would qualify as false, untruthful and misleading advertisement. In *Havells India Ltd & Anr vs Amritanshu Khaitan & Ors* court classified a misleading advertisement as following : any advertising which is in any way, including its presentation, deceives or is likely to deceive the persons to whom it is addressed or whom it reaches and which, by reason of its deceptive nature, is likely to affect their economic behaviour or which, for those reasons, injures or is likely to injure a competitor. The courts have further held that If two trade rivals indulge in puffery without hitting each other, the consumer is misled by both. On the other hand, if both are restrained from either making false representations/incorrect representations/ misleading representations or issuing unintended warranties (as defined as unfair trade practice under the Consumer Protection Act), then the consumer stands to gain.(*Colgate-Palmolive (India) Anchor Health & Beauty Car*) Therefore, even if the alleged advertisement is a case of commercial puffery the same cannot mislead the consumer and therefore Law Prep Tutorial is misleading the consumers by its actions. The relevant geographical market is limited to only particular pockets in India and does not include a pan India presence, especially in south India. In light of this fact, the assailed advertisement is in breach of





The Advertising Standards Council Of India

truthful, fair and honest markets analysis and therefore is deceptive and amounts to unfair trade practice.

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 any support data or evidence of comparison with other similar institutes to prove that they have received highest number of selections. Claim, "Highest number of selections", was not substantiated. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers.

Claim, "India's Best CLAT Coaching", was not substantiated with any verifiable comparative data of the advertiser's institute and similar CLAT coaching institutes to prove that it is better than the rest, or through an independent 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 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**.

COMPANY: Avinashilingam Inst For Home Sci & Hr Ed

Claim Objected To:

"100% quality placement assistance"

(100% numerical claim is misleading by implication)"

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 had stated in their response that the term 100% is used to indicate that all their students are given equal assistance to become empowered in their area of interest through training, internship and placement. The CCC viewed the print advertisement and upon careful consideration of the complaint, and the response given by the advertiser, the CCC concluded that while the advertiser may be providing quality placement assistance to their students, the use of 100% numerical is not relevant for "Quality Placement Assistance" claim for all the courses being offered in the advertisement. 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**.



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COMPANY: Made Easy

Claim Objected To:

“India's Best Institute for IES, GATE & PSUs”
Disclaimer not as per ASCI guidelines”

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 had stated in their response that they have been imparting preparation classes for competitive examinations for ESE, GATE and PSU's. The Assocham and Brand Academy has titled the advertiser's institute as India's Best institute. As this response was inadequate in the absence of claim support data, ASCI requested the advertiser to provide additional details of the process as to how the selection for the award was done. In response to this ASCI request, the advertiser reverted that the selection for awards was done by an independent body/organisation – Brand Academy, and for details ASCI could contact them directly. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the Advertiser made only assertions regarding their award; however they did not provide copy of the award certificate, the details of the process as to how the selection was done i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar colleges that were part of the survey and the outcome of the survey. The credibility and authenticity of the certifying bodies was not provided by the advertiser. The CCC concluded that the claim, “India's Best Institute for IES, GATE & PSUs”, was not substantiated and is misleading by exaggeration. The advertisement 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**.

COMPANY: Godrej & Boyce Mfg. Co. Ltd

PRODUCT: Godrej NXW AC

Claims Objected To:

“India's Most Power Saving Green Inverter AC with 6.15 ISEER” “25% more power saving than other 5 star inverter ACs”

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 post the due date. 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. Claim - “India's Most Power Saving Green Inverter AC with 6.15 ISEER” - Advertiser stated that the cooling capacity test of Godrej NXW AC was conducted at NABL accredited lab which showed the ISEER (Indian Seasonal Energy Efficiency Ratio) of Godrej NXW air conditioner as 6.15. When the advertisement was released (on 24th Mar 2018), there was no AC listed on the Bureau of Energy Efficiency (BEE) website. Godrej NXW Inverter AC is green as they are using R290 as the refrigerant which is a hydrocarbon (HC) and hence is environment friendly. R290 has a 0 ODP (Ozone Depleting Potential) and minimum GWP (Global Warming





The Advertising Standards Council Of India

Potential) of 3 units which is negligible as compared to other refrigerants which are being used in the Industry. Advertiser provided a copy of the cooling capacity test report for split type (inverter) air conditioners, and copy of the BEE website screenshot of 24th March 2018 showing Godrej model to be superior. Advertiser in their response also provided a table showing comparison of ODP and GWP of R290 versus other commonly used AC refrigerants. Based on this data, the CCC concluded that the claim, “India's Most Power Saving Green Inverter AC with 6.15 ISEER”, was substantiated. This complaint was **NOT UPHELD**.

Claim - “25% more power saving than other 5 star inverter ACs” – Advertiser states that as per the energy label issued by the BEE, Godrej NXW AC with 6.15 ISEER, consumes 453.35 units of electricity in one year. For showing the power saving aspect of the Godrej NXW AC, the advertiser had considered their own (Godrej) 5 star inverter AC (GSC 12 GIA 5 AWOG), which is also similar tonnage 5 star inverter AC with an ISEER of 4.5 consuming 577.9 units of electricity in one year. This made Godrej NXW AC with 6.15 ISEER, 25% more power saving $(577-453)/453$ than other 5 star inverter ACs. Advertiser provided a copy of BEE website screenshot showing electricity consumption by GSC 12 GIA 5 AWOG, and BEE new energy label. The CCC observed that the data was with reference to just one AC (of the same brand) whereas the claim implies several other 5 star inverter ACs.

Based on this assessment, the CCC concluded that the claim, “25% more power saving than other 5 star inverter ACs”, was not substantiated and is misleading by ambiguity and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.

COMPANY: S K Educations Pvt Ltd

PRODUCT: Bachpan Play School

Claim Objected To:

“India's Favourite Play 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 replied requesting 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 this extension. Advertiser in their response stated that Bachpan play school is the flagship brand of S. K. Educations Pvt. Ltd. and their play school is among the top 5 preschools in the India. The logo and name are registered under various categories before the Registrar of Trade Marks. They had applied for registration of the line “India Ka Favourite Play School” with the Registrar of Trade Marks under class 41 in January 2008 for which the status is “Oppose”. The claim is subjective and does not make reference to any other competitor in the field of play school. Advertiser provided a copy of certificate of registration of S. K. Educations Pvt. Ltd and details of trade marks. The CCC viewed the print advertisement and upon careful consideration of the complaint, observed that the claim, “India Ka Favourite Play School”, implies that the advertiser’s play school is preferred over other play schools in India, for which the advertiser did not provide any verifiable comparative data / market survey data of the advertiser’s institute and other similar institutes, nor a third party validation. The CCC also noted that the name is not a registered trademark. The CCC concluded that the said claim was not substantiated and is misleading by exaggeration. 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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COMPANY: Zee Interactive Learning System

PRODUCT: Kidzee Pre School

Claim Objected To: “No.1 Preschool chain.”

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 had stated in their response that the claim made is basis the Report of India's Most Attractive Brands 2015, The Brand Trust Report-India Study 2016, Report of an independent study conducted by IMRB in 2016 to assess the Brand Stature of Kidzee in the preschool category, and Report of India's Most Attractive Brands 2017. Advertiser provided relevant pages of the said reports.

The CCC viewed the print advertisement and considered the advertiser's response with supporting data provided by them. The CCC observed that India's Most Attractive Brands 2015 study showed that in category wise All India listing Kidzee featured in the Pre-school category under rank 1 with MAB 398, Brand Trust Report India

Study 2016 showed that in category wise All India Listing Kidzee featured in the Pre-school category under rank 1 with BTR 424, and India's Most Attractive Brands 2017 study showed that in category wise All India listing Kidzee featured in the Pre-school category under rank 1 with MAB 837. The CCC did not consider the references related “most attractive brand” or 2016 reference of the Brand Trust Report for the “Kidzee brand” relevant for the “No.1 Preschool Chain” claim. The IMRB data did not conclusively support the claim as well and shows another brand in leadership position for performanc parameter. The CCC concluded that the claim, “No.1 Preschool chain”, was not substantiated. 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**.

COMPANY: Scala Skin & Hair Transplant

Claims Objected To:

1. Bald Head Best Solution.
2. Hair replacement system within 1 hour with German Technology.

Objection-

The before and after visuals in the advertisement appears to be misleading.

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 post the due date. The advertiser had stated in their response that the process of Hair Transplantation is purely surgical procedure by doctors based on prerequisite reports and supported donor area of the patient and the time taken for Hair Transplantation is dependent on case basis. As this response was inadequate, ASCI requested the advertiser to provide details of the different types of procedure of hair replacement as indicated in their response.

In response to this ASCI request, the advertiser replied stating that the treatments provided by them are Hair Transplantation and Hair Replacement with German technology. In German Technology a similar texture hair is implanted on a fine mesh which gives natural look to the patient after hair





The Advertising Standards Council Of India

bonding/fixing/replacement and the glue used is made in USA which has less allergic potential to prevent discomfort to the patient.

The claim of best solution for bald head is made basis these two types of procedures provided by them which are based on patient requirement. Hair transplantation FUE (follicular unit extraction) is currently the only permanent solution for hair loss, which involves taking good hair from the back of the patient's scalp and planting it in the bald or thinning areas, all in one day. This procedure can be used to re-shape the hairline and restore lost hair.

As claim support data, the advertiser provided Certificate of registration of the advertiser's clinic under allopathic private medical care establishments, Video copy of process of hair replacement system, and photograph of a patient showing the before and after images of treatment.

The CCC viewed the print advertisement and considered the advertiser's response. The CCC also viewed the video provided by the advertiser, and observed that the video showed the step by step procedure of hair replacement done on a patient with semi bald head. After the conclusion of the treatment, the video showed the testimonial of the patient that *'within 15 minutes his hair patch work was done, and he was very happy with the treatment'*.

Based on this data, the CCC concluded that the claim, "Hair replacement system within 1 hour with German Technology", was substantiated. This complaint was **NOT UPHELD**.

The advertiser's treatment being "Best" in the claim, "Bald Head Best Solution", was not adequately substantiated with supporting data. The was 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. This complaint was **UPHELD**.

COMPANY: Lathi Classes Nainavati

Claim Objected To:

"Rajasthan's Best is now with India's Best."

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 had stated in their response that the claim of "Best" was made basis that their institute have always given best results in Rajasthan, and claim of India's Best was related to J K Shah classes being known for their results across India. The advertiser further agreed to comply with the ASCI Code for future advertisements. In view of this assurance from the advertiser, ASCI offered them the option of resolving this matter via Informal Resolution (IR) of complaint. However, the advertiser did not submit the necessary undertaking. Therefore the complaint was taken forward for CCC deliberations. The CCC viewed the advertisement and considered the advertiser's response. The Advertiser did not provide any support data or evidence of comparison with other similar institutes to prove that their institute have always given best results in Rajasthan than other institutes. The CCC observed that the advertiser was published in association with J K Shah Classes. The claim of "India Best" related to J K Shah Classes was not supported with verifiable comparative data of J K Shah Classes and similar institutes in India to prove that it is better than the rest, or through an independent third party validation. The CCC concluded that the claim, "Rajasthan's Best is now with India's Best", was not substantiated and is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.



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COMPANY: Indian Safety Solution- VC

Claim Objected To: “100% Placement Record.”

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 in their response that in 2016 and 2017 all the students who had joined the advertiser’s institute obtained 100% placement which is record for the institution compared to other institution in this faculty.

As this response was inadequate, ASCI requested the advertiser to provide evidence of number of batches with batch size for each, Enrolment Forms, appointment letters and contact details of the students for verification. In response to this ASCI request, the advertiser responded that the advertisement published was to show 100% placement record and not to provide job. It is merely a record of one batch of eleven students getting 100% placement. The advertisement was a one day insertion and was not repeated again.

As claim support data, the advertiser provided an excel sheet of eleven students of session 2016-17 who were given placements, with details of their name, address, course applied for, company placed name, contact nos, and their 11 enrolment forms.

Upon carefully viewing the print advertisement, examining the complaint and the response with the supporting data given by the advertiser, the CCC noted several discrepancies. While the advertisement refers to over 300 students with reference to “Safety Management course”, the support data referred to only eleven students (seven for diploma and four for post graduate diploma. The enrollment forms were not dated and there was no evidence of appointment letters received by the students, nor any independent audit or verification certificate. The CCC concluded that the claim, “100% Placement Record”, was inadequately substantiated with authentic verifiable data. The claim is misleading by exaggeration and is 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**

COMPANY: Dream11 Gaming Pvt Ltd

PRODUCT: (Dream11.com)

Claim Objected To:

“India’s Biggest Sports Game.”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser replied requesting for an extension of time to submit their response. The advertiser was granted an extension of eight days to the standard lead time of seven days to submit their reply in response to their request for this extension. The advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed and submitted their written response. Advertiser stated in their response that the claim, “India’s Biggest Sports Game” is based on the data pertaining to user registrations, user interactions, number of participants per contest, average contests per match as well as the market share in the Sports Gaming industry. As per the third party service report, Dream11 has been ranked #1 in the ‘Fantasy Sports Category’ when compared to its industry peers in India. As per the Nielsen report, Dream 11 has been recognised as holding 90% of the market share for Sports Gaming in India.





The Advertising Standards Council Of India

As claim support data, the advertiser provided screenshots of the website providing comparative analytical data to show user-interaction numbers of Dream11's website as against the websites of other major Sports Game operators in India, and a weblink for the Nielsen data.

The claim support data provided by the advertiser 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 advertiser has used the following sources: Similar Web statistics in terms of traffic ('total visits' in the last 6 months) for Dream11 in the category of "fantasy sports".

Dream 11 has been ranked No. 1., Data of Dream11 total visitors (15.8 m) has been presented with data for other competitors including HalaPlay (923m), Google Search trends over the twelve (12) month period preceding the display of the TVC, for the search term 'Dream11' compared with other competitors in fantasy sports, Nielsen India's report "Scoring big with Sports Gaming' 2018 released by the Indian Federation of Sports Gaming which estimates that Dream11 has 90% market share. The Advertiser has proven to be the largest in the category of fantasy sport/gaming exercise. Based on this data, the CCC concluded that the claim, "India's Biggest Sports Game", was misleading by omission to mention the category (Fantasy Sports) in which they are the biggest. The claim was also not qualified to mention the source and date of research. The TVC contravened Chapters I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: KCM Appliances Pvt Ltd

PRODUCT: Impex Dual Inverter AC

Claims Objected To:

1. 50% more energy saving.
2. 40% more effective cooling.
3. 30% less maintenance.

Objection Claims are misleading by ambiguity and omission of details of comparison – the most power efficient AC.

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 that they would revert for seeking an informal resolution (IR) of the complaint. In response to this query, ASCI clarified that the complaint would be treated as IR if the advertiser confirmed their acceptance to refrain from using the objected claims in their future advertisements. Alternatively, they were requested to provide exhaustive response in support of the claims made, in case they did not wish to avail the IR.

As the Advertiser did not respond in time for the CCC meeting, the complaint was processed for CCC deliberations. The CCC viewed the TVCs and observed that the advertiser did not provide comparative technical data or third party test reports to prove the performance of their product as depicted in the TVCs in terms of energy saving, effective cooling and less maintenance as compared to other Inverter ACs. In the absence of claim support data, the CCC concluded that the claims, "50% more energy saving", "40% more effective cooling", and "30% less maintenance", 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 TVCs contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

COMPANY: Chandigarh University

Claim Objected To:

“Limca Book of Records for highest number of companies.”

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 had stated in their response that the claim made is based on the certificate received from the Limca Book of Records. As claim support data, the advertiser provided a copy of this award certificate.

As this response was inadequate, ASCI requested the advertiser to provide details of the 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. Advertiser did not provide this data in time for the CCC meeting. The CCC viewed the TVC and considered the advertiser’s response. The CCC observed that the advertiser’s institute had received a certificate as a National Record “for registering 360 campus placements events featuring as many companies offering jobs to students from all institutes at Gharuan Campus during the period 2014-15 (August 2014 – April 2015) making it the highest number of companies on a campus for recruitment in an academic year”. The CCC noted that reference to such outdated and vague record for a current 2018 TVC presenting as a current record was inappropriate. The advertisement also referred to 490+ companies for campus placements which was not substantiated. Based on this data, the CCC concluded that the claim, “And now Limca Book of Records for highest number of companies”, was false. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The TVC 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**.

COMPANY: Rajdhani Cables

PRODUCT: Rajdhani Wires & Cables

Claim Objected To: “Saves upto 30% electricity.”

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 had stated in their response that the claim is based on lab test conducted for efficacy of the product, which is due to their unify copper bunching technique being a significant advantage over traditionally bunched conductor for a long safe service life of the cable and to avoid overheating which in turn saves electricity.

As claim support data, the advertiser provided a copy of the lab test report. 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 Technical expert presented at the meeting.

The CCC observed that as per the advertiser under ideal work load and depending on other conditions a maximum of 30% electricity can be saved. However, the advertiser did not provide any clarification for this assertion made. The test report only indicates that the wires show no signs of cracks or scale, and all the coils are passed in routine test. No comparative technical data or third party test report was provided to prove the performance of the product as depicted in the TVC in terms of saving 30% electricity as compared to other wires and cables. Based on this assessment, the CCC concluded that the claim, “Saves upto 30% electricity”, was not substantiated and is misleading by exaggeration and implication that the product outperforms other wires & cables. The





The Advertising Standards Council Of India

claim 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**.

COMPANY: Azafran Innovacion Ltd

PRODUCT: Azafran D'fend SPF 50+ Crème

Claim Objected To:

“SPF 50+”

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 argued that since ASCI's Code is not having any recognition by Department of Consumer Affairs (DoCA), the advertiser is not bound by such code and hence refused to submit their comments on the complaint.

The CCC viewed the print advertisement 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. In the absence of claim support data, the CCC concluded that the claim appearing on pack and in the print advertisement, “SPF 50+”, was not substantiated with evidence of the claimed SPF values. The claim is misleading by exaggeration and 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**.

COMPANY: Adelante Education

Claim Objected To:

“No.1 company of digital marketing training and 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 observed that the advertiser did not provide supporting data to prove its No.1 position in providing training in digital marketing, and for being No.1 in providing placements to their students as compared to other institutes. The CCC concluded that the claim, “No.1 company of digital marketing training and placement”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was not indicated in the advertisement. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**





The Advertising Standards Council Of India

COMPANY: Alpha Entrance Academy

Claim Objected To:

“The No.1 Med/Eng Entrance Academy ”

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 claim is made on the basis that there was no other institution that originated from Alleppey before the establishment of the advertiser’s institute in the year 2000. The No.1 status of the advertiser’s institute is an admitted fact among the people of Alleppey and the said advertisement was published only in the Alleppey edition of Malayala Manorama daily. Upon viewing the print advertisement, examining the complaint and the response given by the advocate, the CCC observed that the advocate’s response has only assertions about the advertiser’s institute being established prior to any other institute in Alleppey. The CCC did not agree with the advertiser’s contention that being “pioneer” is same as being “No.1” since the claim implies leadership position. Moreover, the advertiser did not submit any data to support their institute being the pioneer as well. The CCC concluded that the claim, “The No.1 Med/Eng Entrance Academy”, was not substantiated and the claim is misleading by exaggeration and implication. 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**.

COMPANY: Amirta International Institute of Hotel Management

Claim Objected To: “100% Job opportunity.”

Objection :

“100% numerical claim is misleading by implication”

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 in their response that during this year they have conducted number of campus interviews and selected the students for various hotels before the completion of their courses. The claim is made basis that students who have completed 10th or +2 and joining hotel management and catering technology courses can get 100% job in Hotel industries, ship, flight catering or in railways.

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 the advertiser’s institute and the job opportunity provided to their students. In the absence of claim support data, the CCC concluded that the claim, “100% Job opportunity”, was not substantiated with data to show the job offers/opportunity provided to their students in Hotel and catering industry. The claim is misleading by exaggeration and implication and is 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**





The Advertising Standards Council Of India

COMPANY: AMITY University

Claim Objected To:

“Awarded as India's Best University for Placements.”

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 had stated in their response that the claim made is basis the award received by their institute from Franchise India Holdings Ltd, at Indian Education Awards 2016 in May 2016. Advertiser provided a copy of the award certificate. As this response was inadequate, ASCI requested the advertiser to provide additional details of the process as to how the selection for the award was done. In response to this ASCI request, the advertiser reverted that they are unable to provide these details of award process as they was available with the organisers – Franchise India. The CCC viewed the print advertisement and considered the advertiser’s response and the award certificate provided by them. The CCC observed that the Advertiser was awarded in the category of Institute with Best Placement. However, they did not provide the details of the process as to how the selection was done i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar colleges that were part of the survey, the outcome of the survey, and the credibility and authenticity of the certifying body who issued the award. The CCC concluded that the claim, “Awarded as India's Best University for Placements”, was inadequately substantiated. The advertisement 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**.

COMPANY: Balaji Institute

Claims Objected To:

- 1 Highest selection rate in India.
- 2 The only credible institute for Government jobs.
- 3 India's No. 1 faculty.”

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, “The only credible institute for Government jobs”, “Highest selection rate in India”, were not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, to prove that they are the only institute in providing Government jobs, or providing highest selection rate in India, or through a third party validation. Claim, “India's No. 1 faculty”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in India to prove that they have the best faculty in 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 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**





The Advertising Standards Council Of India

COMPANY: Biology Trunk Coaching Institute

Claim Objected To:

“Kanpur's first Institution which gives selections within one year of preparation”

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, “Kanpur's first Institution which gives selections within one year of preparation”, was not substantiated with any supporting evidence, or with verifiable comparative data of the advertiser's institute and other similar institutes, to prove that it is the first in Kanpur than the rest in providing admission for medical course within a year, 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 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**

COMPANY: Blooming Buds Foundation School

Claim Objected To:

“100% selection in Top Senior 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 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% selection in Top Senior School”, was not substantiated with any supporting verifiable data and is misleading by exaggeration. The claim is 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**

COMPANY: Bodhayan Coaching

Claim Objected To:

“Highest selections giving 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 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





The Advertising Standards Council Of India

selections of students for armed forces than other institutes. The CCC concluded that the claim, “Highest selections giving Institute”, was not substantiated, and is misleading by exaggeration. 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**.

COMPANY: Budania Education Group (Budania IAS Academy)

Claim Objected To:

“State's largest 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, “State's largest institute”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes to prove that they are larger than the rest, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Rakshak Defence Academy

Claim Objected To:

“100% Guaranteed Success”

Objection -

Above claim implies assured government job

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% Guaranteed Success”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in government jobs, railways, army, navy, etc, 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 implies guarantee of government jobs, and is 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**



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COMPANY: S.S.S College

Claim Objected To:

“No.1 College”

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 College”, was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes, to prove that it is in leadership position (No.1) than the rest, 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**.

COMPANY: Saksham Education Institute

Claim Objected To:

“The most reliable team giving the highest selection in 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, “The most reliable team giving the highest selection in Rajasthan”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in Rajasthan for giving highest selection of students, or through a third party validation. The claim is misleading by exaggeration. 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Siksha O Anusandhan University

Claims Objected To:

1. No.1 Deemed University in the Eastern region
2. One University, multiple identities

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





The Advertising Standards Council Of India

CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “No.1 Deemed University in the Eastern region” quoting NIRF Ranking - 2017, was not substantiated. The CCC also observed that NIRF does not permit selective use of the NIRF ranking data to claim leadership position in sub-groups.

Reference to the word “University” in the Claim, “One University, multiple identities”, was considered to be misleading by ambiguity and implication since the institute does not have the “University status” and it is only a “Deemed to be university”. The claims 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**.

COMPANY: Spurthy Institutions

Claim Objected To: “Placement assurance”

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, “Placement assurance”, was not substantiated with supporting data, and is misleading by implication and exaggeration. 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**.

COMPANY: St. Soldier Group Institutions

Claim Objected To: “100% Placement in Yamaha”

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 in Yamaha”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate from Yamaha. The claim is misleading by exaggeration and is 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**



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COMPANY: Subhas Bose Institute of Hotel Management

Claim Objected To:

“Best Hospitality Management Institute in India 2017”

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, “Best Hospitality Management Institute in India 2017”, was not substantiated with copy of the award certificate, details of the criteria for granting the award, references of the award received such as the year, source and category. Claim is misleading by omission of disclaimer to qualify this claim. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: United Group of Institutions - United College of Engineering and research

Claims Objected To:

1. North India's No.1 Engineering College
2. 100% placement in Top Ranked Industries

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, “North India's No.1 Engineering College”, 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 North India in providing Engineering programmes to their students, or through a third party validation. The claim is misleading by exaggeration. The source for the claim was also not indicated in the advertisement. Claim, “100% placement in Top Ranked Industries”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. 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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COMPANY: Universal Group of Institutions

Claim Objected To:

“Best Institution for Academic Excellence and Placements”

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 Institution for Academic Excellence and Placements”, was not substantiated with copy of the award certificate, details of the criteria for granting the award, references of the award received such as the year, source and category. Claim is misleading by ambiguity and omission of disclaimer to qualify this claim. The advertisement contravened Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Vasan Institute of Ophthalmology and Research

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 such as detailed list of students who have been placed through their Institute in medical field, 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 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**.



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COMPANY: Vignan Vidyalayam Junior College

Claim Objected To:

“No.1 Always”

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 Always”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes to prove that it is always in leadership position (No.1) than the rest, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Vellore Institute of Technology- VIT

Claim Objected To:

“No.1 Private University in 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, “No.1 Private University in India”, was not substantiated. The CCC also observed that NIRF does not permit selective use of the NIRF ranking data to claim leadership position in sub-groups. Claim is misleading by ambiguity and 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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COMPANY: Global Council of Education Research and Training

Claim Objected To:

“India's best Website for NEET, AIIMS and JIPMER”

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 best Website for NEET, AIIMS and JIPMER”, was not substantiated with any market survey data, or with verifiable comparative data of the advertiser's website and other similar institutes websites in India, to prove that it is better than the rest in providing the courses claimed, or through an independent third party validation. The claim 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**

COMPANY: Ayurillam Ayurveda Hospital and School of Nursing International

Claim Objected To: “100% Job After studies”

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% Job After studies”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration and is 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**

COMPANY: Hindustan Air Academy

Claim Objected To:

100% Job Assistance.

(100% numerical claim is misleading by implication)

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





The Advertising Standards Council Of India

absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing job assistance to their students in 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: IITC (India International Trade Center)

Claim Objected To:

“100% Placement assistance offered in Ahmedabad, Mumbai and New Delhi for all students.” (100% numerical claim is misleading by implication)

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 assistance to their students in fashion designing, interior designing, in various airlines, and travel agencies, the use of 100% numerical is not relevant for “placement assistance” claim. The use of “100%” as a descriptor in the claim, “100% Placement assistance offered in Ahmedabad, Mumbai and New Delhi for all students”, 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**.

COMPANY: Cavalier India

Claim Objected To:

“India's No.1 Defence Academy.”

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 Defence Academy”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in India to prove that it is in leadership position (No.1) than the rest, 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 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

COMPANY: Altos Enterprises Ltd.

PRODUCT: Oregel Diab

Complaint:

For diabetics patients by altos. Mail was sent to info@altosindia.net on 22/04/2018 as Like to know in details regarding your claim as- “hridajantrer cria thik kare puro sharire nabojouban, jibonshakti ebong dirghayoo pradan kare” vide advertisement published in Ananda Bazar Patrika Dt. 14.04.2018. Hence arrange to send the scan copy of the same documents. Though several reminders sent no reply received. They have claimed as “hridajantrer cria thik kare puro sharire nabojouban, jibonshakti ebong dirghayoo pradan kare”. Hence, I like to get clinical/laboratory-based proof of that. How they ensure their claim as "duly correcting the function of heart-in full body- presents new youthfulness, life-spirit and long life". Is there any proof/report/test?

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 post the due date. The advertiser had stated in their response that the product - Oregel Diab is made with blend of 5 Ayurvedic medicines - Aloe vera, Giloy, Amla, Karela and Jamun. As claim support data, the advertiser provided extracts from the `Database on Medicinal Plants used in Ayurveda – volume 3`. As per the advertiser, this data mentions that medicinal ayurvedic herbs present in Oregel Diab are useful for controlling Diabetes and Cardiac, can avoid many health problems, which can lead to long life. The CCC viewed the print advertisement and considered the advertiser’s response with the supporting data provided by them. The CCC observed that the advertiser did not provide any details regarding their product such as copy of product approval license / product label, Product composition details, etc. The CCC concluded that the claim (in Bengali), “hridajantrer cria thik kare puro sharire nabojouban, jibonshakti ebong dirghayoo pradan kare”, as translated in English, “Correcting heart function provides early youthfulness, vitality and longevity to the whole body”, was not substantiated with any technical data, scientific rationale specific to the product formula or clinical evidence of product efficacy. 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**.

COMPANY: L’Oréal India P. Ltd

PRODUCT: Maybelline Colossal Kajal Super Black

Claims Objected to:

1. Black fix Formula + Aloe vera
2. 24 hours action
3. Smudge proof and water-proof

Complaint:

Description: The advt. starts with Athiya Shetty applying Kajal. Voice over- Get ready for 24 Hours Action. Maybelline New York Colossal Kajal. Rahe intense Black fix Formula aur Aloe vera ke saath. Yeh hai smudgeproof, water-proof. Maybelline New York Colossal Kajal – Only from Maybelline New York. Try kijiye Colossal Kajal Super Black -Dugna Black, Dugna Bold.



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 Maybelline New York.
2. As per the ASCI Guidelines for Celebrities in Advertising, a Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive. The claims made by the celebrity (Athiya Shetty) in this advt. violate this clause of the ASCI guidelines.
3. Is the amount of Aloe Vera used in the product, significant to qualify in the claims? According to us, the advertisement contravenes Chapter 1.1 and 1.4, Guidelines for Celebrities in Advertising of ASCI code Action to be taken: We propose that the advertisement should be immediately withdrawn.

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 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 Technical expert presented at the meeting.

Claim – “24 hours action” - As per claim support data presented by the advertiser an instrumental study was carried out to evaluate the efficacy of the Kajal in comparison to the baseline with respect to its intensity and retention for up to 24 hours using imaging assessment. The results of a blind product test also supported that 99% of the consumers stated that the product lasted for 24 hrs and also retained the intensity, sharpness and freshness even after 24 hrs. Based on this assessment, the CCC concluded that the claim, “24 hours action” was substantiated.

Claim – “Smudge proof and Water proof” - Advertiser stated that results of their tests indicated that the product does not show a significant change in smudge for up to 8 hours and as per consumer study, 99% of the consumer have validated that the Kajal is waterproof. Based on this data, the CCC concluded that the claim, “*Yeh hai smudgeproof, water-proof*”, was substantiated.

Claim – “Black fix Formula + Aloe Vera” – In response to this objection, the advertiser stated that Black fix formula is a marketing terminology used in the TVC to convey to the consumers the product efficacy to deliver intense black color which stays for long. Aloe Vera is one of the ingredients of the Product and also forms part of the list of ingredients to which registration has been granted. They have only communicated the presence of Aloe Vera in the Product and have not claimed Product efficacy due to its presence.

Based on this data, the CCC concluded that the claim, “*Black fix Formula aur Aloe vera ke saath*”, was substantiated. These complaints were **NOT UPHELD**.



HONESTY



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COMPANY: Havells India Limited

PRODUCT: Lloyd Wifi Inverter AC

Claims:

1. Takes in Air from 4 sides
2. Intakes 20% more air
3. Results in faster cooling

Complaint:

Description: The ad begins with Supriya Pilgaonkar video calling Amitabh Bachchan who seems to be on a holiday. Supriya exclaims that the place seems to be very cool. Amitabh Bachchan is about to show her the lake when he is interrupted by a family member, Satish Kaushik who says that Bachchan has cool cool lake but they are getting baked. Bachchan asks Pilgaonkar to switch on the AC to which she replies that they are searching for the remote. Amitabh Bachchan says that he'll switch on the AC from where he is to which Satish Kaushik exclaims on his sense of humour. Amitabh bachchan switches ON the AC with his mobile phone and Satish Kaushik jokingly asks whether Bachchan took the remote with him. The family shares a laugh. The product endorsement is then shown where Bachchan claims that you can control the WiFi Inverter AC from anywhere. Visual of the AC is shown while voice over continues saying that the 4D Express cooling cools immediately. The visual shows 4D Express Cooling- Takes in Air from 4 sides; Intakes 20% more air; Results in faster cooling*. A disclaimer follows which reads 'Results shown are based on internal lab testing done on select models under standard conditions and may vary depending on testing conditions'. The ad ends with Bachchan saying, "Lloyd laayiye, khushiyan ON kijiye. Objections:

1. Please substantiate claims 1 to 3 with claim support data. The claim support data should not be internal or based on studies commissioned by Havells.
2. Reference to claim 1; it says takes in air from 4 sides but the visual explains on 3 sides' intake- top, left and right side of the AC.
3. Reference to claim 2; "intakes 20% more air" is in reference to what? Please substantiate.
4. Is the effect same irrespective of location?
5. A disclaimer is shown which reads that 'Results shown are based on internal lab testing done on select models under standard conditions and may vary depending on testing conditions'. As per ASCI Guidelines for Disclaimers, a disclaimer should not attempt to correct a misleading claim made in an Advertisement.
6. Actor Amitabh Bachchan features in the TVC. As per the ASCI Guidelines for Celebrities in Advertising, a Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive. The claims made by the celebrities (Actor Amitabh Bachchan) in this advertisement violate this clause of the ASCI guidelines. According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code and the ASCI Guidelines for Disclaimers. Action to be taken: We propose that the advertisement be immediately withdrawn. Action we propose - This advt should be immediately withdrawn"

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 replied requesting for an extension of 10 days to submit their response. The advertiser was granted an extension of nine days to the standard lead time of seven days to submit their reply in response to their request for this extension. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed via telecon.





The Advertising Standards Council Of India

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 Technical expert presented at the meeting.

Claim – “Takes in Air from 4 sides” – Advertiser stated that the AC model shown in the TVC takes in air from 4 Sides. It takes in air from both the sides of the AC along with the top side and the top back side. Based on this data submitted by the explanatory videos, the CCC concluded that the claim, “Takes in Air from 4 sides”, was substantiated.

Claim – “Intakes 20% more air” - In response to this objection, the advertiser stated that since the AC is taking in air from four different vents i.e. top two sides and top back side; the air suction is 20% more as compared to the normal AC which takes air only from the top (one side only) thus resulting in faster cooling. The CCC did not consider the claim to be objectionable.

Claim – “Results in faster cooling” – Advertiser stated that the air intake of the AC is more as compared to normal ACs and that coupled with high air throw of this particular model helps in faster cooling of the room. As claim support data, the advertiser provided a test report which showed that the 4D Lloyd AC cools room faster than the normal AC. The disclaimer in the TVC highlighted the conditions under which the results were achieved. Based on this data, the CCC concluded that the claim, “Results in faster cooling”, was substantiated. These complaints were **NOT UPHELD**.

COMPANY: Times Network (Times Now)

Complaint:

On Air Promotion of channel being no. one by referring BARC viewership data which gets released on every Thursday on 14th Jun'18. Times Now has used only WK. 22'18 data to promote their channel on air claiming no. 1 in English News genre. Times Now sliced Target Group to NCCS AB M 22-50. According to BARC rules & regulation, TV broadcasters need to use minimum 4 weeks average & Target Group should be used as 4+, 15+ or 22+. But in this case Times Now used only Wk. 22 data & Target Group NCCS AB M 22-50 to promote Wk. 23'18 Viewership. Kindly take a note of above complaint.

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 had stated in their response that the specified BARC source quoted in the Ad - TV promo establishes that their leadership claim is based on weeks 30, 2017 – week 22, 2018 and the time period is of 45 weeks. Advertiser in their response stated that the specified BARC source is – BARC| All India 1MN+|NCCS AB Males 22-50| Wk 30'17 – Wk 22'18; 24 hrs| and provided a table showing the BARC data for weeks 30'17 -23'18. Data showed TVTs for Times Now to be 282 and that for Republic TV to be 233.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TV – promo and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the Ad – TV promo was based on data for an extended period, week 30, 2017 to week 22, 2018, which covered a much longer period to promote the advertiser's channel as No. 1 in English News genre. As the target group NCCS AB Males 22-50 can be directly queried from the BARC system, the CCC did not consider such reference to be objectionable in the context of the advertisement. This complaint was **NOT UPHELD**.



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COMPANY: Sunnys world

Complaints:

“Advertisement is about the Sunny's World, in this advertisement groom asks the member of brides family to arrange the marriage functions at the Sunny's World pune. Here, Groom asks to arrange marriage functions at Sunny's World Pune which is luxurious resort to host the events. Which encourages to others demanding functions to be arranges only at Sunny's World, which I think is non other than asking for dowry. This ads mainly focusing on the marriage deal where groom asks the function should be held only at Sunny's World Pune. This add should not be publicized.”

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 in their response that the advertisement was not meant to harm any sentiments or trigger any negative social practice. The CCC heard the radio spot and considered the advertiser's reply. The CCC observed that one of the male character's voice (probably appears to be related to the bridegroom) saying, “*Hamari sirf ek hi sharth hai Shaadi sirf sunny world mein honi chahiye....*” has an implied reference to the practice of “Dowry”, which is in violation of The Dowry Prohibition Act, 1961. The radio spot contravened Chapter III.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: College of Banking Studies (CBS)

Claims Objected To: “Bank clerk Selection Guaranteed”. “No Selection – Full Fee Refund.”

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, “Bank Clerk Selection Guaranteed”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in banking sectors, 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. Claim, “No Selection – Full Fee Refund”, was not substantiated with any supporting evidence of the students who were not selected for jobs in banking sectors, were refunded with full paid fees, and is misleading by exaggeration. 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**



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COMPANY: Khelgaon Public School

Objected To: “To assure your selection in engineering and medical”.

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 inviting students to join their institute by giving an assurance of their selection in engineering and medical field, was not supported with verifiable data. The CCC concluded that the claim, “To assure your selection in engineering and medical”, 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**.

COMPANY: Knowledge Academy

Claim Objected To:

“No.1 Institute for Company Secretaryship.”

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 for Company Secretaryship”, 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 coaching students for company secretary, or through a third party validation. The claim is misleading by exaggeration. The advertisement 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**

COMPANY: Ishwar Kripa Career Inst (JPR)

Claim Objected To: “100% guaranteed selection.

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the concerned Media (Rajasthan Patrika) 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, “100% guaranteed selection”, was not substantiated with authentic supporting data such as detailed list of students who have been selected 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 print advertisement contravened Guidelines for Advertising of Educational





The Advertising Standards Council Of India

Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**

COMPANY: Akshar Clinic

Claims Objected To:

1. First time in world.
2. Get riddance from thyroid permanently with money back guarantee.

CCC RECOMMENDATION: UPHELD

The ASCI approached the concerned Media (The Sandesh 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. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “First time in world”, was not substantiated with any comparative data of the advertiser’s clinic and other similar clinics worldwide for claiming to be the first in the world for the claimed treatment.

The CCC also observed that the Advertiser did not provide any details of the 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 claim, “Get riddance from thyroid permanently” was not substantiated with scientific evidence.

Claim, “with money back guarantee”, was not substantiated with any supporting evidence of the patients who were not benefitted from the treatment, were refunded with full paid amount.

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

COMPANY: APNET Computer Education

Claim Objected To: “100% Job Oriented Course.”

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 courses being offered by the advertiser may be job oriented, the use of 100% numerical is not relevant for “job oriented course” claim. The use of “100%” as a descriptor in the claim is misleading by implication. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapter I.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

COMPANY: Aravali Institute

Claim Objected To:

“Highest Selection in the whole District.”

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. Advertiser did not provide any support data or evidence of comparison with other similar institutes to prove that they have provided highest selection of their students than any other institutes. Claim, “Highest Selection in the whole District”, 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**.

COMPANY: Arjun Classes

Claim Objected To:

“Provide guaranteed batch. If not selected finally, then full fees will be refunded with written guarantee.”

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, “Provide guaranteed batch”, was not substantiated with verifiable supporting data. Claim, “If not selected finally, then full fees will be refunded with written guarantee”, was not substantiated with any supporting evidence of the non-selected students who 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**.

COMPANY: “ASEL English Learning Centre”

Claim Objected To:

“No.1 English Teaching Institute since 21 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 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 English Teaching Institute since 21 years”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar





The Advertising Standards Council Of India

institutes to prove that they are in leadership position (No.1) on year on year basis for the last 21 years , 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 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**

COMPANY: Budania Education Group (Budania IAS Academy)

Claim Objected To:

“State's largest Coaching Network.”

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's largest Coaching Network”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes to prove that their network is larger 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 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**.

COMPANY: Basara Institute

Claim Objected To:

“State's No 1 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's No.1 Faculty”, was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes, to prove that their faculty is No.1 as compared to others. 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**.



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COMPANY: BSC Academy

Claim Objected To:

“Oldest and most trusted 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 had stated in their response that the claim made is based on the fact that their institute is having 25 years experience of teaching with more than 1.8 lakh students, the results of their students, and placement of their successful candidates in government sectors. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions about their organization. However, neither did they provide any supporting evidence of their institute being in existence prior to other similar institutes nor any market research data to support that they are the most trusted institute among similar such institutes. The CCC concluded that the claim, “Oldest and most trusted Institute”, was not substantiated with any supporting comparative data, market survey data 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**.

COMPANY: Shivani Public School

Claim Objected To:

“No.1 School in Co-Curricular Activities”

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 had stated in their response that they are not promoting any kind of admission in their institute, but are serving those students who are unable to fetch high quality of education due to financial problems. It is for the awareness of the needy ones who can avail their services.

Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions about their institute. Advertiser did not provide any supporting data to prove its No.1 position in providing co-curricular Activities as compared to other institutes. The CCC concluded that the claim, “No.1 School in Co-Curricular Activities”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The source for the claim was not indicated in the advertisement. 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**.





The Advertising Standards Council Of India

COMPANY: Siddhartha Institute of Hotel Management and Catering Technology

Claim Objected To:

“100% Placement Assistance”
(100% Numerical claim is misleading by Implication)

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 had stated in their response that their institute extends assistance to the students who seek placements in star hotels after completion of their course. The CCC viewed the print advertisement and upon careful consideration of the complaint, and the response given by the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for “Placement Assistance” claim for the courses being offered in the advertisement. The use of “100%” as a descriptor in the claim is misleading by implication. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapter I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: HT Learning Centers Pvt Ltd (Study Mate)

Claim Objected To:

“Delhi's No.1 Tuition Center.”

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 had stated in their response that Study Mate is Delhi’s largest tuition center with maximum branches all over Delhi/NCR. The claim is made basis that one of the three study mate students scored 90%+ in the 12th class which makes them eligible to get admission in top colleges. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions about their institute. Advertiser did not provide any supporting data to prove its No.1 position in Delhi as compared to other institutes. The CCC concluded that the claim, “Delhi's No.1 Tuition Center”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim 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**.





The Advertising Standards Council Of India

COMPANY: Swamy Abedhanandha Polytechnic College

Claim Objected To:

“100% Employment facility through Yearly Campus Interview”

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 in their response provided a summary table showing the number of students who opted higher education and placements. As claim support data, the advertiser provided the list of students in each branch and details of placed Candidates. The CCC viewed the print advertisement, and considered the advertiser’s response. The CCC observed that the data showed that out of 426 students, 156 opted for higher education and 270 opted for placements. Subsequently, the advertiser provided placement option form given by students and the appointment orders of students. The advertiser did not provide details of the total batch size for each course, detailed list of students, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. Based on evaluation of this data, the CCC concluded that the claim, “100% Employment facility through Yearly Campus Interview”, was inadequately substantiated with authentic supporting data. The claim is misleading by ambiguity, exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The CCC further noted that while the advertiser may be providing employment facility to their students, the use of 100% numerical is not relevant for “Employment facility” claim. The use of “100%” as a descriptor in the claim is misleading by implication. 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**.

COMPANY: Turning Point Defence Academy

Claim Objected To:

“The only institution of Rajasthan that has given highest selections in Defence Sector”

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 had stated in their response that the claim made is based on the feedback of their students, and their success rate being highest in various defence related 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 institute. In the absence of claim support data, the CCC concluded that the claim, “The only institution of Rajasthan that has given highest selections in Defence Sector”, was not substantiated with verifiable comparative data of the advertiser’s institute and other similar institutes in Rajasthan, to prove that the advertiser’s institute being the only one to have given highest selections of students in the defence sector, 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 and I.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

COMPANY: Zabeel International Institute of Management and Technology

Claim Objected To:

“Dubai's No. 1 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 had stated in their response that their institute has been an undisputed Regional Top Performing Institute in Airline Courses from 2012 till date, which has been recognized and acknowledged by IATA, Canada. As claim support data, the advertiser provided a copy of the IATA certificate of 2018. Advertiser further stated that though they continue to hold the record of No 1 Top Performer since 2012, they have submitted the certificate of 2018 as the advertisement objected is of 2018. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the IATA certificate was granted to the advertiser for qualifying as a “2018 Africa and Middle East Top Performing IATA Authorized Training Center (ATC)”. The advertiser has used this data to claim that it is in leadership position (No.1) in Dubai as compared with the other institutes. The details of the IATA certificate did not match with the claim in the advertisement. Based on this data, the CCC concluded that the claim, “Dubai's No. 1 Institute”, was false, not substantiated and was misleading by ambiguity and implication. The claim was also 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 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: G-Tec Education Computer

Claim Objected To:

“100% Placement Assistance.”

(100% numerical claim is misleading by implication)

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 had stated in their response that they are providing placement assistance to their successful course completed students through their own recruitment drives organized at district as well as State level, to place them in competent positions in reputed firms. The CCC viewed the print advertisement and upon careful consideration of the complaint, and the response given by the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for “Placement Assistance” claim for the courses being offered in the advertisement. 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**.



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The Advertising Standards Council Of India

COMPANY: Indian Institute of Hotel Management

Claim Objected To:

“100% placement record.”

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 record”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in Hotel and Hospital management, 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 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**

COMPANY: Institute of Technology & Management

Claim Objected To:

“Guaranteed 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, “Guaranteed Placement”, was not substantiated with verifiable supporting data and is misleading by exaggeration and is 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**.



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The Advertising Standards Council Of India

COMPANY: Millennium Software Solutions Pvt. Ltd

Claim Objected To:

“A.P No.1 Software Training Centre now in Srikakulam.”

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, “A.P No.1 Software Training Centre”, 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 A.P., 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**.

COMPANY: Munimji Training & Placement Academy

Claim Objected To:

“100% Job Guarantee.”

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% Job Guarantee”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration and is 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**.



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The Advertising Standards Council Of India

COMPANY: N. M. Classes

Claim Objected To:

“Only institute which has given highest selections in the past for Teachers Recruitment (science and Mathematics).”

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 for Teachers Recruitment. The CCC concluded that the claim, “Only institute which has given highest selections in the past for Teachers Recruitment (science and Mathematics)”, 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**.

COMPANY: National Council for Fire & Safety Engineering

Claim Objected To:

“100% placement assistance assured”
(100% numerical claim is misleading by implication.)

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 assistance to their students in fire and safety management, the use of 100% numerical is not relevant for “placement assistance assured” claim. The use of “100%” as a descriptor in the claim, “100% placement assistance assured”, 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**.



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The Advertising Standards Council Of India

COMPANY: Neev Classes

Claim Objected To:

“No.1 Coaching 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 observed that the advertiser did not provide supporting data to prove its No.1 position in providing coaching to their students in medical and engineering fields, as compared to similar coaching institutes. The CCC concluded that the claim, “No.1 Coaching Institute”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim 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**.

COMPANY: NIBF-Institute of Banking & Finance

Claim Objected To:

“India's most trusted brand in BFSI Training.”

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 in their response that their institute has been a training associate for reputed banks and financial institutions. They have also been associated with India Posts Payments Bank and has been a part of conducting the world’s biggest BFSI trainings. They are the project agency for implementation of training programmes under the government schemes in various states. Due to these assignments they have received wide exposure and have gained the status of becoming one of the most trusted brand in BFSI trainings. 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 institute and the programmes/trainings offered by them. In the absence of claim support data, the CCC concluded that the claim, “India's most trusted brand in BFSI Training”, was not substantiated with any market survey data, or any verifiable comparative data of the advertiser’s institute and other similar institutes, for being trusted in providing training in the area of Banking and Financial Services, 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 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**.



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COMPANY: NRS Brilliant Junior & Medical Academy

Claim Objected To:

“No.1.”

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 replied that the claim is based on the intermediate results released by Board of Intermediate education, A.P. in April 2018. Further on the advertiser’s request, they were provided with an opportunity to discuss their submission via telecon, which also they did not avail. Upon carefully viewing the print advertisement, examining the complaint and the reply given by the advertiser, the CCC concluded that the claim of being “No.1”, was not substantiated with any verifiable comparative data of the advertiser’s institute and similar institutes, to prove that it is No.1 (leadership position) than the rest, 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**.

COMPANY: Nucleus Chemistry Classes

Claim Objected To:

“Best Institute for 11th/12th/IIT-JEE/NEET/AIIMS.”

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 Institute for 11th/12th/IIT-JEE/NEET/AIIMS”, was not substantiated with any market survey data, or with verifiable comparative data of the advertiser’s institute and similar institutes to prove that it is better than the other institutes in providing the claimed courses, or through an independent 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 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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COMPANY: Quest Coaching

Claims Objected To:

1. Odisha's No.1 Online Banking Institute.
2. More than 3027 students selection in various Bank and other Govt. Sector since-2007.

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, "Odisha's No.1 Online Banking Institute", was not substantiated with any third party validation or with verifiable comparative data of the advertiser's institute and other similar institutes to prove that it is in leadership position (No.1) in Odisha than the rest in providing learning banking courses through their online services. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. Claim, "More than 3027 students selection in various Bank and other Govt. Sector since-2007", was not substantiated with supporting data for selection of students on year on year basis since 2007, or through a third party validation. The claim is misleading by exaggeration. 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**.

COMPANY: Global Institute of Technical Design

Claim Objected To: "No.1 Women's 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 Women's Institute", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar women's institutes to prove that it is in leadership position (No.1) than the rest in providing fashion designing, beautician courses, etc, 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 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**.





The Advertising Standards Council Of India

COMPANY: Budania Education Group – Budania IAS Academy

Claim Objected To:

“Largest Coaching Network of Rajasthan.”

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 had stated in their response that their institute has branches in more than 25 cities, 50+ mentor, 2700+ student in every batch. As per the advertiser, there is no other coaching institute in Rajasthan to have such a large network. Advertiser provided Certificate of incorporation of their three wings i.e. Shaurya Classes and Budhanian Education, and some pictures of their training centers and news items on achievements of their institutes. As this response was inadequate, ASCI requested the advertiser to provide evidence in support of their response for the claim. However, no response was received in time for the CCC meeting.

Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions regarding their institute. In the absence of claim support data, the CCC concluded that the claim, “Largest Coaching Network of Rajasthan”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in Rajasthan to prove that their coaching network is larger 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 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**.

COMPANY: Cellsius AIIMS/ NEET

Claim Objected To:

“Pre-Medical's No.1 Institute of Central 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, “Pre-Medical's No.1 Institute of Central Rajasthan”, 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 Central Rajasthan, 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**.





The Advertising Standards Council Of India

COMPANY: Centurion Academy

Claim Objected To:

“North India's No.1 Academy for Defence Services”

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, “North India's No.1 Academy for Defence Services”, 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 North India in providing training / courses in defence services, 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**.

COMPANY: Chaitanya Junior College

Claim Objected To:

“District No.1 in CEC, HEC MEC groups”

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, “District No.1 in CEC, HEC MEC groups”, 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, 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**.



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COMPANY: Computer Foundation

Claims Objected To:

1. 100% Job Assistance.
2. 100% placement track record.

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 while the advertiser may be providing job assistance to their students, the use of 100% numerical is not relevant for "job assistance" claim. The use of "100%" as a descriptor in the claim, "100% Job Assistance", is misleading by implication and is likely to lead to grave or widespread disappointment in the minds of consumers. Claim, "100% Placement Track Record", was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. 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**.

COMPANY: Cosmo Career Institute

Claim Objected To:

"Mumbai's No.1 Speakwell English Academy."

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, "Mumbai's No.1 Speakwell English Academy", 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) in Mumbai than the rest in providing English speaking 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**.



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COMPANY: Defence World

Claim Objected To:

“No.1 Coaching Institute for NDA/CDS.”

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 replied post the due date that their institute is currently not functioning. Upon carefully viewing the print advertisement, examining the complaint and in the absence of claim support data, the CCC concluded that the claim, “No.1 Coaching Institute for NDA/CDS”, was false and 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**.

COMPANY: Delta Defence Academy

Claim Objected To:

No.1 Institute in 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, “No.1 Institute in India”, 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) in India than the rest in providing defence 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**.

COMPANY: Gandhi Institute of Hotel Management

Claim Objected To: “Job guarantee.”

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, “Job Guarantee” was not substantiated with verifiable supporting data. 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**.





The Advertising Standards Council Of India

COMPANY: Gitam University – Gitam Institute of Management

Claims Objected To:

No.1 Business School in Andhra Pradesh.

Category 1 University.

(Claim is misleading as the institute is only a deemed to be university).

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 CCC viewed the print advertisement and considered the advertiser's response.

Claim – “No.1 Business School in Andhra Pradesh” – Advertiser stated that as per Dalal Street Magazine rankings, there is no other B-School which is ahead of the advertiser's institute in B-School Rankings in 2018 in Andhra Pradesh. Advertiser provided the relevant pages of Dalal Street Investment Journal edition (February 19 – March 4th 2018). On reviewing this data, the CCC observed that the advertiser's institute was listed under Rank 51 with a score of 71.0 in the north zone. Based on this, the CCC concluded that the said claim was substantiated. However, the source for the claim was not indicated in the advertisement.

Claim – “Category 1 University” – In response to this claim, the Advertiser stated that the Ministry of HRD, Govt. of India in 2018 declared GITAM (Deemed to be University) as Category “1” and also the University was ranked with A+ by NAAC in 2017. Advertiser further provided a copy of Press Information Bureau of March 2018 showing categorization of Universities as per UGC Regulations on Graded Autonomy. The CCC noted that the communication referred to GITAM institute as and under “Institutions deemed to be universities” .

Based on this, the CCC concluded that the claim “Category 1 University” and its presentation with the prominent use of the word “University” was false and misleading by omission. 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.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Doon Group of Colleges

Claim Objected To:

“North India's Best Agriculture/Paramedical 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, “North India's Best Agriculture/Paramedical Institute.”, was not substantiated with verifiable comparative data of the advertiser's institute and other similar institutes in North India, to prove that it is better than the rest in providing the courses claimed, 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**





The Advertising Standards Council Of India

COMPANY: Dr. Mehta's Classes

Claim Objected To:

“Institute that gives 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 given highest selections than other institutes. The claim is misleading by exaggeration 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**.

COMPANY: FCI Institute of Hotel Management

Claim Objected To:

“100% job Assistance.”

(100% numerical claim is misleading by implication.)

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 assistance to their students in Hotel 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.



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COMPANY: Futurecareer Solutions Pvt. Ltd

Claim Objected To:

100% placement Assistance.

(100% numerical claim is misleading by implication.)

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 assistance to their students, the use of 100% numerical is not relevant for "Placement Assistance" claim. The use of "100%" as a descriptor in the claim is misleading by 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**.

COMPANY: Maharaja Indrajeet Singh College of Nursing

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, "100% Job Placement", was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in Hospitality management, 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 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**.



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DECENCY



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COMPANY: Giani Zail Singh Campus College of Engineering and Technology - Maharaja Ranjit Singh Punjab Technical University

Claim Objected To:

“Declared as the best School of Architecture of Punjab in 2014”

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, “Declared as the best School of Architecture of Punjab in 2014”, was not substantiated with any verifiable supporting data of 2014, to prove the advertiser’s institutes to be the best school than other similar institutes, or through a third party validation. There was no data such as a copy of any award certificate received by them giving details of the criteria for granting the award, references of the awarding body, its authenticity and credibility etc. The claim is misleading by ambiguity and omission of disclaimer to qualify this claim 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**.

COMPANY: IncNut Digital Pvt Ltd

PRODUCT: Stylecraze

Claim Objected to:

“World’s Largest website for women”

Complaint:

Please substantiate claim 1 with support data. The claim support data should not be internal or based on studies commissioned by Style craze.

According to us, the advertisement contravenes Chapter 1.1,1.2 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 which they did not avail, but submitted their written response. The advertiser had stated in their response that the claim is based on the data verified by globally recognised site traffic monitoring company ‘Similar Web’. As per Similar Web, the advertiser’s website has the maximum number of readers/visitors in the category of women’s health, wellness and beauty. Advertiser in their response provided a list of globally recognised beauty, wellness sites on Similar Web. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC observed that Similar Web does not use categorization such as “Women’s Health, Beauty & Wellness”. The No.1 website ranked by Similar Web in Beauty and Fitness category, Livestrong.com, had total visits of 62.1m – significantly higher than Stylecraze.com. The advertiser had used the Google Analytics data reported by SimilarWeb (currently at 25.87m) as compared to SimilarWeb’s own estimates of engagement, which reported total visits of Stylecraze.com at 11.53m. The CCC was also of the opinion that when the advertiser has claimed of having maximum readership globally, the true equivalent measure





The Advertising Standards Council Of India

would be 'unique number of visitors' to the website as opposed to the 'total number of visitors'. Advertiser did not provide such comparative data for unique number of visitors. Based on this assessment, the CCC concluded that the claim, "World's Largest website for women", was inadequately substantiated. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Oak Ridge International School

Claim Objected to:

VIT or MIT, Pilani or Princeton, Symbiosis or Stanford, 1242 oakridgers have made it to the World's Best Universities

Complaint:

1. Please substantiate claim 1 with claim support data. The data should not be internal or based on studies commissioned by Oak Ridge international school.
2. As per ASCI Guidelines, Advertisement shall not state or lead the public to believe that enrolment in the institution or program or preparation course or coaching classes will provide the student a temporary or permanent job, admissions to institutions, job promotions, salary increase etc. unless the advertiser is able to submit substantiation to such effect. In addition the Advertisement must carry a disclaimer stating 'past record is no guarantee of future job prospects. The font size of the disclaimer should not be less than the size of the claim being made in the Advertisements. According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code and ASCI Guidelines for Advertising of Educational Institutions and Programs. Action to be taken: We propose that the advertisement should be immediately withdrawn

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 replied requesting for an extension of one week to submit their response. The advertiser was granted an extension of seven days to the standard lead time of seven days to submit their reply in response to their request for this extension. The advertiser had stated in their response that the claim made is basis the representation of the factual information based on School records. As claim support data, the advertiser provided an excel sheet giving details of student's name, name of universities who have given offers to the students, and the courses offered.

On reviewing this data, it was observed that the data in the excel sheet did not state if the students mentioned had applied for the universities or had received admission in those Universities. Further, against the names of some of the students there was no mention of any University/Institute name. This data being inadequate, ASCI further requested the advertiser to provide acceptance letters of students, with details of students for verification, or a CA certificate to ratify the claim. In response to this ASCI request, the advertiser provided an updated list of their school records as on 29th June 2018 giving list of Oakridge students who had received offers from various Indian and Foreign universities.

Upon carefully viewing the print advertisement, examining the complaint and the response with the supporting data given by the advertiser, the CCC observed that the data provided by the advertiser could not be relied upon as it was not validated by a third party for the specific 1242 records. The CCC concluded that the claim, "VIT or MIT, Pilani or Princeton, Symbiosis or Stanford, 1242 Oakridgers have made it to the World's Best Universities", was inadequately 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**.





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COMPANY: Godrej Consumer Products Ltd

PRODUCT: Good Knight Powerchip

Claims Objected to:

1. New Good Knight Powerchip with the power of 100 coils
2. Its modern gel technology wipes out all the mosquitoes

Complaint:

Description: - The TVC starts with a mother and a boy sitting on a sofa. Mother says, if you want to get rid of mosquitoes forever you need the power of 100 coils. Then the Voiceover starts – New Good Knight Powerchip with the power of 100 coils. Its modern gel technology wipes out all the mosquitoes. Visual- Good Knight powerchip machine and Coil now in just Rs. 45 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 Godrej Consumer Products Limited.
2. The comparison of the power of New Good Knight Powerchip is made with the power of 100 coils.

Which coils have been used for comparison and how was the test protocol followed?

3. How can the performance of a gel be compared with coils?
4. The disclaimer in the advt is not clearly legible.
5. ASCI Guidelines for Validity and Duration of claiming New states- “the word “new”, “improved” or an ‘improvement’ of a product may be used in advertisements only for a period of one (1) year from the time the new or improved product/ service has been launched/introduced in the market. Please give details.

According to us, the advertisement contravenes Chapter 1.1, 1.4, Guidelines for Disclaimer and Guidelines for Validity and Duration of claiming New of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

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 submitted their response. As claim support data, the advertiser provided Report of Bioefficacy of mosquito mat containing Transfluthrin 20% w/w, Report of Bioefficacy Report of 0.03% Transfluthrin Mosquito Coil, Soft copy of the product labels along with the product composition details. 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 Technical expert presented at the meeting. Claim – “New Good Knight Powerchip with the power of 100 coils” - Advertiser stated that this claim has been derived by calculating the active concentration of the molecule Transfluthrin used in mosquito coil and power chip gel. The mosquito coil has 0.03% w/w active concentration of Transfluthrin whereas the advertised Product has 20.0% w/w active concentration of Transfluthrin. On comparing the presence of actives in the formulation and weight for coil and weight of active in the Product formulation, the total active ingredient is more than 100 times in the Power Chip versus coil. The CCC did not agree with the advertiser’s contention that have not linked the claim “Power of 100 coils” with the efficacy/performance of the product. The CCC observed that the word "power" clearly denotes to the average consumer “the ability to work” i.e. ability to kill mosquitoes being 100-fold; whereas, the test reports on bioefficacy establishes that both coil and power chip gel work to achieve total knock down in the same test period. Based on this data, the CCC concluded that the claim, “Good Knight Powerchip with the power of 100 coils” (“*Sau coils ke power wala*”) was not substantiated. The claim is misleading by ambiguity and implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The CCC observed that disclaimers in the advertisement were not legible in terms of contrast and pixel size. The TVC contravened Chapters I.1, I.4 and





The Advertising Standards Council Of India

I.5 of the ASCI Code as well as ASCI Guidelines for disclaimers in the advertisements. This complaint was

UPHELD.

Claim – “Its modern gel technology wipes out all the mosquitoes” – Advertiser stated that the Product formulation at the interval of 15 minutes ensures 100% mortality. Based on the advertiser’s response with the test report provided, the CCC concluded that the claim, “Its modern gel technology wipes out all the mosquitoes” (“*Iski adhunik gel technology saare maacharon ko kare Chith*”) was substantiated. This complaint was **NOT UPHELD.**

As for the objection raised against the product claiming to be “New”, the advertiser stated that the product was launched in March 2018. The CCC did not consider the comparison of the two product formats (power chip Versus Coil) to be objectionable as both the products were meant for the same purpose. These complaints were **NOT UPHELD.**

COMPANY: Hindustan Unilever Ltd

PRODUCT: Dove Go Body Lotion

Claims Objected to:

1. Get cool and fresh skin with Dove Go Body lotion
2. With the goodness of cucumber, menthol and green tea to give you a boost of freshness

Complaint:

Objections:

1. With reference to claims 1 and 2, please substantiate using claim support data. The claim support data should not be based on internal studies or studies commissioned by Hindustan Unilever Limited.
2. Reference to claim 2; is the amount of ingredients significant to make an impact on the performance of the product as claimed? Is the efficacy data specific to the benefits of the formulation attributable to the claimed ingredients provided?
3. Reference to claim 2; 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?

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

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 stated in their response that the product contains 0.1% Menthol, and Cucumber and Green Tea has been added in perfume oil at 0.3%. The product was tested by sensory experts’ panel for in-use and post-use skin feel, the results of which confirmed that the product shows significant cooling benefit on the skin. As claim support data, the advertiser provided research papers published in various journals highlighting the benefits of ingredients of menthol, cucumber, and green tea in cosmetics, Dove Go Fresh Sensory Panel Report, and the artwork/label of the product. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the Facebook advertisement and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC did not agree with the advertiser’s argument that nowhere in the advertisement it is mentioned that three claimed ingredients in the Product are providing any specific benefit however the Product, as a whole is capable of delivering the benefits as claimed in the Advertisement. Advertiser further asserted that the literature support submitted was to indicate that such ingredients are capable of





The Advertising Standards Council Of India

delivering certain benefits and thus have been added in the product, however neither they intended to, nor have they given any impression that these ingredients in the product will deliver specific benefit.

The CCC observed that the Facebook video claim – “get cool and fresh skin this summer with fresh cucumber and cool menthol” clearly indicates that the presence of these ingredients is causing the effects and they have a prominent mention in the advertisement (visual and voice over).

Thus a consumer would expect these ingredients resulting in the claimed benefits - especially of “cooling”. To the consumer, the distinction being made by the advertiser in their argument is irrelevant and s/he will simply believe that these ingredients will cause the claimed effects.

From the research papers cited, there was no clarification provided as to what concentrations a specific ingredient was tested in that paper/study, and how were these concentrations compared with what is present in their product formulation. Advertiser did not provide experimental proof of the product efficacy as a function of concentration of each ingredient.

Based on this assessment, the CCC concluded that the claim, “get cool and fresh skin this summer with fresh cucumber and cool menthol” in the Facebook post video was inadequately substantiated and is likely to lead to grave or widespread disappointment in the minds of consumers. The corresponding claim in the post “Get cool and fresh skin with Dove Go Fresh Body lotion - With the goodness of cucumber, menthol and green tea to give you a boost of freshness” is misleading by ambiguity and implication. The Facebook advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Nivea India P. Ltd

PRODUCT: Nivea Crème Care shower Gel

Claims Objected to:

1. Moisturises better than soap
2. India’s No.1 Shower Gel*

Complaint:

Description: The advertisement begins with Tapsee Pannu speaking about the type of soap she wants. A visual of different hands holding different soaps appears. One by one the hands start to move back when she says - she needs a soap that cleans well, is not harsh and moisturises her skin. Eventually, no soap is left which can do all the above mentioned things. A voiceover about Nivea Creme Care body wash plays which says that it moisturises better than soap. Visual of the product appears along with a tagline saying

“India’s No.1 Shower Gel”.

Objections:

1. Please substantiate claims 1 and 2 using claim support data. The claim support data should not be internal or based on studies commissioned by Nivea India Pvt. Ltd.
2. The product advertised is a shower gel. How is it then being compared to bar soaps? This is grossly misleading.
3. With reference to claim 2, a disclaimer appears supporting the claim but is not present on the screen for 4 seconds or more. This violates the ASCI Guidelines for Disclaimers.
4. Reference to claim 2; is there data to show how Nivea compares with other shower gels in India? Is the claim substantiated with any market survey data or verifiable comparative data of advertiser’s product with other competitive products? Is there any third party validation to prove these claims? Is the credibility and authenticity of the certifying bodies well established?
5. As per the ASCI Guidelines for Celebrities in Advertising, a Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive. The claims made by the celebrity (Actress Tapsee Pannu) in this advertisement violate this clause of the ASCI guidelines. According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of the ASCI Code, ASCI Guidelines for Disclaimers and ASCI guidelines for Celebrities in Advertising. Action to be taken: We propose that the advertisement 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 availed and submitted their written response. 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 Technical expert presented at the meeting.

Claim – “Moisturizes better than soap” - Advertiser stated that this claim is made on the basis of a study. The test results showed that almost the entire range of the respondents were of the view that the Product moisturizes the skin better than a soap. Subsequently, an independent comparative clinical study confirmed that the Product moisturizes better than a soap. As claim support data, the advertiser provided a copy of these study reports.

The CCC observed that the first study showed that on a 5-point scale, more than 99% of respondents had 80% or more agreement with questions relating to better than soap, moisturizes longer, cares better, and feels more moisturized - as compared to soap.

The report from the second study indicated that around 94% respondents were in agreement that visual moisturization, better looking skin were superior with Nivea compared to the competing products.

Based on this data, the CCC concluded that the claim, “Moisturizes better than soap”, was substantiated. This complaint was NOT UPHELD.

Claim – “India's No.1 Shower Gel” – Advertiser stated that the said claim is based on the Nielsen data of

November 2017 wherein the advertiser's product was compared with two other leading brands in the market. As per Nielsen's Retail Audit report, for the period SEPT MAT 2017, Nivea Creme was ranked number 1 at an All India — Urban level by market share based on "Body Wash" category on value offtake basis. As claim support data, the advertiser provided a copy of the Nielsen report.

Based on this data, the CCC concluded that the claim, “India's No.1 Shower Gel”, was substantiated. This complaint was NOT UPHELD.

COMPANY: ICICI Bank Ltd

Complaint:

In second week of May 2018 received my bank statement through mail from ICICI Bank Ltd. The envelope was printed with an advertisement saying - Open an ICICI Bank Fixed Deposit and get 2 attractive watches. To avail the scheme I opened Two Fixed Deposits for Rs. 5 Lakhs each. I have been chasing the Relationship manager, Branch Manager, Banks Customer service department. None of them are aware of such scheme. I escalated the matter to the Corporate Care of ICICI Bank on 14th May 2018. They too are unable to provide me any resolution. They have extended their deadline twice and their last date was 14th June 2018. I strongly feel that this is Gross Misleading of Consumers by fake advertisement. Copy of the said envelope is attached for your reference. I have all the written communications and the same can be sent to you.

I would like to have those two watches per FD. This makes four watches in total. I would also like to have compensation of Rs. 10,000/- towards mental harassment and amount of time I had to spend in calling customer care people and meeting bank officials.

This is to update you from my side. I received call from ICICI Bank Ltd., to talk about this complaint. The person was convincing that this ad was for Sr. Citizen and min investment was Rs. 2 Lakh. I brought to his notice that his condition was not mentioned anywhere in the ad nor there was any reference to it. This proves that it is totally misleading advertisement. He agreed their mistake and as a token offered to send me one set of watch. I said that my fight is not only for watch but to prove a point that a brand like ICICI Bank Ltd is misleading its consumers by such advertisement. He said he will courier the watch set immediately and asked me to close the case. I refused to close it unless I get compensation that I have demanded. He said it is not their policy to pay compensation - which, to me is funny. I finally told him that I will contact ASCI to give my point of view.





The Advertising Standards Council Of India

Anyway, I have received one set of watch by courier. However my demand still remains same as per my original complaint - Two sets of watches and compensation of Rs. 10,000/- for mental harassment. Not to mention separately - A written apology accepting their mistake.

Since you would be taking up the case in your CCC meeting, please consider my above views as well.

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 availed and submitted their written response. The advertiser had stated in their response that the offer for any Indian senior citizen customer who opened a Fixed Deposit account in ICICI Bank for Rs.200,000 for a minimum of 1 year, through any of their Bank branches. The terms and conditions of the offer were made available on their website at <https://www.icicibank.com/managed-assets/docs/offers/fd-senior-citizen-watch-offer.pdf>. Each Customer was eligible for only one set of two watches irrespective of number of FDs opened during the Program Period. In support of their response, the advertiser provided a copy of the terms and conditions applicable to the offer, and a copy of the confirmation email which was sent to all their customers post program period informing about delivery timelines of their gift. The advertiser stated that they have resolved all the queries received by their escalation team, thereby ensuring that all eligible customers will receive the set of watches at the earliest. The CCC viewed the Ad – promotional material and considered the advertiser’s response. The CCC observed that the Ad – promotional material carried a disclaimer to mention that terms and conditions apply. The claim offer, “Open an ICICI Bank Fixed Deposit and get 2 attractive watches” was not misleading as it was subject to terms and conditions. The CCC concluded that the complaint was an unintentional lapse by the advertiser in the fulfilment of an advertised offer. The complaint was **NOT UPHELD**.

COMPANY: Acharya Institutes–Acharya School of Management

Claim Objected To:

“100% placements in renowned companies”

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% placements in renowned companies”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration and is 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**





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COMPANY: IMS Business School - Institute of Management Study

Claim Objected To: “100% Placement Assistance”

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 assistance to their students, the use of 100% numerical is not relevant for “Placement Assistance” claim. The use of “100%” as a descriptor in the claim is misleading by 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**.

COMPANY: NERIM- (North Eastern Regional Institute of Management)

Claim Objected To: “100% Placement Assistance”

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 had stated in their response that the claim is only an assertion of continuous placement assistance and support that they give for their students enrolled in Management programs and Computer Science, and also arrange an eventual placement after the completion of their respective programs. The CCC viewed the print advertisement and upon careful consideration of the complaint, and the response given by the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for “Placement Assistance” claim for the courses being offered. 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**.



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COMPANY: Hi-Tech Institute of Technology

Claim Objected To:

“100% Placement since inception ”

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 since inception”, was not substantiated on year on year basis since inception, with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. 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**.

COMPANY: ITC Limited

PRODUCT: Sunfeast Yippee Noodles

Complaint:

In advertisement as shown on zee classic channel 2:35 pm on 4th july: Seems like they want to say that among all the children in this country only there noodles are favourite.

<https://m.youtube.com/watch?v=7nWTKIw3VKY>

Yippee noodles need to prove the claim of being the favourite of children with substantial documentation.

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 availed and submitted their written response. The advertiser had stated in their response that the TVC shows a witty depiction of some children responding in an exaggerated and humorous manner to a question posed to them. There is no comparison being made with any other noodle brand, nor is any other noodle brand being shown, where kids compare noodles and state that Yippee! Noodles is their favourite. Upon carefully viewing the TVC, examining the complaint and the response given by the advertiser, the CCC observed that the TVC shows each kid expressing his/her personal views on choice of the product being favourite in an exaggerated manner. In this context, the CCC concluded that the voice over claim, in a question posed to the children, "aapka favourite noodles kaun sa hai" was not objectionable. The complaint was **NOT UPHELD**.



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COMPANY: Zenith Nutrition

PRODUCT: Zenith Resveratrol Plus Gymnema

Claims Objected to: <https://www.zenithnutrition.com/zenith-nutritions-resveratrol-plus-with-gymnemasylvestre.html>

1. Resveratrol Plus promotes healthy blood sugar levels.
2. Encourages antioxidant activity within the body.
3. ZENITH Nutritions Resveratrol Plus contains beneficial amounts of chromium, gymnema sylvestre extract and resveratrol.

Complaint:

Objections:

1. Please substantiate claims 1 and 2 using claim support data. The claim support data should not be internal or based on studies commissioned by Zenith Nutrition.
2. Can the product be used by people with medical conditions and without a doctor's prescription? Please substantiate.
3. Reference to claim 3; is the amount of ingredients significant to make an impact on the performance of the product as claimed? Is the efficacy data specific to the benefits of the formulation attributable to the claimed ingredients provided?
4. Reference to claim 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?

According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5 of the 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 which they did not avail, but submitted their written response. The advertiser in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. As claim support data, the advertiser provided copy of product label, copy of Review articles in published journals on 'Effects of Resveratrol on glucose control and insulin sensitivity in subjects with type 2 diabetes', 'Antidiabetic effects of Resveratrol', 'Evidence Based – systematic Review on Gymnema Sylvestre plant', 'Gymnema Sylvestre for Diabetes Mellitus', 'Role of Chromium in human health and in Diabetes and in insulin resistance', and Website articles on 'Resveratrol shows potential for blood sugar control', 'Resveratrol as antioxidant and prooxidant agent', and 'Cardioprotective effect of Resveratrol'. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the advertiser did not provide copy of Product approval license, FSSAI approval for all the claims made, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the resveratrol plus Gymnema product that demonstrated maintenance of normal blood sugar levels. No data has been provided of any study done with the resveratrol plus Gymnema product that demonstrated anti-oxidant activity parameters in subjects before and after consumption of resveratrol plus. No data was submitted showing the amounts of chromium, Gymnema sylvestre extract and resveratrol at which health benefits have been shown. In absence of any evidence of the advertised product providing 30% RDA of the referred ingredients, the CCC concluded that the claims "Resveratrol Plus promotes healthy blood sugar levels.", "Encourages antioxidant activity within the body." And "ZENITH Nutritions Resveratrol Plus contains beneficial amounts of chromium, gymnema sylvestre extract and resveratrol." were not substantiated. The claims are misleading by ambiguity and implication and exploit consumers' lack of knowledge. The web-site advertisement contravened Chapters 1.1, 1.4 and 1.5 of the ASCI Code. This complaint was **UPHELD**.





The Advertising Standards Council Of India

The CCC did not consider the objection raised by the complainant whether the product be used by people with medical conditions and without a doctor's prescription to be valid as the website had warning statements to address this issue. This complaint was **NOT UPHELD**.

COMPANY: Zenith Nutrition

PRODUCT: Hawthorn Extract

Claims Objected to:

Zenith Nutrition Hawthorn Extract provides powerful antioxidants flavonoids, including standardized Vitexin that, along with other components in Hawthorn, have been found to support healthy blood flow and healthy blood pressure within the healthy range

<https://www.zenithnutrition.com/women/brain-memory/zenith-nutritions-hawthorn-140-mg-120-vegicaps.html>

Complaint:

1. Please substantiate the claim with claim support data. The claim support data should not be internal or based on studies commissioned by Zenith Nutrition
2. Is the product safe for people with medical conditions? Can the product be used without doctor's prescription?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the 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 which they did not avail, but submitted their written response. The advertiser in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. As claim support data, the advertiser provided copy of product label, copy of Review articles in published journals on 'Effects of an Extract of Hawthorn on Arterial Blood Pressure in Anaesthetized rats', and Website articles on 'Hawthorn in the treatment of cardiovascular disease', and 'Hypotensive effects of hawthorn for patients with diabetes taking prescription drugs'.

The CCC viewed the website advertisement and considered the Advertiser's response. The CCC observed that the advertiser did not provide copy of Product approval license, FSSAI approval for all the claims made, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefits. The CCC concluded that the claims, "Zenith Nutrition Hawthorn Extract provides powerful antioxidants flavonoids, including standardized Vitexin that, along with other components in Hawthorn, have been found to support healthy blood flow and healthy blood pressure within the healthy range", were not substantiated with evidence of product efficacy, and are 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 website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

The CCC did not consider the objection raised by the complainant whether the product be used by people with medical conditions and without a doctor's prescription to be valid as the website had warning statements to address this issue. This complaint was **NOT UPHELD**.





The Advertising Standards Council Of India

COMPANY: Zenith Nutrition

PRODUCT: Ginkgo Biloba Bilberry Lutien

Claims Objected to:

1. Ginkgo biloba shows most promise as a circulatory aid, helping to increase blood flow to the brain which may be useful for memory loss, vertigo, tinnitus, disorientation, headaches, and depression, especially in the elderly and the elderly not responding to antidepressant drugs.

2. Increasing amounts of evidence show that ginkgo may indeed help to relieve cerebral insufficiency, which is defined as a decrease in blood supply to the brain

<https://www.zenithnutrition.com/women/brain-memory/zenith-nutrition-ginkgo-biloba-with-bilberrylutein.html>

Complaint:

Objections:

1. Please substantiate claims 1 & 2 with claim support data. The claim support data should not be internal or based on studies commissioned by Zenith Nutrition.

2. Is the product safe for people with medical conditions? Can the product be used without doctor's prescription? According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the 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 which they did not avail, but submitted their written response. The advertiser in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. These links referred to Website articles on 'Hawthorn in the treatment of cardiovascular disease', and 'Hypotensive effects of hawthorn for patients with diabetes taking prescription drugs'.

The CCC viewed the website advertisement and considered the Advertiser's response. The CCC 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, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefits. The CCC concluded that the claims, "Ginkgo biloba shows most promise as a circulatory aid, helping to increase blood flow to the brain which may be useful for memory loss, vertigo, tinnitus, disorientation, headaches, and depression, especially in the elderly and the elderly not responding to antidepressant drugs", and "Increasing amounts of evidence show that ginkgo may indeed help to relieve cerebral insufficiency, which is defined as a decrease in blood supply to the brain", were inadequately substantiated with clinical evidence of product efficacy, and are 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 website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

The CCC did not consider the objection raised by the complainant whether the product be used by people with medical conditions and without a doctor's prescription to be in ASCI's purview as the product appears to be approved by FSSAI as a dietary supplement.





The Advertising Standards Council Of India

COMPANY: Zenith Nutrition

PRODUCT: Zenith Astaxanthin

Claims Objected to:

1. Zenith Nutrition Astaxanthin is a natural antioxidant carotenoid derived from the fermentation of the microalgae *Haematococcus pluvialis*.
2. Clinical studies have demonstrated that Astaxanthin may promote a healthy inflammatory response, supports skin during exposure to sunlight and supports joint and eye health.
3. Other Ingredients: Vegetarian capsules, Dicalcium Phosphate.

Complaint:

Objections:

1. Please substantiate claims 1 and 2 using claim support data. The claim support data should not be internal or based on studies commissioned by Zenith Nutrition.
2. Provide product efficacy data for their formulation specific to the benefits attributable to the claimed ingredients.
3. Reference to claim 2; please provide the details of the clinical studies mentioned in Claim 2.
4. Reference to claim 3; the ingredient list does not mention any chemical excipients. Is the product completely natural?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the 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 which they did not avail, but submitted their written response. The advertiser in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. These links referred to Website articles on 'Research on Astaxanthin Demonstrates Significant Whole Body Benefits', 'Astaxanthin decreased oxidative stress and inflammation and enhanced immune response in humans', 'Haematococcus astaxanthin: applications for human health and nutrition', and 'Cosmetic benefits of astaxanthin on humans subjects'. The CCC viewed the website advertisement and considered the Advertiser's response. The CCC 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, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefits. The CCC concluded that the claims, "Clinical studies have demonstrated that Astaxanthin may promote a healthy inflammatory response, supports skin during exposure to sunlight and supports joint and eye health", were inadequately substantiated with clinical evidence of product efficacy, and are misleading by exaggeration. Claims, "Zenith Nutrition Astaxanthin is a natural antioxidant carotenoid derived from the fermentation of the microalgae *Haematococcus pluvialis*", and "Other Ingredients: Vegetarian capsules, Dicalcium Phosphate", were not substantiated with supporting data and are misleading.

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





The Advertising Standards Council Of India

COMPANY: Zenith Nutrition

PRODUCT: Chaste Berry

Claims Objected to:

1. Zenith Nutrition Chaste Berry is a traditional herbal remedy derived from the fruit of Vitex agnus castus, a shrub which grows in temperate regions of Asia
2. Promotes Female Balance- PMS support, Supports Hormonal Balance

Complaint:

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 Zenith Nutrition.
2. Is the product safe for people with medical conditions? Can the product be used without doctor's prescription?
3. Reference to claim 1; is the amount of ingredients significant to make an impact on the performance of the product as claimed? Is the efficacy data specific to the benefits of the formulation attributable to the claimed ingredients provided?
4. Reference to claim 1; 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?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the 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 which they did not avail, but submitted their written response. The advertiser in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. These links referred to Website articles on 'Chasteberry', Chasteberry, the Female-Friendly Fruit for PMS', etc.

The CCC viewed the website advertisement and considered the Advertiser's response. The CCC 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, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefits. The CCC concluded that the claims, "Zenith Nutrition Chaste Berry is a traditional herbal remedy derived from the fruit of Vitex agnus castus, a shrub which grows in temperate regions of Asia", were not substantiated with supporting data showing presence of these ingredients in the product, and are misleading.

Claim, "Promotes Female Balance- PMS support, Supports Hormonal Balance", was inadequately substantiated with clinical evidence of product efficacy, 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 website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

The CCC did not consider the objection raised by the complainant whether the product be used by people with medical conditions and without a doctor's prescription to be valid as the website had warning statements to address this issue. This complaint was **NOT UPHELD**.





The Advertising Standards Council Of India

COMPANY: Zenith Nutrition

PRODUCT: Memory Fab Capsules

Claims Objected to:

1. Powerful combination of Ginkgo, Brahmi & Mandukaparni
2. Improves blood circulation in the brain promotes better Concentration and Memory
3. Brahmi and Mandukarparni known for brain boosting benefits since ancient times

Complaint:

Objections:

1. Please substantiate claims 1 to 3 using claim support data. The claim support data should not be internal or based on studies commissioned by Zenith Nutrition.
2. Reference to claim 1; is the amount of ingredients 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. Reference to claim 1; 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?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code. Link of Ad: <http://www.zenithnutrition.com/women/brain-memory/memoryfab.html>

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 in their response provided weblinks on independent studies referring to the benefits of Hawthorn extract on Blood pressure. As claim support data, the advertiser provided copy of product label, copy of Website articles / Review articles in published journals on 'Chronic effects of Brahmi on human memory', 'Clinical improvement of memory and other cognitive functions by Ginkgo biloba', 'Effect of Mandookapami on the general mental ability of mentally retarded children', 'Evaluation Of Antinociceptive Activities Of Pyridoxine And Centella Asiatica In Rats', 'Ginkgo biloba and Memory: An Overview', 'Ginkgo biloba may protect memory: study', 'Mechanisms, Efficacy, and Safety of Brahmi for Cognitive and Brain Enhancement', 'Effects of Centella asiatica on cognitive function and mood related outcomes'.

The CCC viewed the website advertisement and considered the Advertiser's response. The CCC observed that the advertiser did not provide copy of Product approval license, Product composition details, FSSAI approval for all the claims made, and evidence of the ingredients present in the product. The CCC noted that no data has been provided of any study done with the product that demonstrated the claimed benefits. The CCC concluded that the Claim, "Powerful combination of Ginkgo, Brahmi & Mandukaparni" was not substantiated with supporting data showing presence of these ingredients in the product, and is misleading. 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. 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 website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

COMPANY: S.K.B. Industries

PRODUCT: Aunty Supari

Claims objected to:

1. With Saffron
2. No. 1 Sweet Supari

Complaint:

Our objections:

1. Please substantiate claims 1 & 2 with claim support data. The claim support data should not be internal studies or studies commissioned by S.K.B. Industries
2. Ref. to claim 2, Is the amount of saffron significant to make an impact on the performance of the products as claimed and were such method/s used to retain its natural attributes

According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the full 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 product packaging 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, “With Saffron”, was not substantiated with supporting data showing presence of saffron in the product, and is misleading. Claim, “No. 1 Sweet Supari”, was not substantiated with any verifiable comparative data of the advertiser’s product and other sweet supari brands, to prove that it is in leadership position (No.1) than the rest, or through a third party validation. The claim is misleading by exaggeration. The product packaging claims contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

COMPANY: Dabur India Limited

PRODUCT: Dabur Vatika Shampoo

Claims Objected To:

1. All new Dabur Vatika
2. Contains henna, shikakai, amla and other such 7 ingredients

Complaint:

“Description: The advertisement begins with a few women asking Kareena Kapoor Khan for a solution to their hair problems to which she replies that they should use the all new Dabur Vatika Shampoo with the ‘satt poshan’(7 benefits) of ingredients such as henna, shikakai and amla which makes hair problem free and healthy. She ends by asking “toh satt ya nash?” Objections: 1. With reference to claim 1, what is “New” needs to be mentioned in the advertisement as per ASCI code of Validity and Duration of claiming New/ Improved. The words New /Improved must specify what aspect of the product/service is new or improved – viz. the product’s utility, function, product design, package design, etc.

2. With reference to claim 2, please substantiate with claim support data. The claim support data should not be based on internal studies or studies commissioned by Dabur India Limited.
3. With reference to claim 2, is the amount of henna, shikakai, amla and other such ingredients significant enough to be able to have an impact and contribute to the claims made?





The Advertising Standards Council Of India

4. As per the ASCI Guidelines for Celebrities in Advertising, a Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive. The claims made by the celebrity (Kareena Kapoor Khan) in this advertisement violate this clause of the ASCI guidelines.

5. Is the look of Kareena's hair due to the effect of the product or is it photoshopped or edited?

According to us, the advertisement contravenes the ASCI Codes of Chapter 1.1 and 1.4 and the ASCI Guidelines for Celebrities in Advertising and Guidelines for Validity and Duration for Claiming New/Improved. Action to be taken: We propose the advertisement should be withdrawn immediately.

According to the mail, "With regards to your objection no 3, kindly specify the specific claim that you are referring to, for us to review your complaint further."

Why is ASCI asking CERC to specify the claim since we have already provided the specific claims and the reasons for our objections in the complaint?

The claim "Contains henna, shikakai, amla and other such 7 ingredients" is grossly misleading and needs to be substantiated with independent claim support data. This claim support data should not be internal or based on studies commissioned by Dabur India Limited. Has the advertiser provided enough substantiation of the fact that the product has effectiveness of each and all of the ingredients or are they only symbolic? Also, did the advertiser specify what the 7 ingredients are? Is the product efficacy data for the formulation specific to the benefits attributable to the claimed ingredients provided? Does ASCI have evidence that all the above claims are true and substantiated? If no, then all our objections against the claims made in the original complaint sustain.

We request you to kindly process the complaint."

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 granted an extension of three days to the standard lead time of seven days to submit their reply in response to their request for this extension. The Advertiser was further offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed and submitted their written response. 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 Technical expert presented at the meeting. Claim – "All new Dabur Vatika" – Advertiser stated in their response that the claim of the product being new was with reference to the launch of the new formulation. Advertiser provided photographs of the old and new packaging of the product which showed the stated change. Based on this data, the CCC concluded that the claim of "Naya aur behtar" was substantiated. This complaint was **NOT UPHELD**.

Claim – "Contains henna, shikakai, amla and other such 7 ingredients" – Advertiser stated that Vatika Health Shampoo contains aqueous extract of Henna, Shikakai, Almond, Hibiscus, Amla and Reetha along with Olive Oil. Advertiser provided a copy of the back panel of product pack that provided ingredient list and stated that as per Consumer Dipstick study conducted amongst Shampoo users, the 7 ingredients together as part of the formulation have been ratified by current as well as the new users of the product as having natural ingredients. The CCC observed that the advertiser has stated that the aqueous extract has been used which is prepared in a proprietary manner. However, the amount of water in the extract is not known so it is not possible to know how much was the weight of the active extracts. Having some idea of this is important in order to be assured that these are present in sufficient quantities. The information submitted here is inadequate. In the context of the claim "sattposhan ki natural Shakti" regarding the ingredient based product benefits, the CCC did not agree with the advertiser's contention that the product is made under a "cosmetic" license and so it is not subject to scrutiny for quantity, impact and contribution of ingredients or herbs. If the claim is with respect to certain ingredients or combinations thereof the manufacturer should be able to provide evidence of their presence in the formulation being in adequate amounts. Furthermore, the data submitted is not adequate to show effectiveness of their product for all the benefits being associated with the claimed seven ingredients. Based on this assessment, the CCC concluded that the claim, "Isme hai heena, shikakai, amla jaise sattposhan ki natural Shakti", was





The Advertising Standards Council Of India

inadequately substantiated. The claim is misleading by ambiguity and implication. This complaint was **UPHELD**. The TVC contravened Chapters I.1 and I.4 of the ASCI Code.

Claim – “.....which makes hair problem free” – The CCC observed that for the efficacy of the formulation, the advertiser submitted two consumer studies: as per first report 97% of the consumers were happy with various aspects of the product. But this study did not indicate that it solves “all” hair problems.

In the second study a significant percentage of consumers appreciated various aspects of the product. However, the responses put to the consumer in this study were overarching (e.g "Solve All Hair Problem", "Having effective and potent ingredients",...) as such benefits is required to be established via scientific evaluation. The CCC expressed their reservation about a market research study that uses statements phrased in advertising and then seeks to measure agreement/disagreement, as these are not statements where consumers can reasonably be expected to have knowledge. A false sense of efficacy is created by reference to ‘problem free’. The claim is misleading by implication and by omission of reference to this being a Consumer perception study.

Furthermore, claim of "problem free" hair is an all encompassing claim for which no clinical or instrumental assessment based study has been submitted by the advertiser. Based on this and in the absence of objective assessment of hair condition, the CCC concluded that the claim, “... *jo banaye baalon ko problem free*”, was inadequately substantiated. The claim is 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. This complaint was **UPHELD**.

As for the objection raised against the look of Kareena’s hair due to the effect of the product being photo shopped or edited, Advertiser stated that as a standard practice followed in the industry, optimum level of lighting, makeup is done to the artist to give a glamorous look before facing the camera. In this context, the CCC concluded that the visual depiction showing celebrity’s hair was misleading by omission of such reference in the TVC. The TVC contravened Chapter I.4 of the ASCI Code. This complaint was **UPHELD**.

For the objection raised against the use of Celebrity (Kareena Kapoor), the CCC observed that the advertiser did not furnish any evidence of the consent of the celebrity herself for the product efficacy claims referred in the advertisement. This contravened Clauses (c), (d) of the Guidelines for Celebrities in Advertising. This complaint was **UPHELD**.



HONESTY



DECENCY



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COMPANY: Danone Group

PRODUCT: Protinex

NATURE OF COMPLAINT:

Fast Track Complaint received against the Youtube Advertisement

(https://www.youtube.com/watch?v=YYXFCv_b2_k) and Website/Internet advertisement (<http://www.protinex.com/>) of "Danone Group. – Protinex", from GlaxoSmithKline Consumer Healthcare Ltd.

COMPLAINT 1

The Advertisement makes the following claim:

"With the highest Protein" in the Youtube advertisement and "Highest Protein 34%" on the website

The said claim is qualified by the statement "As per the protein content values (declared on pack) for 100 g powder of other leading health drinks basis Kantar WorldPanel's Household purchase panel during the period of Jan, 17 to Dec, 17". (emphasis supplied)

The Advertiser's product states it has 34 g protein per 100 g to support its claim of 'highest protein' whereas there is no dearth of other products with higher protein content available in the market. Some examples of the same are Nutrilite All Plant Protein Powder (80g/100g), Resource (45/100g), Nutrix (42g/100g), B Protein (40g/100g) and which clearly have higher protein content than Protinex. Labels of the said products are attached as Annexure 1. Please find attached the extract of the Kantar Worldwide Panel report which is cited in the qualifier by the Advertiser as Annexure 2. The protein values of some of the significant players in the "Milk Food Drinks" are mentioned therein.

The word 'highest' is a superlative expression meaning "most high" and the use of the same in the context of the Advertiser's product misleads the consumer into believing that the product of the advertiser has the most protein than any other product available in the market.

The advertiser cleverly misleads consumers by placing its products simultaneously in two classifications; one of leading health drinks and second, of a self-created category of 'protein powder (urban) thereby directly violating the ASCI guidelines on disclaimers to make a deceptive claim.

The Advertiser's claim becomes deceptive on the following two grounds:

- i) It compares itself with 'other' leading health drink brands in the country without giving any substantiation whatsoever of the basis it is entitled to be thus ranked. Since no substantiation is provided, the Advertiser is not entitled to rank itself among leading health drink brands.
- ii) The 'health drinks category' is a large one and straddles all kinds of players, both domestic and international. Viewed thus, the Advertiser's claim of 'highest protein' is patently false in the face of a number of players in the Indian market having products with protein content ranging from 40 to 80 grams per 100 grams as described above. The Advertiser selectively applies varying criteria to make its misleading claim.

COMPLAINT 2

The website of the Advertiser contains the following claim:

"Leading hydrolysed protein supplement" with qualifier as - Only Leading brand with hydrolysed Protein: As per the volume share in protein powders category (urban) basis Kantar WorldPanel's household purchase panel during the period Jan'17 to Dec'17.

The said claim of the Advertiser is misleading. Out of the 5 product variants displayed on the website where this claim is made, only one Protinex Original has the hydrolyzed protein listed on its label. The other 4 variants do not have hydrolyzed protein. This claim misleads consumers who may be deceived into believing that all variants of Protinex contain hydrolyzed protein. Copies of labels of Protinex Original and other variants are attached herewith as Annexure 3.





The Advertising Standards Council Of India

Further it is submitted that the claim is also false as there is no 'protein powders' category classified by KantarWorldPanel as stated by the Advertiser in the qualifier to the said claim. The category classifies is Milk Food Drinks.

COMPLAINT 3

The website of the Advertiser contains the following claim:

"Contains 50% more protein compared to other beverages in the market"

The said claim of the Advertiser is completely apparently false, vague and misleading. No details have been provided as to the comparison is made with."

IRP RECOMMENDATION: UPHELD

1. Heard the Learned Representatives of 'GlaxoSmithKline Consumer Healthcare Limited', represented by Ms. Varsha Jain and Mr. Rohan Arora (Complainants) and Danone India (Nutricia) represented by Dr. Nandan Joshi and Ms. Anahita Kumar (Advertisers) who are the manufacturers of 'Protinex' at length. Visually saw the YouTube advertisement. Perused all the relevant material in the above.

2. In the above a Fast Track Complaint was filed against the YouTube advertisement of Protinex and the Complaint was on three aspects as under:

- A. "With the highest Protein", which Complaint was upheld by FTCP
- B. "Leading hydrolysed protein supplement", which Complaint was also upheld by FTCP.
- C. "Contains 50% more protein compared to other beverages in the market", which Complaint was also upheld by the FTCP.

Now the present IRP has been filed by the Original Complainant, only with regard to the first aspect namely A, contending that even though the Complaint was upheld in favour of the Applicant, the FTCP failed to give a finding on whether the Advertiser could fairly use the claim of "highest protein" in conjunction with the stated disclaimer.

Infact, the FTCP in its order has explicitly upheld the Complaint "with the highest Protein" as misleading by ambiguity and implication. It is relevant to note that the Advertiser has not filed any IRP proceedings.

When the Complaint has been upheld, there is no scope for the Complainant, to file this IRP proceedings.

If the Complainant has any grievance with regard to the modified disclaimer, post FTCP Order, the same cannot be agitated by way IRP proceedings.

The IRP Proceedings are without any merit and are totally not maintainable, accordingly stand dismissed and the Order FTCP in the above matter is Upheld.





The Advertising Standards Council Of India

COMPANY: Kaleesuware Refinery Private Limited

PRODUCT: Gold Winner Vita D3

NATURE OF COMPLAINT:

Claims Objected To:

1. India's first cooking oil to be enriched with vitamin D3 from plant source
2. India's only edible oil fortified with vegan vitamin D3.
3. Healthy Heart

Good Immunity Claim appears to be misleading by implication that the product is fortified with vitamin D3 to give therapeutic benefits like good immunity and Healthy heart which are not part of health claims permitted for fortified food under FSSAI regulations 2016 Disclaimer not as per ASCI Guidelines

IRP RECOMMENDATION: UPHELD

This review application dated 28th June 2018 is filed by Kaleesuware Refinery Pvt. Ltd., (the Advertiser) against the recommendation of CCC dated 1st June 2018 upholding the suo motu complaint against the Television Commercial (TVC), (Advertisement), of "Gold Winner Sunflower Oil" (Product) marketed by Kaleesuware Refinery Pvt. Ltd

2. The suo motu complaint dated 4th April 2018 raised the following objections against the claims made by the advertiser in the TVC.

Claims:

- (i) India's first cooking oil to be enriched with vitamin D3 from plant source.
- (ii) India's only edible oil fortified with vegan vitamin D3.
- (iii) Good immunity and healthy heart.

Objections:

(i) Good immunity claim appears to be misleading by implication that the product is fortified with Vitamin D3 to give therapeutic benefits like good immunity and healthy heart which are not part of health claims permitted or fortified food under FSSAI Regulations 2016; (ii) Disclaimer not as per ASCI guidelines.

3. Thereafter on 19th April 2018, the Advertiser submitted a detailed reply, with documents opposing the complaint. On claim Nos.1 and 2, the Advertiser produced a list of fortification done by top ten brands in the segment and submitted that the product is the only one fortified with vegan vitamin D3. The Advertiser also produced a letter along with the Certificate of Registration valid from 27th May 2017 till 26th May 2018 from its supplier ESB Developments Ltd., based out of U.K., certifying that ESB Developments Ltd., has registered products of services meeting the Vegan Trademark criteria.

4. The Advertising Standard Council of India (ASCI) obtained an opinion of an expert who opined that the claims of the Advertiser in TVC and the packaging of the product are not substantiated. ASCI gave a personal hearing to the Advertiser.

5. The Consumer Complaint Council (CCC) of ASCI at its meeting held in April 2018, after considering the material on record and the opinion expressed by the independent expert, upheld the complaint.

The CCC made the following recommendations:-

- (i) On the Advertiser's claims
 - (a) India's first cooking oil to be enriched with Vitamin D3 from plant source; (b) India's only edible oil fortified with vegan Vitamin D3

The CCC recommended that FSSAI has approved Vitamin D2 from plant sources and Vitamin D3 from animal sources as fortificants. The Vitamin D3 used by the Advertiser is from lichen (fungal origin). However, the



FSSAI is yet to accept the efficacy and equivalence data and give approval for the ingredient. The Advertiser did not submit any proof that this ingredient has FSSAI approval.

- (ii) On the Advertiser's claims of "healthy heart" and "good immunity" the CCC recommended that as per the fortification guidelines issued by FSSAI, claim based on presence of Vitamin D can only be to "support strong bones".
6. Aggrieved by the above recommendations, the Advertiser applied for Independent Review Process (IRP) vide its application dated 28th June 2018 for claims referred in 5 (i) a and b above. In its application, the Advertiser submitted that as per the Food Safety and Standard (Fortification of Foods) Regulations 2017, issued as a Direction under Section 16 (5) of the Food Safety & Standards Act, 2006 by FSSAI mentions under the head "Standard for Fortification of Vegetable Oil with Vitamin A or Vitamin D" that the source of nutrient of Vitamin D is Cholecalciferol and Ergocalciferol with a minimum level of nutrient 4.5 IU per gm of oil. Cholecalciferol is Vitamin D3. Further, this regulation does not specify any source of such Cholecalciferol i.e. it is to be obtained from plant source or from animal source.
7. At the review hearing held on 23rd July 2018, the representative of Advertiser was present and sought to justify its claim that Vitamin D3 in the sunflower oil manufactured by it is derived from vegan / vegetarian source and that it is not derived from animal source. The representative relied on the Direction dated 19th May 2017 issued by Food Safety & Standard Authority of India (FSSAI) [File No. 11/03/Reg/Fortification/2014(Pt. I)] which is a notice for operationalization of Food Safety and Standards (Fortification of Foods) Regulations, 2017 framed under the Food Safety & Standards Act, 2006. Regulation 4(1) reads as under:

"4. Compliance with Standards on Micronutrient Content in Fortified Food.

(1) Any manufacturer who fortifies any food shall ensure that the level of micronutrient in such fortified food does not fall below the minimum level specified in the schedule"

8. Schedule I of the said Regulations lays down standards for fortification of foods prescribed under Regulation 4(1). Item No.2 in the said Schedule, relied upon by the Advertiser, reads as under:- "(2) Standards for Fortification of Vegetable Oil with Vitamin A or Vitamin D
Vegetable Oil may be fortified with the following micronutrients, singly or in combination, at the level given in the table below.

Sr. No.	Nutrient	Minimum level of Nutrient	Source of nutrient
1.	Vitamin A	25 IU per gm of oil	Retinyl acetate, Retinyl palmitate And Retinyl propionate
2.	Vitamin D	4.5 IU per gm of oil	Cholecalciferol, Ergocalciferol

9. At the review hearing, the Advertiser's representative relied upon the aforesaid direction dated 19th May 2017 of FSSAI and submitted that item 2(2) in Schedule I to the Fortification of Foods Regulation 2017 recognizes two sources of Vitamin D, without indicating whether a particular source is a vegetarian source or a non-vegetarian source.

The representative then produced a packet of the advertised product which has the following words displayed on the front portion:

"India's only edible oil fortified with vegan Vitamin D3" with a prominent logo of "VITA D3+TM" and a claim of

"Now also fortified with Vitamin A"

10. Unfortunately for the advertiser, the following two statutory instruments do not support the advertiser's claim:
(A) The Food Safety & Standards (Health Supplement, Nutraceuticals, Food for Special Dietary Use, Food for

Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016 provide that the food business operator shall comply with all the provisions of these regulations by 1st January 2018.

Regulation 2 (m) of the said Regulations defines "nutrient ingredients" as "Vitamins, Minerals and Amino Acids as specified in Schedule I and Schedule II. Regulation 3(13) provides as under:

"For purpose of these regulations, any of the ingredients specified in Schedule I ... may be used in food in accordance with the provisions of these regulations. ..."

Relevant clauses of Regulation 4 read as under:

"(1) Every food business operator may make nutritional or health claims in respect of an article of food (2) For the purposes of sub regulation (1), a nutritional claim shall consist of the 'Ingredients (nutrient or nutritional) content' of an article of food which shall be subject to the nutritional supplement requirements specified in Schedule I ...".

The relevant portion of Schedule I reads as under:

8.	Vitamin D	(i)	Vitamin D3, (cholecalciferol) - Animal source
		(ii)	Vitamin D2 (ergocalciferol) - Plant source

(B) In the **most recent direction dated 29th June 2018** of Food Safety & Standards Authority of India (FSSAI), F. No. Stds/Nutra(DCGI)/FSSAI-2017 (Pt 1), direction (g) reads as under:-

"(g) Food Business Operators (FBO) are directed to discontinue the use of ingredients listed under Appendix – I of this direction in the products covered under Nutraceutical Regulations with immediate effect due to lack of adequate data and no further manufacturing of products using these ingredients is allowed until these ingredients are assessed and approved by the Authority. Further, FBOs are directed to furnish information / data in respect of these ingredients within one month from the date of this direction for further assessment by the Food Authority".

(emphasis supplied)

Appendix - I, referred to in the above direction has 12 items and Item No.10 reads as under:-

"10. Vitamin D3 (Veg)".

11. In view of the above direction, it is clear that FSSAI does not presently allow a manufacturer to claim Vitamin D3 as coming from a vegetarian source. Hence, the advertiser's claim that Vitamin D3 in its sunflower oil is from a vegan or vegetarian source cannot be accepted.

12. **The review application is accordingly dismissed and the suo motu complaint against the advertiser's claim about Vitamin D3 in the sunflower oil being from vegan / vegetarian source is upheld.**



The Advertising Standards Council Of India

COMPANY: Panasonic India Pvt. Ltd

PRODUCT: Panasonic inverter AC

NATURE OF COMPLAINT:

Claim Objected to: Saves 34% electricity

Complaint: Description: Two men are eating at their friend's house. One of them is completely engrossed in the phone to which he is asked by the accompanying friend as to why his mood is off. He responds that it is due to the market. The former one comments that the latter should learn from their friend whom they are visiting as even his AC earns for him. On being asked the host says that it is Panasonic inverter AC "Bill kam ata hai tabhi toh kamata hai". The voiceover states Panasonic inverter AC, Saves 34% electricity."

Objections:

1. Please substantiate the claim with claim support data. The claim support data should not be internal or based on studies commissioned by Panasonic India.
2. Is the saving of the AC same in different types of environment conditions and for all modes of operation?
3. Disclaimer reads, "As per report ABL-EC-281017_ this test was done between 3 star EER non inverter and ISEER 5 star inverter AC. The comparison is between an inverter and non inverter AC. Moreover the ratings are also different. As per ASCI guidelines a disclaimer should not attempt to hide material information with respect to the claim, the omission / absence of which is likely to make the advertisement deceptive or conceal its commercial intent.
4. The font size of the disclaimer is small and the time of appearance is less than 4 seconds. A disclaimer should be clear, prominent enough and legible. Disclaimer should be clearly visible to a normally sighted person reading the marketing communication once, from a reasonable distance and at a reasonable speed. Hold Duration for disclaimer - In television commercials or videos, a disclaimer shall remain in the screen for MORE THAN 4 seconds for every line.

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code and Guidelines for disclaimer.

Action to be taken: We propose that the advertisement should be immediately withdrawn."

IRP RECOMMENDATION: NOT UPHELD

The present application dated 13th July 2018 for independent review is filed by Panasonic India Pvt. Ltd., (the Advertiser) against the Recommendation dated 27th June 2018, of the Consumer Complaint Council (CCC) of Advertising Standard Council of India (ASCI), upholding the complaint dated 27th April 2018, filed by CERC, Ahmedabad (the Complainant).

2. The complaint dated 26th April 2018 raised the following objections against the claim made by the Advertiser in its Television Commercial (NC) that the advertiser's product - Panasonic inverter AC "Saves 34% electricity":- (i) the claim is not substantiated with the supporting data and should not be based on internal studies commissioned by the Advertiser;

(ii) the disclaimer in the TVC reads "As per report ABL – EC – 281017_ this test was done between a Non Inverter AC with 3 star rating and an Inverter AC with 5 Star rating (i.e. the Advertiser's product);

(iii) the disclaimer is not as per the ASCI guidelines for disclaimer.
3. The Advertiser by its response dated 15th May 2018 submitted that:



- (i) The claim for 34% energy saving is an explanation of benefit of the inverter feature in an AC. The advertiser also produced the test reports as has been mentioned in the disclaimer;
 - (ii) The disclaimer in the NC clearly spells out the fact that the comparison of electricity consumption for the test is made between a non-inverter AC with 3 Star rating and an inverter AC with 5 Star rating i.e. the Advertiser's product.
4. The Advertiser or any of its representatives did not avail the personal hearing offered by ASCI. On the basis of the complaint and the reply of the Advertiser, ASCI obtained an opinion of an independent expert who opined that although the claim of 34% energy saving is substantiated by the test reports but the test reports do not give the cooling capacity of the ACs that are compared against each other in the test. Therefore, the test report is not adequate to substantiate the claim.
5. The CCC at its meeting held in May 2018, after considering the opinion of the independent expert and material on record, upheld the Complaint and made the following recommendations:-
 - (i) Neither the test report provided by the Advertiser state the tonnage of the comparative model, nor is the test conducted on the products of same kind;
 - (ii) The test report does not give the cooling capacity of the ACs that were compared against each other.
6. Aggrieved by the above recommendations, the Advertiser applied for review before the Independent Review Panel (IRP) by its application dated 13th July 2018. In its application, the Advertiser submitted that in pursuance of the CCC recommendations, the cooling capacity / tonnage of the comparative models is same as 1.5 ton. Further, the purpose and result of the comparison, conducted by way of a test is not based on the star rating but on the fact that it shows the difference between an inverter AC and a non inverter AC and therefore, the disclaimer in the TVC was in the same terms.
7. At the review hearing held on 23'd July 2018, the advertiser's team comprising the representatives from its marketing, R&D and legal teams submitted that the advertiser manufactures different models of non-inverter ACs with 3 Star Ratings and Inverter ACs with 5 Star Ratings. The disclaimer in the TV advertisement shows the two respective model numbers of 3 Star Non Inverter AC and 5 Star Inverter AC, both having capacity of 1.5 tonnage.
8. The representatives submitted that the data of energy consumption by both the models justify the advertiser's claim of 34% energy saving by the advertiser's 5 star inverter AC.
9. The independent expert present at the review hearing, opined that the data produced by the Advertiser supported its claim of 34% energy saving by the Advertiser's 5 Star Inverter AC vis a vis the Advertiser's 3 Star Non Inverter AC.
10. Having heard the representatives of the Advertiser and considering the opinion of the independent expert, the complaint against the Advertiser's claim of 34% energy saving is not upheld. However, it was discussed with the representatives of the advertiser that the claim in the TV advertisement or the disclaimer does not clearly bring out the fact that the advertiser's claim for energy efficiency of its 5 star inverter AC is with reference to its own 3 star non inverter AC having the same tonnage and that the claim is not with reference to a similar product in the market.
11. The representatives of the advertiser agreed to put a proper disclaimer in the advertisement.
12. Subject to such disclaimer being placed in compliance with the ASCI guidelines on disclaimer, the complaint against the claim of the advertiser is not upheld.
13. The review application is accordingly disposed of in the above terms.



The Advertising Standards Council Of India

COMPANY: Panasonic India Pvt. Ltd

PRODUCT: Panasonic AC

NATURE OF COMPLAINT:

Claims Objected to:

1. Nano-e releases 1 trillion ions
2. Nano-e technology removes 99% viruses, bacteria and PM 2.5

Complaint:

Description: The ad begins with a husband coming home with a few groceries when the wife hands him a newspaper and says, "I want to know and I want to know just now." The husband reads out that indoor air is 10 times more polluted than outdoor air. The wife says that pollution troubles her as well as her baby (gesturing towards her baby bump). The husband asks her to chill because they have nano-e technology-"Its all under control." Visual of the AC appears which shows nano-e technology releases 1 trillion ions. Voiceover states that 'Nano-e technology removes 99% viruses, bacteria and PM 2.5. The ad ends with the wife asking her husband if he got her ice-cream to which the husband says no giving a forgotten look.

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 Panasonic India.
2. Is the effect of the AC same in different types of environment conditions and pollution levels?
3. Are the features claimed unique to this product?
4. The disclaimers are hardly visible and do not stay for more than 2 seconds. This violates the ASCI Guidelines for Disclaimers.

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code and the ASCI Guidelines for Disclaimers. Action to be taken: We propose that the advertisement should be immediately withdrawn."

IRP RECOMMENDATION: NOT UPHELD

1. The present application dated 13th July 2018 is filed by Panasonic India Pvt. Ltd., (the Advertiser) against the Recommendations dated 27th June 2018 of the Consumer Complaint Council (CCC) of the Advertising Standards Council of India (ASCI) upholding the complaint against the Television Commercial (TVC) of the Advertiser's product - "Panasonic Inverter AC with Nano E Technology".

2. The complaint dated 26th April 2018 is filed by CERC, Ahmedabad (the Complainant) raising following objections against the claim made by the Advertiser in its TVC that the Advertiser's product with Nano E Technology releases 1 trillion ions which removes 99% viruses, bacteria and other pollutants in the air:

- (i) The above claim of the Advertiser is not substantiated with supporting data;
- (ii) Whether the above claim would stand ground in different environment conditions and pollution levels;
- (iii) The disclaimer in the TVC is hardly visible and is in violation of the ASCI guidelines for disclosure.

3. Thereafter, on 16th May 2018, the Advertiser submitted a detailed reply. The Advertiser asserted that the claim for release of three trillion ions by Nanoe - G Technology was duly mentioned in the TVC and an explanation was also provided in the disclaimer. The same has also been verified by test report dated 20th June 2005 (no such test report was produced along with the reply). For the claim of removal of 99% viruses and bacteria, the Advertiser relied on certain reports of the tests conducted by Kitasato Research Centre for environmental science Japan and also on a report of the





The Advertising Standards Council Of India

test conducted by FCG Research Institute Inc, (no such test report was produced along with the reply) which substantiates the above claim of the Advertiser.

It was further submitted by the Advertiser that the above reports they rely upon are in Japanese language and the Advertiser does not have authorization from its parent company Panasonic Corporation, Japan to share the same since they are highly confidential in nature.

4. On the basis of the complaint and the reply of the Advertiser, ASCI obtained an opinion from an independent expert, who in his opinion dated 22nd May 2018 opined that the test reports relied upon by the Advertiser in its reply were not submitted, therefore, due to absence of data, there is no substantive proof of the Advertiser's claim. The Advertiser or any of its representatives did not avail the personal hearing offered by ASCI.

5. The CCC at its meeting held in May 2018, after considering the opinion of the expert and the material on record, upheld the complaint and made the following recommendation:-

Since no test reports were submitted by the Advertiser nor any tests are claimed to be performed, the claim appears to be based simply on the basis of simulation. Due to absence of test data, the claims are not substantiated.

6. Aggrieved by the above recommendation, the Advertiser applied for review before the Independent Review Panel (IRP) vide its application dated 13th July 2018, the Advertiser in its application submitted that the aforesaid reports are not brought on record since the same are highly confidential in nature and may only be shared at the time of personal hearing.

7. At the review hearing held on 23rd July 2018, the advertiser's team comprising the representatives from its marketing, R&D and legal teams submitted that the advertiser manufactures air conditioners with 'Nanoe - G technology' which creates three million negative ions in one cubic in space and therefore, the advertiser's air conditioner creates three trillion negative ions in a room of average size. These negative ions neutralize bacteria and virus in the air and therefore the claim is justified.

8. As regards the reports relied upon by the advertiser in support of the above claim, the representatives submitted that the reports contain highly confidential commercial information which cannot be placed on the record of this proceeding, but the same could be shown to the independent review panel and the independent expert.

9. Accordingly, the independent expert for this review hearing went through the confidential reports and expressed the opinion that going by the said reports, no objection could be raised to the claim in the advertisement.

10. Having considered the advertiser's claim and the material in support of such claim and having discussed the matter with the independent expert, I am of the view that the complaint against the advertiser's claim cannot be upheld.

11. The review application is accordingly allowed and the complaint No. 1805-C.417 against the advertiser's claim is dismissed in the above terms.

