

**CENTRAL CONSUMER PROTECTION AUTHORITY**  
**Room No 567-A, Krishi Bhawan, New Delhi - 110001**

**Ref: F.No. J-25/39/2022-CCPA**

In the matter: Suo-moto case against Skyway Career Hub with regard to the misleading advertisement and unfair trade practice.

**CORAM:**

Mrs. Nidhi Khare, Chief Commissioner  
Mr. Anupam Mishra, Commissioner – On tour

**Appearance on behalf of Skyway Career Hub**

Mr. Karambir Singh Sony, Owner

Date: 17.04.2023

**ORDER**

1. Vide Order dated 03.04.2023, Skyway Career Hub ('opposite party') was directed to submit the certificate showing approval of any agency or body that had proclaimed it as "Jharkhand's No. 1 Educational Consultancy" along with other supporting documents regarding verifiable comparative data and validation by independent third party prior to the date of publishing the impugned advertisement in Prabhat Khabar, Jamshedpur edition (Hindi) on 10.03.2021.

2. The opposite party submitted a letter of apology for making the claim noted above vide email dated 14.04.2023.

3. Following documents were submitted by the opposite party vide email dated 14.04.2023 :-

**Certificates submitted by the opposite party:**

- i. Approval as sub-centre/academic centre/study centre to undertake IGNOC course issued by Indira Gandhi National Open College.
- ii. Certificate dated 12.02.2013 issued by inext Achiever's Award for excellence of their bizarre efforts as a successful entrepreneur.
- iii. Authorization Certificate to opposite party dated 19.11.2020 issued by Bir Tikendrajit University, Imphal, Manipur for branding, promotion and counseling students of the University.
- iv. Certificate issued by Rural Urban Council of Skills and Vocational Studies for Authorization Academic and Study Centre for self-study or vocational course, having registration date as 07.01.2019 and valid up to 06.01.2021.

- v. Authorization Certificate to opposite party by Liceo College of Medicine issued on 24.09.2021 as business associate to conduct educational promotion and recruitment in India.

**Institutional Agreement:**

- vi. Institution Agreement between opposite party and Manya Education Pvt. Ltd. (MEPL) whereby the opposite party shall refer and enroll students desirous of studying abroad with MEPL for coaching and admission consultancy services at the premises of 'Akshar International School' and to allow MEPL to participate in seminars conducted by the school to promote its products and services among the study abroad aspirants.

However, the said agreement does not have any signatures of the parties to agreement.

**Presentation of MEPL:**

- vii. The presentation highlights various courses and the name of some of the universities associated with them, timelines of the application, tests, admission consulting packages etc.

**Memorandum of Understanding (MoU)**

- viii. A MoU signed between Chhatrapati Shivaji Group of Institutions, (CSIT & CSIP), Durg (C.G.) and Skyway Career Hub on 04.04.2023 which mentions that the opposite party has approached the said institution to provide students on commission basis to the institution by recommending students for enrolment/admission into various courses offered by the institution.

4. In the hearing held on 17.04.2023, following submissions were made by Mr. Karambir Singh Sony, Owner, Skyway Career Hub :-

- a) It is admitted that the claim 'Jharkhand's No. 1 Educational Consultancy' was made in the absence of knowledge & survey.
- b) It is also admitted that there are no written data/supporting documents to substantiate the claim 'Jharkhand's No. 1 Educational Consultancy'.
- c) The opposite party provides knowledge on availability of various courses offered by universities and it promotes the courses conducted by those universities and gets the admissions done.
- d) The opposite party apologizes for making the claim without any survey.

5. The Central Authority has carefully considered the submissions made by opposite party. Though the opposite party has submitted the above-mentioned documents, none of them substantiate or justify the claim 'Jharkhand's No. 1 Education Consultancy' made in the advertisement.

6. As per Section 2(28) of the Consumer Protection Act, 2019, 'misleading advertisement' is defined as under :-

- (28) "misleading advertisement" in relation to any product or service, means an advertisement, which—
- (i) falsely describes such product or service; or
  - (ii) gives a false guarantee to, or is likely to mislead the consumers as to the nature, substance, quantity or quality of such product or service; or
  - (iii) conveys an express or implied representation which, if made by the manufacturer or seller or service provider thereof, would constitute an unfair trade practice; or
  - (iv) deliberately conceals important information

7. Further, as per the CCPA Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, following conditions have been laid down for non-misleading and valid advertisement :-

4. Conditions for non-misleading and valid advertisement. –

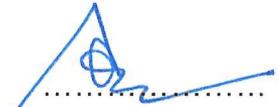
- (1) An advertisement shall be considered to be valid and not misleading, if—
  - (a) it contains truthful and honest representation;
  - (b) it does not mislead consumers by exaggerating the accuracy, scientific validity or practical usefulness or capability or performance or service of the goods or product;
  - (c) it does not present rights conferred on consumers by any law as a distinctive feature of advertiser's offer;
  - (d) it does not suggest that the claims made in such advertisement are universally accepted if there is a significant division of informed or scientific opinion pertaining to such claims;
  - (e) it does not mislead about the nature or extent of the risk to consumers' personal security, or that of their family if they fail to purchase the advertised goods, product or service;
  - (f) it ensures that the claims that have not been independently substantiated but are based merely on the content of a publication do not mislead consumers;
  - (g) it complies with the provisions contained in any other sector specific law and the rules and regulations made thereunder.

8. In the present case, it is clear that the opposite party was falsely describing its service without any substantiation. Given that the advertisement was published in a prominent newspaper, namely Prabhat Khabar, and admittedly the opposite party also published the advertisement in other newspapers as well, the advertisement had a significantly wide reach.

9. Making such a superfluous and exaggerated claim, without any substantiation, could easily mislead consumers into availing the services of the opposite party.

10. In view of the above, the Central Authority hereby passes the following directions –

(i) Opposite party shall pay a penalty of ₹10,000 for falsely making the claim 'Jharkhand's No. 1 Educational Consultancy' in its advertisement.



**Nidhi Khare**  
(Chief Commissioner)