



## **The Advertising Standards Council of India**

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### **A: Pre Consumer Complaints Council (CCC) Meeting Procedure**

#### **PREAMBLE**

There are three types of Complaints which are received by ASCI

1. Complaints from the general public including from govt. officials, consumer groups, etc.
2. Suo Motu complaints
3. Intra industry complaints

#### **COMPLAINTS FROM THE GENERAL PUBLIC**

Complaints received from the general public should be in the prescribed format providing relevant particulars including clipping or copy of print Ad/promotion material / timing, date and channels of TVC broadcast.

However, in order to facilitate the General Public making complaints, the Secretariat will not insist on accepting complaints in the prescribed format or requiring a copy of the clipping as long as details of product / service, publication / channel / location, date / time and nature of complaint is clearly stated. The Secretariat using services of ad tracking agency will obtain the ad, in case a person from General Public is not able to furnish clipping, etc. The Secretariat will accept telephonic complaints also as is done by SRO's outside of India. It will confirm and verify the complaints by writing to the party concerned, when a complaint is made orally.

#### **SUO MOTU COMPLAINT**

When a member of the ASCI Board, CCC, or the Secretariat makes a complaint then it is treated as a suo motu complaint. The Board member, CCC member or the Secretariat has to register a complaint in writing. When a complaint is deliberated upon by the CCC, it can raise a suo motu complaint on another matter against other claims made in the originally complained advertisement. Suo moto complaint goes through the same process as other complaints, ensuring that the Advertiser is given an opportunity to explain their view point. If a suo motu complaint is raised by the Secretariat, it needs the approval of the CCC. The CCC member/s who make a complaint should not be part of the deliberations and evaluation of the specific complaint.

#### **INTRA INDUSTRY COMPLAINT**

When a competitor makes a complaint against another Advertiser, it is considered to be an Intra Industry complaint. If the complainant in this case mentions or quotes any reference to a test or study contradicting the claim made by the advertiser, then the complainant will be required to produce the same. Where there is an Intra Industry complaint and both parties give contradictory reports on a claim made in the ad, then the Secretary General shall forward both reports to the CCC's technical experts whose views shall be tabled before the CCC for further deliberation on the Complaint. In case a third party Independent Report is required after that, the CCC shall ask the Advertiser for the same.

#### **PROCESSING A COMPLAINT**

On receipt of a complaint (should be complete with relevant particulars including clipping or copy of print Ad/promotion material provided by complainant), the Secretariat will acknowledge the complaint and request the advertiser / agency to provide comments / response in respect of the complaint. Secretariat will send out these two letters within 5 working days of receipt of the complaint.

ASCI's letter to the advertiser will carry an annexure, which contains verbatim the entire complaint of the complainant (with annexures/attachments), but care will be taken to see that the identity of the complainant is not revealed. In case, if the attachments include laboratory test reports, the identity of the laboratory or the source of authentication will be concealed.

Complainants, who are advertisers themselves, are required to provide an additional copy of the complaint and annexures/attachments, if any, on plain paper so that the additional set may be forwarded to the advertiser for their comments.

1. ASCI will give the advertiser 2 weeks for response, from date of receipt of ASCI letter. ASCI Secretariat will allow 3 days for receipt of letter by the advertiser.
2. In the first instance, if the complaint appears extremely frivolous and there seems to be no basis for the complaint, then the Secretary General will not send out a letter to the advertiser but will put up the same at the next CCC meeting to decide whether the complaint should be processed or not. The CCC will direct further action.
3. Complaint with all supporting information provided by the complainant and the advertiser / agency complained against, along with CCC's technical experts' opinion, if any, will be placed on the agenda of the next CCC meeting (usually held in the 4<sup>th</sup> week of each month).
4. If the matter requires deeper technical evaluation, the CCC should refer the complaint to independent expert/s, if available, chosen from a list of experts nominated by the Board as experts in certain areas like soaps and detergents, drugs, lubricants, white goods, etc.