

Pepsi puts the fizz back in Brand Salman

The cola major signs on the controversial actor as the face of the brand; a strategic move or a colossal blunder, ask experts



The cola brand is a prominent feature in the trailer of the upcoming *Dabangg 3*

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With just over a week to go before the release of his block-buster franchise *Dabangg 3*, Salman Khan has swung a coup. The 50-plus actor has been signed on as the face of cola brand Pepsi, ending his long stint in the cold on the endorsement track. Khan's many off-screen controversies were a deterrent to big consumer goods brands and even Thums Up, the last cola brand he was associated with, turned to the more popular Akshay Kumar some three years ago. Also, after being among the top paid celebrities on the Forbes list for three years in a row, Khan dropped off the charts this year while rival Kumar made his way up the ladder. Currently he endorses 8 brands in categories such as home décor and inner wear to

age-defying energy boosters. What made PepsiCo India turn to Khan?

Swag or urban cool, says a spokesperson for PepsiCo India, swung the deal in Khan's favour. Swag has been the underlying force behind Brand Pepsi's recent campaigns and Khan, according to the company, epitomises the attitude. The big reason, however, as all experts point out is the upcoming release of *Dabangg 3*. The movie has been wildly popular in its earlier versions, making the main protagonist Chulbul Pandey a rustic icon. Pepsi is betting on the box office success of the third in Pandey's series of comic capers. The choice is surprising and controversial, said Sandeep Goyal, founder Mogae Media, a marketing and communication agency. But he thinks that the cola brand may be focusing on the irreverent streak that Brand Salman embodies,

ENDORSEMENT LIST	
Brand	Year of signing
Pepsi	2019
BharatPe	
Somany Ceramics	
Emami's edible oil range	2018
CP Plus	2017
Image Eyewear	
Bahamas range of slippers by Relaxo	2016
Dixcy Scott	2015
Astral Pipes	2014
Past associations : Mountain Dew, Thums Up, Appy Fizz, PNG Jewellers, Yellow Diamond chips, Splash, among others	

which dovetails neatly with the Pepsi anthem 'Nothing official about it' from 20 years ago when it ambushed Coca Cola, the official partner of the cricket World Cup 1996. "Otherwise there is no real reason to choose an ageing Salman to target a 'tweenager' generation of Pepsi drinkers," he adds. More than strategic, the choice of Khan may be a tactical move. The character he plays in the *Dabangg* movies has found wide appeal and Pepsi may well build the entire creative around that persona of Salman, Goyal conjectures. Brand consultant and founder Bijoor Consults said, "Salman Khan defies age. Pepsi to an extent has chosen the attitude of Salman as opposed to his age. And his attitude is a *Dabangg* fit!" Khan has been signed on for an indeterminate amount as

the company refused to divulge any numbers, but many said that his fee is comparable with the top brand in the business, that of Indian cricket captain Virat Kohli. Kohli was the face of Pepsi until 2017, until he announced that he would not endorse unhealthy fizzy drinks and fried snacks in a public interview, even as his contract was being renegotiated. Since then the company has relied on young actors and micro influencers to take its story forward in the country. Khan brings the big bang back to the brand said one expert, preferring anonymity. His persona has a fair share of humanism that appeals to millennial audiences and the controversy contributes to mass appeal, which will help Pepsi crack its way through the hinterland. This is particularly true of the character he plays in *Dabangg* who commands a cult following in the country. As Bijoor points out, this is more about betting on *Dabangg 3* rather than the star. The spokesperson for PepsiCo India however said that Khan's inclusion into the endorser list is consistent with the company policy to partner with artists and new age icons. "In 2020, we look forward to building the brand's *Har Ghoont Mein Swag* (Swag in every sip) proposition with Salman," he added. The brand also has Tiger Shroff and Disha Patani as its ambassadors. While Khan's inclusion has created a buzz around the brand, it would be interesting to see how Pepsi tackles the backlash, if any, around its controversial choice.

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Data protection Bill...

"Unless it is authorised pursuant to a law, and is in accordance with the procedure established by such law, made by Parliament and is necessary for, and proportionate to, such interests being achieved", the draft added. Apar Gupta, executive director at Internet Freedom Foundation, argued that the current Bill doesn't deal with any kind of surveillance reform, which could include CCTV monitoring, social media monitoring etc. "It is not at all contemplated considering consent is a precondition to personal data collection," Gupta said.

Businesses unhappy

Digital commerce firms fear a major impact on business if the draft Data Protection Bill is passed in the current form. They fear plenty of hurdles in not only their day to day operations but also vis-à-vis their business models. This could even hit the investment cycles for the coming year, according to industry representatives. "This is going to impact the way we work and our business models. This is a myopic way of looking at data protection. ... Changing the way we work almost on a yearly basis is next to impossible. Spends on processing and handling data would skyrocket. Many companies including ours would have to rethink investment plans," said a senior vice president of a multinational digital commerce firm. Analysts believe the Bill, in this form, can be a major hindrance to the idea of ease of doing business. "The bill creates a need

for the data fiduciary (firm/individual) to obtain certification of the privacy by design policy from the Data Protection Authority. Such provisions lead to unnecessary compliance burden on companies and hinders the ease of doing business, which is much needed to boost the IT sector in the present economic climate," said Salman Waris, managing partner at TechLegis Advocates & Solicitors, a law firm. According to Waris, the provisions relating to processing data outside the country require multiple consents and approvals both from individual data principals and the government. It cannot be undertaken unless prior approval of the central government is obtained in advance, making the process cumbersome. The Bill says that the Central Government can, in consultation with the Data Protection Authority, direct any "data fiduciary or data processor to provide any personal data anonymised or other non-personal data to enable better targeting of delivery of services or formulation of evidence-based policies by the Central Government, in such manner as may be prescribed". Legal expert Amber Sinha said more clarity would be required on the issue of non-personal data. In the current form, it is possible it could clash or be complicated by intellectual property laws, trade secrets, and database rights. "Essentially what we see in the Bill is that the Indian State sees data essential to its national and geopolitical ambitions and it wants to leverage the data that is available in the country for various purposes," Sinha added.

Mixed response

While there has been some relaxation on the kind of personal data that can be processed outside the country, the provision got a mixed response from industry and experts. "Depending on the nature of the data being collected, The Bill sets out rules as to where the data can be processed and stored and requires sensitive data to be stored in India while permitting such data to be processed outside India with the explicit consent of the user," Atul Pandey, Partner at Khaitan & Co, has observed. The push for data localisation stems from the recent privacy concerns surrounding WhatsApp, and the desire of the government to suitably monetise the vast amounts of data being collected in India, according to Pandey. However, such data localisation measures will act as a substantial financial constraint for companies considering that fresh infrastructure will be required to be set up in India, he said. "Additionally, the government will also be wary of possible reciprocal actions being undertaken by other countries, considering that companies based out of such countries will have to abide by data localisation laws in India."

Social media burden

Exceptions made for government use of data, verification of social media users, and the forced transfer of non-personal data represent significant threats to privacy, analysts have said. "If Indians are to be truly protected, Parliament must review and address these dangerous provisions before they become law," said Udbhav Tiwari, public policy advisor at Mozilla. The Bill has defined social media intermediaries as entities primarily or solely enabling online interaction between two or more users, while allowing them to create, upload, share, disseminate, modify or access information using its services. The Bill places an obligation on social media companies to enable the users who register their service from India, or use their services in India, to voluntarily verify their accounts in such manner as may be prescribed. Also, any user who voluntarily verifies his account shall be provided with a "demonstrable and visible mark of verification, which shall be visible to all users of the service".

Fiscal deficit...

With the July-September GDP data available, it has been calculated that for the first half of 2019-20 (April-September), the fiscal deficit as a percentage of nominal GDP was 6.6 per cent. Officials say that nominal GDP growth for the year will nowhere be close to 12 per cent. Nominal GDP growth for April-June was 8 per cent and that for July-September, it was 6 per cent. With the Reserve Bank of India's latest forecast of 5 per cent real GDP growth for 2019-20, even a 3 per cent deflator will take nominal GDP growth to around 8 per cent. That means that theoretically, even if the fiscal deficit for the year is ₹7.04 trillion, as a percentage of GDP, it will shoot up to around 3.5 per cent. Given the revenue scenario, that seems difficult.

While the divestment target is expected to be met and non-tax revenues could even be exceeded, tax revenues remain a major cause of concern and a shortfall of at least ₹2 trillion is expected in gross tax revenue. Central GST collection fell short of the budgeted estimate by nearly 40 per cent during the April-November period of 2019-20, according to the data presented in Parliament on Monday. Actual CGST collection in this period stood at ₹3.3 trillion, as against the budgeted estimate of ₹5.26 trillion, Minister of State for Finance Anurag Singh Thakur said in a written reply in the Lok Sabha. Corporation tax collection contracted by 1 per cent in April-November, compared with the same period last year, amid a slowing economy, even as the impact of the corporation tax rate cuts, announced in September, is yet to reflect in the numbers. Direct tax collection, after adjusting for refunds, touched ₹5.5 trillion at the end of November and will require a growth rate of 31 per cent in the remaining period to meet the Budget target of ₹13.35 trillion.

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