

ASCI Annual Complaints Report 2022-23: Gaming emerges as top violative sector as digital scrutiny intensifies

- ~ Digital media dominates violations; 75% of ads processed were on digital platforms ~
- ~ Real money gaming, education and healthcare emerge as top violative categories~
- ~ 7,928 ads scrutinised, a 2x increase over the past two years ~
- ~ 97% of celebrity ads scrutinised failed to provide evidence of due diligence mandated by the Consumer Protection Act ~

Mumbai, May 17, 2023: The Advertising Standards Council of India (ASCI) released its annual complaints report for 2022-23 which contains several startling observations, especially those pertaining to advertising in the digital space. During the period, ASCI reviewed 7,928 advertisements across different media, including print, digital and television. ASCI has stepped up its scrutiny of ads nearly 2 folds over the last 2 years. TV and print advertisers continued to be highly compliant at 94%, however the overall compliance is lower at 81% due to digital. Hence, digital ads emerged not just as a leading violator, with 75% of ads processed being from the digital space, but also as the least compliant. This raises serious concerns about the safety of consumers in the online space.

As per the report, the real-money gaming industry surpassed the education sector to emerge as the most violative sector, moving from fifth to first place. An astounding number (92%) of gaming advertisements reviewed by ASCI for FY 2022-23 did not adhere to the guidelines for real money gaming and failed to inform consumers about the risks of financial loss and addiction. The sector also gained the dubious distinction of being the least complaint, with only 50% of ads being modified voluntarily after they have been called out. It may be remembered that ASCI had released its guidelines for the Real-Money gaming sector in December 2020, and the Ministry of Information and Broadcasting had thereafter released an advisory asking all parties to comply with the guidelines.

The report also revealed a sharp increase in the number of misleading ads featuring celebrities. ASCI processed 503 such ads, as opposed to 55 the previous year, a growth of 803%. In 97% of these ads, the celebrities failed to provide evidence of due diligence as mandated by the Consumer Protection Act. This again is a serious issue as ads featuring celebrities have a high impact on consumers.

In addition, influencer violations stood at 26%, with 2,039 complaints being processed against them. Categories, including personal care, food and beverage and fashion and lifestyle, topped the list of influencer-related violations.

ASCI's adoption of artificial-intelligence-based tracking has bolstered its ability to scrutinise digital media effectively, despite challenges such as the pace of advertising and the sheer number of ads to be processed. This goes to show that the self-regulatory organisation remains steadfast in its commitment to promote responsible advertising practices and protect consumer rights.

The ASCI Annual Complaints Report serves as a wake-up call to advertisers, platforms, and regulators, urging them to join forces and create a secure environment and foster trust among consumers.

NS Rajan, Chairman, ASCI, observed: “The digital advertising landscape is truly challenging us all and ASCI is no exception. Stepping up our surveillance through AI based tools and a robust complaint management system has ensured that ASCI is keeping pace with this dynamic environment. Updating our codes to reflect newer consumer concerns makes sure the ASCI codes remain contemporary. We will continue to act as the conscience keeper of the Indian ad industry with transparency and future-facing expertise.”

Manisha Kapoor, CEO and Secretary General, ASCI, added: “The complaints analysis for 2022–23 clearly shows that the digital medium is leading in terms of violative ads. This raises significant concerns around online consumer safety and trust. Advertisers, content creators and platforms must come together to address this issue on an urgent basis to protect consumer interests. In addition, the sharp increase in the number of violative gaming ads needs serious attention from the industry.”

To read the detailed report, please visit: <https://www.ascionline.in/wp-content/uploads/2023/05/Annual-Complaints-Report-2022-23.pdf>

About the Advertising Standards Council of India (ASCI)

The Advertising Standards Council of India (ASCI), established in 1985, is committed to the cause of self-regulation in advertising, ensuring the protection of consumer interests. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest, and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across ALL MEDIA such as Print, TV, Radio, hoardings, SMS, Emailers, Internet/website, product packaging, brochures, promotional material and point of sale material etc. In January 2017, the Supreme Court of India in its judgement affirmed and recognised the self-regulatory mechanism as an effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for television and radio in India. ASCI's role has been acclaimed by various Government bodies including The Department of Consumer Affairs (DoCA), the Food Safety and Standards Authority of India (FSSAI), the Ministry of AYUSH as well as the Ministry of Information and Broadcasting (MIB). MIB issued an advisory for a scroller providing ASCI's WhatsApp for Business number 77100 12345, to be carried by all TV broadcasters for consumers to register their grievances against objectionable advertisements. On the international front, in 2023, ASCI CEO and Secretary General, Ms Manisha Kapoor was re-elected as one of the four Vice-Presidents on the Executive Committee of the International Council on Ad Self-Regulation (ICAS). Among several awards bestowed by the European Advertising Standards Alliance (EASA), ASCI bagged a Gold Global Best Practice Award for the Mobile App “ASCI online” (2016), special recognition for its “Guidelines for Celebrities in Advertising”; at the first-ever ‘Global Awards for Effective Advertising Self-Regulation’ hosted by the ICAS (2019). In 2021, ASCI also won two ICAS awards, one for

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the ASCI scroll telecast across television in the 'Best Awareness Raising Initiative' and for its extensive digital suo-moto monitoring through the NAMS initiative, in the 'Special Category'. It also got a special mention in the 'Best Sectoral Initiative' category for its efforts and regulatory recognition of its Gaming Guidelines. ASCI received the ICAS Global "Inspiration Award" in April 2023 for successfully promoting ASCI as a thought leader and developing impactful engagement with various stakeholders.

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