



The Advertising Standards Council Of India

CCC Recommendations - November 2018

1808-C.1240

COMPANY: Havells India Ltd

PRODUCT: Havells RO Water Purifier

Complaint 1 (End User):

The advertisement have shown the various incidences where numerous thirsty people are given water by people (day to day incidences) which is our tradition. It also then says that the water which was provided by the people household is acidic and unfit to drink so people spit it out. Then it says Havells water purifier only gives the perfect pH balanced water and says that other water (shown in advertisement) which people drink...is thus unfit. Do believe in Havells and take it. I have complaint about false sight given to the people by the advertisement about the 'only' company and other whichever water is acidic. It disrespects water. In our country Bharat .there is already scarcity of water and people are devoid of water. And so they drink.... whichever water they get and showing them spitting out is a shame. There are various other methodology to purify the water and to balance the water ph. Yes RO (reverse osmosis) is one of them. There are various other companies working with this process of RO. So it's an advertisement that gives a false sight to the people and they do it for the sake of business...RO is a process (reverse osmosis) and it doesn't have anything to do with any company's brand. Gives a false perception to people.

Complaint 2 (CERC):

Description: The advt. starts with clips of people offering water to others - boy gives water to postman, man in a bus to fellow passenger, mother to her pregnant daughter, woman to poor boy on roadside, man waters plant, son to dying father in the hospital.

Voice over says giving water is an act of generosity. But if you come to know that the water is from an ordinary RO which gives acidic water then? Everyone is shown to spit the water. VO Paani se panga mat lo, Havells RO Water Purifiers lo! Its pH balance technology gives water that is not acidic. Havells RO water Purifiers, Paani se panga mat lo!

Claims:

1. Its pH balance technology gives water that is not acidic.
2. Ordinary ROs give acidic water

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 Havells India Limited.
2. The ad implies that water from all other RO are acidic and thus should not be consumed. This is grossly misleading.

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 ON RE-EXAMINATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The matter was examined by the CCC on the basis of the advertiser's response with the supporting data available then, and an Upheld decision was taken. For a complaint lodged by CERC, the advertiser submitted their





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additional response post the initial due date which included test reports both internal as well as external, in support of the claims made. The advertiser stated that these reports showed that third party products give output of acidic water, as these RO did not have special features as that of Havells Water purifiers. Advertiser further argued that these independent laboratory reports submitted by them were deliberately not considered by the CCC during the deliberation of the complaint. In response to this argument, ASCI replied that the timelines stipulated by CCC procedure exist keeping in mind the immediate and widespread impact that advertisements have on the public. Consequently, any action which is needed to be taken with respect to the same is required to be prompt and urgent. Since multiple complaints were received on the said TVC, the matter was taken up for the CCC discussions based on the submissions provided by the advertiser in time for the CCC meeting. Advertiser was further informed that as a special gesture, CCC would re-examine their earlier CCC recommendation based on the data subsequently submitted post the CCC meeting. It was noted that the advertiser did not confirm suspension of the said TVC prior to placing the complaint for re-examination. The Advertiser did not seek a personal hearing for this additional data.

The additional claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TVC and considered the test reports submitted as well as the opinion of Technical expert presented at the meeting.

Claim – “Its pH balance technology gives water that is not acidic” – The CCC observed that the test reports submitted by the advertiser showed that the advertiser’s product contained a build-in technology to re-mineralize the RO water for the water produced by their water purifier and the pH was not acidic. Based on the test report provided and in absence of any data contrary to this finding, the CCC concluded that the claim, “*Iski pH balance technology de aapko paani Jo acidic nahi hai*” (“Its pH balance technology gives water that is not acidic”) was substantiated. This complaint was **Not Upheld on Re-examination.**

Claim: - “Ordinary ROs give acidic water”- Advertiser in their response provided an internal test report of three un-named RO + UV water purifiers, wherein it was observed that the output was acidic water i.e. pH < 7, even though the input being alkaline water with more than pH 7 and disagreeable taste. A similar report from FICCI Research & Analysis Centre was also provided, in which the observation was also similar for the pH. The brands were not identified, neither was their status with respect to market leadership mentioned, nor their BIS approvals, or information regarding the “mileage” of the products before the test conducted. The CCC observed that by use of the words “ordinary RO”, the advertiser did not specify the identity of such brands, nor was it clear if such water purifiers were available/permitted to be sold in the market. There was no clarity from the test reports as to the condition/age of the ROs that were used in the test, nor was there any record of their past service/maintenance done. The CCC noted that it is unlikely that any RO unit resulting in unpalatable water would be on sale because “agreeable taste” is a key requirement of drinking water. The CCC noted that if the given test reports are valid, then the water produced by the purifiers would not meet BIS standards for purified water, and the purifier could not be sold. Therefore, even though test reports submitted do make a case for the advertiser, the limitations pointed out cast doubts on the authenticity and credibility of the report.

Based on this assessment, the CCC concluded that the claim related to water from ordinary RO being referred to as acidic (“*par jab pata chale ye aam RO se hai jo acidic paani deta hai toh...*”) when seen in conjunction with the visuals of several characters immediately spitting out the water, was inadequately substantiated and is misleading by ambiguity. Further, the CCC noted that the advertisement unfairly denigrates the entire category of RO water purifiers by implying that all other RO water purifiers are ordinary and that they provide acidic water, despite the input water being alkaline. The TVC also exploits consumers’ lack of knowledge and is likely to lead to grave and widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4, I.5 and IV.1 (e) of the ASCI Code. The **decision of this complaint being upheld stands on Re-examination.**





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1809-C.1591

COMPANY: Roppen Transportation Services Private Limited

PRODUCT: Rapido

Complaint:

“Hi there fares advertising are different from what they are charging from customers. The advertisement is appeared in mobile notifications August 24th 2018. Showing fake offers which are not being applied in the real time. Advertising fake offers and misleading customers. Please let me know if you need any other details.”

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 evidence that he was charged Rs. 28 for 1.7 km. The CCC viewed the Ad on mobile App 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 claim offer, “At Just Rs.3/km only” and “Only at Rs.3/km”, was false, not substantiated with evidence showing Rs.3 being actually charged for distance of 1 km, and was misleading by omission of a disclaimer to mention that T&C apply. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The Ad displayed on Mobile App contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1778

COMPANY: MSR India Limited

PRODUCT: Dr. Copper Seamless Copper Bottle

Complaint:

“Bacteria growth in plastic bottle by hour is false claim. Worldwide plastic bottles are used to pack drinking water safely. Today's economic times Mumbai edition page 23(11.10.2018).”

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, “Clinically Proven. Bacteria grows in plastic bottles hour by hour”, not substantiated with any scientific rationale or technical tests. The claims are misleading by exaggeration, exploit consumers’ lack of knowledge and also unfairly denigrated category of plastic bottles that are food grade and permitted to be used for storing food and beverages. The advertisement contravened Chapters I.1, I.4, I.5 and IV.1 (e) of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1787

COMPANY: Motilal Oswal Financial Services Ltd

PRODUCT: Motilal Oswal Equity Hybrid Fund

Complaint

“Sir Wrong adv. of Mutual Fund in Bajaj Capital Magazine of Sept 2018 edition, this is balanced Fund and depicted as monthly income scheme. Motilal has mentioned this Mutual Fund will meet Cash Flow requirements actually this is Balanced Mutual Fund, there is nothing like Cash Flow requirements in this Mutual Fund, this is wrongly depicted. This is Balanced Mutual Fund like the other mutual funds offer. Motilal Oswal has advertisement this Mutual Fund Scheme will meet your cash flow requirements and termed as Cash Flow. It appears from the name and description that this fund will yield guaranteed returns and give you money at regular intervals. But this is balanced Mutual Fund, the way other Mutual Fund Houses are offering. Balanced Mutual Fund returns depends on market situations and hence cannot guarantee the returns.”

CCC RECOMMENDATION: **NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that they offer “Cash Flow Plan” as a more accurate mechanism for investors to plan their sustenance requirements. Through this plan, investors can withdraw a regular sum from their investments at a fixed percentage of the original investments at a predefined frequency irrespective of the movements in the market value of the investments that are subject to the availability of the account balance of the investor. The cash flow is made available from the corpus of the investors, which includes the capital invested by the investor and the returns generated by the fund, and the investor can regularly withdraw from the capital invested. The CCC viewed the advertisement and considered the advertiser’s response. The CCC observed that the source of fund was referred to by the advertiser in the communication. As such, the claim, “Cash Flow Plan for regular needs” was not objectionable as it is a systematic withdrawal plan which enables investors to withdraw a regular sum from their investments in the eligible Schemes of Motilal Oswal Mutual Fund at fixed percentage of original investments at a predefined frequency. The complaint was **NOT UPHELD**.

1810-C.1788

COMPANY: Banayantree Services Limited

PRODUCT: ET Money App

Complaint:

Advertisement in TOI Delhi 18th September wrongly detecting Uper Ki Kamai and ways to invest in Mutual Fund ET money has wrongly mentioned about savings of 25L via buying mutual funds directly using their app. In order to buy mutual funds directly, customers have to approach the mutual fund houses but not to use ET Money app. ET money is silent on what benefits they will get if customers buy mutual funds from them, nothing comes free in this world.

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 avail via telecom, and submitted their written response. The advertiser asserted that the advertisement clearly states about the “earning” of up to Rs.25 lakhs in 25 years. Their organization is as SEBI Registered Investor Advisor (“RIA”) and they are permitted to offer their users to invest in Direct Plans of Mutual Funds. Investors can invest in direct





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plans of Mutual Funds from respective AMC's portals, and through the investment advisors having SEBI's RIA license. Since the advertiser being an SEBI's Licensed RIA duly is authorized to provide, inter-alia, services related to investments in mutual funds, and they are within the purview of law to provide the said service via their ET Money App. The advertisement is a limited time promotional offer pursuant to which the users of their App can invest in direct plans of the AMCs without any transaction charges. The advertiser further stated they may in their discretion decide to levy transactional charges going forward depending on their business plans. The advertisement also makes it clear about the offer being applicable for limited period only and refers to mutual funds transaction services only. In support of their response, the advertiser provided copy of SEBI Registration as Investment Advisor, Work sheet giving detailed working on extra earnings, and the terms and conditions with respect to Free For Ever Mutual Fund Investment Account Program. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the advertisement is aimed at inviting investors to invest in direct mutual funds for earning more returns without any commission charges, by downloading the ET Money App. This part of the complaint was not considered to be objectionable. However, the advertisement claims, "Free For Ever", which was false and misleading by ambiguity, as it was free for a limited period. The CCC considered this claim to be contradictory to the advertiser's submission that they may impose transaction charges depending on their business plans. The CCC concluded that the claim exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1818

COMPANY: Procter & Gamble Hygiene & Health Care Limited

PRODUCT: Head & Shoulders Anti-Dandruff Shampoo

Complaint:

"This Complaint is being filed against the blatantly false, misleading and absolute claim being shown in the Digital media (Facebook and YouTube) pertaining to prevention of dandruff by the product.

Copies of the relevant Advertisements are attached as Annexure A (Colly.) where the Advertiser is making a claim - "upto 100% Dandruff free".

It is submitted that the Advertiser has been trying to mislead the consumers by keeping the word "upto (tak)" in a very small size as compared to the rest of the claim line giving an impression that the claim is "100% Dandruff free" which is an absolute claim and is incapable of substantiation.

In fact during the said IRP hearing, we had highlighted the comparative font sizes of the word "upto/tak" in the Advertiser's advertisements as well in presence of their representative which the IRP panel duly noted. It is clear that the Advertisements are completely misleading and are aimed at concealment of the extent of anti-dandruff benefit that the product is capable of delivering."

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, wherein they informed that the font size of the claim would be increased and they would opt for Informal Resolution (IR) of the complaint.

A similar complaint received against the same claim of "upto 100% Dandruff Free", was taken up under Fast Track basis. The complaint submitted by the complainant and the advertiser's response was taken into consideration. The FTCP reviewed the TVCs (One featuring Ranvir Singh and other for New H&S 2-in-1 shampoo) and the claims made therein qualified with a super and noted the Advertiser's written response. The FTCP agreed with the complainant's grounds for objection. The adjective "up to" is an important descriptor for the claim "Keeps you up to 100% dandruff free" to hold true. Regardless of the claim in the voice over, the small font size of this adjective as compared to the rest of the claim line gives an impression that the product is able to provide "100% dandruff free" hair. The FTCP concluded that the adjective "up to" requires an equal emphasis in the super, in terms of font size, its weight as well as color, shape / bold characters.





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The FTCP also noted that the advertiser is agreeable to modify the TVCs; However, they had not ensured time bound compliance as required for the matter to be treated as “Informally resolved” as the said super continued to be available on YouTube (<https://www.youtube.com/watch?v=HBSEeOFRLIA>) and on the Social Media pages (<https://www.facebook.com/hnsIndia/>) as on the date of the FTCP deliberations without any modification. Hence the complaints was taken forward for the FTCP deliberations. In view of the above, the FTCP concluded that the visual representation of the claim, “Keeps you up to 100% dandruff free” is misleading. It is likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisements were in contravention of Chapters I.4 and I.5 of the ASCI Code as well as ASCI Guidelines on Disclaimers in Advertising. Given the nature of objections raised in complaint under reference 1810-C.1818 being similar, the FTCP recommended that the above FTCP recommendation holds for this complaint as well. Based on the FTCP recommendation, the CCC concluded that the claim, “up to 100% DANDRUFF FREE” made in the YouTube and Facebook advertisement contravened Chapters I.4 and I.5 of the ASCI Code as well as ASCI Guidelines for Disclaimers in Advertising. The complaint was **UPHELD**. In response to the FTCP recommendation, the advertiser informed that they have increased the font size of ‘upto’ in the claim to make it more prominently visible.

1810-C.1819

COMPANY: Procter & Gamble Hygiene & Health Care Limited

PRODUCT: Head & Shoulders Anti-Dandruff Shampoo

Complaint:

“This Complaint is being filed against the blatantly false, misleading and absolute claim being shown in the Advertisement pertaining to prevention of dandruff by the product.

Pictures of the POS Advertisement across various outlets are attached as Annexure A (Colly.) where the Advertiser is making a claim - “upto 100% Dandruff free”.

It is submitted that the Advertiser has been trying to mislead the consumers by hiding the word “upto (tak)” as compared to the rest of the claim line giving an impression that the claim is “100% Dandruff free” which is an absolute claim and is incapable of substantiation.

In fact during the said IRP hearing, we had highlighted the comparative font sizes of the word “upto/tak” in the Advertiser’s advertisements as well in presence of their representative which the IRP panel duly noted. It is clear that the Advertisements are completely misleading and are aimed at concealment of the extent of anti-dandruff benefit that the product is capable of delivering.”

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, wherein they informed that the font size of the claim would be increased and they would opt for Informal Resolution (IR) of the complaint.

A similar complaint received against the same claim of “upto 100% Dandruff Free”, was taken up under Fast Track basis. The complaint submitted by the complainant and the advertiser’s response was taken into consideration. The FTCP reviewed the TVCs (One featuring Ranvir Singh and other for New H&S 2-in-1 shampoo) and the claims made therein qualified with a super and noted the Advertiser’s written response. The FTCP agreed with the complainant’s grounds for objection. The adjective “up to” is an important descriptor for the claim “Keeps you up to 100% dandruff free” to hold true. Regardless of the claim in the voice over, the small font size of this adjective as compared to the rest of the claim line gives an impression that the product is able to provide “100% dandruff free” hair. The FTCP concluded that the adjective “up to” requires an equal emphasis in the super, in terms of font size, its weight as well as color, shape / bold characters.

The FTCP also noted that the advertiser is agreeable to modify the TVCs; However, they had not ensured time bound compliance as required for the matter to be treated as “Informally resolved” as the said super continued to be available on YouTube (<https://www.youtube.com/watch?v=HBSEeOFRLIA>) and on the Social Media pages





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<https://www.facebook.com/hnsIndia/>) as on the date of the FTCP deliberations without any modification. Hence the complaints was taken forward for the FTCP deliberations.

In view of the above, the FTCP concluded that the visual representation of the claim, “Keeps you up to 100% dandruff free” is misleading. It is likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisements were in contravention of Chapters I.4 and I.5 of the ASCI Code as well as ASCI Guidelines on Disclaimers in Advertising. Given the nature of objections raised in complaint under reference 1810-C.1819 being similar, the FTCP recommended that the above FTCP recommendation holds for this complaint as well. Based on the FTCP recommendation, the CCC concluded that the claim, “up to 100% DANDRUFF FREE” made in the Ad – Point of Sale contravened Chapters I.4 and I.5 of the ASCI Code as well as ASCI Guidelines for Disclaimers in Advertising. The complaint was **UPHELD**. In response to the FTCP recommendation, the advertiser informed that they have increased the font size of ‘upto’ in the claim to make it more prominently visible.

1811-C.1859

COMPANY: Glaxo Smith Kline Asia Ltd

PRODUCT: Sensodyne Toothpaste

Complaint:

“An alleged dentist, a Dr. Kapoor, from united kingdom claims that the tooth paste decreases tooth sensitivity. It appeared on 20/10/2018 at 8:10 pm on the romedy now channel: Tata sky router. A dentist from a foreign land is advertising for a medicated tooth paste in India without any requisite proof of it working from a statutory body like the dental council of India or Britain and claiming that most of the dentists of India are promoting it, which is factually incorrect and against the dental council of India position. Yes, the YouTube link is a small part of the whole advertisement in question.”

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. Advertiser stated in their response that the model shown in the TVC is Dr. Sushma Kapoor, registered with the General Dental Council in UK and is practicing as a Dentist in UK, expressing her professional views on matters relating to dentistry in the 1VC and recommends Sensodyne for sensitivity. The claim "8 out of 10 dentists recommend Sensodyne for Sensitive Teeth", is made on the basis of a research conducted in December 2015 by TNS India. As claim support data, the advertiser provided Registration certificate of Dr. Sushma Kapoor with General Dental Council, UK, art work of the product pack, and certification of findings of the survey by TNS India. The CCC viewed the TVC and considered the advertiser’s response. For the objection raised against a dentist from UK advertising for the product in India, the CCC observed that such reference is not in contravention of the ASCI code, provided such testimonial holds true. This complaint was **NOT UPHELD**.

Claims – “That’s Why Dentist Recommended” and “8 out of 10 dentists recommend Sensodyne for sensitive teeth” – The CCC observed that these claims were qualified via disclaimer to mention the source as “*As per TNS dentist toothpaste Research December’15*”. The CCC observed that the findings of the dentist survey of 2015 showed that 80% of the dentist recommended Sensodyne toothpaste to their patients suffering from dentine hypersensitivity. However, the CCC considered this data of year 2015 to be outdated since it did not correspond to the current year or the year prior. Advertiser did not provide any supporting data to prove that the dentist recommendation continues to hold true for the current year 2018 also.

Based on this observation, the CCC concluded that the claims, “That’s Why Dentist Recommended” and “8 out of 10 dentists recommend Sensodyne for sensitive teeth”, were not adequately substantiated and are misleading by implication. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.





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1811-C.1876

COMPANY: Zomato Media Pvt. Ltd

Complaint:

“It shows four sandwich in the pictorial advertisement but delivers only one. When contacted the customer care, they say that the picture is just for advertisement purpose. The actual price shown is 295 rupees but they are offering it at 99 rupees. The 295 price made me believe that it will be four pieces. I have screenshot of the advertisement and can be shared.”

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. Advertiser stated that the terms and conditions governing use of the Zomato Platform expressly state that the content of the advertisement displayed is for informational purposes only and the Terms of Use were accepted by the user at the time of registration on the Zomato Platform. The said advertisement clearly states 'Serves 1'. The CCC viewed the Ad displayed on the Mobile App and considered the advertiser's response, and the grievances of the complainant. The CCC observed that the advertisement promoted a combo package of Chicken Tikka Sandwich + Cold Coffee Shake' offering at a discounted price of Rs.99/-, for an actual price of Rs. 295/-. The CCC observed that the claim offer of 'Chicken Tikka Sandwich + Cold Coffee Shake' when seen in conjunction with the pictorial depiction of four pieces of sandwich with a glass of cold coffee at the quoted price of Rs.99/- distorts facts and is misleading by implication that the order would be fulfilled as per visual shown in the advertisement. The claim offer was misrepresentation of facts by giving false information about the offer, especially for an online transaction, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement displayed on the Mobile App contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1809-C.1056

COMPANY: American Kidz International Montessori Play School

Claim Objected To:

“India's No.1 Montessori school chain.”

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 Montessori school chain”, was not substantiated with any verifiable comparative data of the school chain of the advertiser's institute and other similar Montessori school chains in India, to prove that it is in leadership position (No.1) or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and implication and likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1673

COMPANY: Civil India Services

Claim Objected To:

“Best faculty of Dehradun.”

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 faculty of Dehradun”, was not substantiated with verifiable comparative data of the faculty from the advertiser’s institute and other Faculties in Dehradun, to prove that they are better than the rest, or through an independent third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened 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**.

1810-C.1674

COMPANY: City Montessori School

Claim Objected To:

“World's Largest School a Guinness World Record Holder.”

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 advertiser claiming to be “World's Largest School.....” was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar Montessori schools worldwide, to prove that they are larger than the rest, or through a third party validation. Claim, “a Guinness World Record Holder”, was not substantiated with copy of the award certificate, details of the criteria for granting the award, references of the awards received such as the year, source and category, and is misleading by omission of disclaimer to qualify this claim. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1675

COMPANY: College of Engineering & Technology

Claim Objected To:

“100% Placement Assistance”

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. Advertiser replied that their institute has a placement team which provides placement assistance to their students. The CCC viewed the advertisement and considered the advertiser’s response. The CCC concluded that while the advertiser may be providing placement assistance to their students in obtaining jobs in civil/mechanical/technical engineering, 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**.

1810-C.1676

COMPANY: Creative Hair and Beauty Academy

Claim Objected To:

“Assured job opportunities.”

Objection:

"Assured" word 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 the claim, “Assured Job Opportunities”, was not substantiated with verifiable supporting data to show the job offers/opportunities provided to their students for working as Beauticians. 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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1810-C.1677

COMPANY: Darji Foundation

Claim Objected To:

“Always No. 1.”

Objection:

Claim of "No.1" 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 their written response. Advertiser stated that the claim is made on the basis of the timely guidance that they provide for success of their students. Those students who are unable to attend the class, they are offered lecture notes through mobile communication or through internet. All these services provided by their institute makes them No.1. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the advertiser's response has only assertions about their institute and the advertiser has provided no basis for making leadership claims. In the absence of claim support data, the CCC concluded that the claim, “Always No. 1”, 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, in providing coaching to their students, 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**.

1810-C.1678

COMPANY: Eros Institute of Management & Technologies

Claim Objected To: “100%
job oriented Course.”

Objection:

“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 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, 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 Chapter I.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1810-C.1679

COMPANY: Florence College Of Nursing

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 as nurses in healthcare industry, 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**.

1810-C.1680

COMPANY: Rasoni Group-G.H. Rasoni College of Engineering

Claim Objected To:

“100% Placement Assistance.”

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 the claim is based on the services provided to their students by giving personal counseling and orientation about the requirement of the Industry. All students are made to undertake special skill development program for employability enhancement, and career guidance counseling sessions are also organized for them. 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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1810-C.1681

COMPANY: Gandhi Institute of Management Technology

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, 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**.

1810-C.1683

COMPANY: Madho Mohan ITI

Claim Objected To:

“Guaranteed 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, “Guaranteed Job”, 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 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**.

1810-C.1687

COMPANY: Baba Ramnath Utkarsh Mahavidyalaya

Claim Objected To:

“Best institute of Uttar Pradesh”

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 of Uttar Pradesh”, was not substantiated with market survey data, or with verifiable





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comparative data of the advertiser's institute and other similar institutes, to prove that their institute is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1688

COMPANY: MAA Buddha National Institute of Engineering & Technology

Claim Objected To:

"No.1 Polytechnic College in UP"

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 Polytechnic College in UP", was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes in UP, 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.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1689

COMPANY: Maa Rankini Private Industrial Training Institute

Claim Objected To:

"100% placement facility.

Objection:

(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 facility to their students, the use of 100% numerical is not relevant for "Placement Facility" 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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1810-C.1690

COMPANY: MAA Samlai Institute of DMLT Training

Claim Objected To:

“Placement 100%”

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 100%”, 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**.

1810-C.1691

COMPANY: MAA Tutorial

Claim Objected To:

“Best institute of Central India for the past 19 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, “Best institute of Central India for the past 19 years”, was not substantiated on year on year basis for 19 years, with market survey data, or with verifiable comparative data of the advertiser’s institute and other similar institutes in Central India, to prove that their institute is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1712

COMPANY: Phoenix Agencies

PRODUCT: Aqua Phoenix Water Purifier

Claims Objected To:

1. No.1 RO Water Purification System
2. Most Reliable

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "No.1 RO Water Purification System", and "Most Reliable", were not substantiated with any verifiable comparative data of the advertiser's product and similar RO water purifiers, to prove that it is in leadership position (No.1) and reliable than the rest, or through a third party validation. The source for the claim of being "No.1" was not indicated in the advertisement. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1714

COMPANY: Arth Diagnostics

Claims Objected To:

1. No.1
2. Arth diagnostic have molecular and Nano technology for right diagnosis which gives most reliable test report

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 stated that they are the leading diagnostic center in Udaipur with various awards and recognitions received from media houses, NGO's and social groups. Their financial returns are highest among the diagnostic industry in Udaipur. Furthermore, their lab is equipped with molecular biology and high end Nano and pictogram level detection equipment which is able to detect the infectious diseases. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the advertiser's response has only assertions about the claims. Advertiser did not provide copy of the award certificate, details, references of the awards received such as the year, source and category, nor did they provide any verifiable comparative data of the advertiser's center and other diagnostic centers in Udaipur, 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. Advertiser also did not submit any evidence of the equipment used by their center for detection of the diseases and for accuracy of the test reports or that the test reports being most reliable. In the absence of claim support data, the CCC concluded that the claims, "No.1" and "Arth diagnostic have molecular and Nano technology for right diagnosis which gives most reliable test report", were not substantiated, and are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1718

COMPANY: Birla Aircon Water Cooler

Claim Objected To:

"No.1"

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim of the advertiser's product being "No.1" was not substantiated with any verifiable comparative data of the advertiser's product and other water cooler brands, 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 Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1721

COMPANY: Dietitian Shreya-A Family Diet Clinic

Claims Objected To:

1. More than 1, 00,000+ successful transformations till now.
2. North India's No.1 Dietician team

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 advertisement promoted a workshop on weight loss program. In the absence of any comments or response from the advertiser, the CCC concluded that the claim, "More than 1, 00,000+ successful transformations till now.", was not substantiated with supporting evidence of the patients who were successfully treated by the advertiser's clinic for weight reduction, or through a third party validation. Claim, "North India's No.1 Dietician team", was not substantiated with any verifiable comparative data of the advertiser's dietician team and other dietician teams in North India, to prove that it is in leadership position (No.1) or through a third party validation. The source for the claim was not indicated in the advertisement. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1723

COMPANY: Indian Institute of Technical Courses

Claim Objected To:

“100% Placement Assistance”

Objection:

100% numerical claim is misleading by implication

CCC RECOMMENDATION: UPHELD

The ASCI approached the concerned Media (The Mathrubhumi Printing & Publishing Co. 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 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**.

1810-C.1725

COMPANY: GEM Hospital and Research Centre

Claim Objected To:

“Obesity and diabetes can be cured completely”

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, “Obesity and Diabetes can be cured completely”, was not substantiated with supporting clinical evidence, or with treatment efficacy data, and is misleading by exaggeration. The claim exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. Specific to the claims guaranteeing cure for Obesity and Diabetes through their treatment, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (items 9 and 38 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.





The Advertising Standards Council Of India

1810-C.1740

COMPANY: Zee Interactive Learning System Mount Litera Zee School

Claim Objected To:

“India's largest chain of schools & preschools.”

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 largest chain of schools & preschools”, was not substantiated with any verifiable comparative data of the advertiser's chain of schools and preschools and other similar schools / preschool chains in India, to prove that they are 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 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**.

1810-C.1742

COMPANY: Mother's Education Hub

Claim Objected To:

“The only institute in Rajasthan that has given highest result.”

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 the highest results in Rajasthan. In the absence of this data, the CCC concluded that the claim, “The only institute in Rajasthan that has given highest result”, was not substantiated with verifiable comparative data 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**.





The Advertising Standards Council Of India

1810-C.1743

COMPANY: Motion Institute of Management Studies

Claim Objected To:

“100% placement of their students in India and 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 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 of their students in India and Abroad”, was not substantiated with authentic supporting data giving detailed list of students who have been provided placements through their Institute in India and abroad, 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**.

1810-C.1747

COMPANY: Medanta the Pre Medical Coaching Institute

Claim Objected To:

“No.1 faculty team for 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 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 faculty team for medical”, was not substantiated with any verifiable comparative data of the faculty from the advertiser’s institute and faculty of similar medical coaching institutes to prove that their faculty team is the best, or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1749

COMPANY: Indian Institute of Hotel Management

Claims Objected To:

1. The most innovative management institute in India.
2. Most Promising Institute in West Bengal.
3. Best hospitality management institute in Eastern India by Chef Sanjeev Kapoor.

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 has made these claims based on the various awards and recognition received by the advertiser's institute for providing courses in Hotel and Hospitality management. However the CCC noted that the claims, "The most innovative management institute in India", "Most Promising Institute in West Bengal", and "Best hospitality management institute in Eastern India by Chef Sanjeev Kapoor", were not substantiated with copy of the award certificates, details of the criteria for granting the awards, references of the awards received such as the year, source and category. Claims are misleading by omission of disclaimer, and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1750

COMPANY: International Institute of Fashion Technology (IIFT)

Claim Objected To:

"Best Design 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, "Best Design Institute", was not substantiated with any market survey data, or with verifiable comparative data of the advertiser's institute and similar design institutes, to prove that it is better than the other institutes in providing courses in fashion designing, 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 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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1810-C.1753

COMPANY: Global Institute of Digital and Arts

Claim Objected To:

“100% job guarantee in Asia's top animation company”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. 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 in Asia's top animation company”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in animation firms in Asia, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. There was no evidence to establish that the advertiser's company is among Asia's top animation companies. 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**.

1810-C.1754

COMPANY: Godavari Institute of Hotel Management

Claim Objected To:

“100% Job Opportunities”

Objection:

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 opportunities to their students in Hotel industry, the use of 100% numerical is not relevant for “Job opportunities” 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 print 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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1810-C.1757

COMPANY: Greater Noida Institute of Technology

Claims Objected To:

1. Awarded as Best Engineering College in Delhi/NCR
2. 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 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 advertisement and considered the advertiser's response. Claim – "Awarded as Best Engineering College in Delhi/NCR" – advertiser stated that the claim was based on the Award received by the advertiser's institute by Praxis Media in National Education Excellence Awards, 2016 held in March 2016. Advertiser provided a copy of the award certificate, photograph of the trophy and the award function, and news coverage online and in print media. The CCC observed that the advertiser 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 and the outcome of the survey. The credibility and authenticity of the certifying body was also not provided by the advertiser. The claim, "Awarded as Best Engineering College in Delhi/NCR", was inadequately substantiated, and is misleading by exaggeration. Claim – "100% Placement Assistance" – In response to this objection, the advertiser asserted that their placement cell assist their students in getting placed by providing them job opportunities, and also provide assistance to their students through Internships, Corporate/Company Visits, Guest Lectures by Industry Experts, Campus Preplacement Trainings, Vast Corporate Exposure, and Campus Placement/ Recruitment drives. 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.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1758

COMPANY: Groomwell Pre School

Claim Objected To:

"No.1 pre-school of Jaipur"

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 pre-school of Jaipur", was not substantiated with any verifiable comparative data of the advertiser's institute and other pre-schools in Jaipur, to prove that it is in leadership position (No.1) or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement





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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**.

1810-C.1759

COMPANY: Gurukripa Defence Academy

Claim Objected To:

“Air Force and Navy's Institute which has given 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 advertisement and observed that the Advertiser did not provide any support data or evidence of comparison with other Defence academies in

Rajasthan, to prove that they have given highest selection of students in air force and navy sectors. Claim, “Air Force and Navy's Institute which has given the highest selection in Rajasthan”, 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 magazine 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**.

1810-C.1760

COMPANY: Gurukul Activity Centre Pvt Ltd.

Claim Objected To:

“India's No.1 leading 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 No.1 leading institute”, was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes in India, to prove that it is in leadership position (No.1) than the rest, in providing Teachers training courses and other professional courses, 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**.





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1810-C.1761

COMPANY: ICA Edu Skills Pvt. Ltd.

Claims Objected To:

1. 100% Job Guarantee
2. India's No. 1 Institute

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, "100% Job Guarantee", was not substantiated with authentic supporting data giving detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. Claim, "India's No. 1 Institute", was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes in India, to prove that it is in leadership position (No.1) than the rest in providing financial courses to their students, or through a third party validation. The source for the claim was not indicated in the advertisement. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened 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**.

1810-C.1762

COMPANY: Institute of Information Management & Technology

Claim Objected To:

"100% Placement Assistance"

Objective:

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**.





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1810-C.1763

COMPANY: IIMT Group of Colleges

Claim Objected To:

“North India's largest educational group”

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 largest educational group”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in North India to prove that their educational group is the largest 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**.

1810-C.1765

COMPANY: Indian School Banking

Claim Objected To:

“No.1 Bank 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, “No.1 Bank Coaching Centre”, was not substantiated with any verifiable comparative data of the advertiser's coaching center and other similar coaching institutes, to prove that it is in leadership position (No.1) than the rest, in providing coaching in Bank courses, 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**.





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1810-C.1768

COMPANY: Institute of Technology & Management

Claims Objected To:

“No.1 institute of Eastern U.P. in Placement & Results since 2001”

“No.1 in education quality and placement since 18 years”

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “No.1 institute of Eastern U.P. in Placement & Results since 2001”, and “No.1 in education quality and placement since 18 years”, were not substantiated with any verifiable comparative data on year on year basis since 2001 and since 18 years, of the advertiser’s institute and other similar institutes to prove that it is in leadership position (No.1) than the rest in Eastern U.P., for providing placements, or through a third party validation. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The source for the claim was not indicated in the advertisement. 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**.

1810-C.1769

COMPANY: INPS Classes

Claim Objected To:

“Best coaching for MCA entrance in North India.”

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Best coaching for MCA entrance in North India.”, was not substantiated with verifiable comparative data of the coaching provided by the advertiser’s institute and coaching provided by other similar coaching classes in North India, to prove that it is better than the rest in coaching for MCA entrance, 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**.





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1810-C.1773

COMPANY: Indus Institute of Technology & Management

Claim Objected To:

“No.1 in Kanpur for diploma and B.Tech for Civil Engineering.”

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 in Kanpur for diploma and B.Tech for Civil Engineering”, was not substantiated with verifiable comparative data of the advertiser’s institute and other similar institutes in Kanpur, to prove that it is in leadership position (No.1) than the rest in providing courses for Diploma and B-Tech, or through a third party validation. The claim is misleading by exaggeration and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1791

COMPANY: LNCT University

Claim Objected To:

“Central India’s Largest Professional & Technical Educational Group”

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, “Central India’s Largest Professional & Technical Educational Group”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes to prove that their educational group is larger than the rest in Central India, in providing various professional courses, 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**.





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1810-C.1793

COMPANY: Lakshya Group of Colleges

Claims Objected To:

1. Top Rank BTC College in UP*
2. 100% job guarantee.

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, "Top Rank BTC College in UP*", was not substantiated with any market research data or verifiable comparative data for the ranking claimed, and was not qualified to mention the source and date of research and is misleading by omission. 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 claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1797

COMPANY: Kala Mahavidhyalay

Claims Objected To:

"Assured 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, "Assured placement", was not substantiated with verifiable supporting data 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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1810-C.1798

COMPANY: Kalpavruksha Tutorial

Claim Objected To:

“Awarded as the best coaching institute of Chhattisgarh.”

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, “Awarded as the best coaching institute of Chhattisgarh”, was not substantiated with copy of the award certificates, details of the criteria for granting the award, references of the awards received such as the year, source and category. The source for the claim was not indicated in the advertisement. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1799

COMPANY: KC Academy

Claims Objected To:

“The best coaching institute in North 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, “The best coaching institute in North India”, was not substantiated with any market survey data, or with verifiable comparative data of the advertiser’s institute and similar coaching institutes in North India, to prove that it is better than the other institutes in providing the claimed courses, 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 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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1810-C.1802

COMPANY: Laxmi Devi Institute of Engineering and Technology

Claim Objected To:

“Awarded No.1 College in Alwar”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. Advertiser stated that the said claim was based on the ranking issued by the Bikaner Technical University, for which they provided a copy of Quality Index Value (QIV) of the said University. The CCC observed that the advertiser’s institute was listed under engineering colleges with rank 2 showing QIV as 745 for academic session 2018-19. The CCC did not consider this data to be authentic and reliable, and concluded that the claim, “Awarded No.1 College in Alwar”, was inadequately substantiated. The advertiser had made assertions regarding their claims but did not submit any with supporting evidence such as survey methodology, parameters considered, questionnaires used, names of other similar institutes that were part of the survey and outcome of the survey, to prove that it is in leadership position (No.1) in Alwar as against other institutes. The source for the claim was not indicated in the advertisement. The claim is misleading and likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1803

COMPANY: Laxmi Devi Institute of Engineering and Technology

Claims Objected To:

1. LIET is No.1 in Alwar and No.2 in Rajasthan
2. 100% campus placement with higher salary package

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. Advertiser made assertions regarding their claims and stated that all their students cleared in first attempt and were 100% placed by their institute. Advertiser did not submit any evidence to support their claims but requested ASCI to personally verify this data at their institute. The CCC did not agree with the advertiser’s assertions since the advertiser did not submit any details of their class strength and placement for each of their students and their salary package details. The CCC concluded that the claim, “100% campus placement with higher salary package”, 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/job offer 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. For the claim, “Rank No. 1 in Alwar and No. 2 in Rajasthan”, the advertiser stated that the said claim was based on the ranking issued by the Bikaner Technical University, for which they provided a copy of Quality Index Value (QIV) of the said University. The CCC observed that the advertiser’s institute was listed under engineering colleges with rank 2 showing QIV as 745 for academic session 2018-19. The CCC did not consider this data to be authentic, and concluded that the said claim was inadequately substantiated for the ranking claimed with supporting evidence such as survey methodology, parameters





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considered, questionnaires used, names of other similar institutes that were part of the survey and outcome of the survey. The source for the claim was not indicated in the advertisement. The claim is misleading by omission and ambiguity, 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**.

1810-C.1804

COMPANY: LNCT University

Claims 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**.

1810-C.1808

COMPANY: Giani Zail Singh Campus College of Engineering and Technology

Claims Objected To:

1. “Globally top ranked universities”
2. “Best govt. technical institutions in Punjab.”
3. “Assured Placement.”

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, “Globally top ranked universities”, was not substantiated with any market research survey for the ranking claimed, and is misleading by exaggeration. Claim, “Best govt. technical institutions in Punjab”, was not substantiated with copy of the award certificates, details of the criteria for granting the award, references of the awards received such as the year, source and category. The claim is misleading by omission of disclaimer to qualify this claim. Claim, “Assured Placement”, was not substantiated with verifiable supporting data and is misleading by exaggeration. 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.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1810

COMPANY: Mahatma Jyoti Rao Phoole University

Claims Objected To:

1. India's first women Law College
2. Rajasthan's first Women Biotech College
3. First University to introduce New Agriculture courses in India

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, "India's first women Law College", "Rajasthan's first Women Biotech College", and "First University to introduce New Agriculture courses in India", were not substantiated with any comparative data of the advertiser's institute and other similar institutes, for claiming them to be the first in India, Rajasthan, and for the claimed courses being offered. 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**.

1810-C.1811

COMPANY: Mahendra Gayatri School of Nursing and Paramedical

Claim Objected To:

"100% Employment"

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% employment", was not substantiated with authentic supporting data such as detailed list of students who have been employed through their Institute in 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**





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1810-C.1813

COMPANY: Manav Kalyan Charitable Trust Manav Knowledge City

Claim Objected To:

“No.1 position in academic results, maximum university toppers and highest 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 any support data or evidence of comparison with other similar institutes to prove that they are in leadership position (No.) and have given maximum university toppers and have provided highest placements, as compared to other institutes. In the absence of this data, the CCC concluded that the claim, “No.1 position in academic results, maximum university toppers and highest placement”, 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**.

1810-C.1815

COMPANY: Maharashtra Institute of Higher Education

Claim Objected To:

“Jabalpur's Best University.”

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, “Jabalpur's Best University”, was not substantiated with verifiable comparative data of the advertiser’s institute and other institutes in Jabalpur, to prove that they are 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 is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1823

COMPANY: Jagran Education Foundation JIMMC College of Journalism

Claims Objected To:

1. 80% attendance have received 100% placement in the last 10 years
2. Placement guarantee in writing

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, "80% attendance have received 100% placement in the last 10 years", was not substantiated on year on year basis since last 10 years, to prove that all students with 80% attendance have been placed through their Institute, with contact details of students for verification, their attendance records, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. Claim, "Placement Guarantee in writing", was not substantiated with verifiable supporting data. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The print advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**

1810-C.1825

COMPANY: Jain Coaching Classes

Claims Objected To:

"No. 1 in Rajasthan"

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 concluded that the claim (in Hindi) as translated in English, "No. 1 in Rajasthan", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in Rajasthan, to prove that it is in leadership position (No.1) or through a third party validation. The source for the claim was not indicated in the advertisement. The claim is misleading by exaggeration and 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**.





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1809-C.1585

COMPANY: Mountain Valley Springs India Pvt Ltd.

PRODUCT: Forest Essential Sanjeevani Beauty Elixir

Claims objected to:

1. The formulation is an enriched version of natural sebum, which instantly penetrates and plumps the skin
2. Includes the Sanjeevani herb infusion which, is a renowned for its rejuvenating properties.

Complaint:

1. Please substantiate claim 1-2 with claim support data. The claim support data should not be internal or based on studies commissioned by Forest Essentials.
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. Can the advertiser prove that the product as sold in its present form has the effectiveness of each and all of the ingredients as is being claimed in the advertisement since the ingredients appear to have symbolic presence in the product?
4. The advertiser needs to substantiate the claims with third party data as they are specific to this product and not GENERIC.

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 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 stated in their response that the product is an ayurvedic product approved by the Ministry of AYUSH department, Uttarakhand, It contains Chirongi oil and Almond oil as the key ingredients which are renowned for its rejuvenating and reviving properties. It also has the combination of Anantmool, Nagkesar, and Cardamom, Sanjeevani extract, which protects the skin from moisture loss and makes it shiny and healthy. Jojoba Oil as one of the key ingredient in the product, makes the skin more elastic and smooth. As claim support data, the advertiser provided sample of the product, copy of product licence, front / back panel of the pack, and relevant extracts of journal references for the ingredients with their prescribed benefits as per ayurvedic text.

The claim support data provided by the advertiser 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 the Technical expert presented at the meeting. The CCC observed that the product is registered as an ayurvedic product. The CCC observed that the claim of ‘enriched version of natural sebum and instant penetration’ was not supported with any scientific rationale and technical reports. The CCC concluded that the claim, “The formulation is an enriched version of natural sebum, which instantly penetrates and plumps the skin”, was inadequately substantiated and is misleading by exaggeration. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.

Based on the advertiser’s response with the supporting data provided, the CCC did not consider the claim, “Includes the Sanjeevani herb infusion which, is a renowned for its rejuvenating properties”, to be objectionable. This complaint was **NOT UPHELD**.





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1809-C.1586

COMPANY: Mountain Valley Springs India Pvt Ltd.

PRODUCT: Eternal Youth Formula Date and Litchi

Claims objected to:

1. An Ancient formulation from the early 17th Century using the most effective and precious ingredients, prepared according to the Vedic Shastras based on the theory of Panchmahabutas, which means that it appeals to all the five senses.
2. Pure and fresh ingredients including sweet almond oil, precious flower, herb and root infusions, fermented Litchi juice and Date extracts are known to be effective in rejuvenating and revitalizing the skin.
3. This potent formula has powerful anti-ageing properties that visibly diminishes signs of ageing by eliminating fine lines and restoring firmness, leaving the skin firm, toned and more youthful.

Complaint:

1. Please substantiate claim 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Forest Essentials.
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 is similar to textual preparation/s (the Vedic Shastras based on the theory of Panchmahabutas) or has the effectiveness of each and all of the ingredients as is being claimed in the advertisement since the ingredients appear to have symbolic presence in the product?
4. The advertiser needs to substantiate the claims with third party data as they are specific to this product and not GENERIC.

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 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 on receipt of ASCI reminder. The advertiser stated in their response that the key ingredients of the product are Almond, Litchi, Dates, Haritaki, Genhu, Ashwagandha, Kasturi Manjal, Fenugreek, Fennel, Amla. All these ingredients are renowned for skin aging benefits like eliminating fine lines and restoring firmness, leaving the skin firm. The formulation of the product has been approved by the department of AYUSH. As claim support data, the advertiser provided sample of the product, copy of product licence, front / back panel of the pack, and relevant extracts of review articles / journal references for the ingredients with their prescribed benefits as per ayurvedic text.

The claim support data provided by the advertiser 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 the Technical expert presented at the meeting.

Claim – “An Ancient formulation from the early 17th Century using the most effective and precious ingredients, prepared according to the Vedic Shastras based on the theory of Panchmahabutas, which means that it appeals to all the five senses” – The CCC observed that the product is registered as an Ayurvedic product. While the claim of ‘ancient formulation based on Vedic Shashtra’ was considered to be acceptable, the claim of “most effective and precious ingredients” was not justified and validated. The CCC concluded that the said claim was inadequately substantiated and is misleading by exaggeration. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.





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Based on the advertiser's response with the supporting data provided, the CCC did not consider the claims, "Pure and fresh ingredients including sweet almond oil, precious flower, herb and root infusions, fermented Litchi juice and Date extracts are known to be effective in rejuvenating and revitalizing the skin", to be objectionable, as these claims are related to the attributes or properties of the ingredients as per the ayurvedic texts. This complaint was **NOT UPHELD**.

Claim, "This potent formula has powerful anti-ageing properties that visibly diminishes signs of ageing by eliminating fine lines and restoring firmness, leaving the skin firm, toned and more youthful", was not validated by any published literature or clinical studies. The CCC concluded that the said claim was inadequately substantiated and is misleading by exaggeration. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**.

1809-C.1606

COMPANY: Mountain Valley Springs India Pvt Ltd.

PRODUCT: Forest Essential Kumkumadi Teenage Night Cream

Claims Objected to:

1. "Kumkumadikeram night cream is a highly effective night cream which contains powerful Ayurvedic preparations of Kumkumadikeram and Manikyā (Ruby) Bhasma which helps to lighten pigmentation and clarify the skin.
2. Renowned as Padmaraga or the Red lotus, Manikyā Bhasma has miraculous skin rejuvenating properties.
3. Sweet Almond Oil, Desi Ghee and Shea Butter penetrate into deep layers of the skin at night, and keep the skin healthy and nourished.

Complaint:

1. Please substantiate claim 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Forest Essentials.
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. Can the advertiser prove that the product as sold in its present form has the effectiveness of each and all of the ingredients as is being claimed in the advertisement since the ingredients appear to have symbolic presence in the product?
4. The advertiser needs to substantiate the claims with third party data as they are specific to this product and not GENERIC.

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 had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. Advertiser stated that the claims made are based on ancient Ayurvedic literatures. The formulation of the product has been approved by the department of AYUSH.

As claim support data, the advertiser provided a Clinical study of 'Kumkumadileram on Vyanga' published in World Journal of Pharmaceutical research, and a Review article on 'Kumkumadi Oil' which mentioned that Kumkum - Saffron reduces blemishes and improves skin texture. The Journal article made a reference to Red lotus seed extract containing anti-aging agent having beneficial effects to reduce symptoms like loss of elasticity, acne, pores, wrinkles, fine lines, and blemishes. The product possesses the formulation which has potent antiaging agent to promote younger looking skin. Sweet Almond Oil, Desi Ghee and Shea butter is renowned for its moisturizing and nourishing properties. Advertiser also provided sample of the product, copy of product licence, front / back





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panel of the pack, and relevant extracts of review articles / journal references for the ingredients with their prescribed benefits as per ayurvedic text.

The claim support data provided by the advertiser 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 the Technical expert presented at the meeting.

Claim – “Kumkumadikeram night cream is a highly effective night cream which contains powerful Ayurvedic preparations of Kumkumadikeram and Manikya (Ruby) Bhasma which helps to lighten pigmentation and clarify the skin” - The CCC observed that the product is registered as an Ayurvedic product. The two ingredients - Kumkumadikeram and Manikya (Ruby) Bhasma are part of the composition. However, the effectiveness of these two ingredients as per the proportion in the composition was not validated with any evidence of proof of efficacy of the product.

Claim – “Renowned as Padmaraga or the Red lotus, Manikya Bhasma has miraculous skin rejuvenating properties”, was not substantiated.

Based on this assessment, the CCC concluded that the claims, “Kumkumadikeram night cream is a highly effective night cream which contains powerful Ayurvedic preparations of Kumkumadikeram and Manikya (Ruby) Bhasma which helps to lighten pigmentation and clarify the skin” and “Renowned as Padmaraga or the Red lotus, Manikya Bhasma has miraculous skin rejuvenating properties”, were inadequately substantiated and are misleading by exaggeration. The claims are 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**.

Claim – “Sweet Almond Oil, Desi Ghee and Shea Butter penetrate into deep layers of the skin at night, and keep the skin healthy and nourished” – The CCC did not consider this claim to be objectionable to be objectionable, as these claims are related to the emollient attributes or properties of the ingredients. This complaint was **NOT UPHELD**.

1810-C.1782

COMPANY: Sneh Herbal Care

PRODUCT: Thyromet Capsules

Claims objected to:

1. 100% cure from both the types of Thyroid diseases
2. An Ayurvedic Proprietary Medicine.

Complaint:

1. Please substantiate claims 1&2 with claim support data. The claim support data should not be internal or based on studies commissioned by Sneh Herbal Care. 2. Can it be taken by anyone irrespective of their medical condition? Does it require doctor's consultation?

3. Reference to claim 2; is the product completely chemical free? If not, then how is it ayurvedic? Also, does it have a certificate issued by AYUSH for making the above claim?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code and the provisions of Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954.

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,





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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 observed that the advertiser did not provide product specific details such as composition / license / pack artwork or samples, nor evidence of the ingredients present in the product. Advertiser also did not submit any references from classical ayurvedic literature to support the claims. 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 claim, "100% cure from both the types of Thyroid diseases", was not substantiated with clinical evidence of product efficacy. Claim, "An Ayurvedic Proprietary Medicine", was not substantiated with product composition or registration details. The claims are misleading by exaggeration, and exploits the consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1707

COMPANY: Shree Sanjeevan Wellness Solutions

PRODUCT: Pure Elements Age Defying cream

Claims objected to:

1. It regenerates cellular tissue and collagen and slows down skin ageing.
2. Prevents wrinkle formation, removes dark patches and restores skin elasticity and firmness.
3. Precious ingredients of this cream fight free radicles and prevent oxidative damage caused by UV rays and pollution

Our objections:

1. Please substantiate claims 1, 2 and 3 with independent claim support data. The claim support data should not be internal or based on studies commissioned by Pure Elements.
2. Reference to claim 3; is the amount of precious 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?
4. The claims made by the advertiser are not GENERIC but specific to the product. Therefore, the advertiser has to substantiate the claim with independent study data.

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 post the due date. 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.

Claim - "It regenerates collagen tissue and slows down ageing" - Advertiser stated that their product contains Sodium Ascorbyl Phosphate (SAP) which is a stable molecule of Vitamin C used in skincare worldwide. Multiple studies have shown that Vitamin C (SAP) boosts the collagen synthesis. The product also has Dipalmitoyl Hydroxyproline, as one of the ingredient which is an effective collagen corrector. As claim support data, the Advertiser provided a copy of the SAP Product brochure, product information sheet on Sepilift DPH (triple firming action for rejuvenation, moisturization and anti-ageing wrinkle prevention), copy of the product label, and approved formulation from FDA.





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Claim – “Prevents wrinkle formation, removes dark patches and restores skin elasticity and firmness” – Advertiser asserted that Vitamin C corrects the collagen depletion. As the collagen is boosted and oxidative damage is corrected, this product prevents wrinkle formation. The ingredient of the product– Dipalmitoyl Hydroxyproline is a powerful substance to control wrinkle formation and also it helps in restoring firmness. The action of removing dark patches is exerted by Vitamin C, Bit B3, Uva Ursi Extract. Advertiser referred to Results of study conducted on Age Spots fading effect of SAP. The product ingredient – Niacinamide (Vitamin B3) is a proven drug which is used for skin lightening worldwide. Skin Lightening Effects of – Uva Ursi Extract and Olive Leaf Extract (Trade Name – Eurol WHT), which is a very effective combination of natural extracts are used in the product. Advertiser provided details and references of studies conducted on Eurol WHT.

Claim – “Precious ingredients of this cream fight free radicles and prevent oxidative damage caused by UV rays and pollution” - Advertiser asserted that this claim was substantiated by the fact that the product contains three powerful ingredients against oxidative damage – Vitamin C, Vitamin E and Dipalmitoyl Hydroxyproline. Studies conducted by DSM Nutritional Products, Europe, have shown that Vitamin C (Sodium Ascorbyl Phosphate – Trade Name – Stay C 50) along with Vitamin E significantly reduces the oxidative damage to the skin. Advertiser in their response mentioned the benefits of each ingredients used in the product formulation.

On reviewing the advertiser’s response with the supporting data provided, the CCC observed that the data pertained to studies done with individual constituents of their product for their effect on wrinkles and pigmentation. It was not clear if these results are extra palatable to the finished product. There was no efficacy study done with the product itself, either in vitro or in vivo, showing that the product delivers all the claimed benefits. Based on this assessment, the CCC concluded that the claims, “It regenerates cellular tissue and collagen and slows down skin ageing”, “Prevents wrinkle formation, removes dark patches and restores skin elasticity and firmness”, and “Precious ingredients of this cream fight free radicles and prevent oxidative damage caused by UV rays and pollution”, were inadequately substantiated. The claims are misleading by exaggeration, and are 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**.

1810-C.1711

COMPANY: Hindustan Unilever Ltd

PRODUCT: Vim Anti Smell Bar

Claims objected to:

1. “New Vim with Pudina
2. Removes 5 tough smells

Complaint:

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 Hindustan Unilever Limited.
2. Reference to claim 1; is the amount of pudina (mint) 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 ingredient provided?
3. Reference to claim 1; can the advertiser prove that the product as sold in its present form has the effectiveness of the ingredient pudina (mint) as is being claimed in the advertisement since the ingredient appears to have symbolic presence in the product?
4. Claim 2 mentions 5 tough smells, but which are these 5 tough smells is not mentioned. Please substantiate which 5 tough smells Vim Pudina removes.
5. A disclaimer appears which reads- Based on lab tests on selective smells and utensils. As per ASCI Guidelines for Disclaimer, “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.”





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Also, are the lab tests done by third party sources? If no, then the advertiser needs to provide studies from independent agencies.

6. The claim made by the advertiser is not GENERIC but specific to the product. Therefore, the advertiser has to substantiate the claim with independent study data.

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 which they availed, and subsequently submitted their written response. 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 – “New Vim” – In response to this objection, the advertiser stated that the product with this formulation was launched in mid-2017. In the said advertisement published in August 2018, the claim of ‘New’ was inadvertently used, and they agreed to take corrective action to remove the said claim from all their future creatives / advertisements.

Based on this assessment, the CCC concluded that the claim, “New Vim” was false and misleading. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. This complaint was **UPHELD**.

The CCC noted the advertiser’s response that the claim of product being “New” (“*Naya*”) will not be repeated again in their future advertisements.

Claim – “with Pudina” – In response to this objection, the advertiser stated that the said claim was based on the presence of actual and natural Pudina / Mint extract in the product formulation. The Pudina extract is 100% natural and obtained from natural raw materials. Advertiser provided copies of a ‘Natural Certificate’ and ‘CQA analysis report’ provided by the supplier of the natural Pudina Extract.

The claim, “*Pudina yukt*”, was not considered to be objectionable. This complaint was **NOT UPHELD**.

Claim - “Removes 5 tough smells” - Advertiser stated that the said claim is based on the product’s ability to remove five specific malodours from utensils, which was established through an independent, comparative sensory testing done at the world-renowned fragrance house. This test was conducted to evaluate the performance of the product to remove the five commonly occurring malodours (Fried Fish Masala oil, Onion oil, Garlic oil, Raw Eggs, Garam Masala Powder). The results showed that Vim Anti Smell removed these malodours. Advertiser provided a copy of the said test report, and also in their response summarized the findings of the tests on malodour coverage performance of the product.

The CCC observed that the study submitted for efficacy of the product in removing five tough smells, showed that the experts measured malodour on a 5-point scale. Compared to reference malodour, the product delivered a better performance in malodour removal. While the CCC did not consider the tests to conclusively prove complete removal of the five malodours, the claim “*Kare badhboo ki chutti*”, was considered to be acceptable as a colloquial term for anti-odour efficacy. This complaint was **NOT UPHELD**.





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1810-C.1728

COMPANY: FIITJEE LTD

Claims Objected to:

1. "No one can compare with our results in JEE Advanced/ IIT-JEE, JEE Main, Boards, KYPY, Olympiads, NSEJS & NTSE
2. No one can beat our expertise- Our 26 years of unblemished record is filled with excellence and extraordinariness
3. We are the only institute capable of training faculty for not just IIT-JEE/ JEE Advanced but also for JEE Main, Boards, KYPY, Olympiads & NTSE. Other institutes have tried and failed miserably.

Complaint:

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 FIITJEE LTD.
2. Reference to the claims, as per the Guidelines for Advertising of Educational Institutes and Programs 4(a), "Advertisement shall not make claims regarding extent of the passing batch placed, highest or average compensation of the students placed, enrolment of students, admissions of students to renowned educational institutes, marks and ranking of students passed out, testimonial of topper students, institution's or its program's competitive ranking, size and qualification of its faculty, affiliation with a foreign institution, institute's infrastructure, etc. unless they are of the latest completed academic year and substantiated with evidence."
3. The claims have to be substantiated by the advertiser with verifiable comparative data of the advertiser's institute and other nation-wide/ world-wide competitive educational institutes, or through third party validation.
4. As per ASCI Chapter 4 (e), "(e) the advertisement should (does) not unfairly denigrate, attack or discredit other products, advertisers or advertisements directly or by implication." The claims made in this advertisement violate this clause of ASCI.

According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of the ASCI Code and the ASCI Guidelines for Advertising of Educational Institutes 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 submitted their written response post the due date.

Advertiser argued that there is no other Institute all across India in comparison to the services and results that their institute delivers. Advertiser further stated that total 10,544 FIITJEE students from all programme qualified to appear JEE Advanced 2018. Further, total 3826 FIITJEE students from all programme qualified JEE Advanced 2018. Further, out of total 756 students who were awarded NTSE (National Talent Search Examination) scholarships 2018, 401 were FIITJEE students i.e. equivalent to 53.04% of the total share. With respect to KVPY Fellowship, 2018, 698 FIITJEE students were awarded KVPY Fellowships, 2018. Further, with respect to NSE Olympiad, 2018, total 604 FIITJEE Students have qualified for Indian National Olympiads, 2018. With respect to providing comparative data of other Institutes by a third party, the advertiser expressed their willingness to do year-wise analysis, only if the complainant agreed to bear the costs incurred for the same. The advertiser further argued that not only they would like to challenge the correctness and truthfulness of the complaint but would simultaneously substantiate their assertions about their creditworthiness and competence in their specialized field. Any action on part of ASCI based on this frivolous complaint would be duly challenged in Court of Law as the same would be violate of their fundamental rights and would be illegal perse making members of ASCI along with Complainant liable for prosecution.

The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that ASCI had provided the advertiser the details of the complaint as well as the complainant (who is a voluntary consumer





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organization) and had processed the complaint as it was received in the GAMA portal launched by the Department of Consumer Affairs. The advertiser's response has only assertions about their institute. Advertiser did not provide any support data or evidence of comparison with other similar institutes to prove that they are better than the rest in providing coaching to their students for the various courses as claimed.

The CCC concluded that the claims, "Nobody can compare with our results in JEE Advanced/ IIT-JEE, JEE Main, Boards, KYPY, Olympiads, NSEJS & NTSE", "No one can beat our expertise- Our 26 years of unblemished record is filled with excellence and extraordinariness", and "We are the only institute capable of training faculty for not just IIT-JEE/ JEE Advanced but also for JEE Main, Boards, KYPY, Olympiads & NTSE.

Other institutes have tried and failed miserably", were not substantiated with verifiable comparative data, or through a third party validation. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers. The CCC further observed that the claims unfairly denigrated other institutes offering same/similar courses. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.4, I.5 and IV.1 (e) of the ASCI Code. The complaint was **UPHELD**.

1810-C.1776

COMPANY: LASS Naturals

PRODUCT: Lypo6 Anti- Cellulite Gel

Claims Objected to:

"Lass Lypo6 Anti Cellulite gel is a safe, 100% natural & non-greasy formulation, containing blend of herbs & essential oils that have proven results to burn the extra or unwanted fat from thighs, waist and stomach"

Complaint:

1. Please substantiate the claim with independent claim support data. The claim support data should not be internal or based on studies commissioned by LASS Naturals.
2. Which are those herbs and essential oils used in the product formulation? Is the amount of herbs and essential oils 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. 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?
3. Can this product be used without consulting a doctor? Please substantiate.
4. The claim made by the advertiser is not GENERIC but specific to the product. Therefore, the advertiser has to substantiate the claim with independent study data.

According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI Code and Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954. 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 observed that the advertiser did not provide product specific details such as composition / license / pack artwork or samples, nor evidence of the ingredients present in the product. There were no authentic, published scientific references to support the claims.

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, "Lass Lypo6 Anti Cellulite gel is a safe, 100% natural & non-greasy formulation, containing blend of herbs & essential oils that have proven results to burn the extra or unwanted fat from thighs, waist and stomach", were not substantiated with technical





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details, composition of the product and evidence of product efficacy. The claims are misleading and are 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**.

1810-C.1783

COMPANY: Namyaa Skincare

PRODUCT: Namyaa Intimate Lightening Serum

Claims objected to:

1. This great formula not only lightens the dark pigmentation but also removes cellulite and scars of the skin to make it radiant and flowing.
2. During this treatment, the skin of those delicate areas also tightens to gain its perfect shape and reduces the wrinkles caused by softening of the tissues.
3. Get a flawless and graceful skin of intimate areas by Namyaa Intimate Skin Whitening gel in just 6 to 8 weeks.

Complaint:

1. Please substantiate claims 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Namyaa Skincare.
2. Is the product safe to use? Are there no side-effects?
3. How can a gel/ serum claim to “tighten (the skin) to gain perfect shape” and “remove cellulite and scars of skin?” This is grossly misleading.
4. The claims made in the advertisement are specific to the product and cannot be considered GENERIC. The advertiser, therefore, needs to substantiate the claims using independent study data. According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5 of the 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 through their Advocates. The Advocate on behalf of the advertiser stated that Namyaa Intimate Lightening Serum combines ancient plant-based ingredients with scientifically-proven skincare treatments which makes it most advanced and fastest acting skin lightening serum. The active ingredients in the product include retinol also known as Vitamin A1 and some plant compounds which helps to improve the appearance of cellulite by breaking down fat, improving blood flow, skin elasticity and reducing fluid retention. As claim support data, the advertiser provided test report on Aloe Vera extract EC, article references on ‘Glycolic Acid in Anti-Aging skin formulations’, lab report for tests done on the ingredient used in skin care treatment, product composition details, copy of label artwork, and copy of product license.

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’s response quotes article 19 g 1 of the constitution which deals with the right to carry on a trade. The CCC observed that the advertiser response refers to individual constituents of their product for their effect. It was not clear if these results are extrapolatable to the finished product. There was no efficacy study done with the product itself, either in vitro or in vivo, showing that the product delivers all the claimed benefits. Based on this assessment, the CCC concluded that the claims, “This great formula not only lightens the dark pigmentation but also removes cellulite and scars of the skin to make it radiant and flowing”, “During this treatment, the skin of those delicate areas also tightens to gain its perfect shape and reduces the wrinkles caused by softening of the tissues”, and “Get a flawless and graceful skin of intimate areas by Namyaa Intimate Skin Whitening gel in just 6 to 8 weeks”, were inadequately substantiated and are misleading by exaggeration. The claims are 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**.





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1810-C.1784

COMPANY: Shree Sanjeevan Wellness Solutions

PRODUCT: Pure Elements- Ultra light sunscreen

Claims objected to:

1. Enriched with Botanical Extracts and Vitamins, this formulation offers powerful protection against free radicals.
2. Calming and soothing herbs like Cucumber, Licorice and Aloe Vera prevent skin burning, irritation and keep it hydrated.
3. Infused with natural extracts of herbs & roots, it gives perfect protection against ageing, dark spots, blemishes and skin darkening.

Complaint:

“Our objections:

1. Please substantiate claims 1, 2 and 3 with independent claim support data. The claim support data should not be internal or based on studies commissioned by Pure Elements.
2. Is the amount of Botanical Extracts and Vitamins, Cucumber, Licorice and Aloe Vera 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. Can the advertiser prove that the product as sold in its present form has the effectiveness of each and all of the ingredients as is being claimed in the advertisement since the ingredients appear to have symbolic presence in the product?
4. The claim made by the advertiser is not GENERIC but specific to the product. Therefore, the advertiser has to substantiate the claim with independent study data.

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 post the due date. Advertiser stated that the product formulation contains Vit E and Green Tea extracts in adequate dosage; these ingredients are known as anti-oxidant agents which fight against free radicals. Cucumber, Aloe Vera Juice, Licorice and Anantmul extracts are used for irritated skin conditions, which has reference in the Sanskrit texts. As the skin is effectively protected against UV damage, this formulation exerts anti-ageing effect. Vitamin E is used in the dose of 1.5% which is an effective dose to exert its action. Advertiser in their response mentioned the effects of all the ingredients used in the product formulation. Advertiser also provided copy of FDA license and copy of the product label.

The CCC viewed the website advertisement and considered the advertiser’s response. The CCC observed that the advertiser’s response has only assertions about the product. Advertiser did not provide product composition details nor did they provide relevant extracts of ayurvedic references for the ingredients with their prescribed benefits as per ayurvedic texts. The CCC observed that the advertiser response refers to individual constituents of their product for their effect. It was not clear if these results are extrapolatable to the finished product. There was no efficacy study done with the product itself, either in vitro or in vivo, showing that the product delivers all the claimed benefits.

Based on this observation, the CCC concluded that the claims, “Enriched with Botanical Extracts and Vitamins, this formulation offers powerful protection against free radicals”, “Calming and soothing herbs like Cucumber, Licorice and Aloe Vera prevent skin burning, irritation and keep it hydrated”, and “Infused with natural extracts of herbs & roots, it gives perfect protection against ageing, dark spots, blemishes and skin darkening”, were not substantiated, and are misleading. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. The website advertisement contravened Chapters 1.1, 1.4, and 1.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1785

COMPANY: Vikrant Chemical Industries

PRODUCT: Doctor Brand toilet cleaner

Claims objected to:

1. Kills 99% germs
2. Trusted by Crores of families and certified by doctors.

Complaint:

Objections:

1. Please substantiate claims 1 and 2 with independent claim support data. The claim support data should not be internal or based on studies commissioned by Vikrant Group.
2. Reference to claim 2, please substantiate the claim with certification of this product.
3. The claim made by the advertiser is not GENERIC but specific to the product. Therefore, the advertiser has to substantiate the claim with independent study data.

According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5 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 claim, "Kills 99% germs", was not substantiated with technical tests reports showing that the product had the efficacy to kill 99% germs. Claim, "*Karodo parivaron ka bharosa*" ("Trusted by Crores of families") was not substantiated with consumer / market survey data for the product being trusted and used by consumers. Claim, "*Doctoron dwara pramanit*" (Certified by doctors) was not substantiated with supporting evidence of their product being certified or endorsed by doctors. 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**.

1810-C.1786

COMPANY: Health plus Advanced Physiotherapy & Fitness Studio

Claim Objected to:

"Shoulder pain, Knee pain, pain in heel, varicose veins; Cure pain in just seven days"

Complaint:

1. Please substantiate the claim with claim support data. The claim support data should not be internal or based on studies commissioned by Health Plus.
2. How can any of the above mentioned pain be cured in just 7 days? It is grossly misleading.

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





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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 details of the treatment procedure, nor any details regarding the medicines and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claim (in Gujarathi) as translated in English, "Shoulder pain, Knee pain, pain in heel, varicose veins; Cure pain in just seven days", was not substantiated with supporting clinical evidence. The claim is misleading by exaggeration, 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**.

1810-C.1860

COMPANY: Eli Pharmaceuticals

PRODUCT: Melas Cream and Lotion

Claims objected to:

1. Glow and Shine on face
2. Melas is the right solution for 5 problems –Spots, marks, Dark circles, Cut and Burn marks, Tanning marks
3. Effective from day 1 itself

Complaint:

Substantiate claims 1 to 3 with independent claim support data. The claim support data should not be internal or based on studies commissioned by Eli Pharmaceuticals.

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 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 submit any product specific details such as composition/license/pack artwork or samples, and evidence of the ingredients present in the product. In the absence of any comments from the advertiser, the CCC concluded that the claims, "Glow and Shine on face", "Melas is the right solution for 5 problems –Spots, marks, Dark circles, Cut and Burn marks, Tanning marks", and "Effective from day 1 itself", were not substantiated with product efficacy data, and are misleading by exaggeration. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1628

COMPANY: Nanophyto Wellness Pvt Ltd

PRODUCT: Jumpstart Nutrition

Complaint:

“My objections are as follows:

1. The product is intended for children 5 -15 years of age with scientifically designed ingredients US FDA GRAS approved phospholipids, an active phyto compound derived from soya, with known benefits improves brain cell communication, bio curcuminoids, and an active phyto compound derived from turmeric, with known benefits important for immune functions, whey isolates with known benefits promotes growth. Product is low on sugar and high on nutrition, as it delivers 18 aminoacids profiles and active phyto nutrients.
2. The AD shows a picture of a boy, Nikhil Soares, Guinness World Cubing champion, who drinks Jump-Start chocolate milk. Company shows some references in small print J Hum Nutri Diet 2013, but there is not study details to show Nikhils prowess connected to his drinking Jumpstart chocolate drink. Such an assumption misleads consumer children who are tempted to follow Nikhil and drink this product without getting real desired benefits.
3. Company admits the product is not intended to diagnose, treat, cure or prevent any disease. Again company declares that the product is not for medicinal use.
4. This kind of marketing high protein product could be detrimental to the general class of children who are tempted to use the product without knowing whether they would be in a position to tolerate such a product. If advised by a medicinal practionier, it ought to be for medicinal use, even if it is advised as a nutrient supplement. Selling it as an OK product is likely to create mass complications because there are no investigations or reference to doctors for complications.
5. I am of the opinion that marketing of such products without drug license should be considered illegal. Kindly look into the above objections, call for company’s reply and then decide on my complaint. Kindly keep me informed.”

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 denied that the advertisement claimed that Nikhil Soares has won the Guinness World Cubing Champion because of drinking JumpStart. He had won the Guinness World record a year before the launch of the product. Advertiser further stated that the product is an OTC product which contains ingredients listed in FSSAI gazette used in daily diet of targeted age group 5-15 years. The product delivers 10gms per serving which is safe according to the ICMR guidelines.

As claim support data, the advertiser provided research paper on ‘PS- Phospholipids for cognitive health’, Technical data sheet, Journal references on ‘Curcuminoids in Pediatric IBD’, ‘Effects of protein and amino acid profile supplement’, copy of product label with product composition details, and copy of product 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. The CCC observed that the (Annexure 1A) of the advertiser’s submission on ‘PS- Phospholipids for cognitive health’, referred to the study under graphical representation for 100 mg/day of supplement PS – phosphatydilserine, which was done for the age group 50-69 years which was not relevant in the context of the advertisement as the product was targeting children of age group 5-15 years. The research paper referred in (Annexure IC) gave study results of ‘Tolerability of Curcumin in Pediatric Inflammatory Bowel Disease (IBD)’ which appeared to be out of context for the product claim of ‘immune function’ in the advertisement. The research paper referred in (Annexure 1D) on ‘Effects of protein or amino-acid supplementation on the physical growth of young children in low-income countries’ stated that the studies across the world were conducted for children below age of 5 years. So this support document was also considered to be out of context by the CCC. Based on this assessment, the CCC concluded that the claims, “For Children 5-15 years”, “Important for immune function”, and “Promotes Growth”, were inadequately substantiated and are misleading by ambiguity. The picture shown of Nikhil Soares, Guinness World Cubing Champion, when seen in conjunction with the copy text stating, “Nikhil Soares drinks Jumpstart Chocolate





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milk” was misleading by implication that his success was due to the consumption of the product - Jumpstart. The advertiser did not submit any evidence of Nikhil Soares agreeing with the product claims

The advertisement claiming “Bio Curcuminoids” as an ingredient is misleading, as the product package and the ingredient list on the pack mentions ‘Curcuminoids’ as the ingredient.

The percentage of sugar content in the product was not mentioned in the nutritional information table on the pack. The table showed carbohydrates at 54.05%, without mentioning ‘of which % from sugars’. The claim of “Low on Sugar” was not substantiated and is misleading by exaggeration. The CCC also considered the advertiser stating their product to be an OTC (Healthcare category) and referring to FSSAI (Food category) to be contradictory.

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

1810-C.1702

COMPANY: Saj Food Products (P) Ltd

PRODUCT: Bisk Farm Cream Cracker- Sugar Free

Complaint:

“This complaint is being filed for the product Sugar Free Cream Cracker a brand of Bisk Farm manufactured by SAJ Food Products Pvt. Ltd. Having its registered address at 5/1, Acharya Jagadish Chandra Bose Road, Purna Bhaban, Kolkata 700020, West Bengal, India.

A brief summary of my complaint is given below for easy reference. The detailed complaint along with the exhibits has been attached along with the present email.

Please note that the Products in question are advertised and displayed on the official website of the aforesaid manufacturer bearing the domain name www.biskfarm.com and are also available for purchase through third party e-commerce websites including but not limited to www.bigbasket.com, www.indiamart.com etc. Further, the Products in question are also advertised through TVCs on the official You Tube channel of the manufacturer/advertiser under the name Biskfarm TVC which are accessible at the links <https://youtu.be/CsaPFgsGYk0> , (Product pictures and screenshots have been attached along with the detailed complaint).

The manufacturer/advertiser is falsely claiming the products in question to be SUGAR FREE and at the same time have No Added Sugar, while in fact on a perusal of the ingredients mentioned in the products, it is abundantly clear that they have sugar present in them, both in a direct and indirect form. Therefore, the manufacturer/advertiser is misleading the consumers and causing grave risk and harm to the consumers in the market, especially those who are diabetic patients and shall consume the products under the impression that the products are free from sugar in every manner whatsoever.

1. Complaint I- Misbranding and Misleading Claims in the Products in question. The advertiser through the packaging of the Products in question and through the Advertisements promote and claim that the Products are SUGAR FREE, whereas the Products in question in fact contain a total of five types of different sugars. The ingredients listed out in the Products in question makes it evident that the Products contain sugar and are in fact not SUGAR FREE products, thereby making the said claim of the manufacturer/advertiser entirely false and misleading.

2. Complaint II- Misleading Non-Addition Claims On the basis of the CODEX guidelines and internationally established standards and norms for regulation of food safety and security globally, in m research I have come across the draft Food Safety and Standards (Advertisements and Claims) Regulations, 2017 which have been formulated incorporating the CODEX guidelines to better regulate food safety and security in the country. The said regulations state that a non-addition claim means any claim that wherein an ingredient has not been added to a food, either directly or indirectly. However, the products in question comprise of sugar both in the direct and indirect form.

3. Complaint III- Contradictory claims made on the Products in question It is important to note that while on one hand the Products in question claim to be SUGAR FREE, on the other hand they also claim to have NO ADDED SUGAR and therefore the said claims are contradictory in nature and are hence misleading since a product can





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either be completely free of all kinds of sugar OR have no additional sugar except to the extent of naturally occurring sugars.

4. Complaint IV- The claim SUGAR FREE cannot be claimed to be used in a Trade Mark sense Without prejudice to the aforesaid, it is important to note that the claim SUGAR FREE cannot be said to be used in the trade mark sense, since the claim has been made in a purely generic and descriptive sense in direct relation to food products being crackers. It is respectfully stated that the Products in question are beyond any reasonable doubt, misleading and a misrepresentation of facts and provide an inaccurate, untrue representation of the claims to the consumers, which are also supported by scientifically available data and research. I being a concerned consumer and an advocate by profession, am gravely concerned with the false and misleading claims made in the Products in question and said Advertisements. The present products in question and their advertisements violate the statutes and guidelines under the Food Safety and Standards Act, 2006 and ASCI. The repercussions of such false claims on the health and well-being of my family members and the general public who are diabetic patients shall be severe. Therefore, it is respectfully prayed that this esteemed organization being an organization for regulating food standards and food safety, take immediate and corrective action by ceasing and desisting the advertisement and packaging of the Products in question. The packaging being an advertisement in itself as per the Food Safety and Standards Act, 2006, is misleading and based upon an entirely false claim and advertising as well as nutrition claim and the sale of the said products in the market is likely to cause immense harm to the health and well-being of the consumers and therefore is liable to be rectified. The detailed Complaint along with the annexes (Annexure-A to Annexure-K) is attached herewith for your consideration. I request you to take my complaint on record and shall appreciate your urgent consideration and corrective action on the same.

I write in response to your comments uploaded in the above mentioned complaint number. In this regard, please note that my grievance is against the product 'BISK FARM SUGAR FREE CREAM CRACKER' which is manufactured by SAJ Food Products Pvt. Ltd. having its registered address at 5/1, Acharya Jagadish Chandra Bose Road, Purna Bhaban, Kolkata – 700020, West Bengal, India.

Please note that since the packaging of a product also constitutes as an advertisement of the product under the Food Safety & Standards Act, 2006, the present advertiser in question, through the packaging of the Product in question and through the Advertisements promote and claim that the Product is "SUGAR FREE", whereas the Product in question in fact contains a total of five types of different sugars. The ingredients listed out in the Product in question makes it evident that the Product contains sugar and are in fact not a "SUGAR FREE" product, thereby making the said claim of the manufacturer/advertiser entirely false and misleading.

A photograph of the ingredients stated on the product is attached herewith for your ready reference. Further, please find attached the photograph of the product claiming to be Sugar Free.

Please also note that the Product in question is also advertised through TVCs ("Advertisements") on the official You Tube channel of the manufacturer/advertiser under the name "BiskfarmTVC", the titles and links of which are as follows:

- 'Sugar-Free Cream Crackers' - <https://youtu.be/CsaPFgsGYk0> you are requested to kindly proceed with my complaint at the earliest."

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 requested for an extension 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 extension. Subsequently, the advertiser challenged ASCI's role to monitor advertisements pertaining to Food & Beverage sector. In response to this query, ASCI suggested that the advertiser should refer to the tweet by FSSAI in the public domain <https://twitter.com/fssaiindia/statuses/1052478471975268353> which stated that FSSAI had signed MOU with ASCI for handling issues of misleading claims in advertisements.

The CCC viewed the YouTube advertisement and the product packaging copy submitted by the complainant. Regarding the advertiser's comment on ASCI's jurisdiction, the CCC advised that the advertiser should take cognizance of the MoU the FSSAI has entered into with ASCI to deal with misleading advertisements.

The CCC observed that the advertiser did not provide copy of product pack, copy of Product approval license, Product composition details, FSSAI approval and evidence of the ingredients present in the product. The CCC also noted that the front of pack claims, "Sugar Free", and "Free of Sugar", whereas the back of pack mentions, "contains





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naturally occurring sugars”. The YouTube advertisement claims, “Sugar Free” with a voice over saying “*Sugar nahi*”

In the absence of claim support data, the CCC concluded that the claims, “Sugar Free”, “Free of Sugar”, and “Sugar nahi”, were false, not proven with evidence of the product being sugar free, and were contradictory to the text mentioned on the back of pack. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. The product packaging and the YouTube advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1726

COMPANY: Herbalife International India Pvt. Ltd

PRODUCT: Herbalife Formula 1 Shake (Mango Flavor)

Claims Objected to:

1. “A healthy meal replacement that fulfills nutritional needs of the body.
2. Aids in weight management by reducing daily calorie intake.
3. Enhances immunity of the body and maintains healthy digestion.

Complaints:

1. Please substantiate claims 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Herbalife International India Pvt. Ltd.
2. Reference to claim 1; how can a shake fulfill all nutritional needs of the body? This is misleading by exaggeration.
3. Reference to claim 1; As per ASCI Self-Regulation Guidelines on Advertisement of Foods and Beverages (F&B), advertisements for food and beverages unless nutritionally designed as such should not be promoted or portrayed as a meal replacement.
4. Can the product be taken without a doctor’s consultation?
5. Is the product to be taken with milk or water, if it is to be taken with milk then how can the benefits be attributed to the product alone? According to us, the advertisement contravenes Chapter 1.1 and 1.4 of the ASCI Code and ASCI Self-Regulation Guidelines on Advertisement of Foods and Beverages (F&B). Action to be taken: We propose that the advertisement should be immediately withdrawn.”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser (Herbalife International India Private Limited) 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 that the website (<https://www.nutriherbal.co.in/shop/nutritionalshake-mix/herbalife-formula-1-shake-500g-mango-flavour/>) under complaint was not operated by their firm, and belonged to one of their independent Herbalife Associate. They also assured that they would request Herbalife Associate to withdraw or to modify the said advertisement across all media.

On receipt of this clarification, the complaint was referred to the Herbalife Associate, Vapi for their comments on 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 observed that the advertiser did not provide copy of product label, copy of Product approval license, Product composition details, and evidence of the ingredients present in the product. The CCC noted that no scientific data or technical rationale was provided for the product in support of the claimed benefits. The CCC concluded that the claims, “A healthy meal replacement that fulfills nutritional needs of the body”, “Aids in weight management by reducing daily calorie intake”, and “Enhances immunity of the body and maintains healthy digestion”, were not substantiated with evidence of product efficacy, and are misleading by





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exaggeration. The claims are 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**.

1810-C.1841

COMPANY: ITC Limited

PRODUCT: Sunfeast Yippee Powerup Masala Noodles

Complaint:

This Complaint is being filed against the blatantly false, misleading and exaggerated claims being shown on the Product packaging. Pictures of the product packaging as available in the market is enclosed as Annexure A. It is submitted that the Advertiser has been labeling the Product with a claims:

1. "Vegetable additions in every strand"
2. "Aata Noodles"

We wish to submit that the above claims are false, exaggerated and unsubstantiated and are aimed at misleading the consumers.

Claim: "Vegetable additions in every strand"

By making the claim, "Vegetable additions in every strand" on its packaging the Advertiser is clearly trying to mislead the consumers by way of exaggeration of the nutritive value of the Product.

We would like to submit that on perusal of the Ingredient list declared on the pack, it is clear that potato powder at 2% and parsley at 0.2% is being added in the noodle cake.

This shows that the vegetables namely Potato powder and parsley are being added in miniscule quantities in the product formulation which cannot be the basis of the claim stating vegetables are present in every strand of noodles. This is grossly misleading and gives an erroneous impression to the consumer about the content of vegetable in the product which enhances its nutritive value.

Claim: "Atta Noodles"

The advertiser is calling out its product as Atta Noodles which according to us is an unsubstantiated claim aimed at misleading the consumers by way of exaggeration.

On perusal of the Ingredient list declared on the pack it is clear that the Noodle cake is made up of Whole Wheat flour along with Refined Wheat flour i.e. Maida. This simple fact itself throws light on how consumer is being cheated in the garb of covertly declaring contradicting information on the pack which is clearly in violation of the above mentioned ASCI guidelines.

It is also worthwhile to mention that the above claims are in violation of Section 24(1) of the Food Safety and Standards Act which states that "No advertisement shall be made of any food which is misleading or deceiving or contravenes the provisions of this Act, the rules and regulations made thereunder.

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 written response. As claim support data, the advertiser provided Research Papers on 'A Guide to good nutrition', 'Evaluation of the nutritional and sensory quality of functional breads produced from whole wheat and soya bean flour blends', and 'Whole Wheat benefits', Images of front and back of packs of other Atta, oats, and whole wheat products, artwork of the product label, FSSAI Notification on Advertising and Labelling, Ingredient Panel Comparison with other Atta noodle brands, and Examples of variant descriptors across categories. Advertiser in their response provided a table showing the dietary fiber content of various products from their respective nutritional information panels.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the product packaging and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. Claim - "Vegetable additions in every strand" – In response to this objection, the advertiser stated that the vegetables in the noodles strand of the Product are in addition to the vegetables that are present in the masala mix. The noodle block contains potato powder, parsley and chilli which are added at the stage of making the





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noodle dough, which is then mixed well before it is formed into the noodles. This process ensures that there are vegetable additions in every single strand of the noodle block. Advertiser referred to products that are described as being of a particular variant (Example: oats cookies, ragi biscuits, egg noodles) typically only contain the highlighted ingredient as one of the many ingredients found in the product. Advertiser provided product labels of several such products along with their ingredient lists.

The CCC observed that the product - Yippee Power up Masala Noodle cake contains Potato powder [2%], Parsley [0.2%] and Chilli [0.2%]. As per the advertiser, vegetables are added to noodle cake in the dough stage and then converted into noodle cakes. Advertiser has distinguished the Yippee Power up Masala Noodles from their rest of the noodles variants. A number of other foods available in the market also have similar variants containing ingredients that are highlighted on the pack. Examples cited by the advertiser showed that the complainant's product Knorr Soup mix is containing 2% ingredient that is highlighted in their Ads [Mushroom and Chicken soups]. Based on this assessment, the CCC concluded that the pack claim, "Vegetable additions in every strand", was not objectionable. This complaint was **NOT UPHELD**.

Claim - "Atta Noodles" - Advertiser stated that the noodle block of the Product has been developed by using Atta/Whole wheat flour. A comparison of the fiber content of this Product in comparison to other Atta noodles available in the market indicates that this Product has one of the highest content of dietary fiber. To differentiate the Product from amongst the other noodle variants under the Sun feast Yippee! Noodles range, "Atta Noodles" has been used as a descriptor on the Product. It is a common practice that "Atta", "Oats" or "Whole wheat" are used on the product labels of various foods as variant descriptors. Advertiser provided product labels of several such Products available in the market where they are described as being made out of "Atta", "whole wheat" or "oats" where the Products contain such grains in addition to refined wheat flour. The advertiser further stated that the ingredient panel of the Product provides a complete breakup of the whole wheat flour and the refined wheat flour that is being used. The Product contains a detailed ingredient list with the breakup of the percentage of all of the ingredients that have been highlighted on the front panel of the Product.

The CCC observed that the product contains 44% of whole wheat Atta as declared on the pack and hence the product has been named as – Atta Noodles. However, the product also contain "Refined Wheat Flour" (Maida) quantity of which has not been declared in the ingredient list on the product pack. In view of this discrepancy, the CCC did not agree with the advertiser's contention that "Atta noodle" is a variant name. The CCC concluded that the claim "Atta Noodles" was misleading by omission. The claim exploits consumer's lack of knowledge and is likely to cause widespread disappointment in the minds of the consumers. The product packaging contravened Chapters I.1, I.4 and I.5 of the ASCI Code as well as ASCI Guidelines for Food and Beverage products. This complaint was **UPHELD**.





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

Sr. No	Advertiser (Brand / Product)	Claims Objected to	Remarks (Clause Applicable)
1.	1811-C.1607 Videocon (Hodaf He Male Enhancement Patch)	<u>Complaint:</u> The visual in the advertisement 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, Item 30- Improvement in size and shape of the sexual organ and in duration of sexual performance, Schedule J , Item 36 – Maintenance or improvement of the capacity of the human being for sexual pleasure, Schedule J



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

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

Sr. No	Advertiser (Brand / Product)	Claims Objected to	Remarks (Clause Applicable)
1.	1811-C.1928 ZEE Digital Convergence Limited (Boosts)	1. Increase sexual power with a capsule. 2. 100% ayurvedic capsule <u>Complaint:</u> This ad was sent to me via sms. It claims to increase ones sexual power with a capsule. It also claims to be a 100% ayurvedic capsule. The advertiser may be requested to substantiate its claims. Is this product approved by the Ayush department? It appears to be prima facie in violation of the D&C Act.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b)- DMR Schedule
2.	1810-C.1873 OSHO Medicare	1.Diabetes- 100% result 2.Insulin Free 3.No need to consume medicine for lifetime The advertisement on the YouTube channel, website, in newspapers and on Google claims to cause 'Diabetes Recovery', 'Kidney recovery' etc. 1. The said person does not seem to have any medical qualification. 2. The patient interviews and information on the website are misleading. 3. We have several confirmed patients developing dangerous lead poisoning after consultation and some unlabeled medications. 4.The Google Page of the person claims he is a 'Dialectologist' and claims to be a 'Super-Specialist'. There is no proof of any medical qualification on either his website, his YouTube page or any other information to support his claims. 5. The said person/organization and advertisements are dangerous to public at large.	Diabetes (Item no- 9 DMR)
3.	1811-C.1938 Goodlife Wellness Pvt Ltd/ Goodlife Wellness Products	1. Get rid of sexual weakness (sithilta) and premature ejaculation. 2. Safe and effective equipment for those men who are unable to satisfy their partners. 3. Increase sex capacity with instant excitement. Objection- The visual in the ad read in conjunction with the claims objected to imply 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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4.	1811-C.1934 Hercules Healthcare/ Long Looks Height Gain Capsule	From Short to Tall Objection- 1. The visual in the and product packaging read in conjunction with the claim in the advertisement objected to imply that the product is meant for increase in height 2. The product name implies increase in height	Stature of Person Item No. 47- DMR Schedule
5.	1811-C.1935 New Life Herbals/ Love 24 Capsules	Remove all kind of weakness such as masculine weakness due to lack of blood. Objection- The product name, visual in the ad read in conjunction with the claims objected to imply 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.
6.	1811-C.1936 Bilnath Healthcare/ V- Col/V-Dot	1. Help in removing Diabetes from its roots. 2. Strengthens the heart muscle and regulates Heart Beats. 3. Effective for Kidney Stone	Diabetes-Item No. 9- DMR Schedule Heart Disease: Item No.26 - DMR Schedule Kidney Stones : Item No. 22- DMR Schedule



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1810-C.1874

COMPANY: Buy Happy Marketing LLP

PRODUCT: VIP Natural Hair Color Shampoo

Complaint:

“We wish to draw your attention to one recent Television Advertisement by VCare Herbal Concepts (P) Ltd (The Company) for promoting their product VIP Natural Hair Color Shampoo In the said advertisement, the celebrity Vivek Oberoi is endorsing the said product released in YouTube <https://www.youtube.com/watch?v=V3gmciRMziQ>.

The Advertisement claims “*dye ko bye boliye, shampoo apnaiye, dye ke badle shampoo, VIP Hair Colour shampoo, katore ki, gloves ki zarrorat hi nahin. Gloves ke bina hi, isse app geele haathon mein leke safed baloon par shampoo hi tarah maasage karke sirf 15 min mein wash kar le. Ye aapke skin par bilkul nahin lagega, sirf aapke balon par lagega*”. The advertisement ends with the voiceover VIP Hair Colour Shampoo from VCARE. *Apnaiye VIP Hair Colour Shampoo*. The CD is herewith enclosed for ready reference.

The product expressly specifies that while applying the product, no gloves are required and can be applied with bare hands (however safety instruction leaflets reads otherwise) and as per the claims that the shampoo hair color does not get applied on skin and only on hair is not substantiated. This is difficult to believe as using normal color leaves stains on hand/skin then how this product different inspite of having Para Phenylene Diamine is.

As you may be aware that Para Phenylene Diamine is an extremely sensitive ingredient and if the product containing the Para Phenylene Diamine is not used by the consumers in a proper manner, it can lead to allergic reactions and if it gets in touch with eyes, it can lead to blindness, hence it’s extremely important for the manufacturers not to put any tall claims and should strictly PPD allergy can cause severe reactions and may result in complications to the BIS standards and the provisions of the Drugs and Cosmetics Act 1940.

The products further claims that it has benefit of 5 in 1 i.e. it can be applied on head, moustache, beard, chest and hand while BIS standards only approves that it can be applied on head. Such instruction is extremely dangerous and risking the consumers health and compromising on the consumer safety.

This product is widely advertised by the manufacturer by using celebrity Vivek Oberoi applying the said product using his bare hands. This may lead to consumer believing and emulating the act and under the circumstances, we seek your intervention in the matter as the product in question not manufactured with strict compliance of law which may result in serious health hazard to the naive consumers.”

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. Advertiser stated that the formulation of VIP natural hair color shampoo contains ingredients that prevent the Product from sticking to wet skin surface, but sticks easily to the dry hair surface. The product formula does not allow penetration into wet skin surfaces. The advertisement claimed that the product can be used without gloves, but nowhere had it stated that the product has to be compulsorily used without gloves. The Product is safe for 5-in-1 use (head/beard/moustache/hands/chest) and is safe to use with bare hands as the consumers will use it only after carrying out the preliminary test as directed on the packaging. Advertiser provided images of back and front panel of the pack, and copy of the product insert leaflet.

The CCC viewed the YouTube advertisement and considered the advertiser’s response, The CCC observed that the advertisement shows celebrity Vivek Oberoi applying the said product using his bare hands, and saying “..... *Gloves ki zarrorat hi nahin. Gloves ke bina hi, isse app geele haathon mein leke safed baloon par*”; pack says “*can be applied with wet bare hands*” and shows visual of the shampoo mixture being mixed with hand. The CCC noted that advertiser has made only assertions that the shampoo hair colour does not get applied on skin and gets applied only on hair (“*Ye aapke skin par bilkul nahin lagega, sirf aapke balon par lagega*”), but has not substantiated the same with any technical test reports. The CCC also expressed their concern about the contradictory information regarding product usage since the safety instruction leaflet which says “Use gloves when required”. The claim in the YouTube advertisement and the pack claim is misleading by ambiguity and implication.





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The active ingredient in the product is p-Para Phenylene Diamine (PPD) which is known to cause severe reactions in some individuals.

The advertiser did not submit any safety testing reports for its 5 in 1 benefit i.e. application on head, moustache, beard, chest and hand. This is important since as per BIS standards for hair coloration products, such use is permitted only for application on head. This product benefit claimed when seen in conjunction with the visual in the advertisement was considered to be unsafe and risking the consumers health. In view of these observations, the CCC considered the advertisement to be encouraging unsafe practices among consumers.

The claims made in the YouTube advertisement and on the product packaging exploit consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. The YouTube advertisement and the product packaging contravened Chapters I.1, I.4, I.5 and III.3 of the ASCI Code. This complaint was **UPHELD**.

For the celebrity used in the advertisement, the advertiser asserted that Vivek Oberoi is shown only demonstrating the use of the Product. The CCC observed that the advertiser did not provide any evidence to show that the celebrity had done due diligence prior to endorsement, to ensure that all description, claims and comparisons made in the advertisements are capable of substantiation, nor any Testimonials, or preference of the Celebrity was provided. The CCC also agreed with the complainant that consumers would be influenced by the celebrity endorsement and may emulate the act of applying the product with bare hands without following the necessary usage instructions. This contravened Clauses (c), (d) of the ASCI Guidelines for Celebrities in Advertising. This complaint was **UPHELD**.

1811-C.1634

COMPANY: H. K. Jewels

PRODUCT: Kisna Diamond Jewellery

Claim Objected To:

“Most Trusted Brand.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the basis for the claim. Furthermore, the advertiser also did not provide any survey data or verifiable comparative data conducted amongst consumers, for their jewelry brand being the most trusted brand versus other competitor diamond jewelry brands, or through a third party validation. The source for the claim was not mentioned, and the claim is misleading by omission, and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.2, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1811-C.1635

COMPANY: KSC Health and Beauty Care

Claims Objected To:

1. Reduce weight upto 2-5 kg in 15 days without surgery and exercise.
2. Increase height upto 7cm in few months.

Objection-

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

CCC RECOMMENDATION: UPHELD

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC observed that the advertiser did not provide details of the treatment procedure for weight reduction and height increment, nor any data based on rigorous trial on statistically significant number of patients.

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, "Reduce weight upto 2-5 kg in 15 days without surgery and exercise" and "Increase height upto 7cm in few months", were not substantiated with supporting clinical evidence or with treatment efficacy data, and are misleading by exaggeration. The claims are likely to lead to grave or widespread disappointment in the minds of consumers. Efficacy being depicted via images of before and after the treatment are misleading.

Specific to the claims related to increase in height, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 47 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1748

COMPANY: Kaayapalat

Claim Objected To:

"Reduce 8-30 kg weight in just 3 months."

CCC RECOMMENDATION: UPHELD

The ASCI approached the concerned Media (Dainik Bhaskar Group) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide details of the treatment procedure for weight reduction, nor any data based on rigorous trial on statistically significant number of patients. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, "Reduce 8-30 kg weight in just 3 months", was not substantiated with supporting clinical evidence or with treatment efficacy data, and is misleading by exaggeration. The claim is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1821

COMPANY: ITM University

Claim Objected To:

“Ranked 1st 3 years in a row in MP amongst all self-finance universities”

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, “Ranked 1st 3 years in a row in MP amongst all self-finance universities”, was not substantiated with any market research data or verifiable comparative data for the ranking claimed, and was not qualified to mention the source and date of research. The claim is misleading by omission, 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**.

1810-C.1822

COMPANY: Jhunjhunu Defence Academy

Claim Objected To:

“No.1 Institution of Rajasthan”

CCC RECOMMENDATION: **UPHELD**

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





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1811-C.1864

COMPANY: Arshi Skin and Hair Clinic

Claim Objected To:

“No 1 Skin and Hair Clinic in Hyderabad”

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, “No 1 Skin and Hair Clinic in Hyderabad”, was not substantiated with any verifiable comparative data of the advertiser’s clinic and other similar Skin and Hair clinics in Hyderabad, to prove that it is in leadership position (No.1) or through a third party validation. The source for the claim was not indicated in the TVC. The claim is misleading by exaggeration and implication, and is likely to lead to grave or widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1811-C.1866

COMPANY: Yashwantrao Chavan Maharashtra Open University

Claim Objected To:

“The only University to give education while staying at home”

Objection:

(Word "only" is misleading by exaggeration)

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 observed that the Advertiser did not provide any support data or evidence of comparison with other similar universities to prove that they are the only university providing distant educational programme that may be availed from home. In the absence of this data, the CCC concluded that the claim (in Marathi) as translated in English, “The only University to give education while staying at home”, was not substantiated with verifiable comparative data and 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**.





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1811-C.1867

COMPANY: Speedways Group of Companies

PRODUCT: Speedways Tyres

Claim Objected To:

“The Strongest and the Best Tyres”

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. Advertiser stated that the claim was based on the sales growth of their company being much above the growth of their competitors. The components for making their tyres are procured from world’s best vendors. The CCC viewed the TVC and considered the advertiser’s response. The CCC observed that the advertiser’s response has only assertions about their product, but they did not submit any comparative technical data/test results for product strength and its performance and its superiority over all other marketed products. Based on this observation, the CCC concluded that the claim, “*Sabse mazboot sabse behtaar*” (“The Strongest and the Best Tyres”), was not substantiated with verifiable comparative data of the advertiser’s product and other tyre brands of. The claim is misleading by exaggeration and implication and is likely to lead to grave or widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1811-C.1872

COMPANY: Deeksha Tricho Hair & Skin Clinic

Claim Objected To:

“The one and only solution for all hair problems.”

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. 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 observed that the advertiser did not provide any details of the treatment procedure given for various hair problems, nor any details regarding the medicines and their approval status by the regulatory authorities.

In the absence of claim support data, the CCC concluded that the claim, “The one and only solution for all hair problems”, was not substantiated, and is misleading by exaggeration. The claim exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1811-C.1055

COMPANY: Grover Hospital

Claims Objected To:

1. Quit intoxication.
2. Quit alcohol without telling.

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 details regarding the medicines used for quitting intoxication and alcohol, and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claims (in Hindi) as translated in English, "Quit Intoxication" and "Quit alcohol without telling", were not substantiated with supporting clinical evidence. The claims are misleading by exaggeration, and exploits the consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1839

COMPANY: Pravek Kalp Pvt Ltd

PRODUCT: Pravek Tea

Claim Objected To:

"Best company of the year - 2017."

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. Advertiser stated that the claim made was based on an award received by the advertiser, from IBC Infomedia, USA in March 2018. IBC Infomedia have authorized the advertiser to use the logo of "Best Company of the year Award" in all their marketing communications till March 2019.

Advertiser provided a copy of their communication with IBC Infomedia, photographs of the award function, and copy of press release coverage on the award function.

As this response was inadequate, ASCI requested the advertiser for details of survey methodology with regard to claim made, for meaningful deliberation of their submission. In response to ASCI request, the advertiser provided copies of several communications exchanged by them with IBC Infomedia requesting for survey methodology for selection of best companies for 2017.

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 neither did the Advertiser provide any information nor did IBC Infomedia provide any specific details regarding the basis for deciding the 50 companies that were bestowed the award of the 'Best Company of the Year – India 2017'. A general comment was mentioned in the Press Release that these companies had "distinguished activity, exceptional qualities and prominent achievements". This does not give any reassurance on the rigor and care with which the companies were selected for the award. The Advertiser 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 companies that were part of the survey and the outcome of





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the survey. Based on this assessment, the CCC concluded that the claim, “Best Company of the year – 2017”, was inadequately substantiated and is misleading by ambiguity. 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**.

1811-C.1848

COMPANY: Dr. Batras Positive Health Clinic

PRODUCT: Geno Homeopathy

Claims Objected To:

1. Treatment for today + Prevention for tomorrow.
2. Prevents the risk of any hereditary illness through timely treatment.

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

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and referred to the feedback sought from a technical expert on the merits of similar claims under complaints (1807-C.1071, 1807C.963). The CCC observed that Homoeopathy is an ancient medicine, and not a modern medicine. It is based on the Principle of “Similia Similibus Curanter” (any drug capable of producing detrimental symptoms in a healthy individual will relieve similar symptoms occurring as an expression of disease). Thus the Gene based treatment cannot be termed as pure Homoeopathy, where the very Principle of the “pathy” is not followed. Diagnosis and treatment in homoeopathy is based on history of the patient and signs and symptoms. Out of these, history forms very important tool for prescription of medicine, and not the genetic analysis. It is not possible to give homoeopathic treatment unless and until the symptoms appear. Geno Homoeopathy is not recognized branch in India. Based on this assessment, the CCC concluded that the claims, “Treatment for today + Prevention for tomorrow” and “Prevents the risk of any hereditary illness through timely treatment”, were not substantiated and are misleading by exaggeration. The claims exploit consumers’ lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1811-C.1849

COMPANY: Dr. Batras Positive Health Clinic

PRODUCT: Geno Homeopathy

Claims Objected To:

1. Complete solution to hair.
2. Complete solution to skin.

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

CCC RECOMMENDATION: **UPHELD**





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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 details regarding the medicines used for hair and skin problems, and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claims (in Hindi) as translated in English, "Complete solution to hair" and "Complete solution to skin", were not substantiated with supporting clinical evidence or with treatment efficacy data. Efficacy being depicted via images of before and after the treatment are misleading and imply cure from baldness and white spots (vitiligo). The claims are misleading by exaggeration and exploits the consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 33 under DMR schedule). The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

1811-C.1851

COMPANY: Homeocare

Claim Objected To:

"Free your child from disability disorder."

CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and observed that the advertiser did not provide any details of the treatment procedure, nor any details regarding the medicines and their approval status by the regulatory authorities. In the absence of claim support data, the CCC concluded that the claim, "Free your child from disability disorder – ADHD, Autism, Dyslexia, Cerebral Palsy, Down Syndrome, Learning Disabilities, Mental retardation, Global Developmental Delay", were not substantiated with supporting clinical evidence. The claims are misleading by gross exaggeration, and exploits the consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers.

Specific to the claims implying cure for disorders of the brain - **ADHD**, Autism, Dyslexia, Cerebral Palsy, Down Syndrome, Learning Disabilities, Mental retardation, Global Developmental Delay the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (item 10 under DMR schedule).

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

1811-C.1855

COMPANY: Maa Herbals

PRODUCT: Maa Herbal Hair Oil

Claims Objected To:

1. Rich Source of Vitamin E stimulates hair growth.
2. Cures Hair Loss.
3. Prevents migraine attacks.
4. Helps in blood pressure control.





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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. Advertiser stated that the benefits of the product claimed are based on the consumer's feedback. The product is a source of Vitamin E as the base oil used is mustard oil, and has ayurvedic ingredients like jatamansi and muramansi which controls blood pressure, migraine and headache. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the product is an ayurvedic proprietary medicine, for which the advertiser's gave only assertions about their product, but did not provide product specific details such as composition / license / pack artwork or samples, nor any evidence of presence of ingredients in the product, or relevant extracts of ayurvedic references from Classical Books, in support of the claims.

In the absence of any authentic and credible claim support data, the CCC concluded that the claims, "Rich Source of Vitamin E stimulates hair growth", "Cures Hair Loss", "Prevents migraine attacks", and "Helps in blood pressure control", were not substantiated with evidence of product efficacy. 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**.

1810-C.1832

COMPANY: Cothas Coffee Company

Claims Objected To:

1. "South India's Favorite Filter Coffee."
2. "No.1 choice of Karnataka."
3. "Unbeatable taste since 7 years."

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. Advertiser stated that the market leadership claims are based on AC Nielsen report and IMRB In-house Consumer research reports. Their product – coffee powder is of superior quality, unmatched in taste and aroma, compared to other South Indian filter coffee powders. Their coffee plant is India's largest, and they are the only company in India to incorporate the one-way valve system in the consumer packs to retain maximum aroma and taste, and their coffee powder is also largely exported from India. As this response was inadequate, ASCI requested the advertiser to provide copy of AC Neilson report and IMRB In-house consumer research data referred by the advertiser in their response, for meaningful deliberation of their response. However, this data was not submitted in time for the CCC meeting.

The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the claims made by the advertiser are superlative in nature, claiming that their product is preferred over all other filter coffee powder brands in South India, and it is the first choice of consumers. For these claims, the advertiser gave only assertions but did not provide any valid substantiation.

The CCC concluded that the claims, "South India's Favorite Filter Coffee", and "No.1 choice of Karnataka", were not substantiated with verifiable comparative data / market survey data, of the advertiser's product and other coffee brands in South India and Karnataka, or through a third party validation.

Claim, "Unbeatable taste since 7 decades", was not substantiated with verifiable comparative data / consumer research data, on year on year basis over 70 years, to prove their product's taste is the best or through a third party validation. 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 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1833

COMPANY: Dama Maharaj Sweets

PRODUCT: Dama's Range of Products

Claim Objected To:

"No.1 in Odisha."

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 in Odisha", was not substantiated with any verifiable comparative data of the advertiser's products and similar range of sweets products in Odisha, to prove that they are 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 Chapters I.1, I.2, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1834

COMPANY: Sanjeevani Dairy Farms LLP

PRODUCT: Doodhvale.com

Claim Objected To:

"Organically produced 100% pure cow milk"

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that they have their own cow dairy farm and they deliver 100% pure cow milk to their customers. The feed given to their cows is produced by farmers and avoid the pesticides. The CCC viewed the print advertisement and considered the advertiser's response. The CCC observed that the advertiser's response has only assertions about their claim, however, the advertiser did not provide any organic certification for their product as per FSSAI requirements. In the absence of evidence of their product qualified to be produced organically, by a Certifying body, the CCC concluded that the claim, "Organically produced 100% pure cow milk", 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 Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.





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1810-C.1835

COMPANY: Portim International

PRODUCT: Gruner Green Coffee

Claims Objected To:

1. "Weight loss without dieting."
2. "Control Diabetes & Cholesterol."
3. "Healthy Blood Pressure level."

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 post releasing the advertisement, they had noticed some errors in the advertisement, and subsequently, the same was discontinued.

The CCC viewed the print advertisement and considered the advertiser's reply. 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 was provided of any study done with the product that demonstrated the claimed benefits. In the absence of claim support data, the CCC concluded that the claims, "Weight loss without dieting", "Control Diabetes & Cholesterol", and "Healthy Blood Pressure level", were not 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 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**. The CCC noted the advertiser's response that the said advertisement will not be released again.

1810-C.1837

COMPANY: Modern Food Enterprises Private Limited

PRODUCT: Modern Bread

Claim Objected To:

"India's No.1 Trusted Bread Brand."

CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser stated that the claim was based on the study carried out by 'The Brand Trust Report, India Study 2018' which ranked 'Modern' as the Most Trusted Brand of India in the category of Bakery Products. As claim support data, the Advertiser provided relevant pages of the Brand Trust Report, and also referred to the link <http://www.trustadvisory.info/tra/categoryBTRBL18.php>, for viewing the ranking data.

While deliberating on the said complaint, the CCC also referred to an earlier complaint (1808-C.1137), with "India's most trusted bread" and the expert opinion sought in that case, wherein the advertiser relied on the same data of 'The Brand Trust Report, India Study 2018'.

The CCC viewed the print advertisement and considered the Advertiser's response. The CCC observed that the Brand Trust Report for Bakery Products showed that there was only one bakery product (Modern) mentioned in the ranking. It was also seen that according to independent market reports, Britannia Bread had a slightly higher





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market share (25%) as compared to Modern (20%). However, Britannia Bread did not feature in the ranking for Bakery Products.

CCC referred to the survey methodology provided by the advertiser for complaint (1808-C.1137), and observed that while there was a mention that 2500 consumer influencers were surveyed for this study, there were no details available on the profile of these respondents, or how these were sampled/identified. There was also no detailed methodology report that could be accessed easily on the TRA Research website (that publishes the Brand Trust Report) which provided more details on how the study was conducted and the ranking calculated. The CCC considered the survey data to be questionable and inadequate.

Based on this observation, the CCC concluded that the claim, “India’s No.1 Trusted Bread Brand”, was inadequately substantiated, and is misleading by ambiguity. 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**.

1810-C.1838

COMPANY: Navjeevan Gramodyog Seva Sansthan

PRODUCT: Navjeevan Herbal Eggs

Claim Objected To:

“Herbal organic egg.”

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 organic certification for their product or how the egg is being termed as “Herbal”. In the absence of evidence of their product qualified to be herbal organic by a Certifying body, the CCC concluded that the claim, “Herbal organic egg”, 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 Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

1810-C.1840

COMPANY: Rasna International Pvt. Ltd

PRODUCT: Native Hatt Aampanna

Claim Objected To:

“No chemicals, preservatives.”

Objection:

1. Claim is misleading by ambiguity.
2. Violation of Guidelines for celebrities.

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





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did not provide copy of product label, copy of Product approval, Product composition details, and evidence of the ingredients present in the product. In the absence of claim support data, the CCC concluded that the claim, “No chemicals, preservatives”, was not substantiated with supporting data showing absence of any chemicals in the product. 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.

For the celebrity (Kareena Kapoor) used in the advertisement, the CCC observed that the advertiser did not provide any evidence to show that the celebrity had done due diligence prior to endorsement, to ensure that all description, claims made in the advertisement are capable of substantiation, nor any Testimonials, or preference of the Celebrity was provided. This contravened Clauses (c), (d) of the ASCI Guidelines for Celebrities in Advertising.

The complaint was **UPHELD**.

1811-C.1869

COMPANY: Trevo India Private Limited

PRODUCT: Trevo Wellness

Claims Objected To:

1. “For any kind of disease, the only one solution.”
2. “Made of micronization formula of 174 ingredients.”

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 TVC and observed that the advertiser did not provide copy of product label, copy of Product approval license, Product composition details, FSSAI approval for all the claims made, 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, “For any kind of disease the only solution.” (“*Rog jo bhi ek hi illaaz*”) and “Made of micronization formula of 174 ingredients” (“*174 ingredients ke micronization formula se bana*”), were not substantiated with evidence of product composition details or product efficacy, and are misleading by exaggeration. The claims are 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**.



HONESTY



DECENCY



RESPONSIBILITY



FAIRNESS

So you can trust advertising



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1811-C.1886

COMPANY: Parag Milk Foods

PRODUCT: Gowardhan Paneer

Complaint 1:

“Add shows kids throwing milk. Spilling to sink. Then paneer is given to eat.

This made my son throw milk. He doesn’t drink milk anymore. This is so misguided add”

Complaint 2:

“The ad shows three children (who dislike milk) throwing away their glass of milk. The milk then gets converted to Gowardhan paneer which the children eat with great delight.

The ad: (1) encourages waste of food. This is egregious in a culture where food is considered a manifestation of the divine and where lakhs of children are still malnourished; (2) seems to tell children that it is ok to avoid things that they don’t like by lying. No parent seems to be around when the children waste milk.”

CCC RECOMMENDATION: UPHELD

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied seeking an appointment to discuss the subject complaints. ASCI referred them to an earlier email communication wherein they were provided possible dates for an appointment. As a special gesture, the advertiser was again offered a personal hearing, which they did not avail, and neither did the advertiser respond with their specific comments on the complaints.

The CCC viewed the TVC and considered the objections raised against depiction of children (minors) shown disliking milk. The CCC observed that in India, milk is considered as a natural source of nutrition for children. The TVC shows it being thrown away by children, which is likely to encourage minors to emulate such acts which exploits their lack of knowledge. The CCC concluded that the scenes in the TVC showing “girl pushing a glass of milk”, “boy throwing a glass of milk on a cactus plant”, and “boy throwing a glass of milk in a kitchen sink”, with a voice over saying “*cow’s milk taakat ka poora poshan, par usko mila sirf rejection*”, unfairly denigrated milk directly. TVC also shows milk being replaced by paneer with a voice over saying “*.....Ban gaya bachchon ka superstar*” and the children are shown eating paneer. The CCC considered such depiction disparaging good dietary practices and selection of options, that accepted dietary opinion recommends should form part of the normal diet. The TVC contravened Chapters III.2 (b) and IV.1 (e) of the ASCI Code, and Clauses 3 and 7 of ASCI Guidelines on Advertising of Foods & Beverages. The complaint was UPHELD.





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

Sr. No	Advertiser (Brand / Product)	Claims Objected to	Remarks (Clause Applicable)
1.	1811-C.1962 Nav Umang / Nav Umang Range of Products	Claims: 1. Strengthen the muscles of organ. 2. Increase organ length and thickness. 3. Increase extra sex time. Objection: The visual in the ad, read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
2.	1811-C.1963 Vaidban Ayurved Bhawan / X Plus Gold Capsule	Claims: 1. An ultimate power surge medicine. 2. These capsules have been produced for sexpower, which is beneficial for men aged 22 to 82 years. 3. Use of X+Gold Cream/Oil is to enhance men power. Objection: The claims objected to in the advertisement implies that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
3.	1811-C.1964 Eastern Herbal Co / Eastern Herbal Co Products	Claim: To be most effective medicine for masculine strength and interruption. Objection: The claim objected to in the advertisement implies that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
4	1811-C.1965 Jiyo Ayurveda / Shwasthi	Claims: 1. To be very effective in asthma. 2. Riddance from asthma by regular consumption Of this as per the described method. Objection: The claims objected to in the advertisement implies cure for Asthma	Asthma Rule No. 06, DMR Act



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5	1811-C.1966 Health Stimulant/Gin seng / Vigosil 5000 Gold Plus Range of Products	Claims: 1. for utmost moments of pleasure 2.It will never disappoint you 3.To instantly increase vigor, energy and gives extra time 4. For immediate effect take 2 capsules before 1 hour Objection: The claim objected to in the advertisement implies that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
6.	1811-C.1967 Health Stimulant/Gin seng / 7 Ratan Capsules	Claims: For vigour and vitality, For Men only Objection: The visual in the ad, read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure Section 3(b) - DMR Schedule.
7	1811-C.1950 Inlife Pharma Pvt. Ltd. (Inlife Breast Enlargement Cream)	Claims Objected to: INLIFE Breast Enlargement Cream is made from natural herbs, which gives a complete care to your breast. This specially formulated cream is packed with powerful extracts that may support cell growth, cell rejuvenation and cell renewal. The cream gets well absorbed into your skin and supports the growth of tissues around your bust. The ingredients present in the cream penetrate deep into the cells and nourish them from within. Objections: Please substantiate claims 1-3 with claim support data. The claim support data should not be internal or based on studies commissioned by Inlife Healthcare. Can the product be taken irrespective of medical conditions? Is it safe to use without a doctor's consultation? How can the cream claim to "support the growth of tissues around your bust?? This is grossly misleading. We would like to quote an ASCI decision regarding an advertisement of A R Ayurveda Pvt. Ltd (Ashwa Shakti powder) in the month of April 2018 with similar claims. Similarly, the claims made by 2 Much Gold "Were considered to be, prima facie, in contravention of Drugs and Magic Remedies (DMR) Act.	Form and structure of the female bust (Item no- 21 DMR Schedule)



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8	1811-C.1942 Inlife Pharma Pvt. Ltd. (Inlife Sexual Health Range of Products)	Claims Objected to:- Improved performance, Libido and stamina for mind, body and even soul Complaint: The visual in the ad when read in conjunction with The claims objected to imply that the products are meant for the enhancement of sexual pleasure.	The maintenance or improvement of the capacity of human beings for sexual pleasure. Section 3(b) - DMR Schedule
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1811-FTCC.14

COMPANY: Procter & Gamble Hygiene & Health Care Limited

PRODUCT: Head & Shoulders Anti-Dandruff Shampoo

NATURE OF COMPLAINT

This Complaint is being filed against the blatantly false, misleading and absolute claim being shown in the Television/Video advertisement pertaining to prevention of dandruff by the product

Copies of the Advertisements are attached as Annexure A (Colly.) where the Advertiser is making a claim - “upto 100% Dandruff free”.

It is submitted that the Advertiser has been trying to mislead the consumers by keeping the word “upto(tak)” in a very small size as compared to the rest of the claim line giving an impression that the claim is “100% Dandruff free” which is an absolute claim and is incapable of substantiation.

In fact during the said IRP hearing, we had highlighted the comparative font sizes of the word “upto/tak” in the Advertiser’s advertisements as well in presence of their representative which the IRP panel duly noted. It is clear that the Advertisements are completely misleading and are aimed at concealment of the extent of anti-dandruff benefit that the product is capable of delivering.”

FTCP RECOMMENDATION: UPHELD

The Complainant representatives were given the opportunity for personal hearing with the ASCI Secretary General. The advertiser representatives did not attend the personal hearing that was offered to them. The complaint submitted by the complainant and the advertiser response was taken into consideration.

The FTCP reviewed the TVCs (One featuring Ranvir Singh and other for New H&S 2-in-1 shampoo) and the claims made therein qualified with a super and noted the Advertiser’s written response.

The FTCP agreed with the complainant’s grounds for objection. The adjective “up to” is an important descriptor for the claim “Keeps you up to 100% dandruff free” to hold true. Regardless of the claim in the voice over, the small font size of this adjective as compared to the rest of the claim line gives an impression that the product is able to provide “100% dandruff free” hair. The FTCP concluded that the adjective “up to” requires an equal emphasis in the super, in terms of font size, its weight as well as colour, shape / bold characters.

The FTCP also noted that the advertiser is agreeable to modify the TVCs; However, they had not ensured time bound compliance as required for the matter to be treated as “Informally resolved” as the said super continued to be available on YouTube (<https://www.youtube.com/watch?v=HBSEeOFRLIA>) and on the Social Media pages (<https://www.facebook.com/hnsIndia/>) as on the date of the FTC deliberations without any modification. Hence the complaints was taken forward for the FTCP deliberations.





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In view of the above, the FTCP concluded that the visual representation of the claim, “Keeps you up to 100% dandruff free” is misleading. It is likely to lead to grave or widespread disappointment in the minds of the consumers.

The advertisements were in contravention of Chapters I.4 and I.5 of the ASCI Code as well as ASCI Guidelines on disclaimers in advertising. This complaint was **UPHELD**.

Given the nature of objections raised in complaints under reference 1810-C.1818 and 1810-C.1819 being similar, the FTCP recommended that the above FTCP recommendations hold for these complaints as well.

1811-FTCC.15

COMPANY: Procter & Gamble Hygiene & Health Care Limited

PRODUCT: Head & Shoulders Anti-Dandruff Shampoo

NATURE OF COMPLAINT

This Complaint is being filed against the blatantly false, misleading and absolute claim being made in the Print media pertaining to prevention of dandruff by the Product.

Copies of the Advertisements with details of their publishing are attached herewith as Annexure A where the Advertiser is making a claim - "Dandruff free smooth hair".

It is submitted that the Advertiser has been trying to mislead the consumers through the print advertisements which have a claim "Dandruff free smooth hair". We would like to state that it is an absolute claim which is incapable of substantiation.

The above claim line indicates that the product delivers a dandruff free state when used. This is not possible, as dandruff is a condition of the scalp and cannot be eliminated completely by any cosmetic shampoo product. The Advertiser is therefore wrongfully trying to advertise and sell their product as a permanent solution/remedy for dandruff which is misleading to the consumers.

It is hence urged that continued presence of the product Advertisements would harm the interests of consumers at large and would also be unfair to competition. Hence it is requested that ASCI takes urgent notice of this and post their assessment, recommends the discontinuance of the same at the earliest.”

FTCP RECOMMENDATION: UPHELD

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

The FTCP reviewed the print advertisement and claims made therein and noted the Advertiser’s written response.

The FTCP noted that the print is about a Sachet product for “Basic Smooth” variant and positions the product as “New”. The advertiser did not submit any product sample nor any evidence to support equivalence of this variant with Anti-Hairfall variant quoted by the advertiser which was examined under complaint 1711-C.1692. The FTCP also noted that the advertiser has not followed the said CCC recommendation that the advertiser should include a mention of the period of regular use (three / four weeks) in the disclaimer. Moreover, the disclaimers in the print advertisement were not legible.





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FTCP also made an observation that the claim “Dandruff free smooth *baal*, *Rs 2 ka kamaal*” is misleading by implication that the product would be effective with a single use of a sachet. “Dandruff free” claim was not substantiated for “single sachet use” for Basic Smooth variant and is inconsistent with the disclaimer recommending regular use for efficacy.

In view of the above, the FTCP concluded that the “Dandruff free smooth hair” was not substantiated. The advertisement exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement was in contravention of Chapter I.1, I.4 and I.5 of the ASCI code as well as ASCI Guidelines on Disclaimers. This complaint was **UPHELD**.

1811-IRP.16

COMPANY: Marico. Ltd

PRODUCT: Livon Hair Gain Tonic

NATURE OF COMPLAINT (1808-C.1128):

Claim Objected to:

“Increase your hair density in 45 days”

Complaint:

Description:

The ad begins with a text appearing on the screen which says- scalp visible? Don't get late. Increase your hair density in 45 days. The product pack of Livon Hair Gain is shown.

Objections:

1. Please substantiate the claim with claim support data. The claim support data should not be internal or based on studies commissioned by Marico Ltd.
2. Hair fall occurs due to many reasons like certain diseases, genetics, medicines etc. Does the product help in increasing hair density in spite of any of the reasons for the loss of hair?

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.

IRP RECOMMENDATION: NOT UPHELD

Heard the Learned Representatives of ‘Marico Ltd.’ represented by Dr. Avani Mainkar, EVP, and Mr. Shadab Akhter, Head Legal and Mr. Shamin Marwah, Legal Manager (Advertisers) who are the manufacturers of ‘Livon Hair Gain’ at length. The Complainants (CERC) chose not to attend the hearing. Visually saw the TV Commercial.

In the above matter the CCC had upheld the complaint against the Advertiser as under:

The CCC concluded that the claim, “45* dino mein hair density badhaye” (“increase your hair density in 45 days”) was inadequately substantiated and is misleading by exaggeration. The 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.

Aggrieved thereby, the Advertiser has filed this IRP proceedings. Along with the proceedings, the Advertiser has filed a detailed Clinical Study Report, conducted by Target Institute of Medical Education and Research. The Advertiser pointed from the above Clinical Study Report that regular application of LHGT significantly improves the hair growth over a period of 180 days starting from as early as 45 days. The study also shows significant reduction in hair loss. Increase in hair density was visible at day 180. The Advertiser pointed out that the above Clinical Study Report was independently analysed by Dr. Vinay A Pawar, Bio Statistician and Clinical Research Consultant, who has also fully concurred with the above Clinical Study Conclusions.





The Advertising Standards Council Of India

Under the above circumstances, as the Claim has been fully substantiated by the above Clinical Study Report, the Order of CCC is set aside and the above Review is accordingly allowed.

By way of Recommendation, the Advertiser may also state in the Advertisement, for a substantial hair growth, the product be used for 180 days. Accordingly the IRP proceedings stands disposed of.

1811-IRP.17

COMPANY: N. Ranga Rao & Sons

PRODUCT: Lia agarbathis

NATURE OF COMPLAINT (1807-C.916):

Claim Objected To:

“India's No.1 Agarbathi Brand”

IRP RECOMMENDATION: UPHELD

Heard the Learned Representatives of ‘N. Ranga Rao & Sons Pvt Ltd’ represented by Mr. Arnab Chatterjee, Sr. Vice President – Sales & Marketing and Mr. Ganesha KU, Manager Finance (Advertisers) who are the manufacturers of ‘Lia Agarbathies’ at length.

The CCC had concluded that Lia Agarbathies claiming to be “India’s No.1 Brand” was false, and misleading by ambiguity and implication. The Claim is likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of ASCI Code. The Complaint was UPHELD.

Aggrieved thereby, the Advertiser has filed this IRP proceedings.

The Advertiser pointed out that the Market Study clearly showed that “Cycle” Brand is the Market Leader.

The Advertiser stated that “Lia” Agarbathies is from “Cycle” group of Agarbathies.

The Advertiser categorically states that it would prominently and boldly mention in the Advertisement that “Lia” is from the “Cycle” brand, which is India’s Number 1 brand, so as to prevent any ambiguity or misleading statement.

In view of the Advertiser categorically agreeing to clarify in the Advertisement, boldly and prominently that “Lia” is from Cycle Brand, which is India’s Number 1 Brand, the above misleading and ambiguity statement will vanish.

In view the Advertiser categorically agreeing to mention boldly and prominently as above, the Complaint does not survive. Accordingly the Order of CCC is set aside, and the above Review is accordingly allowed.

