

The Truth
Just Ahead

**KYO KII...
MAIN JHUTH
NAHIN BOLTA**

NSA
LEGAL
Ahmedabad | Delhi | Jodhpur | Mumbai

 **ASCI**
ADVERTISING WITH A CONSCIENCE

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**B.Com.(Hons.), BCCD, LLB,
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Advertising Standard Council of India



Truthful of Advertisement

Substantiation of description, claims and comparison: related to matter of objectively



Sources of Research or assessment of claim of advertisement



Honest Representations

Truthful and Honest to consumers and competitors.



Non-Offensive to Public

Within the bounds of generally accepted standards of public decency and propriety.



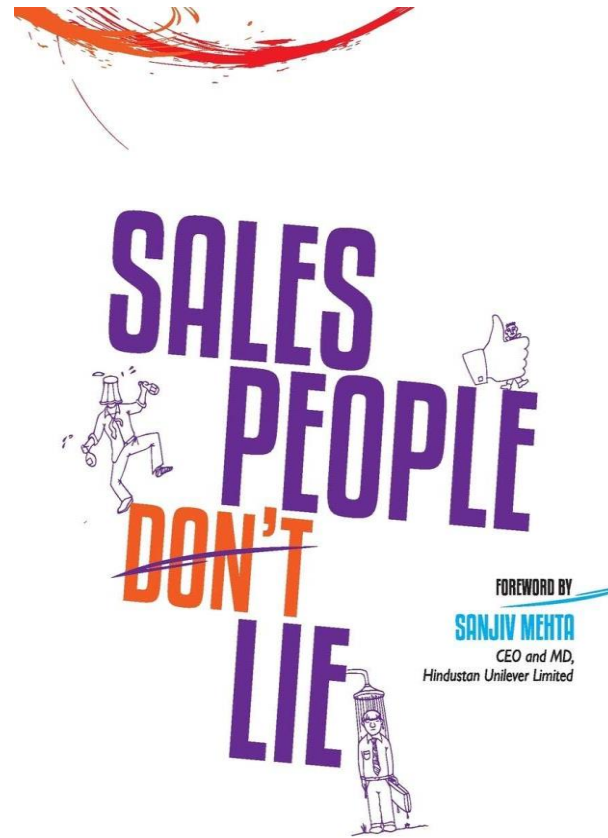
Against Harmful Products/Situations

Not used indiscriminately for the promotion of products, hazardous or harmful to society or to individuals particularly minors, to a degree unacceptable to society at large.



Fair in Competition

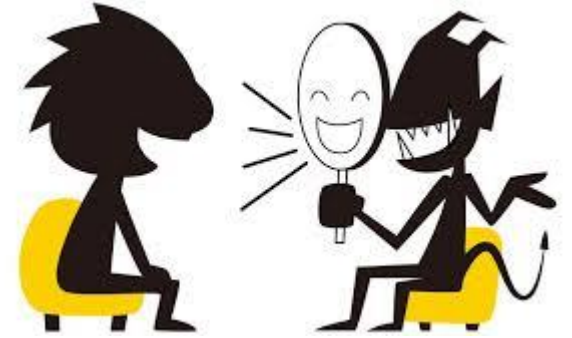
Not derogatory to competition. No plagiarism.



AD- ASCI- Self Regulatory

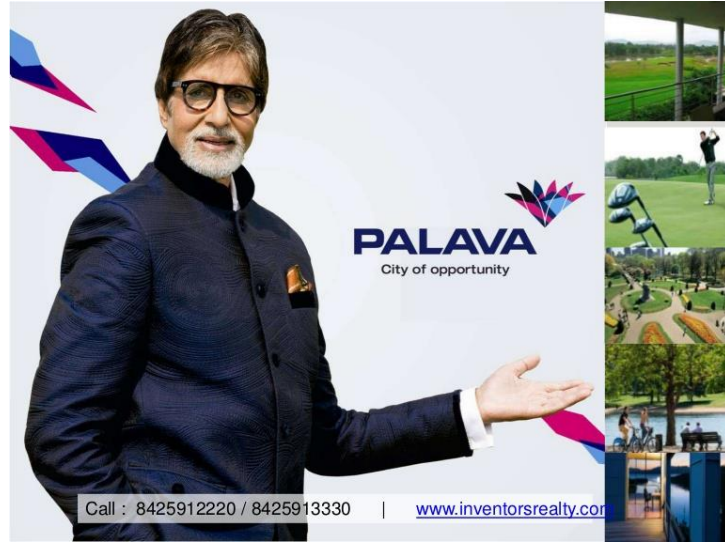
Advertisement shall not:

- **Distort the facts**
- **Mislead the consumer**
- **Abuse the trust of consumer**
- **Exploit lack of experience of consumer**
- **Exploit lack of knowledge**



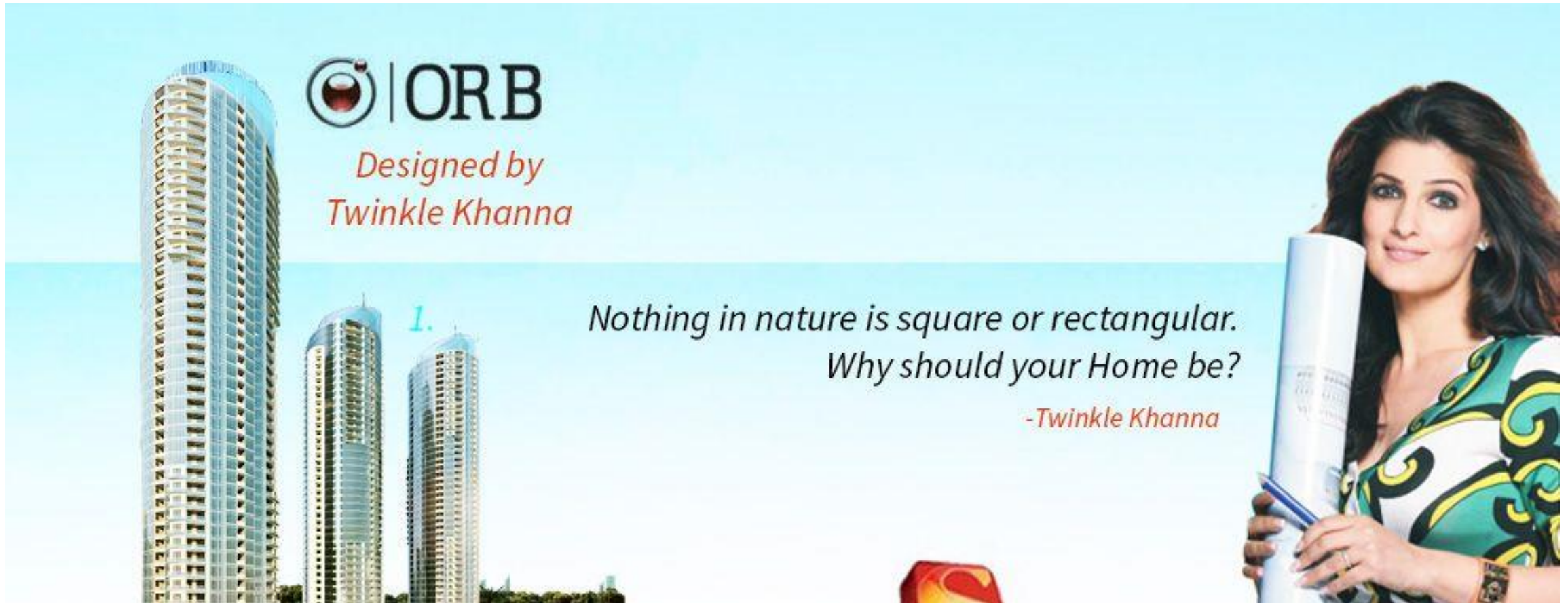
ASCI code for Celebrity





ASCI code for Celebrity

Twinkle Khanna gets NCDRC notice for endorsing embattled realty project

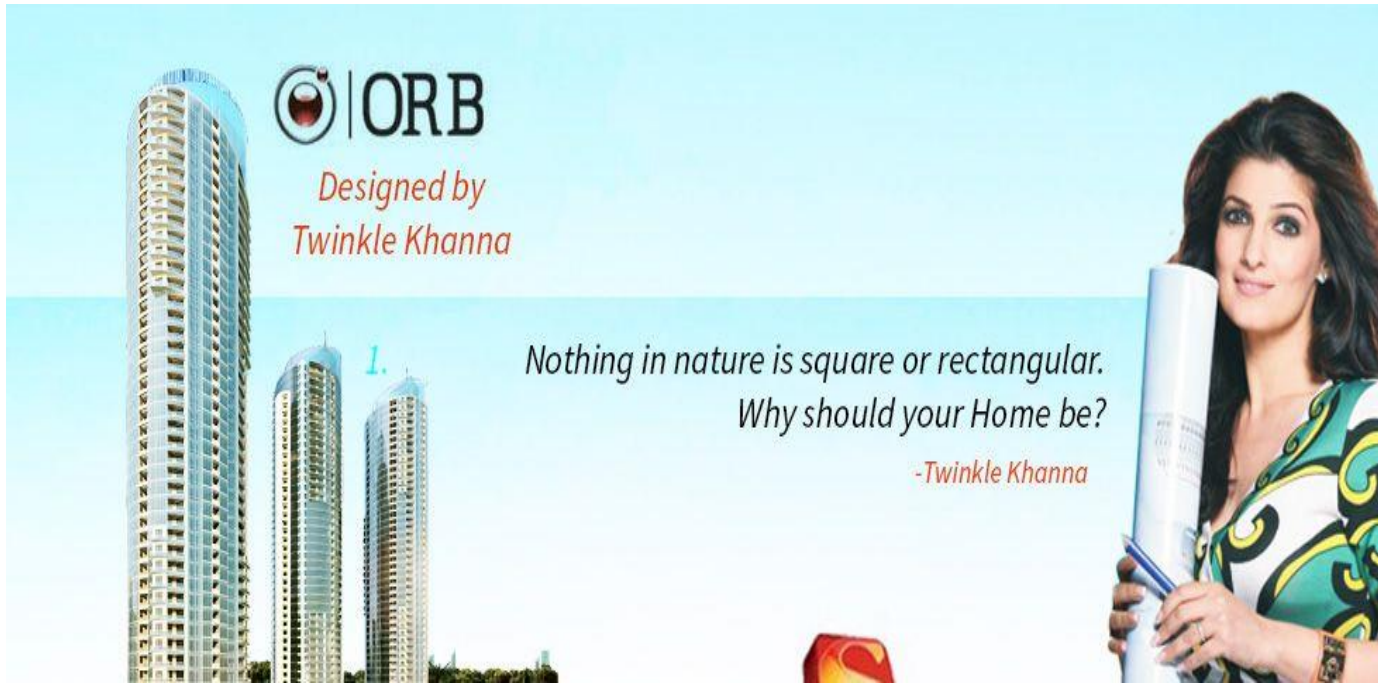


ORB
*Designed by
Twinkle Khanna*

1. *Nothing in nature is square or rectangular.
Why should your Home be?*
-Twinkle Khanna

The advertisement features a woman, Twinkle Khanna, on the right side, holding a rolled-up document. On the left side, there are three tall, modern skyscrapers. The background is a light blue gradient.

<https://www.indialegallive.com/top-news-of-the-day/breaking-news-articles/twinkle-khanna-gets-notice-for-endorsing-embattled-realty-project-42154>



Twinkle Khanna issued notice for promoting unfinished real estate project in Noida

<https://www.wionews.com/india-news/twinkle-khanna-issued-notice-for-promoting-an-unfinished-real-estate-project-in-noida-28496>

The petitioners made Twinkle Khanna a party in the case and accused her of misleading buyers. " She has not only lent her name to the project but actively participated in luring the flat buyers by openly declaring that the project has been masterminded by her. She is the architect and interior designer of the project. She advocated selling of the project and flat and thus she is also a service provider and the deficiency of service is also writ large on her part,"



FIR Against MS Dhoni In Amrapali Group Criminal Conspiracy

<https://www.legistify.com/legalnews/fir-against-ms-dhoni-in-amrapali-group-matter/>

CAIT demands action against Dhoni for endorsing realtor Amrapali

Read more at:

https://economictimes.indiatimes.com/industry/services/property/-/construction/cait-demands-action-against-dhoni-for-endorsing-realtor-amrapali/articleshow/70382742.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst



Delhi court issues bailable warrant against 'brand ambassador' Gambhir

<https://www.insidesport.co/delhi-court-issues-bailable-warrant-against-brand-ambassador-gambhir/>

Gautam Gambhir was a director and brand ambassador in a joint project of Rudra Buildwell Reality Pvt Ltd and H R Infracity Pvt Ltd, against which a case was lodged in 2016 for allegedly duping people.

<https://www.livemint.com/Companies/3VEW1EgEA9Q7DZ0iIT4HIK/Delhi-court-issues-bailable-warrant-against-cricketer-Gautam.html>



People sent complaints to Assotech's ex Brand Ambassador Sushmita Sen as their homes aren't delivered

<https://news.abplive.com/videos/mera-ghar-mera-haq-people-sent-complaints-to-assotech-brand-ambassador-sushmita-sen-as-their-homes-aren-t-delivered-330084>

Sushmita Sen was the **Brand Ambassador** of **Assotech**. After people sent complaints to her, she simply **said** that she was **not** the **brand ambassador** anymore. On the other hand, many people have submitted complete amount of their flats but they haven't got their houses till date.

Apr 26, 2016

ASCI code for Celebrity

LODHA
BUILDING A BETTER LIFE

AMARA

DEAL OF THE DECADA

1, 2 & 3 BHK HOMES AT
RS.58 LACS+ IN THANE

1 BHK	Rs 58.77 lacs
Discount Amount Rs 1.62 lacs	
2 BHK Optima	Rs 72.90 lacs
Discount Amount Rs 1.89 lacs	
2 BHK Ultima	Rs 84.78 lacs
Discount Amount Rs 2.07 lacs	

Lodha Amara:

Lodha Group's real estate project **Amara's** ad featuring Bollywood couple **Twinkle Khanna** and **Akshay Kumar** promises a better life with amenities including 'world-standard air quality', a claim which is unsubstantiated.

(Source Livemint)

<https://www.livemint.com/Consumer/Lgnek0UawFzYjEx6nsAbDI/Ad-watchdog-issues-endorsement-guidelines-for-celebrities.html>)

Ruling in the matter of Godrej Properties Limited (Godrej Air):

The advertisement's claim, "**Homes with 10X Enhanced Air Quality**" was inadequately substantiated. The test report that was submitted was for the site office and not for a typical flat, where variables like windows and height and wind may affect the results; there could be seasonal variations as well in terms of outdoor and indoor air quality. It was unclear if these were factored in while arriving at the specific numerical claim. **The CCC was of the opinion that a site office data cannot be extrapolated to a typical flat or under real life conditions. The advertisement had visuals of outdoor spaces, but no data was provided as regards to outdoor air quality of jogging tracks, garden roof and terrace gardens.**

The air quality comparison is misleading by ambiguity and implication and the advertisement also contravened ASCI Guidelines for Disclaimers in advertising.

ASCI March press release dated May 22, 2019: accessed at <https://ascionline.org/images/pdf/asci%20march%202019%20ccc%20recom.pdf>



Kedia Homes

Rajasthan's Most Trusted Real Estate Brand

ASCI Press Release 2019

<https://ascionline.org/images/pdf/september%202019%20ccc%20recommendations.pdf>

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. Given the nature of the claim, the advertiser was offered an option to seek Informal Resolution (IR) of the complaint by modifying or withdrawing the claim objected to in the advertisement, or alternately to substantiate the claim with the required supporting data. The advertiser was also offered an opportunity for personal meeting with the ASCI Secretariat. The Consumer Complaints Council (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 in the absence of comments from the advertiser, the CCC concluded that the claim, “Rajasthan's No.1 Trusted Real Estate Brand”, was not substantiated with verifiable comparative data of the advertiser and other Real Estate brands in Rajasthan, to prove that they are in leadership position (No.1) than all the rest in housing sector, 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. The print advertisement contravened Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was UPHELD.**



VectorStock® VectorStock.com/2089452



ASCI Feb 2020

AMR Infrastructures (AMR Future City):
The print advertisement's claim, "Hyderabad's Most Trusted Real Estate Company", was not substantiated with any verifiable comparative data of the advertiser versus other similar real estate companies in Hyderabad to prove that they are more trusted than all the rest, or through a third-party validation.



AMR
INFRASTRUCTURES
Hyderabad's Most Trusted Real Estate Company

APPROVED LAYOUT
DTCP
SPOT REGISTRATION

SAFE & SECURE INVESTMENT

Gated Community with A-Class Amenities

Spot Registration

OPEN PLOTS
@ Rs: 5999/-
Per Sq. Yard

TS RERA
TELANGANA STATE REAL ESTATE REGULATORY AUTHORITY

Visit us:
www.amrinfrastructures.in

A.M.R
FUTURE CITY
@ Vityyal Main Road, SHADNAGAR

Project Amenities

PARK AND PLAY AREA | 40' AND 33' BLACK TOP ROADS | LED STREET LIGHTS
UNDERGROUND DRAINAGE SYSTEM | 24 X7 ELECTRICITY | JOGGING TRACK
SECURITY ROUND THE CLOCK | COMPOUND WALL | SPACIOUS FOOTPATHS
AVENUE PLANTATION | WATER TAP CONNECTION TO EVERY PLOT
SEPTIC TANK | OVER HEAD WATER TANK

Contact: 888 55 19355 / 888 55 49355
91000 12768 / 91001 71768

Office Address: Flat No.105, Century Apartments, Mehdiapatnam.

ASCI Feb 2020 (Press Release dated 28.5.2020)

The print advertisement's claim, "The Most Trusted Brand in Pune" and "The Best Township in Pune," were not substantiated and are misleading by exaggeration. The CCC noted that the claims made in the advertisement were based on the awards received by the advertiser and some of the awards were more than three years old. The advertiser did not provide the basis of the awards or the survey methodologies followed such as the details of the process as to how the selection for the awards were done, details of the survey data, criteria used for evaluation, questionnaires used, names of other brands and townships that were part of the surveys, the outcome of the surveys, and the details about the awarding bodies. The advertisement contravened ASCI Guidelines for Usage of Awards/Rankings in Advertisements and Guidelines for Disclaimers in Advertising.

KOLTE • PATIL
Creation, not Construction

ZABARDUS

Celebration At Life Republic

SEIZE THE 10 NEVER BEFORE DEALS

GOODS + SERVICES + ACCESSORIES + TAX WAIVERS

Pune's most trusted brand Kolte-Patil, now takes the historical step in realty world. Offering best-in-class lifestyle choices with 10 never before deals at Life Republic. It's a rare opportunity for you to be a part of Pune's finest township and live together amidst like-minded community.

ZABARDUS LIFESTYLE CHOICES | ZABARDUS TOWNSHIP EXPERIENCES | ZABARDUS RANGE OF APARTMENTS | ZABARDUS 2 LEVEL AMENITIES

1, 2 & 3 BHK HOMES RANGING FROM ₹32 LACS TO ₹78 LACS*
ZABARDUS OFFER ENDS ON 15TH DECEMBER

ASCI Guideline for disclaimer

- ✓ **Clarification of claim, explanation of claim by additional details.**
- ✓ **Material information should not be hidden in disclaimer.**
- ✓ **Misleading claim of advertisement should not be correct in disclaimer.**
- ✓ **Language , font size, visibility , direction of disclaimer .**
- ✓ **Disclaimer should be clear , prominent enough and legible.**
- ✓ **Advertise should avoid the use of abbreviation**



Disclaimer :

Brands and logos are only for representational purpose and are used only to educate about the findings of ASCI. Nothing shall be construed as any imputation to anyone and they may be subject to challenge in further Court of law.



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