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## Surrogate Advertisement on Television “An Analysis with Special reference to Indian Youth”

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### Abstract

*Surrogate advertisement has been a matter of concern over a past few years in India. The Indian government is taking all kinds of steps to reduce the consumption of intoxicant. One of those steps is to stop advertising of all types of alcohol, cigarettes and tobacco products on Electronic as well as print media. But the major players in this product are using surrogate advertisement to promote their product. They endorse their brand with some other products having the same name like intoxicant products. Television channels are governed by their own policies and are not under the direct control of the government; hence, surrogate advertisements use the flexible nature of these channels to good effect. Advertisers of these products are now using brand extension method for promotion. Using these products, these companies show good lives and try to influence the youngsters. This is a huge loop poll in government's surrogate advertising policy. Teenagers are being targeted who are supposed to be a vulnerable group. This paper will try to understand the Surrogate advertisement impact on Indian youth through the Television. This study is for academic purpose and to increase learning in the area of surrogate advertisement. We respect all the brands and companies, appreciate them for their contribution in economy.*

**Key Words:** Advertising, Surrogate Advertising In India, Television, Indian Youth

### INTRODUCTION

**Advertising is to promote the sales of a product or service and also to reach masses to inform about the product attributes.** It is an effective way of communicating the value of a product or service with large exposure to target consumer. It uses different types of appeals to connect to consumers spread across the globe. A new leap has been started with the introduction of advertising of goods and services on television. International broadcasters have found corporate players in search of new markets around the world. A powerful tool that can inspire viewers to make new purchase decisions and take advantage of new services. There are ads appearing between news bulletins, favorite films and serials Send commercial messages to home Most of these ads are happily prepared seeing pleasure is a picture depicting a pink image and effectively communicating well.

After implementation of the Cable Television Networks Regulation Act - 2011, new advertising appeal used by most liquor companies circumvented the ban by what is called **Surrogate advertising**. Surrogate advertisement resembles the original product or could be a different product altogether, but using the established brand of the original product. The trend of surrogate advertisement gathered momentum with several Medias around worldwide. As heated debates are going over the issue of surrogate advertising; whether it is needed or not, by doing the study expects to throw light on the subject. Being these

advertisements attracted criticism from various people as they are not only misleading, but also false and dishonest in many cases. Even though there has been legislation passed as per the Cable Act under the Ministry of Information and Broadcasting, that no broadcaster is permitted to show an advertisement which indirectly or indirectly ‘seducing’ the viewers so as to promote alcohol, tobacco etc. Although the tobacco ad has been stopped but liquor ads seldom show their ads in a disguised way. This is because of the marketing strategy that they keep on changing and coming with new innovative ideas which is like sidelining the legislation which even though look perfectly alright but the impact left in the viewer’s mind is something else. It seems that they are secretly trading their brand and the real intentions remain to be subtle.

**This means companies started advertising surrogate products such as audio cassettes, drinking water, soda, juices, playing cards, etc. under the brand name with which they advertised liquor earlier.** In India there are many companies doing that, from Bacardi Blast music CD’s, Bagpiper Club Soda to Officers Choice playing cards. The masking product i.e. the music CD’s, or mineral water might not even be marketed in real, it is just a strategy used to generate top of the mind recall. While this continued helping them to promote their liquor through this route as many companies did not even modify the existing advertisements and instead just replaced the text and voice-overs. This is what challenging about surrogate advertisement as for ethical business practices one should not mislead consumer’s especially young generation to lean towards drinking alcohol.

## **ADVERTISEMENT – CODE OF CONDUCT**

### **Relevant legislation & regulations in India**

#### **1. The Cable Television Networks (Regulation) Act 1995 (“CTNA”) and Cable Television Networks Rules, 1994 (“CTNR”) –**

a) On February 25, 2008, Government issued a notification amending CTNR to the effect that Rule 7(2)(viii)(a) read as follows – “No advertisement shall be permitted which promotes directly or indirectly production, sale or consumption of cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants.” The said 2008 notification amending CTNR, completely closed the window of opportunity for Surrogate Advertising provided to liquor and cigarette companies.

b) However, subsequently on February 27, 2009, I&B Ministry issued a notification amending the said Rule to allow advertisements of products which shared a brand name or logo with any tobacco or liquor product with several caveats viz: (i) the story board or visual of the advertisement must depict only the product being advertised and not the prohibited products in any form or manner; (ii) the advertisement must not make any direct or indirect reference to prohibited products; (iii) the advertisement must not contain any nuances or phrases promoting prohibited products; (iv) the advertisement must not use particular colours and layout or presentations associated with prohibited products; (v) the advertisement must not use situations typical for promotion of prohibited products when advertising the other products.

c) I&B Ministry issued a directive on June 17, 2010 (“Directive”), to all TV channels to comply with Rule 7(2) (viii) (a) of CTNR and that the notification dated 27.02.2009 cannot be cited as an excuse to telecast advertisements of products in violation of Rule 7(2) (viii) (a) of CTNR, as the guidelines under the amended rule have not been framed. I&B Ministry further directed the TV Channels to including news and current affairs channels to stop carrying any advertisement of a product on their Channel that uses brand name or logo which is used for cigarettes, tobacco products, wine, alcohol or other intoxicants and strictly follow the Rule 7(2) (viii) (a) of CTNR. Any violation of this Directive and provision ASCI Code shall entail stringent action in future including suspension or prohibition of broadcast.

#### **2. Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (“COTPA”)**

Section 5(1) of COTPA states that “No person engaged in, or purported to be engaged in the production, supply or distribution of cigarettes or any other tobacco products shall advertise and no person having control over a medium shall cause to be advertised cigarettes or any other tobacco products through that medium and

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no person shall take part in any advertisement which directly or indirectly suggests or promotes the use or consumption of cigarettes or any other tobacco products.”

### **Action taken by Ministry of Information & Broadcasting Ministry**

- In June 2002, the Information and Broadcasting Ministry of India (“I&B Ministry”) ordered television broadcasters (“TV channels”) to ban telecast of two surrogate ads of liquor brands, viz McDowell’s No. 1 and Gilbey’s Green Label. The I&B Ministry also put other brands like Smirnoff Vodka, Hayward’s 5000, Royal Challenge Whiskey and Kingfisher beer on watch list. The surrogates used by these advertisements ranged from audio-cassettes, CDs and perfumes to golf accessories and mineral water.

- By August 2002, I&B Ministry banned 12 advertisements. TV channels, including Zee, Sony, STAR and Aaj Tak were issued show-cause notices asking them to explain their reason for carrying surrogate liquor advertisements. The channels were asked to adhere strictly to the Cable Television Networks (Regulation) Act 1995 and Cable Television Networks Rules, 1994. As a result, Zee and STAR stopped telecasting surrogate advertisements; Aaj Tak and Sony soon followed suit.

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### **Research Methodology**

This study is based on analysis of secondary data (literature) available on the subject and Case studies of advertisements of different brands. Some brands are associated with Liquor and some are associated with Tobacco. The television commercials uploaded on YouTube and recently broadcasting on Television have been studied. In case of Royal Stag as well as kingfisher, the websites have also been accessed to study their own claims as well as the television commercials posted in their websites. Few articles about the kingfisher strategy of surrogate advertisement has been studied for this purpose. Rajnigandha and other tobacco products have also been used for diversification of brands. By reviewing all the advertisement, our purpose is to see the impact of surrogate advertisement on Indian youth. What kind of image advertiser wants to show them to create brand awareness.

### **Objectives**

(a) To Study Surrogate Advertisement and Its Impact on Indian Youth

(b) Role of Television in Playing Surrogate Advertisement

(c) Using Surrogate Advertisement as a Strategy: analysis with Special Reference to Selected Companies

### **Study Scope and Relevance**

This study has been limited to few brands. We have selected few brands which does surrogate advertisements on continuing basis on Television. These brands include Liquor as well as tobacco products. We have selected only few brands for the focused study. The ambit of the study has been limited to television commercials as available on YouTube. The websites have also been studied to analyze the advertisements uploaded there. This study is only focused on Indian Youth. Impact of television surrogate advertisement on youngster that how they get influenced to purchase the product .A detailed study of all the satellite television channels for the occurrence of these advertisements was not done due to unavailability of a data bank of such commercials on television over a period of time. A number of other brands have also been left out to objectively assess the extent and nature of these advertisements in the chosen ones. The study is relevant to understand the nuances of surrogate advertising and how it is used as a brand in the present scenario. Also the relevance and importance of the mass medium in furthering the cause of surrogate advertising.

### **Review of Literature**

- **Dr. Abhijeet Agashe, Ms. Harleen Vij in his article** - Ethical Issues in Surrogate Advertisement & its Impact on Brand Building indicated that direct marketing of surrogate products are totally unethical and hence been prohibited by the government. But it’s the companies are now following the newest trend called

the surrogate advertisements' i.e., marketing unethical products ethically Cable TV Act, 1995 As a result, Zee and STAR stopped telecasting the advertisements. Aaj Tak and Sony soon followed suit. In addition, I&B Ministry hired a private monitoring agency to keep a watch on all advertisements for violations of the Act. By August 2002, the I&B Ministry had banned 12 advertisements and leading satellite TV channels including Zee, Sony, STAR and Aaj Tak were issued show cause notices to explain their rationale behind carrying surrogate liquor advertisements.

- **Dr. S. G. Khawas Patil, Laxmikant S. Hurne in their article** - Surrogate Advertising: A Successful Marketing Strategy for Liquor, Whisky products indicates that, Most of the companies experiencing the ban of their products are restoring themselves to the new concept called —Surrogate advertising. He also indicate that co's are making huge profits by using such ads as a new weapon now-a-days.

- **Pradeep S. Mehta in his article** - Surrogate advertising — Needed, a spirited attack tell that the companies whose products are subjected to the prohibition are following a different way of promoting their products like 'old wine' in a 'new bottle,' or with a soft-drink label somehow they are duplicating the image of well established brand.

### Impact of surrogate advertisements on youngsters

*"Man, I see in Fight Club the strongest and smartest men who've ever lived. I see all this potential, and I see it squandered. God damn it, an entire generation pumping gas, waiting tables – slaves with white collars. Advertising has us chasing cars and clothes, working jobs we hate so we can buy shit we don't need. We're the middle children of history, man. No purpose or place. We have no Great War. No Great Depression. Our great war is a spiritual war. Our great depression is our lives. **We've all been raised on television to believe that one day we'd all be millionaires, and movie gods, and rock stars, but we won't. And we're slowly learning that fact. And we're very, very pissed off.**" - The Fight-Club (Movie)"*

Youngsters are always a vulnerable group because of their impressionable minds. It is alarming

to know that each day 55,000 youngsters in India start using tobacco. Gutkha, A harmful chewable tobacco is targeted towards the youth section of the country. In the recent past Bollywood had the dubious distinction of being one of the biggest markets for surrogate advertisement. In 2004 and 2005 89% of the released movies had smoking scenes. There is an increased level of awareness now and dangers associated with tobacco consumption are shown in the form of the warning before the start of a movie but the surreal depiction of characters consuming alcohol and tobacco on screen is not helping the cause.

**A research done by Salaam Bombay Foundation on 3260 children** between age group of 12 and 17 years from municipal and private schools revealed a disturbing trend. Asked to recall the slogan of any tobacco product or brand –

- 71% recalled the slogan of Manikchand (guthka)- Oonche log, oonchi pasand,
- 12 % recalled the slogan of Goa (guthka brand),
- 2 % recalled Sanket, 0.4% recalled Shimla while
- 15 % recalled other brands.
- 63 % could associate product with brand while 37 % could not.

Children in that age group could clearly disassociate Manikchand Water (surrogate advertising) from Mankichand Gutkha (Impact of Surrogate Advertisements, 2009). In the wake of an alarming situation Maharashtra government banned the sale of gutkha and pan masala in the state, a move lauded by the children of Salaam Bombay Foundation for their healthy future (Roy, 2012). However, it should be noted that in spite of an assurance on the part of Information and Broadcasting Ministry that surrogate advertisements would be barred from appearing in any form of media and a stricter surveillance mechanism should be implemented in 2008 (Sinha, 2008) the problem persists. According to some experts government has not defined properly what they consider as surrogate brands.

There are lots of Big Player in liquor and Tobacco companies doing surrogate Advertisement. Here are few examples -

### Case - I

**Royal Stag**, A big liquor company that encourages its products through surrogate ads. Royal Stag has many advertisements that showcase big film artists, which gives great encouragement to the youngsters to do big in their entire advertisement with punch line “it’s your life make it large”. These artists include Shahrukh Khan, Ranveer Singh, Saif Ali Khan and Arjun Kapoor. This ad is broadcast in all television channels abundantly. The whole purpose of these advertisement are to make brand awarness in the mind of youngsters. They show actors doing all the hardwork to make their life large. At the end of advertisement, it shows royal stag music CDs. Its very unusual to see the music cd of royal stag.

Royal Stag Mega Music is a platform to promote music and is associated with television music events like Royal Stag MTV unplugged and Royal Stag Mirchi Music Award. Royal Stag Mega Cricket sponsors a number of cricketing events in the country and leading cricketers feature in their advertisements. Beneath the veil of their promotion of talent in various fields there is endorsement of their liquor business. The target audience is vulnerable.

### Case - II

**Kingfisher**, Multinational brand in Liquor, sports, mineral water, Airlines (former) and Lifestyle. The main business of Kingfisher is liquor but kingfisher promote Indian Premier league team with the tagline ‘Divided by teams – United by kingfisher. Kingfisher has also given its one of the famous brand to the one IPL team ‘ Royal Challengers Bengluru ‘ . Kingfisher Airlines is also the example of surrogate advertisements.

Social medias have also become latest avenues for alcohol brands that established their brand expression, like Kingfisher has a Facebook Page, Twitters and Foresquare to promote their brands and as far as regulations are concerned, these areas are yet to be covered. So another aspect which plays a very innovative role is the social media marketing which is one of the out of the box marketing strategy and reaches out the target customers directly. By doing all these surrogate advertisements, Kingfisher just want to make his presence into the mind of its existing customer. As one judge of High Court of Karnatka, Righly said that name of IPL bengluru team i.e. Royal Challengers Bengluru is attracting only those youngsters who knows the name of royal challengers bengluru otherwise it do not make any effect on non drinker.

### Case III

**Rajnigandha**, Pan Masala, a premier offering from house of DS Group, is the world's largest selling premium Pan Masala. Rajnigandha stands for taste of excellence that salutes the spirit of patrons of Pan Masala, who believe only in the best. Rajnigandha broadcast different ad with tagline ‘ Muh mein Rajnigandha kadmo mein duniya ‘ . In this ad they shows the a man who purchase same hotel where his father worked for the 30 years as a Darban. It shows that youngsters should give respect to their parents while chewing the Pan Masala. It shows surrogate products. One more ad with ‘ *yu hi nahi mein Rajnigandha Kahlata* ‘ . It Shows Perfect blend of precious ingredients and aromatic flavors including Betelnut, Catechu, Lime, Cardamom seeds, exotic Ruh Kewda and premium Sandalwood oil, Rajnigandha has been the first choice of connoisseurs of Pan Masala. Rajnigandha stands for taste of excellence that salutes the spirit of patrons of Pan Masala, who believe only in the best. When Shah Rukh Khan or any other actor says, ‘ *Muh mein Rajnigandha, kadmo mein duniya* ‘, fans believe him. Such is the power of Surrogate advertisement using bollywood star and as we know – with great power, comes great responsibility.

## CONCLUDING REMARKS

- In the case studies it is evident that surrogate advertising is broadcast across channels in Indian television. While such advertisements are difficult to come across in public broadcasters like Doordarshan, the trans-national nature of satellite channels makes regulations difficult.

- Celebrities are being used for this kind of surrogate advertisement that makes a negative effect on youngsters. Using celebrity is desirable as youngsters are attracted with celebrity advertisement.
- Surrogate advertisement of tobacco products, pan masala and liquor has far reaching consequences. The tones of these advertisements are alarming because they always appeal to aspirations for a better lifestyle. Indian law has certain guidelines which does not allow advertisements of harmful products like alcohol and tobacco on television but surrogate advertisements have succeeded in manipulating the law.
- The successful implementation of the brand extension strategy by these companies has added a new dimension to the problem for the authorities. Punishments have to be stringent to deter companies as well as broadcasters from surrogate advertisements. Different television channels should be made accountable for accepting such advertisements.
- The alarming rate of alcohol consumption and intake of tobacco products at a young age is worrying for the nation. These products are getting stereotyped as being the companion of good times and classy lifestyle.
- Making it mandatory to give statutory warning on sequences where alcohol intake and tobacco consumption is shown on television will not help if these surrogate advertisements are allowed to be aired.
- A greater awareness of the audience about these advertisements is the need of the hour along with the need for new legislations on surrogate advertisements

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