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Advertising Ethics In Contemporary Issues In B2p-Indian Perspective

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ABSTRACT

The ethical issues practiced in the advertisements to attract the target market and presents the recommendations for reducing the intensity of these issues. As you know business ethics is the application of ethical values in the business world and it is gaining importance day by day. However during our research we found that advertisement companies are using many unethical practices to advertise their products or services, which is really becoming a big problem for the consumers. In today's advertisements many companies are promoting negative behavior while targeting youth and children. They are also using many advertisement tools like subliminal advertisements, comparative and competitive advertisements in unethical way to advertise their products.

The ethical aspect of Indian advertisement is extremely important for restoration of our Indian Culture ,Norms ,Ethics ,And Heritage.

KEYWORDS: Ethics, Un Ethics , Behaviour

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INTRODUCTION

The Indian industry is up coming and has a lot of promise .how ever there is a lot of competition and so only hard the working And efficient companies will survive what matters most in this sector is knowledge and experience of the work and industry .the better research and analysis done the by the agency the better their chances of success.

Indian economy is on a boom and the market is on a continuous trail of expansion .with the market gaining grounds ,Indian advertising has very reason to celebrate. Businesses are looking up to advertising as a tool to cash in on lucrative business opportunities .growth in business has lead to a consecutive boom in the advertising industry as well.

ETHICS OR STANDARDS OF CONDUCT

The branch of philosophy that deals with morality. Ethics is concerned with distinguishing between good and evil in the world, between right and wrong human actions, and between virtuous and non virtuous characteristics of people.

In other word we can say that ethics are moral principles and values that govern the actions and decisions of an individual group. ethics is a choice between good and bad ,between right and wrong .it is governed by set of principles of morality at a given time and at a given place and in a given society.

The success of advertising depends on public confidence .therefore no practices should be permitted which tends to impair this confidence .the ASCI'S code of self –regulation in advertising are to be taken as minimum standards of acceptability which would be liable to be reviewed time to time in relation to the prevailing norm of consumers suggests allowed have for susceptibilities .

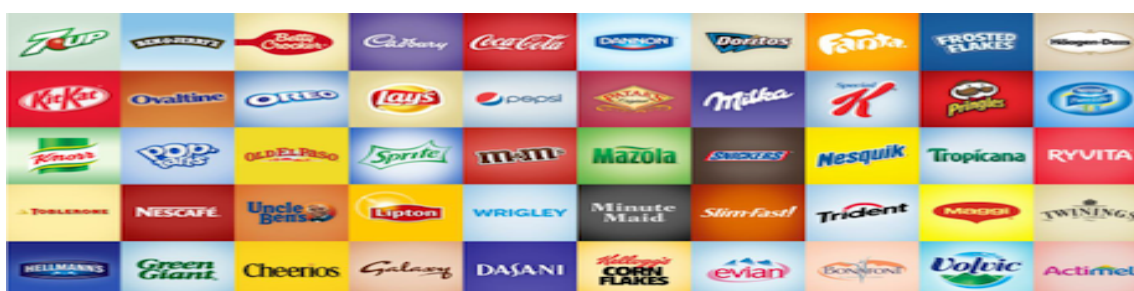


Figure No :1 Multi brands creative attitudes in awareness true or false in youth and children's POINT V IEW

ADVERTISING ETHICS

Ethics means a set of moral principles which govern a person's behavior or how the activity is conducted. And advertising means a mode of communication between a seller and a buyer.

Thus ethics in advertising means a set of well defined principles which govern the ways of communication taking place between the seller and the buyer. Ethics is the most important feature of

the advertising industry. Though there are many benefits of advertising but then there are some points which don't match the ethical norms of advertising.

An ethical ad is the one which doesn't lie, doesn't make fake or false claims and is in the limit of decency.

Nowadays, ads are more exaggerated and a lot of puffing is used. It seems like the advertisers lack knowledge of ethical norms and principles. They just don't understand and are unable to decide what is correct and what is wrong.

GROWTH OF ADVERTISING INDUSTRY IN INDIA

The theme for this year's FICCI frames conferences is "making india a global entertainment superpower "this comes at a time ,when india is talking ,it's place on the global stage as a market with tremendous growth potential and also creating exciting investment opportunities.

Offering the worlds largest base of young work force an expanding middle –class constituting one of the biggest consumer markets and a robust ,well functioning democratic system , india along with its pro-reforms government in now scripting a turnaround story .

The growth story extends itself across media and entertainment sectors .we estimates that the Indian market is poised to grow at a CAGR of 13.9 per cent ,to grow from INR1026 billion in 2014 to reach INR1964billion by 2019 a growth rate that is almost double that of the global media entertainment industry.

EXPECTATIONS

- e-Commerce is expected to lead the charge in 2015 in terms of ad spend growth although from a relatively smaller base than more established categories. There is increased competition in this sector and no dearth of funding.
- FMCG, Auto and Telecom are expected to do better than the previous year.
- (Editors note: high cost spectrum auctions may impact telecom advertising spends)
More multinational entrants under single brand retail are likely to add to retail spending.
Recent rate cuts by the Reserve Bank of India will stimulate the banking sector.
- Higher spends from the Central Government as they showcase their new initiatives.
"Programmatic buying will see an impetus, as all media in the future will see automation, backed by smart data and analytics", says Prasanth Kumar, Managing Partner, Central Trading Group, GroupM South Asia and CEO Designate Mindshare South Asia.

DIGITAL

- Digital media continues to show the maximum growth with % in 2015.
- GroupM expects Video, Mobile and Social to be the biggest growth drivers.

TELEVISION

- Television shows a higher growth percentage in 2015 compared to last year with 16%. TV channels will especially be bullish with cross media integration via their own digital platforms.
- The big ticket event this year is the ICC Cricket World Cup in February and March, with scope for programming and advertising innovation during the tournament.

PRINT

- Even with pressures on advertising revenues, the print medium shows an increase by 5.2% as against the 2014 estimate of 7.6%
- Print magazines continue to be on the decline, as several are looking at digital delivery mechanisms.

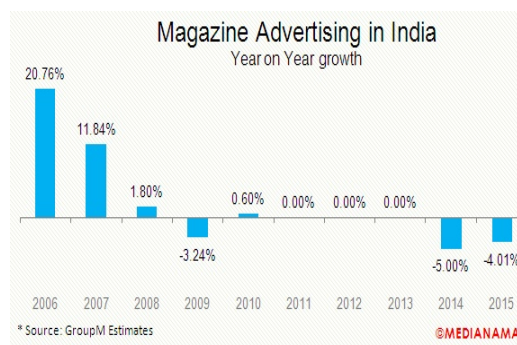
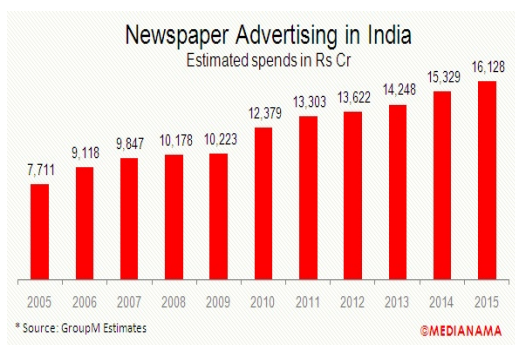


Table No:1 TOP ADVERTISING COMPANY IN INDIA

S.No	Name Of Company	Corporate Office	Year Of Establishment	Business
1.	Ogilvy&Mather Ltd	Newyork,Usa	1948	Advertising ,Marketing
2.	Gwt Hindustan Thompsons Associates	Newyork,Usa	1864	Advertising ,Marketing
3.	Rediffusion-Dy&G	New Delhi India	1985	Advertising ,Marketing
4.	Mudra Communication	Ahamadabad Gujarat	1980	Advertising ,Marketing
5.	Mccann-Erickon India Ltd	Usa	1930	Advertising
6.	Pressman Advertising Marketing	Kolkata Westbanga	1960	Advertising
7.	Fcb –Ultra Advertising Ltd	Mumbai Maharastra	1961	Advertising
8.	RkSwamyBbdo Advertising Ltd	Mumbai Maharastra	1973	Advertising
9.	Tikeya Grey Advertising (India)Ltd	New York Us	1917	Advertising ,Marketing ,Entertainment
10.	Chatitra Leo Burnett Pvt Ltd	Chicago,Us	1992	Advertising

ADVERTISING RULES AND REGULATIONS –INDIAN PERSPECTIVE



Figure No :2

Advertising standards council of india

The ASCI was set up in October ,1985 and registered as a non profit organization under section 25 of the Indian companies act ,1956.till date ,it is the only professional association ,which deals with self regulation of the content of all advertisement ,whether published or broadcast in india

There are four categories of members to the ASCI .as of march 1 st 2002 there were a total of 248 members who can be divided as follows :

- Category A –advertisers (121)
- Category B-press media (39)
- Category C-advertising agencies (68)
- Category D-allied professional(20)

The main aim of the advertising standards council of india is to maintain and enhance the public confidence in advertising .Towards the objective the ASCI seeks ensure that the advertisement conform to its code self regulation in advertising .

The ASCI does all it can to ensure that the code is propagated and to inculcate a sense of responsibility Among Advertisers ,Advertising Agencies And Other Connected With The Creation Of Advertising And The Media To Observe The Said Code. It Encourages The Public To Complain To It In Case Anyone Finds A Particular Advertisement In Any Medium, Offensive .It Also Seeks To Ensure That A Prompt And Objective Consideration Is Given To Each And Every Such Complaint By An Impartial Committee. Finally ,The ASCI Endeavors To Achieve Compliance With Its Decision Through Reasoned Persuasion And The Power Of Public Opinion.

ASCI CODES

The Advertising Standards Council of India (ASCI) (1985) has adopted a Code for Self-Regulation in Advertising. It is a commitment to honest Advertising and to fair competition in the market-place. It stands for the protection of the legitimate interests of consumers and all concerned with Advertising - Advertisers, Media, Advertising Agencies and others who help in the creation or placement of advertisements.

Asci Has One Overarching Goal: to maintain and enhance the public's confidence in advertising. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation which requires advertisements to be:

 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.
 Non-Offensive To Public -Within The Bounds Of Generally Accepted Standards Of Public Decency And Propriety.	 Fair In Competition -Not Derogatory To Competition. No Plagiarism.



ASCI PRINCIPLES : **Automotive & Safety:** Advertisers are encouraged to depict advertisements, in a manner which promotes safe practices, e.g. wearing of helmets and fastening of seatbelts, not using mobiles/cell phones when driving, etc.



Educational Institutions: Parents are known to make great personal sacrifices to enable their children to get the right education. A significant amount of advertising activity that is currently happening reflecting the vast variety of educational programs which are being offered.



Foods & Beverages: Advertising can have a positive influence by encouraging a healthy, well balanced diet, sound eating habits and appropriate physical activity. Caution and care therefore should be observed in advertising of Foods & Beverages especially ones containing relatively high Fat, Sugar and Salt.



Disclaimers In An Advertisement: “Supers” should be clearly legible and on TV advertisements should be held long enough for the full message to be read by an average viewer on a standard domestic TV set. Therefore following minimum size of lettering of “Supers” and its holding time on screen for TV advertisements is required.

LAWS GOVERNING ADS

We cannot accept the ads which offends the provisions of the following Acts of Government of



Drugs and Magic Remedies Act, 1954



Cable Television Network Act



Patents Act, 1970



Drugs & Cosmetics Act, 1940



Emblems and Names Act, 1950



Trademarks Act, 1999



Copyright Act, 1957



Indecent Representation of Women Act, 1986

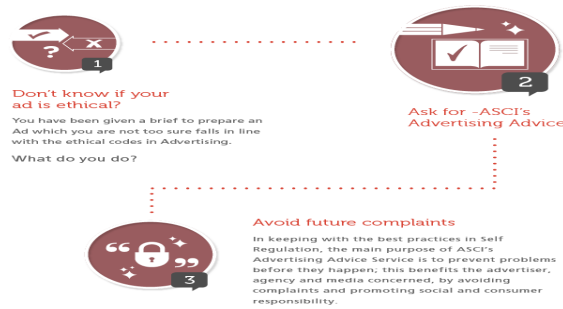


Prasar Bharti Act, 1990

India or various State Governments.

ADVERTISING ADVICE

ASCI offers pre production/release Advertising Advice to its members. A panel of experienced persons has been formed who have a) close knowledge of the ASCI Code and Rules and b) experience in working of ASCI Board and/or its CCC.



Advertising Advice Is Defined As Confidential, Non-Binding Pre-Publication/Release Advice About A Specific Advertising Proposal, Provided By ASCI To Its Member Advertiser, Agency Or Media. The Forms Which Advertising Advice Takes May Vary, But It Has Two Essential Characteristics:

- It is non-binding
- it concerns a specific advertising proposal (i.e. An advertisement with copy and visuals).

Advertisers who are members of asci can ask for advertising advice. There will be no charge for advertising advice for the ad of an advertiser who is a member of asci. The advice is not binding on the advertiser or on asci'sccc. This will be stated upfront to the member seeking advertising advice. However, chances of the complaint against an advertisement cleared by the advertising advice panel being upheld by the ccc reduces significantly and vice versa. Members seeking advertising advice should email or send the proposed advertisement's story board or a/v script for tv and copy plus visual for print ad with specific, if any, concerns they want the advertising advice panel to look at to the asci chief operations officer. Members can also upload request for advertising advice on the asci website

ETHICALS ISSUES IN ADVERTISING

Advertising is a highly visible business activity and any lapse in ethical standard s can often be risky for the economy .some of the common examples of ethical issues in advertising are given below

VULGAR ADVERTISEMENTS RAISE STINK IN HOUSE



Figure No:3

MISLEADING INFORMATION ISSUES ADVERTISING



Figure No:4

PUFFERY ISSUES ADVERTISING



Figure No:5

STEREOTYPES ISSUES ADVERTISING



Figure No:6

RACIAL ISSUES ADVERTISING



NYTimes apologized after racism complaints for India cartoon

Figure No:7

CONTROVERSIAL ISSUES ADVERTISING



Bangalore traffic police don't talk while driving Advertising agency published in Madura group in July 2014







Figure No:8



INVESTIGATION AND ACTION BY ASCI



In exceptional circumstances, when it appears prima facie that an advertisement is in serious breach of the Code and its continued transmission on/ through/ by any medium causes or has the effect of causing public harm and/or injury or its continuation is against public interest, then ASCI would, pending investigation and decision by CCC, forthwith require the advertiser/ the advertising agency/ the media buying agency and the media concerned to immediately suspend the release of advertisement. In the event of suspension of any advertisement in the manner as aforesaid, the CCC shall at the earliest and not later than 30 days from the date of the suspension, adjudicate whether or not the advertisement is in breach of the Code and pass appropriate order accordingly after giving a reasonable opportunity to hear to the advertiser whose advertisement has been suspended. This decision of the suspension is to be taken by the Chairman (or, in his absence, the Vice Chairman) of ASCI, in consultation with two members of the CCC. (sources in ASCI April 2, 2013, Mumbai)



DECISION BY ASCI FOR UNETHICS IN ADS

ASCI used to receive and process complaints against around 170 advertisements prior to start of National Advertising Monitoring Service (NAMS), from a cross section of consumers and the general public, and this covers individuals, practitioners in advertising, advertiser firms, media, advertisements Agencies, and ancillary services connected with advertising. Since May 2012 ASCI has started monitoring of all most all newly released print and TV ads in India under the NAMS initiative which tracks down around 120 ads per month on an average for suomoto complaint processing..

S.NO	PRODUCT	COMPANY	COMPLIANT	DECISION
1	 <p>Wipro Safewash Detergent Liquid</p>	 <p>Wipro Limited</p>	Only Wipro Safewash keeps sweaters germ free	TVC submitted by the advertiser and considered the Advertiser's response. The data provided supported germ removal efficacy of the product however did not substantiate residual efficacy as implied in the word "Rakhe germ free". The CCC concluded that the claim, "Wipro Safewash keeps sweaters germ free", was inadequately substantiated. The advertisement contravened Chapter I.1 of the Code.
2	 <p>Education</p>	 <p>Sardar Vallabhbhai Patel International School of Textiles & Management</p>	"100% Assured Placement"	The CCC viewed the print advertisement and considered the Advertiser's response. The CCC concluded that the claim in the Ad, "100% Assured Placement", was not substantiated. The Ad contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapter I.1 of the ASCI Code
3	 <p>Philips modular switches</p>		Advertisement for Philips modular switches depicting children throwing liquids and other items at switch boards I recently saw this advertisement and was appalled by how they depicted children throwing liquids and other items at switchboards as other children can easily imitate this,	However, the CCC concluded that the scene in the TVC showing "spraying of liquid on the switches", shows a dangerous practice which is likely to encourage minors to emulate such acts in a manner which could cause harm or injury. This part of the TVC contravened Chapters III.2 (b) and III.3 of the Code.

			putting their lives into danger. The product is wonderful but the advertisement is giving the wrong message to little children	
4	 <p>Dove Elixir</p>	 <p>Hindustan Unilever Ltd</p>	<p>The advertisement as published in above media/online platforms makes false and misleading claim, visualization and comparison. The advertisement also denigrate entire coconut hair oil category, content for comparison are chosen to derive artificial advantage. Claim: - Coconut oil penetrates only through 1 layer in 30 minutes.</p>	<p>the CCC concluded that the claim, “Coconut oil penetrates only through 1 layer in 30 minutes via visual representation” was false and misleading. This contravened Chapters I.1 and I.4 of the ASCI Code. The depiction of movement of Dove oil through filter paper cited in the advertisement as “Creative visualization” was considered to be misleading and misrepresentative of the actual process of diffusion by which oil penetrates hair. This contravened Chapter I.4 of the ASCI Code. Claim: - Dove Elixir is better than ordinary hair oils[^]. (Disclaimer [^]coconut hair oil) unfairly denigrated the category of</p>

				“coconut oil” and is likely to mislead consumers. This contravened Chapters IV.1(d), (e) of the ASCI Code. The decision of the complaint being Upheld stands on Review.
5	 <p>Airtel-4G – My Plan Infinity</p>	 <p>Bharathi Airtel</p>	<p>“Unlimited Calls, Unlimited Movies, Unlimited Music and Loads of data” Complaint 1-The ad shows a group of girls sitting in a restaurant/coffee shop and talking about Airtel's new plan - the 4G infinity plan. Towards the end of the ad we see the claims - 'unlimited calls', 'unlimited movies', 'unlimited music' and 'loads of data A quick look on google.com regarding 'complaints on misleading ads' led me to your website.</p>	<p>The CCC viewed the TVC and considered the Advertiser's response. The CCC concluded that the claim of “unlimited” is misleading, as this Airtel-4G – My Plan Infinity is not truly unlimited. The advertiser's website mentions that this plan has many terms and conditions and the calls are capped at 5000 minutes per month. Therefore the choice of the term “unlimited” is incorrect. The claim, “Unlimited Calls, Unlimited Movies, Unlimited Music and Loads of data”, is false and misleading. Also, the disclaimer in the TVC is not clearly legible. The TVC contravened Chapters I.1 and I.4 of the Code</p>

				and the ASCI
6	 <p>Saffola Total</p>	 <p>Marico Limited</p>	<p>: “It emphasis on the betterment of Saffola total then olive oil and it says 2X better oxidant then olive oil. Please give details if possible. Previously it is noted that Olive oil is better then any refined oil as it is a pure juice of a fruit. It is to understand deeply and proof that the product is better than olive oil or the advertisement is misleading.”</p> <p>Saffola disparaging olive oil” “I represent the Indian olive association regarding the subject of this email. This is with reference to previous instances of Saffola disparaging olive oil and ASCI repeatedly asking them to withdraw their adverts. They have started advertising it again on TV and online and with increased reference to being better than olive oil for health.”</p>	<p>The CCC also opined that to say that one oil is better than another based on one selected study would be technically incorrect as no single oil can be considered as the best. Each oil has its own profile of chemical constituents that may/may not have diverse health beneficial properties. Health experts also recommend that consumers should keep changing the oil used in their diet to avail of different health benefits each oil offers. Based on the above, the CCC concluded that in the context of the advertisement, the TVC by stating “Isiliye olive oil nahin” unfairly denigrates another product (olive oil). The TVC contravened Chapters I.4 and IV.1 (e) of the Code.</p>

CONCLUSION

The Ethical Aspect Of Indian Advertisement Is Extremely Important For Restoration Of Our Indian Culture And Heritage. Indian Culture Is Getting Diluted By The Western Culture Which Influences Our Country To A Great Extent. Telecasting And Publication Of Obscene, Indecent Advertisements Clearly Shows The Percolation Of Western Culture In India So, To Save Our Culture, Norms And Ethics Regulations Of Such Unethical Advertisements Are Extremely Essential. The Researcher Has Shown A Large Number Of Statutory Provisions Which Regulates Advertisements. Moreover A Self Regulatory Body- ASCI Has Been Established By An Association Of Advertisers To Regulate And Control Unethical Advertisements. But Today The Numbers Of Unethical And Obscene Advertisements Are Escalating In Numbers Instead Of Decreasing. This Clearly Shows That Implementation Of The Laws Controlling Advertisement Is Not Properly Done. The Lacks Of Implementation Of The Laws Are Pouring In More And More Unethical And Obscene Advertisements. So Proper Implementation Of The Laws Is Highly Required In Our Country.

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