14.1 INTRODUCTION:

Latin tag 'Coveat Emptor' (Buyer beware) came in existence, more than 2000 years ago. This was the first voiced criticism of advertising in society. Today the advertisers feel just the reverse. They have rephrased this dictum - "Let seller beware". Whatever may be the present thinking, one cannot deny the increased importance of advertising industry in influencing the lifestyles, cultures, economies. In this long transition, the impact of advertising on consumers has become controversial in free economies. The dissemination of information about goods is an essential accompaniment for the distribution of goods. This function is fulfilled by advertising. Along with it, advertisement provides colour and entertainment in life.

Even, if by magic, all advertising disappears, the whole process of its evolution would begin all over again and would continue. A world without it is inconceivable. Furthermore, advertising would continue to grow, both in quantity and in the quality of impact, it has on our lives. So instead of finding faults, one should learn to live with it, by eliminating its adverse effects.
Advertising survives only in democratic countries, where there is a freedom of commercial speech. So a well-known theme about democracy can be written with little variation 'Advertising of the people, for the people and by the people'.

To understand the effects of advertising on consumers, it is necessary to study the role of the media in advertising, consumer attitudes, importance of motivational research, psychoanalysis. This helps us to understand the socio-ethical effects of advertising, various sales gimmicks and suggestive indecency in advertising. With this framework in mind, we can study how the society can be protected from adverse effects of advertising.

14.2 HISTORY OF ADVERTISING AND ITS PRESENT STATUS IN MEDIA:

Since the dawn of human civilisation, the advertising has been a common thread, trying to do the same job, that persuasion does. It has undergone major transformations and has changed in form, nature, contents and models. There have been also changes in the media carrying advertising messages. From the days of town criers of ancient Greek states, we have come down to the days of commercial use of satellites. Industrial revolution boosted advertising. Invention in printing technology also gave a push to advertising. In the process advertising has grown into major dominant force in today's life. But its basic appeal to consumers has remained the same.
In India, we can trace the roots of advertising, way back to 1780, when luxury goods came to be advertised for resident British. Presently media is financed substantially by advertisers. This gives the advertisers an opportunity to communicate the desirability of the advertised objective to the common man. Advertisers have waited long enough in the corridors of press, radio and television. Today, the very survival of cable television depends upon the advertising revenues. In fact, the attitude of media owners have undergone a drastic change. They want more and more advertisements because their revenues are correlated with advertising expenditure by advertisers. Press is the clear winner in getting maximum share of advertising expenditure, vis-a-vis television, radio, outdoor publicity and cinema. But its share is on the downfall due to the popularity of television.

Television, along with the cable television is a clear winner from the point of revenues as well as from the point of view of exposure. It is anticipated that the dominance will continue during the years to come, not merely in India, but also in other countries, including Asia-Pacific. Television has influenced the life-styles of individuals to such an extent that people spare extra time from the sleep to watch television. The urban Indian clearly spends much more time watching television as compared to reading newspapers.

The existence of advertisements in media is so intense that people have already started discouraging the overcrowding of media by advertisements. All sections of society share a similar
feeling for every form of advertising. The difference is only of
degree. There has been a tremendous explosion of media. Different
newspapers, magazines, Doordarshan, various channels on cable advertise
desperately to increase their viewers and readers, with the sole
aim of increasing advertising revenues. Those who are already well-
established try to lure the advertisers by their popularity. Some
of them try to advise the advertisers on the issue of when and
where to advertise.

But the most question is - Do we really need so much of advertising ?. Glossy pages of Saturday and Sunday newspapers
and evening newspapers are at times flooded with advertisements. Advertisements constantly disturb the entertainment and visual links
of the programs as well as news. In many countries, there is
restriction on how many minutes advertisements can be shown per
hour on television. For e.g. :-

Table 14.1
Restrictions on Advertisements
shown Per Hour on Television.

<table>
<thead>
<tr>
<th>Country</th>
<th>Minutes per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>15-16 mins.p.h.</td>
</tr>
<tr>
<td>China</td>
<td>6-10 mins.p.h.</td>
</tr>
<tr>
<td>Taiwan</td>
<td>10 mins.p.h.</td>
</tr>
<tr>
<td>Indonesia</td>
<td>12 mins.p.h.</td>
</tr>
<tr>
<td>South Africa</td>
<td>5 mins.p.h.</td>
</tr>
<tr>
<td>India</td>
<td>No restrictions</td>
</tr>
</tbody>
</table>

(Source - Baskerville Estimates Australia via Media Special 1996)
Similarly some countries have tried to restrict the % of space in newspapers and magazines for advertisements. But India is inactive on both the fronts. Its high time that the government should take the issue seriously and take some policy decisions. Otherwise, this excessive attack on advertising may change the role of viewers/reader from sovereign consumer to being advertiser's victim.

14.3 CONSUMERS CLASSIFICATION:

In modern marketing, while developing appropriate products, consumers are first studied. Similarly for the success of any advertising campaign, studying consumers classification is a must. Consumers are divided by the advertisers into various segments on the basis of life-styles, tastes, cultures, income, profession, sex etc. The most simple methods followed in our country are:

1. Age Group Classification:

Under this classification consumers are divided into four classes:

a. Senior Citizen.
b. The Senior Middle Aged.
c. Young, The Dreamers.

But the maximum attention is paid to the young and children. Middle aged are neglected to a large extent, whereas senior citizens
are used for the appeal cautiously by those advertisers who want to remain in the market over a long period of time.

2. **Income Classification** :-

According to Russel and Beach - "Prospect is the one who has desire and ability to buy". So merely desire is not sufficient. It has to be always backed by purchasing power and this depends upon the income level of consumers. The financial ability of the consumers is a major factor, in which advertisers have a maximum interest. From this angle consumers are divided into three classes by advertisers:

a. Freebirds of Lower Income Group.

b. Middle Majority.

c. Quality Market.

Lower income class is represented by those who are fully conscious about their limited means, but have a tendency to make life colourful within the boundaries of those means. They show no inclination to improve their standards with desperate efforts to enter the middle majority. They believe in the philosophy of "Live for today and forget tomorrow".

Middle income group has maximum purchasing power because of their vast number. But they are extremely particular about price, savings,
Quality market represent the cream of society without financial tension, but they do have the tension of adhering to an independent identity and status. Though in percentages, the consumers of this category are limited, the higher profit margins which they offer, their lack of interest for price but the interest only in tag, keeps the interest of the advertiser, alive in this category. Even the 'Yuppies' (Young Urban Professional Persons - Men and Women) from middle majority, at times try to copy this status-conscious class.

3. Urban-Rural Divide

Another classification which is most important from Indian point of view is Urban-Rural divide. These two classes of consumers represent totally different psyche for each category of products. For years together, rural market was neglected by the advertisers. But the changes in agriculture sector, changes in rural attitudes and their quantum, advertisers are setting their eyes on rural market, to grab the maximum market share.

The repercussions of the actions of the advertisers based on these studies has created an upheaval in Indian Society. At times when the west is looking at us with great respect for our rich cultural traditions, we are busy copying their materialistic outlook. Though the advertising cannot be blamed totally for spread of materialism, it is definitely a major but a silent player in encouraging it. But Indians should remember that this 'me culture' or 'grab culture' that encourages the materialism will have a long lasting impact on Indian culture. There is no conclusive proof to
show that more materialism has made anyone happier. In fact, the experience of West seems to point in the opposite direction.

What disturbs us the most, is that many consumers buy the things which do not suit their income packet. At times, middle incomes are also tempted to take the aid of plastic currency (credit cards), to fulfill those luxuries which they otherwise cannot buy and are beyond their means. Those who have difficulties in fulfilling the daily necessities of life, buy expensive branded goods under a very heavy influence of advertising.

14.4 CHILDREN:

'Today's children are tomorrow buyers'. This policy helps in creating permanent consumers for the future. The advertisers catch them right from the moment of their birth - new-borns consume clothing, toys, medicines, milk and variety of goods and services. The children are used by the advertisers as targets for variety of reasons:

1. To pursue and sometimes emotionally blackmail the parents to buy goods and services for their children.

2. To use children as surrogative salesman with the intention of approaching targets - parents.
3. To develop brand loyalists for future and maintain or increase the future market share.

To serve the purposes, catchy jingles are specially composed, comic characters from Walt Disney are brought to our doorsteps through advertisements or cute little children are used as models and forced to express, smile or dance and act for advertisers benefit.

Today's children learn the meaning of health, beauty, nature, safety, energy, power etc. through advertisements. They start recognising various objects or living things around us through advertisements. So, much before they have monetary power to buy, their innocent minds are manipulated and shaped by the advertisers. While collecting primary data, specially housewives, who can be considered authority on children, showed serious concern about undesirable influence of advertising on children.

The marketing strategies, at times, are designed only with the sole intention to catch the children. Advertisers do not care about the adverse effects of products on children's health. They do not care about their emotional break-downs due to the misleading claims, nor do they show concern about dangerous outcomes due to children's natural tendency to imitate. Recently parents from Lucknow lost their precious child because the child tried to imitate the Thumps-up advertisement. The advertisement still continues on television only with a warning. The question is, how many children can read and will care to read the warning?
They are more likely to admire the courage of the models and visualise themselves performing 'Bangee jumping'.

The advertisers however, defend their stand with equal vigour and go a step ahead to discuss the benefits of advertising directed to children. Large majority of respondents of primary survey would like to control the advertisements related or directed to children. But the advertisers feel otherwise. Parents constantly worry how to keep away children from all forms of advertisements - with the fear of adverse influence. In almost all the countries in the world, there is a growing concern on this issue. Some countries in the world are in the mood to make stricter regulations because children lack cognitive skills and life experiences necessary to evaluate messages as adults do. Indian government, however shows lack of concern.

The outcome of the whole exercise is, that the children lose their sweet childhood, innocence and become adults prematurely. But this effect can boomerang upon advertisers. This is well expressed in one of the Hindi Film songs, where tiny tot is dancing and reminding the audience - "Chhota batchha samazke humko na samazana re, Chhota batchha akal ka samazke humko na samazana re".

To achieve a break through in this issue, which is a parent's headache, the advertisers must show concern on this issue, as they also have their children back at home, exposed to the heavy doses of advertisements.
Your daughter's wedding symbolises the end of one chapter in her life and the beginning of another.

Today she's crossing your threshold. Make sure you send along with her the warmth, love and understanding she needs.

Gift her UTI's Grihalakshmi Unit Plan, because she's leaving. But she need not go alone.

Grihalakshmi
UNIT PLAN

HIGHLIGHTS
- Minimum investment of Rs. 5000/- and in multiples of Rs. 1000/- thereafter. No upper limit.
- Any individual or HUF can invest in favour of a female above 18 years. Also any female individual above 18 years of age can invest for herself.
- Annual dividend from 2nd year onwards.
- Withdrawal allowed anytime after three years at NAV-based repurchase price.
- Scope for capital appreciation.
- Income from this plan enjoys tax benefit up to Rs. 13,000/- under overall limit of section 80 L.
- Normal gift tax exemption up to Rs. 30,000/- and up to Rs. 1 lakh if gifted to a dependent female at the time of her marriage.
- Deduction of tax at source from dividend income as per the Finance Act 1995.

GIFT TAX EXEMPTION
UP TO
Rs. 1,00,000/-

RISK FACTORS: All investments in mutual funds and securities are subject to market risks and the NAV of the schemes may go up or down depending upon the factors and forces affecting securities market. Past performance is not necessarily indicative of future results. Grihalakshmi Unit Plan is only the name of the Plan and does not in any manner indicate either the quality of the Plan, its future prospects or returns. There can be no assurance that the Plan's objectives will be achieved. Please read the Offer Document before investing.

14.1 (Source - Times of India; March 19, 1995).
Indian advertisers are further complicating the problem by giving it a social colour. They are making children aware about the sex bias beginning with childhood and they divide children into sons and daughters. Many banks, LIC, UTI, have special schemes for financial wedding expenses of daughters, as if the parents incur no expenses on the marriages of the sons. For instance - UTI has investments scheme called 'Dhanlaxmi' only for female child below five years. Whenever there is an appeal of safety, security or protection, advertisers always use girls as models. Why? The question is - Do these advertisements just reflect the society, do they perpetuate the wrongs in the society through advertisements?

14.5 USE OF PSYCOANALYTICAL TECHNIQUES IN ADVERTISING:

Advertisers have no more mere interest in just studying how advertising works. They are more interested in finding out how the brain works.Advertisers have been successful in developing conceptual techniques about how advertising influences. These techniques need not be compared with the high principles of Newton or Galileo. But it would be foolish to ignore the impact of these techniques on buying patterns.

For the better understanding of brain, its functioning on sentiments and emotions, advertisers have taken the help of 'Psychoanalysis' and its junior partner 'Motivational Research'. The gurus of psychoanalysis and motivational research have provided
advertisers with a kind of radar, which helps them to locate their ways through the darkness of subconscious mind. Consumer is no more a rat in the puzzle box. What classic Freudian theories failed to explain, advertising men are able to explain with the help of psychoanalytical techniques.

These techniques help to analyse the inner layers of human mind in terms of immagination, intuition, fears, secret, anxieties, guilt, complexes etc. They successfully perform the dissection of human mind at three different levels of consciousness. This can help them to understand the logic behind the consumption and to develop brand images which are longer lasting than even the qualities of the product. This depth approach helps the advertisers to sell, virtually every single product and the service in the market. The credit for the success of the advertisers goes to the ability of the advertisers to manipulate the consumers to their own advantages.

The critics consider these techniques as villains of the market who make the advertising to achieve its ends by emotionally abusing the consumers. The fundamental question is - "Is it right to manipulate the Indian consumers, who are not well equipped to protect themselves against such manipulation for various reasons?".

The whole discussion about the rationality and irrationality, colour weaknesses or secret miseries; frustrate the consumers, who prefer not to spell out loudly these sentiments even to themselves. These techniques exploit human inadequacies to the
benefit of the advertiser. Advertisers enjoy the immense freedom of expression by curtailing the freedom of choice. The consumers are just led into the trap of engineered yes.

14.6 SOCIAL AND ETHICAL ISSUES IN ADVERTISING:

Advertising is constantly attacked by various sections of society for its ability to influence social, ethical and moral standards of the society. Advertisers agree to advertiser's ability to influence, but they fail to gauge the level of their influence.

Ethical and social considerations have introduced a new dimension in advertising. But the admen who are busy attaining higher technical standards, fail to take note of important subjective standards. This important issue requires rather constant attention from advertisers.

The level of deception introduced by the advertisers is a perennial subject of debate. In the primary survey also, vast majority of respondents (77.67%) felt that advertisements make tall claims, which they fail to fulfill. If the consumers purchase the products on the basis of claims made in the advertisement all the time, they will come to grief. Another problem which troubles the advertisers is how to balance between information and persuasion aspects of the copy. Most delicate issue from the consumer's point of view is bad taste in advertising. While watching
the television or going through the pages of the newspapers, suddenly an advertisement assails our mind. But then setting standards in good taste is a herculean task. Other issues which raise the eyebrows of the critics are stereotyping and touching the insecurities that the consumers feel.

Advertising has many positive features like spreading of information and entertainment value. Most of us have our favourite advertisements. But yet, we cannot ignore the damage that is caused by this powerful and highly talented industry, which keeps us eternally vigilant, since we are their target. At any point of time, we cannot relax and consider it to be harmless. It is not at all, just the mirror image of society. But it has a power to create crafty, delicate and intricate changes in the social and moral standards of society and alter its values.

14.7 MISLEADING ADVERTISING:

Advertisers have invaded the individual as well as family life-styles. We are consuming almost everything that advertisers persuade us to consume. Human mind is stressed with the messages from the advertisers. Are we really making a choice with our free will? Advertisers advise and guide us for all the products that we need from sitting room via kitchen to toilet. To add flavour to their advice, they use certain old, well-tested sales gimmicks, which do wonders for them. These gimmicks, carrying hidden messages, lead us into the trap of the advertisers even before we become aware of it.
The words like ‘SALE’ or ‘DISCOUNT’ makes every one of us think the amount of money saved rather than amount of saving spent or reduced cash balances to earn these discounts. Many a time, these sales are not genuine and so mislead the consumers. Similarly , all of us - idol worshipers - we worship reat and respected personalities or filmstars or sports stars. Advertisers know this weakness of ours and leave the variety of products, as it were at our doorsteps. We are virtually left with no defence but to buy. Somewhere in our hearts, there is a secret desire to emulate our idols. Similarly advertisers exploits our weakness for good health in their appeals. We are so concerned about our own and family health, that we leave no stone unturned. Additionally, they exploit the soft corner of Indian minds for Homeopathic and Ayurvedic treatments.

Same goes for free gifts. Many of us fail to realise that in the process of receiving gifts, we increase our consumption of the product and advertisers boost their sales at the cost of our weakness to earn free gifts. The most infamous promotion of ‘Thumps-up’ of free flicker booklets, exposed various dimensions of this complex issue. Consumers learned a lesson from ‘Food specialities of India Ltd’. , that “Free offers are never Free”.

Another recurring incident, when the consumers are ‘rushed’ into the trap is the ‘pre-budget’ bogey of marketers to threaten the consumers with anticipated price rise. To avoid the responsibility of substantiation of claims, advertisers use such words, which either consumers fail to grasp or are difficult to substantiate. Thats how
14.2 Idol Worshipping.
(Source - Times of India; Wills World Cup 1996 Special Issue).
Ever since he made Mumbai's very first cellular call, Sunil Gavaskar has had an unbroken partnership with Max Touch. Thanks to the powerful and ever-expanding Hutchison-Motorola Grid and the Ericsson Switching Technology, he has been able to make himself abundantly clear. He can access — and can be accessed from — gully positions in the bylanes of Mumbai. And his boundaries now stretch from Wankhede Stadium to Mandwa to Bhayandar. Over land, sea and even on local trains. A cellular coverage that's so wide and so clear, it deserves a standing ovation. So go right ahead and get hooked on to Max Touch. It's a partnership that'll last you a century.

Call 4310011 for further information.

14.3 Idol Worshipping.
(Source - Times of India; June 12, 1996).
"Godrej Puff turned out to be a bluff". Above all, marketers do not fail to take advantage of offensive techniques of sex appeals, particularly making unnecessary use of female models.

All the advertisers do not make unnecessary use of misleading claims in this manner, but as and when necessary, even the established brands are tempted to use these hidden persuasions to boost the sales. If we scan the list of complaints received by CCC of ASCI, the maximum complaints are on these grounds. Another question which advertisers should ask themselves is that whether these sales gimmicks really help in increasing sales or cause a negative advertising ?.

These manipulative activities of persuaders raise a profoundly disturbing question about the kind of society they are seeking to build for us. Their ability to contact millions of us simultaneously through media, gives them power, to do good or an evil on mass scale in a very short span of time. The old doctrine of 'Let buyers beware' absolves them from the responsibility of adverse consequences.

14.8 THE SUGGESTIVE INDECENCY :

Advertising has already started influencing our private life, in a subtle way. It has diluted the meaning of beautiful word like --- 'LOVE', full of emotions and sentiments. We are digesting obscenity and vulgarity, colly as a silent spectators. Advertisers are
bombarding children with such messages that the times have come when the value-system, ideas of morality are on the verge of collapse. In this process the institution of religion also is under attack. They are trying to destroy spirituality of a 'particular' religion. Already respect for teachers and educational institutions is on the way down, for a variety of reasons. Now advertisers are providing additional helping hand to the downfall. Present generation is enjoying the independence as a birth right, so they do not know value of sacrifice for the nation, importance of national flag or esteem of national institutions. It is a time when we get together to put an end to this unrestricted attack on our values and culture with the help of advertising itself. The advertising messages are designed so imaginatively that we have to create a wall of protection for the consumers.

The gamut of emotions and delicate sentiments are universal. But advertising language along with the picture copy should remain local, to be effective. India is made of different cultures, religions, languages and life-styles. We Indians, represent a dazzling mosaic of unparallel 'unity among diversity' to the world. To maintain this mosaic intact, advertising practitioners should try to remain close to the grass-root realities. Advertising is not only a part of the economic process, it is also a part of the social and cultural process. This demands a strong fusion of identities between ad-agencies and the environment.

Applying western concepts to Indian consumers is a futile exercise. Just because Tuff Shoes advertisement won the prizes
in the west, it does not mean Indian consumers should accept it. One nation’s culture may be another nation’s pornography. "The Reclining Nude", the famous painting by Klimt was used to promote French ‘Eau-de-Toilette’ for men in France. In France, there was no whisper of disapproval, but other countries disapproved it. So no one has the authority to pass judgements on the ethical and moral foundations of others. Advertisers in India should do what is exactly suited in India. Indian admen, at times, forget that they are living 10,000 miles away from 'Madison Avenue' and yet they remain bound by a synthetic umbilical cord to Madison Avenue. It is time now, that admen accept ground realities. What they lack is a healing touch rather than the magician’s touch of illusions. It is the need of the hour that, wrong pictures, practices and messages should be checked firmly and with a strong determination.

14.9 ANALYSIS OF THE PRIMARY DATA:

Sample considered for the primary survey is too small as compared to the vast sea of consumers. But atleast it gives us some guidelines, as to, how consumers think on various issues related to advertising. Some of the interesting conclusions are as follows:

1. Respondents have more interest in toiletries and cosmetics, food products and detergents. This may be due to the fact that these are daily consumption products and so purchased at regular intervals by every class of consumers.
2. Respondents feel that the advertisements are informative and entertaining with mean score of 1.225 and 1.16875 respectively.

3. Respondents agree somewhat to the thinking that media cannot survive without advertising with mean score of 0.71875.

4. Respondents disagree somewhat with the statements that the claims made in the advertisements are justified or accurate (-0.51875) and advertised products are of better quality than non-advertised products (-0.68125).

5. As far as all the negative statements are concerned, the respondents agree somewhat on the issue like advertisements sometimes make us buy what we do not really need (-0.56875), advertisements are loud and vulgar (-0.275), they promote fantasy and rarely reflect reality (-0.40625). In India, money spent on advertising is waste of expenditure (-0.68125) and most advertisements exploit sex (-0.2625).

6. When the respondents were given to analyse the copies of advertisements, we conclude from the following their ability to observe:

   a. Respondents fail to understand financial claims properly along with the technical claims.
b. Respondents strongly oppose vulgarity.

c. Respondents are sentimental on the issue of religion.

d. Respondents can understand misleading claims in the matters of health.

7. Respondents strongly object and disapprove the backdoor entry of cigarette advertisements through sponsorship.

14.10 IS ADVERTISING NECESSARY..... ? :

Advertising is criticised by economists, social scientists as well as by consumers. But it is equally essential to understand advertiser's point of view before coming to any conclusion. The task of advertisers may look very simple, but in reality, it is very complex. Since they have to influence maximum number of consumers in the market favourably, who themselves are so varied from each other and their expectations from the product are basically different. This complex task they have to achieve, with one single copy of advertisement, which may be repeated frequently in whichever media it is released.

Advertisers are criticised for repeating the message frequently. But if advertisers realise that consumers are so busy with their daily jobs, plus they are bombarded with the messages from so many advertisers, plus they are not going to make extra efforts
to remember the message, then the logic behind the frequency of repetition of advertisement becomes obvious. Rather, at times, it surprises the advertisers to know that after so much of repetition, many prospective consumers fail to even know about the existence of the product.

The advertisers are repeatedly criticised for spending high percentage of costs on advertising. But to a large extent, nature of the product is the deciding factor. Even economists, who firmly believe in free economy, also criticise advertisers for excessive expenditure on advertising. They fail to understand the great struggle of advertisers to develop image and the brand loyalty. They do not make allowances for the complexity of the problems faced by the advertiser. This also forces the advertisers, at times, to restrict the consumer choice by showing lack of consideration for individual choices. At times, to prove their own superiority, they are forced to make price comparisons or follow high promotion techniques.

Dream-Merchants conveniently refuse to opine on many sensitive issues which are being discussed internationally. They do not discuss unhealthy trends. They take recourse to this kind of misleading, to maximise market share. Nor do they discuss why some advertisers spend disproportionately high amounts to gain market dominance. They do not even make passing reference to the fact that they do not share abnormally high profits with the consumers even marginally.
14.11 NEED FOR CONTROL:

Advertising like any other business activity is bound by the legal framework, along with the support from well structured, self-imposed restraints. Advertisers think that the days of 'buyers beware' are history and now they are accountable to consumers. The Supreme Court realising that the advertisers will carry out their activity in a responsible manner, has entrusted them with the freedom of commercial speech under constitutional protection as specified in the judgement of Tata Yellow Pages case.

Advertising is controlled by a list of regulations to cover the troubled areas of advertising like truth, decency, substantiation, endorsement, comparative advertising, right of privacy, copyrights and surrogate advertising. Though there are number of laws to cover, these troubled areas, advertisers are still tempted to get into trouble with the law. The most important acts in the list of laws are — Consumer Protection Act 1986, The Monopolies and Restrictive Trade Practices Act 1969, Drugs and Magical Remedies Act 1954. Many advertisers are pulled-up under these laws, yet there is a need for more laws to effectively control advertising.

But even if we demand more legislation, since 73.13% respondents of the primary survey want advertising to be controlled, the question which remains largely unanswered, is who will enforce these legislations? Respondents have expressed more faith in control through consumer bodies as compared to control through law or professionals or even self-control.
Nevertheless, it is clearly the government's responsibility to ensure that consumers are protected against the practices which are objectionable. Advertisers should also act with more responsibility or else they will invite censorship.

14.12 SELF-REGULATION IN ADVERTISING:

Generally advertisers have an anti-legislation attitude to control advertising. Consumers are also not much in favour of law, since legal processes are generally time consuming and expensive. Advertisers as well as consumers prefer a self-regulatory system. In Europe, even before the common market has become a reality, they have framed a self-regulatory code. There are number of benefits of self-regulatory code to advertisers and consumers, provided it is introduced with certain 'musts'.

International experience on the issue of self-regulation has been extremely good in a number of countries. Based in this experience, International Chamber of Commerce encourages many of the member countries, for the formation of self-regulatory code. In India, code came into existence in 1985 and was revised in 1995. Since its inception, ASCI has tried to popularise the code, but somehow there is a need to implement the code more forcefully. Indian code has been based on self-regulatory code of U.K. and Singapore. But it clearly fails to cover various issues which are covered in these codes. Another major weakness of this self-regulatory activity is, its lack of power to penalise offenders. So somehow,
even after more than ten years of inception, the ASCI has not overcome its teething problems.

With reference to Indian code, number of questions are raised - "Is the ASCI itself weak as suggested by consumer organisations or is it doing a reasonably good job? Should it look out for offenders of the code and take suo-moto action or wait patiently to receive the complaints?.

One fact that can be easily arrived at is that self-regulation itself would not be effective in developing high standards throughout the profession. Without substantial degree of co-operation from admen, advertisers and media owners, self-regulation cannot be effective. There would be no problems of implementation of code, if the media sincerely accepts the code and the decisions of CCC. One fails to understand that if self-regulatory bodies of other professionals like Doctors, Chartered Accountants, Lawyers etc. can work, then why is it not successful in case of advertisers?.

14.13 CONSUMER MOVEMENT AND REACTION FROM GOVERNMENT, INDUSTRY AND CONSUMER GROUPS:

Since the days of Vance Packard's "The Hidden Persuaders", drastic transformation has taken place in the attitude of the consumers. They no more get carried away by the innocent looking models, entertaining and colourful messages of the advertisers. They have
learned to decode them. The gap between consumer's faith in the advertiser's messages and advertisers attitude towards consumers, has widened. This has led to a strong sense of consumerism.

The Indian government has shown the interest in uniting consumers and making them aware of their rights since way back to 1956. But their efforts did not bear fruit till 1986, when they passed a Consumer Protection Act, Consumer Grievence Cells and Council for Fair Business Practices try to establish rapport between advertisers and consumers. Associated Chamber of Commerce and Industry also contribute on similar lines.

Consumer front is well defended by various consumer organisations like - CERC, VOICE, Ad Watch Club of MGP. All of them have ably defended consumers against the excesses of advertising, particularly from misleading and unethical advertisements.

Still there is a lot of room for improvement of relations between advertisers and consumers. Part of the answer lies in closer collaboration between advertising practitioners, advertisers and consumers.

Consumer movement has performed a useful service in pricking the bubble of inflated advertising claims. They should however, extend their interest and the vigilance of hidden advertising. As we train our children in road sense, similarly consumers should be trained to understand the tricks of persuasion and psychoanalytical techniques. Already school curriculums include information on
consumer protection. Although school children are overburdened with their studies, they should be educated about how advertising research manipulates our hopes, fears and dreams to advertisers benefit.

It is time for advertising industry to look at consumer groups as their friends. Consumer movement represents a force in the society, committed to a just social order. It is the force, which advertisers should welcome rather than reject or neglect.

14.14 TO CONCLUDE:

1. It will not be proper to ignore the growing dominance of advertising industry in daily life.

2. Media is so heavily flooded with the advertisements that now it has become virtually necessary to fix the minutes per hour for advertisements on television and to fix the percentage of space for advertisements in newspaper and magazines.

3. Television and Cable Television has maximum exposure which speaks for their popularity and attracts maximum revenues to them from advertising.

4. Advertising is responsible to some extent, for spreading materialism among the consumers, which in turn has resulted in disturbing consequences in a social structure.
5. Children appealed through advertisements to maintain the future market share and as an indirect way of appealing to parents.

6. Psychoanalytical techniques used along with motivational research to engineer our consent to the products offered by the advertisers.

7. Advertising requires eternal vigilance to uphold social and moral standards of Indian society.

8. It is necessary to defend the consumers against misleading claims and claims involving suggestive indecency made by the advertisers.

9. To protect the dazzling mosaic of diversity of Indian consumers, it is necessary to build a wall of protection through controlling advertising activities by law, by self-regulatory code and by active interest of various organisations.

10. There is a need of effective legislation and law enforcement agencies to protect the consumers.

11. Self-regulatory code requires upgrading to make it more effective and Consumers Complaints Council should be trusted with at least some minimum statutory power of injunction.
REFERENCES
