



COMPLAINTS INSIGHTS 2021-22

About The Advertising Standards Council of India

Established in 1985, The Advertising Standards Council of India (ASCI) is the self-regulatory body of the Indian advertising industry. ASCI resolves issues in advertisements that relate to

- Dishonest or misleading ads
- Indecent or offensive ads
- Harmful ads
- Ads that are unfair in competition.

ASCI looks at advertisements across all media types and formats such as TV, print, digital, outdoor, radio, point of sale, claims made on packaging and so on.

ASCI works closely with different stakeholders in the matter of consumer protection. ASCI's code is part of The Advertising Code enshrined within the Cable TV Networks (Regulation) Act, 1994, providing it with a legal backstop.

Complaints management

ASCI's speedy, independent and low-cost complaint management approach ensures that both consumers and industry have the opportunity for a fair resolution. All stakeholders can register their complaints at no cost via WhatsApp at 77100-12345 or at www.ascionline.in.

ASCI's independent jury (The Consumer Complaints Council or CCC) comprises 40 eminent professionals, both from the industry as well as from civil society, who review complaints on a weekly basis and provide their recommendations.



Four retired high court judges hear appeals from complainants or advertisers who may wish to contest a CCC recommendation



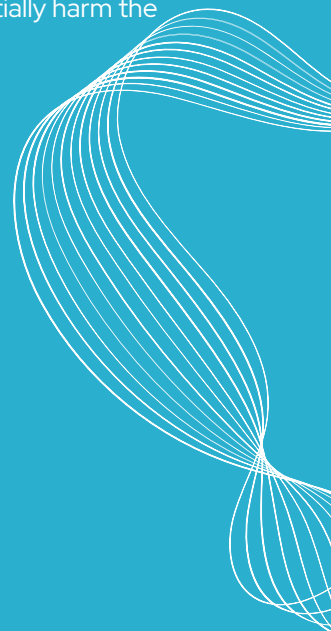
Eminent technical experts from over 20 fields support the CCC and the Review Panel



Training and Advisory Services

With a view to supporting the industry get it right, ASCI has several initiatives such as the ASCI Masterclass, as well as services like the 'ADVERTISING ADVICE' (AA). ASCI has long-established expertise in the area of advertising depictions, claims and representations, through its extensive panel of advertising and technical experts. ASCI's AA panel comprises advertising experts, as well as technical experts who are well-qualified and experienced specialists from several disciplines such as Ayurveda, Formulations, Microbiology, Electronics, Market Research, Nutrition, Financial services and so on. Many organisations voluntarily submit their ads at a pre-production stage to ASCI to receive non-binding advice on whether the ad potentially may violate any ASCI code. Small changes at the production stage can save a lot of hassle later. The advisory services provided by ASCI are not binding on its independent jury - the CCC.

ASCI also offers an Endorser Due Diligence service to help endorsers meet their obligations to ensure that ads they feature in do not make misleading claims, and potentially harm the endorser's reputation.



2021-22- A digital story

After a year affected by Covid, the Indian advertising industry reached a size of Rs. 70,715 crores in 2021 growing at 18.6% versus 2020. The industry is expected to reach Rs 93,119 crores by the end of 2023, growing at a CAGR of 14.75%. The digital advertising industry reached a market size of Rs 21,353 crore in 2021 from Rs 15,782 crore in 2020, growing at 35.3%, owing to the accelerated business and consumer shift towards digital. Digital media is expected to reach a market size of Rs 35,809 crore by 2023 equaling (if not surpassing) the previously-impregnable fortress of TV advertising by 2023.

(source: Dentsu- E4M report, 2022)

As advertising increasingly shifts to digital platforms, the monitoring of advertisements for misleading content becomes more challenging. Ads are increasingly served and consumed on personal screens, making it difficult for regulators to truly understand the scale and impact of ads. The volume of advertising creative units has exploded, and it is estimated that an average person is exposed to 6000-10000 ads per day.

After the preposterous Covid-related claims that ASCI managed in 2020-21, the year 21-22 saw ASCI turn its attention to the future. Digital media came into sharp focus.

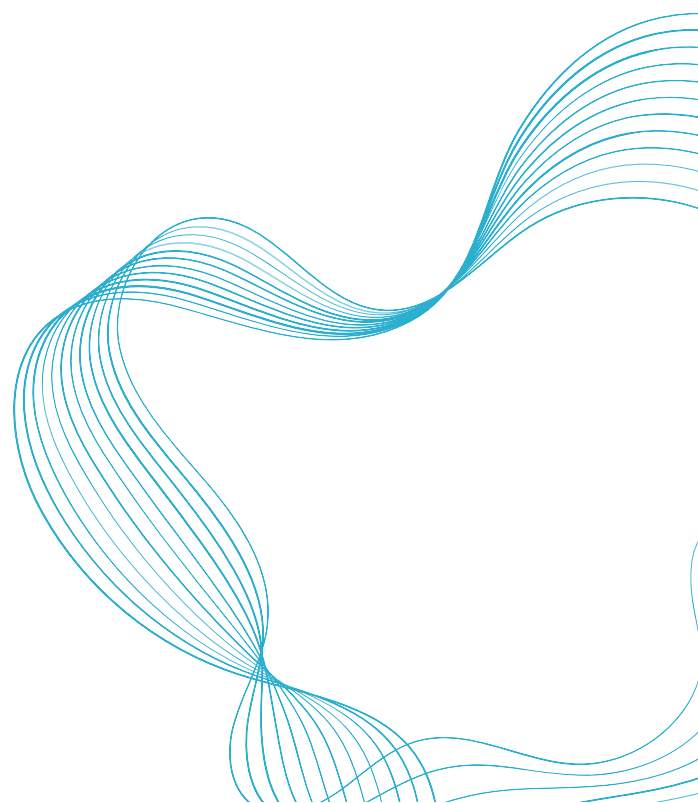
While traditional advertisers continue their strong run, it is the tech-enabled offerings that really entered the big leagues. Gaming, Crypto and Ed-tech saw some massive spending. Influencer advertising came into its own.

ASCI made significant investments in digital monitoring – be it the 3000 websites we monitored, or the AI-enabled identification of disguised ads we undertook. All of this has yielded a very different looking landscape in terms of the nature of advertisers and complaints. 2021-22 marks a new era of digital-focused guidelines, monitoring and compliance, even as we keep our eye on TV and print.

Another important development is the upgrade of ASCI's complaint management system "Tara" which offers a smooth experience to both complainants and advertisers. Real-time tracking makes the experience akin to what one would expect on a contemporary tech platform.

This report provides a snapshot of our efforts on complaints management in the period April 2021- March 2022. All CCC recommendations can be found on our website–

<https://ascionline.in/index.php/ccc-recommendations.html>



2021-22- KEY HIGHLIGHTS

- ✓ ASCI processed 62% more ads in 2021-22 as compared to the previous year.
- ✓ Digital ecosystem takes centre stage - whether it is influencers who contributed to nearly 29% of all complaints taken up by ASCI, the emergence of categories like crypto and gaming in the top 5 violative categories, or ASCI's own AI-based monitoring systems, this is where the action is!
- ✓ Education remains the single largest violative sector, followed by health care and personal care.
- ✓ Personal care, Food and Beverages, Crypto and Online Real Money Gaming show the greatest increases in ads processed at ASCI vs. the previous year.
- ✓ 41% increase in misleading ads featuring celebrities. 92% of the ads that we processed with celebrities were found violating the code.
- ✓ 94% of overall ads we processed needed some modification.
- ✓ Overall voluntary compliance rate remains high at 94%*. Compliance on Print & TV is at 98%.
- ✓ The CCC met 44 times in 2021-22.

*Compliance data for 2021-22 is for the period April '21 to February '22

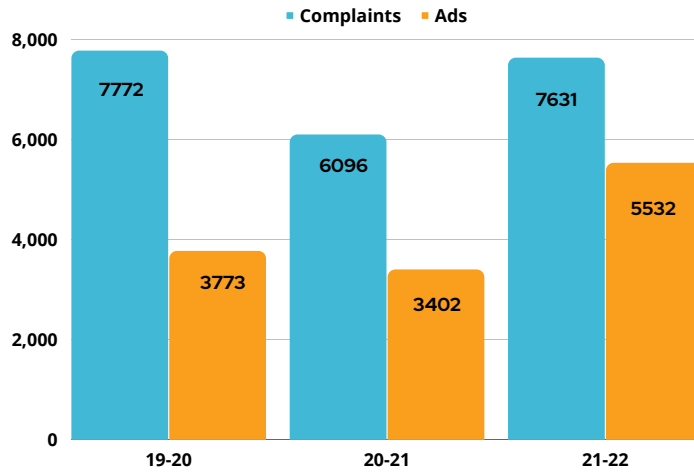
Complaints Snapshots

Surge in no. of Ads processed in 21-22

25% increase in complaints

62% increase in ads processed

186.5% increase in Consumer Complaints. Particularly after the launch of our Influencer Guidelines



Complaint Channels



Online
22%



Whatsapp
13%



Emails
10%



System tracking
55%

Total complaints processed: 7631

Source of Complaints



Consumer
21%



Intra-industry
2%



CSO/Govt.
2%



Suo-Motu
75%

Total complaints processed: 7631

Complaint Outcomes



Total ads processed:
5532



Dismissed

4%



Not contested

39%



Complaint Upheld

55%




DMR/ Ayush

2%

94% of ads needed changes

Chapter wise potential violations looked into by ASCI




Honest Representations
97.5 %

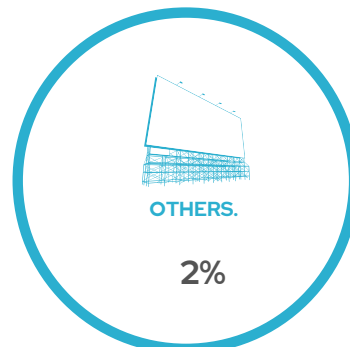
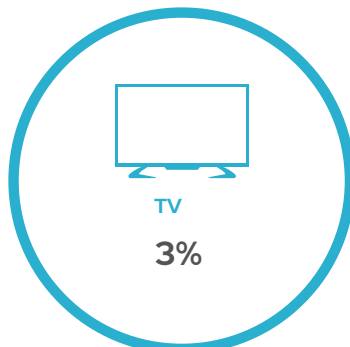
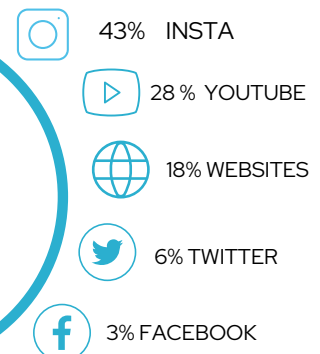
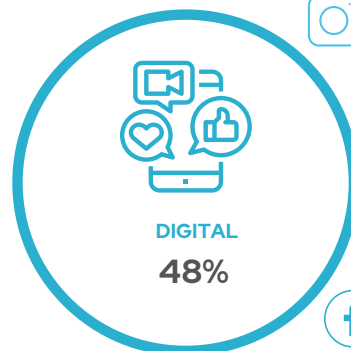
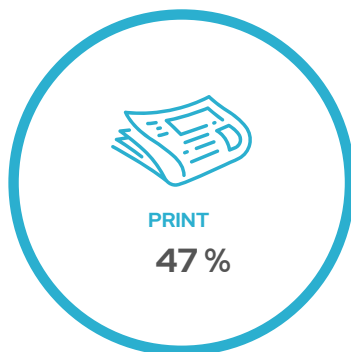

Non – Offensive to Public
0.5 %


Against Harmful Products / Situations
4.3 %


Fair in Competition
0.4 %

Base: 5532 advertisements
Some ads violated multiple chapters of the ASCI Code

Where objectionable ads were published



Total ads processed: 5532

Most complained about categories



Education

33%



Healthcare

16%



Personal Care.

11%



Crypto.

8%



Gaming

8%



Food & Bev.

8%



Fashion.

6%



Services

4%



E-commerce.

4%







Realty

3%

Total ads processed: 5532

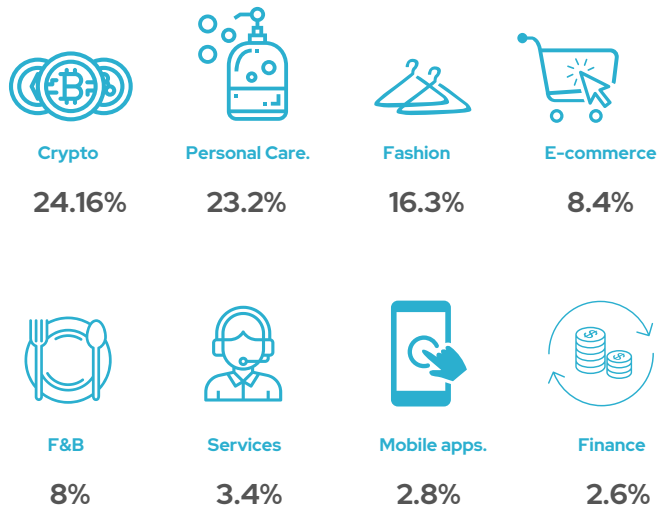
Categories that saw a surge in 21-22

	Growth in complaints vs. previous year	% ads needing modifications
Personal Care 	263%	91%
F&B 	31%	84%
VDA 	--	95%
Gaming 	--	94%

Influencer Violations - Key Categories



Contributed to **29%** of ads complained against at ASCI



Total complaints processed against influencers: 1593

Advertisements featuring Celebrities



41% rise in advertisements featuring celebrities processed as compared to previous year



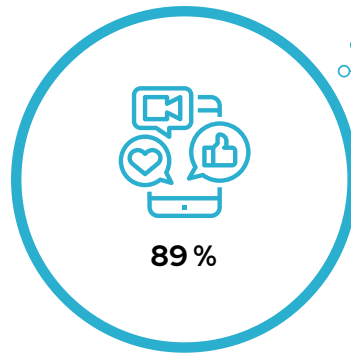
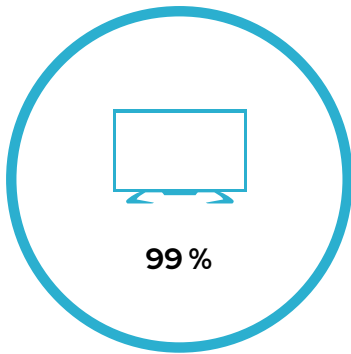
92% ads featuring celebrities violated the code

Number of advertisements processed featuring celebrities: 55

Compliance Outcomes



94% overall compliance rate



Non-Influencer Digital Advertisements compliance 95.5%



Influencer's Advertising in Digital Media compliance is 86%

Compliance data for 2021-22 is for the period April '21 to February '22

Important Links



List of cases handled
<https://bit.ly/ASCICases21-22>



List of Non-Compliant Advertisers
<https://bit.ly/NonCompliantAdvertisers>



List of Non-compliant Influencers
<https://bit.ly/NonCompliantInfluencers>



Detailed CCC decisions
<https://bit.ly/ASCIREcommendations>

COMPLAINT FAQs

Who can complain against an advertisement to ASCI?

ASCI accepts complaints from everybody. A complainant can be a member of:

The General Public
The Industry
Consumer Organisations
Government

What information do I have to provide in order to register a complaint?

In order to successfully register a complaint with ASCI, the following information is required:

- The name of the advertiser or brand
- The time, date and medium in which the ad appeared
- The name of the product or service that was being advertised
- A copy of the ad or a brief description of it.
- Your specific objections including any specific claims/visual frames you have an objection to and the reasons.
- Your name and contact details (we keep this information confidential if you are a member of the public, and this information is only used for ASCI's communication with you)

How long does it take for a decision on a Complaint to be taken?

The time to take a decision on a complaint varies depending on the nature of the case. The average lead time for a non-technical case is 15 working days from the date of receipt of a complaint complete in all respects. In cases that need investigation by technical experts,, most cases at ASCI reach a resolution within 8-10 weeks.

What kind of complaints does ASCI handle?

You can complain to ASCI when you come across an advertisement that is

- Misleading or untruthful
- Indecent or vulgar
- Unsafe or can cause physical or societal harm
- Unfair to other products or brands

What kind of complaints against ads does ASCI NOT handle:?

ASCI self-regulates the CONTENT of advertising for the advertising industry. Even though the following relate to ads, these are NOT covered by the ASCI code and hence we cannot process complaints related to the following:

- Duration/frequency/volume of advertisements
- Product or service deficiency cases
- Fraud cases
- Refund issues
- Counterfeit products
- Issues with content of programme
- Network quality issues
- Political, non-commercial government advertising.
- Violation of law
- For eg. Emblems and Names (Prevention of Improper Use) Act, 1950;
- Prevention of Cruelty to Animals Act]
- Direct liquor/tobacco advertising
- Violation of code of medical ethics
- Pop-up stores
- Spam emails
- Unsolicited SMS
- Sub-judice cases
- Advertisements not meant for Indian audiences (cross-border complaints
- Pricing issues
- Public notice, news articles and press releases

Does ASCI publish details of recommendations made by the Consumer Complaints Council (CCC)?

Yes, the independent Consumer Complaints Council (CCC) recommendations are published on our website once the complaint is resolved/ closed.

Message from the Chairman- Subhash Kamath



2021-22 has been a remarkable year that marks a fundamental shift toward digital media as it starts to dominate the advertising landscape. The year has brought about new challenges and ASCI has heavily invested in technology to monitor new and dynamic ad formats. Our new complaints system now makes it easier for consumers to register a complaint, and for advertisers to respond to it. ASCI will continue to be at the forefront of understanding how to regulate and monitor this frontier, even as we keep streamlining our processes to become more responsive, and more proactive.

Message from the CEO & Secretary-General Manisha Kapoor



Reviewing 5500+ ads in a single year is a huge achievement for the ASCI team! We are indebted to our CCC who have tirelessly debated the nuance of every advertisement that has come to them so that they are fair to both the consumers and the advertisers, our panel of experts who have reviewed thousands of pages of technical data in trying to understand the basis for different claims, and our Independent review panel who have applied their expertise to complex cases. The complaints team at ASCI have connected with nearly 5000 advertisers to seek their response to the complaints, handled their doubts and requests and tried their best to give everyone a professional experience of ASCI.

Above all, our thanks to our ASCI members who believe in the idea of responsibility and self-regulation and who engage with ASCI in raising the standards of advertising in India.





To contact us write to:
contact@ascionline.in