



HALF YEARLY COMPLAINTS REPORT APRIL - SEPTEMBER 2023



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.

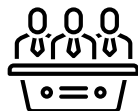
ASCI looks at advertisements across all media types and formats such as TV, print, digital, outdoor, radio, point of sale, claims made on packaging and so on.

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

April- September 2023



3501 ads scrutinised by ASCI; 92% taken up by ASCI's own suo moto initiative.

98% of the overall advertisements processed required some modification. **35%** of the ads were not contested and promptly withdrawn or modified.



Online safety of consumers is a key concern; due to the dynamic nature of the digital space. ASCI's focused monitoring mechanisms has made it possible to ramp up our digital scrutiny to make an impact. **Maximum number of objectionable advertisement were spotted in Digital Media (79%).**



Despite regulatory restrictions ASCI spotted a rise in number of advertisements of products whose advertising is prohibited by law

16% of the advertisements processed were for products claiming **magic remedies** in potential violation of law, which is a **22%** rise from the previous financial year

The Drug and Magic Remedies Act of 1954 prohibits the advertisement of certain drugs for the treatment of certain diseases and disorders. ASCI witnessed a significant rise in advertising that was promoting products that promise cure, treatment and mitigation of diseases in potential violation of the Law.

To protect the interest of consumers, ASCI issued intimations to the advertisers advising withdrawal or modification of the advertisement, while also notifying the regulatory authority i.e the Ministry of AYUSH. In comparison to the 464 ads referred to the Ministry of AYUSH for the last financial year, we have referred 565 advertisements in just six months for the first half of 2023-24.



Healthcare emerges as the most violative sector accounting for 21% of all the ads processed. This is due to the high volume of drugs and medicinal ads on digital media.

18% of ads belonged to classical education. 16% of ads were from Personal Care

Influencer cases contributed to 22% of ads processed by ASCI. We also saw a higher compliance with ASCI's recommendations at 92% vs. 86% in the previous year

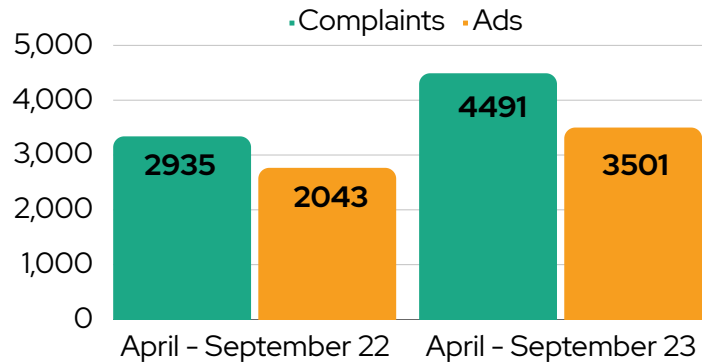


Complaints Snapshot

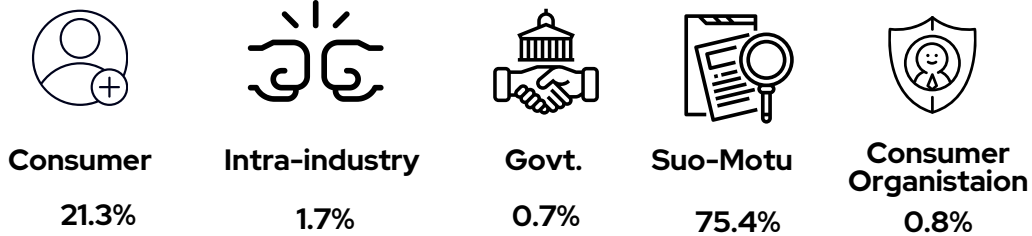
Overall increase in total number of complaints and advertisements processed in the first half of '23-'24 in comparison to the first half of the previous year

34% increase in Complaints

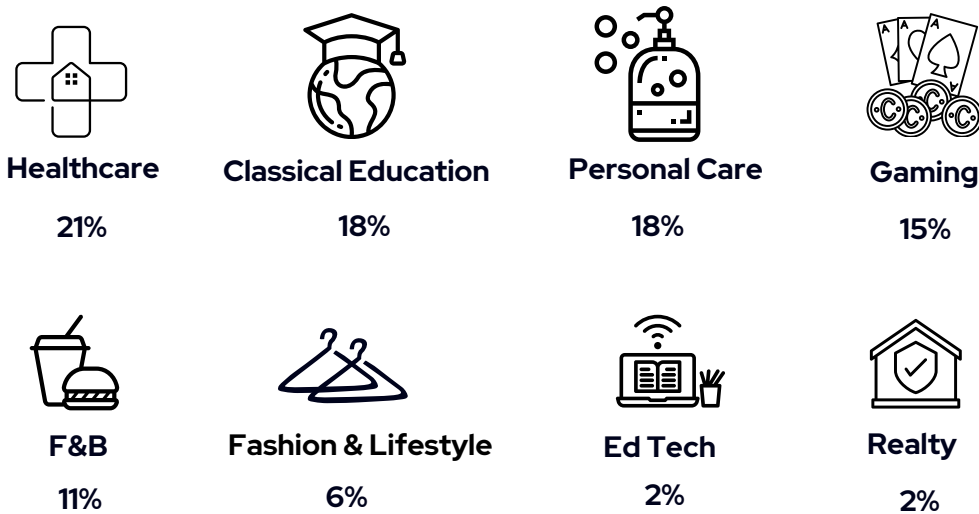
27% increase in Ads processed



Source of Complaints

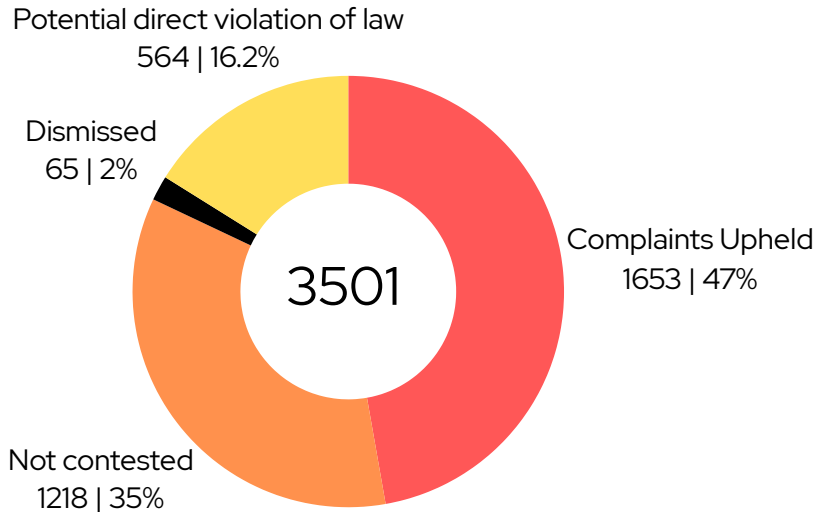


Top Violative Categories



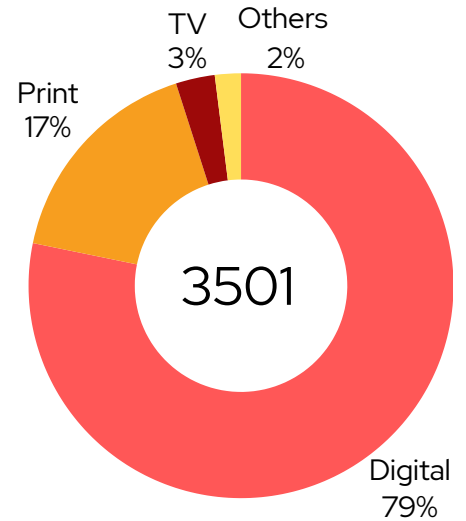
Base: Total ads processed: 3501

Complaint Outcomes



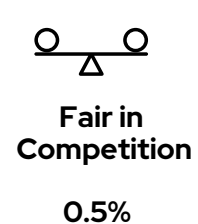
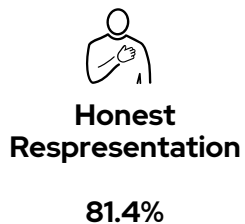
98% of the Ads processed required modifications

Medium wise Violations



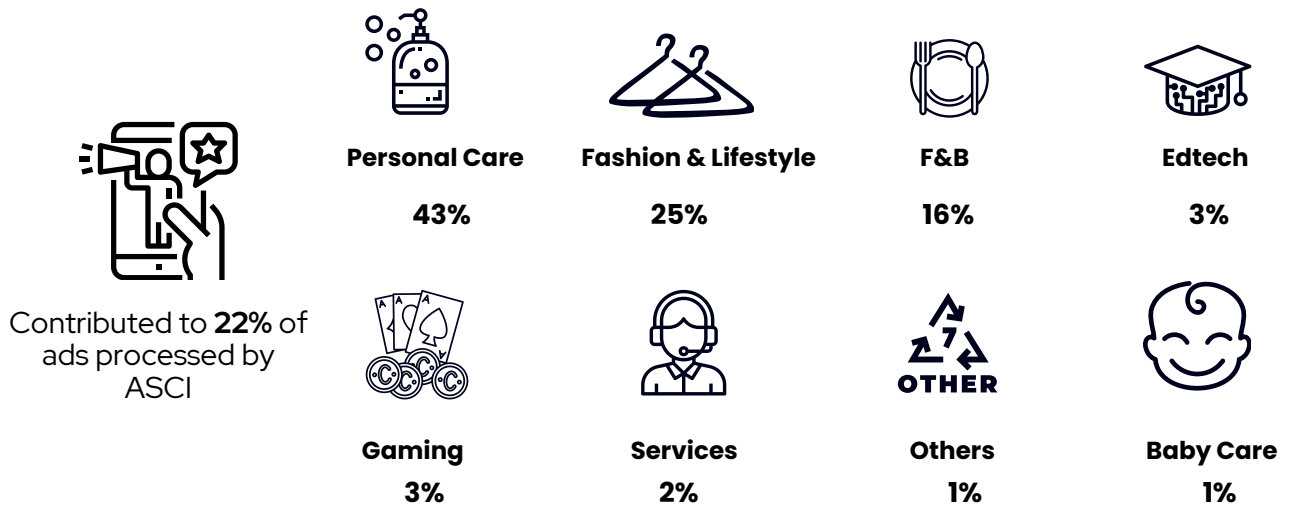
Some ads processed appeared on multiple mediums

Chapter wise Violations



Base: 3501 advertisements
Some ads violated multiple chapters of the ASCI Code

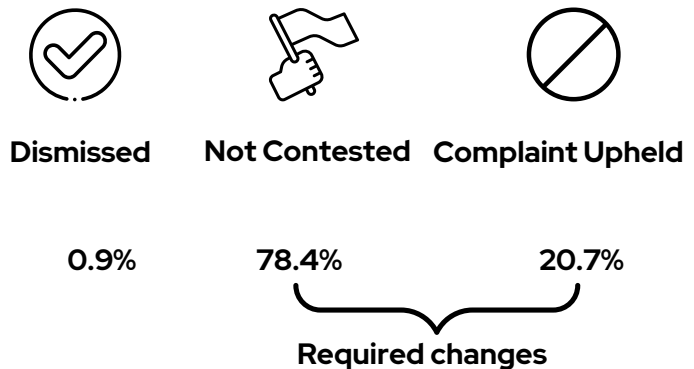
Influencer Violations - Key Categories



99.4% advertisements processed for Influencer Guidelines were found to be in violation



*Compliance data is for the period April 23 to September 23



Total complaints processed against Influencer Guidelines: 789



Important Links:



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



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



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 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.



**402/A, Aarus Chambers, S.S. Amrutwar Marg, Worli, Mumbai 400 013
022 24955076 / 77 | E-mail: contact@ascionline.in | Website: www.ascionline.in
Whatsapp Complaints on 7710012345**