

HALF YEARLY COMPLAINTS REPORT

APRIL '22 - SEPTEMBER '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 around

- 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 of 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 the advertiser or 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 violate the law.



Key Highlights

98% of the complaints received at ASCI were registered via the new digital complaints management system, TARA.



Maximum number of objectionable advertisement were spotted in Digital Media (**55%**), followed by Print (**39%**).

92% of the overall advertisements processed required some modification. **32%** of all ads processed were not contested.



Education overall continues to be the most violative sector covering **27%** of all the ads processed. **22%** ads belonged to classical education and the **5%** to the Ed Tech sector.

Personal Care and F&B follow are the other two sectors to make it to the top 3 owing to high volume of advertising by **influencers**.

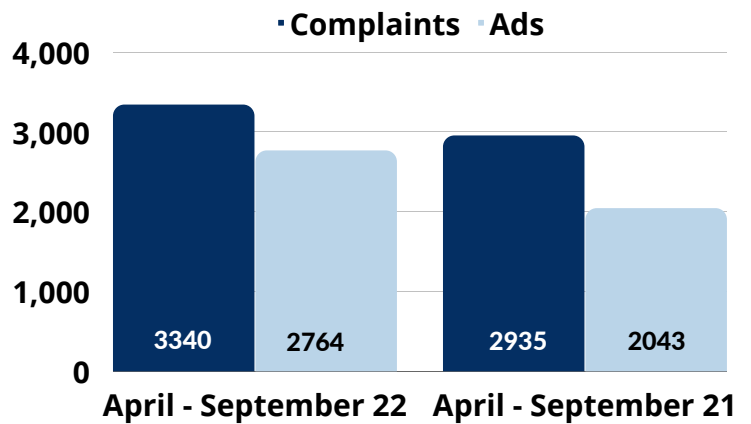
Non-disclosure by Influencers Advertising in Digital Media continue to contribute heavily to ads processed. **28%** of ads were in violation of the Influencer Guidelines. **63%** of these cases were not contested and were modified within 7 days.



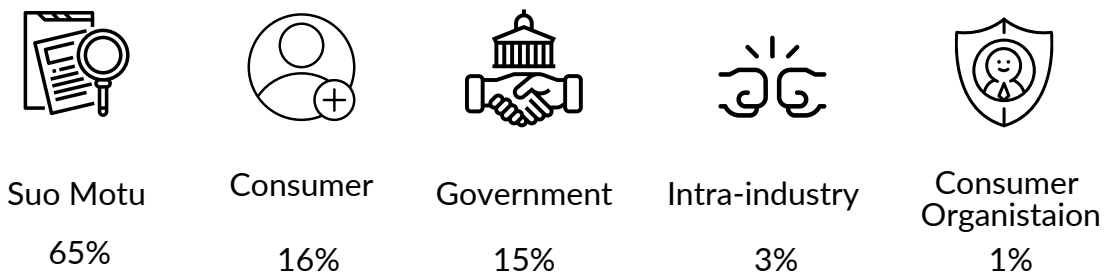
Complaints Snapshot

Overall increase in total number of complaints and advertisements processed in the first half of '22-'23 in comparison to the first half of the previous year

- ✓ 14% increase in Complaints
- ✓ 35% increase in Ads processed



Source of Complaints

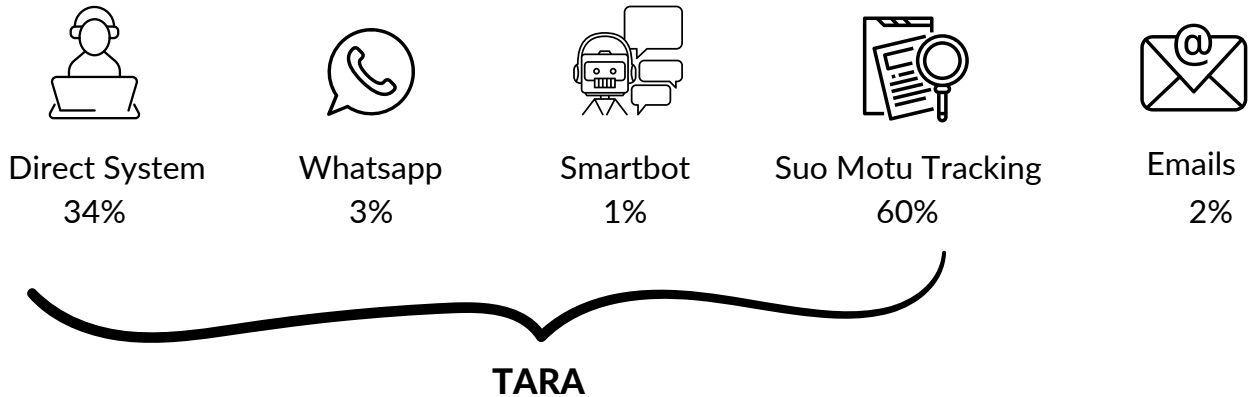


✓ A significant rise in Government complaints

✓ Quarter two saw a rise in Intra-industry cases as well

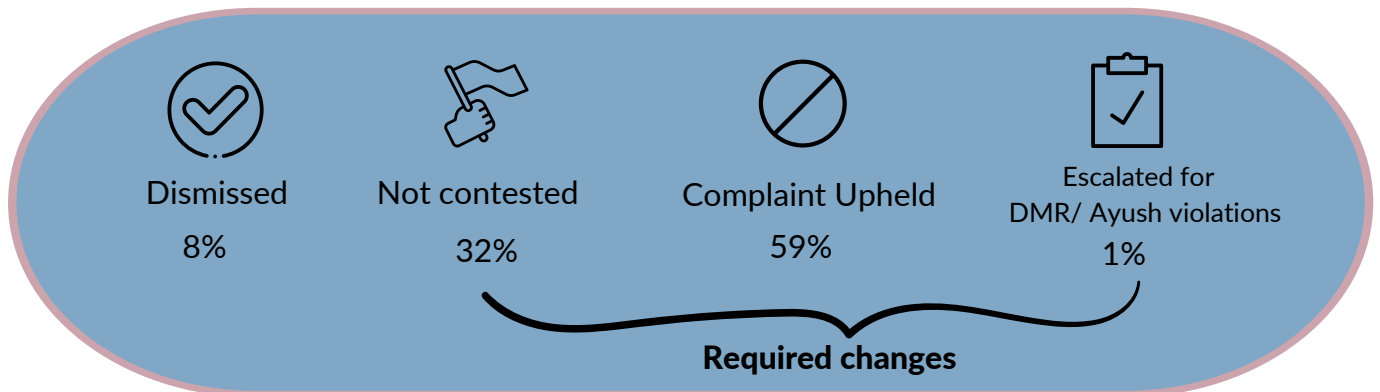
Total complaints processed: 3340

Complaint Channels: 98% cases registered via the New Digital Complaints Management System, TARA



Total complaints processed: 3340

Complaint Outcomes: 92% of the Ads processed required modifications



Total ads processed: 2764

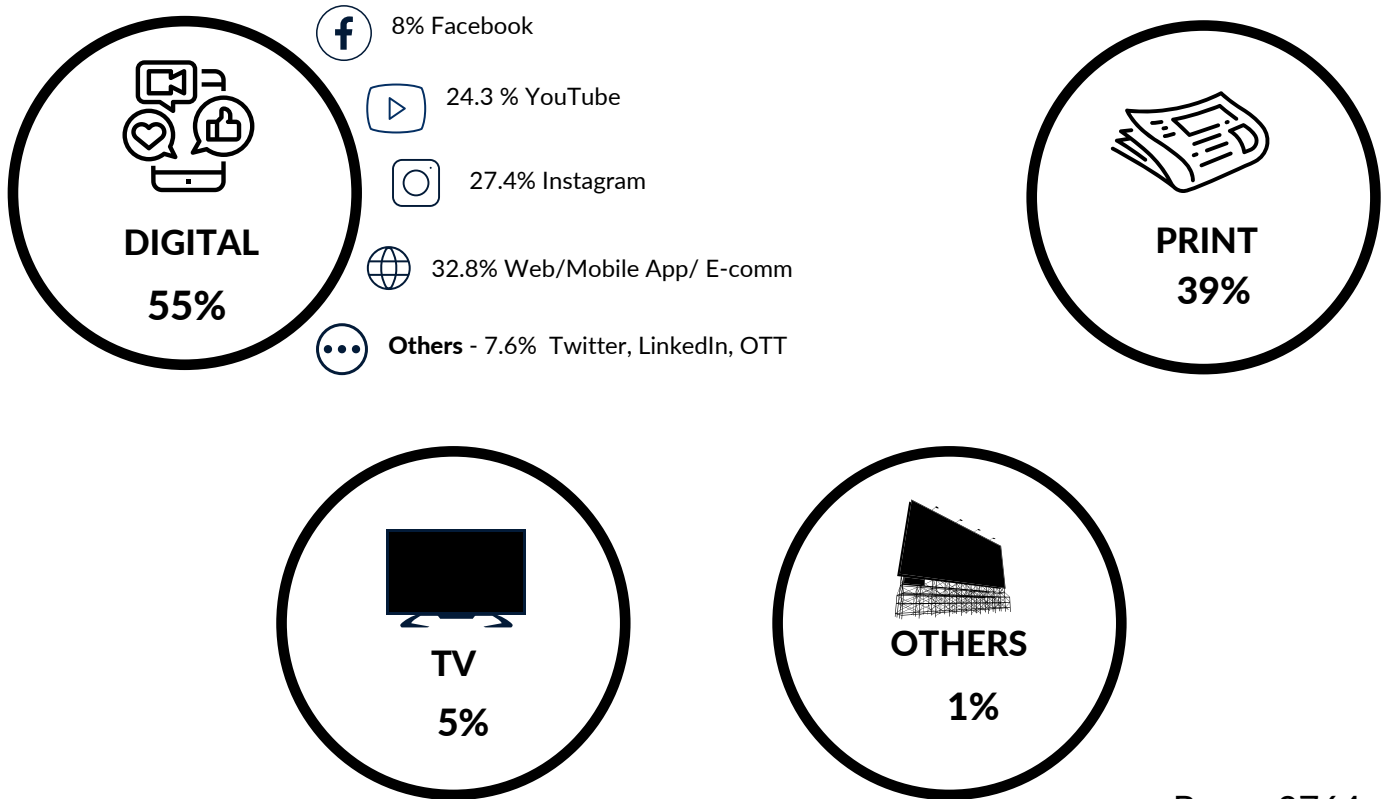
Chapter wise potential violations looked into by ASCI



Base: 2764 advertisements

Some ads violated multiple chapters of the ASCI Code

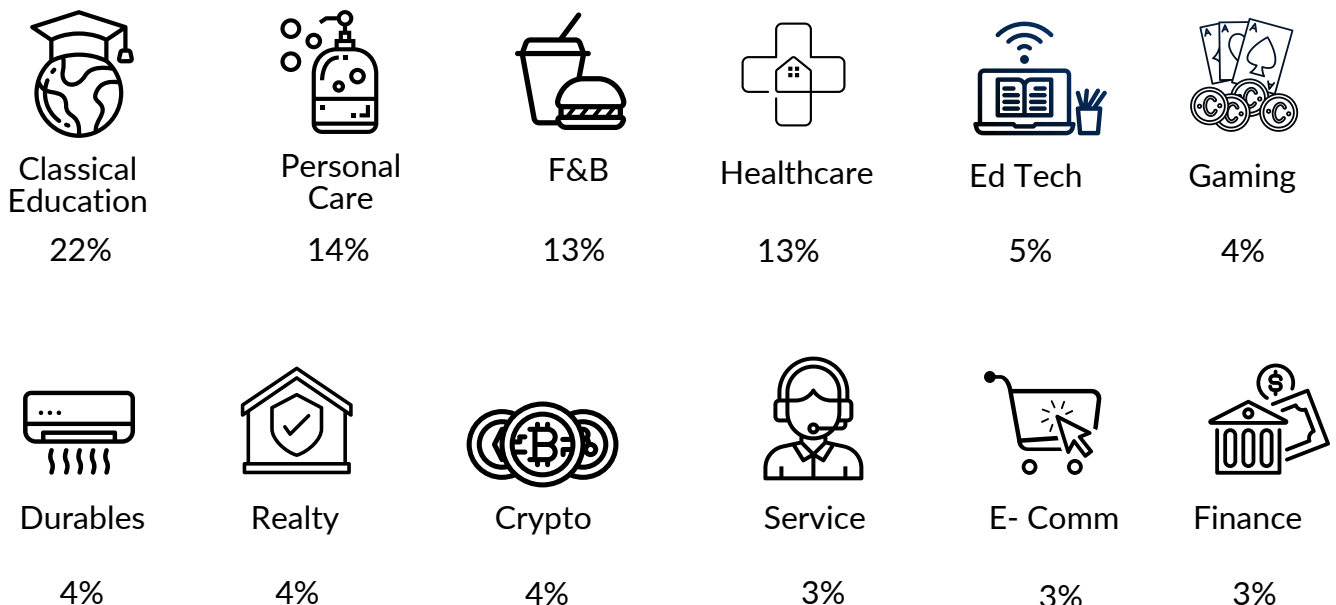
Medium wise potential violations looked into by ASCI



Base: 2764

Some ads processed were from multiple medium

Most complained about categories



Total ads processed: 2764

Influencer Report



Influencer Violations - Key Categories



Contributed to **28%** of ads complained



Personal Care
34%



F&B
17%



Crypto
10%



E-Com
9%



Fashion & Lifestyle
7%



Gaming
5%



Services
3%



Durables
2%



Finance
2%



Education
2%

Total complaints processed against influencers: 781

87% advertisements pertaining to influencers were found to be in violations of the Influencer Guidelines



84% Compliance*



Dismissed
13%



Not Contested
63%



Complaint Upheld
24%

87% ads found to be in violation

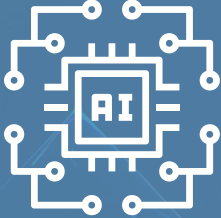
*Compliance data is for the period April '22 to September 15, 22

Total complaints processed against influencers: 781



TARA

COMPLAINTS MANAGEMENT SYSTEM



ASCI's new digital complaints management system, TARA is an AI enabled system that allows for a comprehensive, hassle free redressal experience for all stakeholders.



Enhanced by a SMARTBOT feature that assists consumers in filing complaints.



Easy logins to individual accounts, provides a personalised experience of interacting with ASCI. A feature that provides a consolidated dashboard view of all complaints (created by/against). A detailed view of cases, a communications tab for specific cases makes it 'one' robust and transparent system for all concerns raised.



Ease of tracking and a more real time update on complaints are some of the other key attractions of the new system.



Digital archiving of all cases at ASCI with refined search options (Upcoming!)

When can you register a complaint on TARA?

A complaint can be registered if an advertisement continues to be published or telecast within a period of three months prior to the date of complaint. For digital media, the designated officer may evaluate whether to take up such complaints for the period prior to three months of the complaint depending on the nature of the objections raised and/or consumer exposure envisaged



Things needed while registering a complaint on TARA?

- ✓ Brand Name
- ✓ Product Name
- ✓ Where the Ad was seen (Medium)
- ✓ When the Ad was seen (Date&Time)
- ✓ Claims/Visuals found objectionable in the Ad and Why?
- ✓ Link or copy of the objected ad



Important Links:



List of cases handled
<https://bit.ly/ListofCases>



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



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



Registering a complaint through TARA
<https://tara.ascionline.in/auth/login>

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 ad related complaints 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.

Get in touch with us at:
contact@ascionline.in

