

**Central Consumer Protection Authority**

**Krishi Bhawan, New Delhi --110001**

Case No: CCPA-2/16/2024-CCPA

In the matter of: Misleading advertisement and unfair trade practice by Abhimanu IAS.

CORAM:

Mrs. Nidhi Khare, Chief Commissioner

Mr. Anupam Mishra, Commissioner

APPEARANCES

For Abhimanu IAS: - Mr. Parveen Bansal, Managing Director, Abhimanu IAS

Date: 30.04.2025

**ORDER**

1. A Representation from Ms. Natasha Goyal (Rank- 175 CSE-2022) was received wherein she alleged that

- i. *"Abhimanu IAS in Chandigarh claimed me as their student, in lieu of a pdf on Punjab State shared by them on WhatsApp.*
- ii. *They had promised to provide with a mock interview.*
- iii. *However, neither the session was arranged, nor was any official declaration signed by me to permit them to claim her as their student."*

She further alleged that Institutes in the domain of civil services coaching are rampantly adopting the unethical practice of claiming selected candidates as their students, especially those who have merely appeared for mock interview only. The advertisements fails to make it clear to the consumer that coaching services were availed only for mock interview and not for all the stages of exam preparation (preliminary exams and mains exam).

2. Taking cognizance of the issue, the Central Consumer Protection Authority (hereinafter referred as 'CCPA') in exercise of power conferred under Section 19 of the Consumer Protection Act, 2019 (hereinafter referred to as 'the Act') conducted a

preliminary inquiry to examine authenticity of the claims in the impugned advertisement made by the opposite party.

3. The CCPA prima facie observed that the opposite party was allegedly publishing advertisements prominently featuring the pictures and names of successful candidates from various examinations of 2023, including the UPSC Civil Services Exam 2023, Haryana Civil Services Exam 2023 (HCS), RBI Grade B Exam 2023, and NABARD Grade A Exam 2023, while concealing important information such as the specific courses opted for by the successful candidates. Additionally, opposite party advertised the following claims on its official website ([www.abhimanuias.com](http://www.abhimanuias.com)): -

- i. "2200+SELECTIONS SINCE INCEPTION"
- ii. "10+ SELECTIONS IN IAS TOP 10"
- iii. "1st RANK IN HCS/PCS/HAS"

4. As per preliminary inquiry report, it was found that the opposite party prominently displayed successful candidates' names & pictures while concealing important information such as the specific courses opted for by the successful candidates and simultaneously advertised various types of courses provided by them on its official website namely "Offline batches- Morning, Evening & Weekend batches". However, it is pertinent to mention that neither any description to substantiate the above-noted claims was mentioned in the advertisement nor any information or document was available to substantiate the claims advertised by opposite party.

5. As per the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, Clause 4 mandates that any claim made in an advertisement must be truthful and should not mislead consumers with unsubstantiated claims. Additionally, Clause 12 places a duty on service providers and advertisers to ensure that claims related to objectively verifiable facts are capable of substantiation and to produce such evidence if required by the CCPA, without exaggerating the accuracy, performance, or service of the product.

6. Accordingly, CCPA issued a notice dated 14.05.2024 to the opposite party for violation of provisions of the Consumer Protection Act, 2019 highlighting the issue of misleading advertisement by concealing important information i.e. specific courses

opted by the successful candidates and on allegation of Ms. Natasha Goyal (Rank-175 CSE-2022). An opportunity to furnish response within 15 days of the issue of the Notice was given to the opposite party to submit the following requisite documents to substantiate their claims:-

- i. Detail of successful candidates of various examination of 2023 whose pictures & names Abhimanu IAS is using in its advertisements.
- ii. Type of course attended by such student.
- iii. Enrolment/consent form of such student.
- iv. Duration of the course attended by such student.
- v. Date of joining of each such student.
- vi. Fees paid along with the copies of receipt.

7. In response to the notice, a reply dated 01.06.2024 was received wherein the opposite party made the following submissions:-

- i. Opposite party has produced 12 selections in top 10 in UPSC since 1999 and first position in HCS, PCS, HAS consistently through its classroom regular programmes.
- ii. 2200 selections are a meager number as only major selections till 2019 were taken.
- iii. The results mentioned in various examinations is the cumulative of both offline and online platforms herein referred to as Abhimanu IAS and Abhipedia.
- iv. Opposite party has produced a number of students in top 10 at all India Level. The claim of '10+ selections in IAS in top 10 since our inception is hereby being substantiated as per the list of students provided to the CCPA.
- v. In reference to a successful candidate making a representation to the CCPA regarding the misuse of her details by the Institute, the opposite party states that no such request has been received from any candidate to date.
- vi. Opposite party submitted details regarding the courses taken by selected candidates of 2023.

8. In view of the above, the CCPA examined the opposite party's reply dated 01.06.2024 and found that the opposite party failed to submit any enrolment or consent form of the successful students. Instead, the opposite party only provided data in



tabular form, listing the names of candidates and the courses they opted for. However, while advertising, this crucial information regarding the specific courses opted for by each successful candidate was not mentioned. The data provided by the opposite party indicated that Ms. Natasha Goyal was enrolled in the Mock Interview Programme (MIP). However, in her representation she stated that the institute had promised to provide a mock interview, but no session was arranged, nor did she sign any official declaration permitting the institute to claim her as their student. Considering the facts and circumstances presented in the preliminary report and the reply from the opposite party, the CCPA was satisfied that there exists a prima facie case of misleading advertisement and unfair trade practices under the Consumer Protection Act, 2019. Therefore, through a letter dated 27.06.2024, the CCPA requested the Director General (Investigation) to conduct a detailed investigation into the matter.

9. The Director General (Investigation) in its investigation report dated 08.11.2024 submitted the following:

- i. Opposite party provided details of 12 candidates to support its claim “10+ Selections in IAS Top 10” since inception of the Institute. Opposite party stated that since these candidates were enrolled prior to 2019, supporting documents were not available. However, the Opposite party provided student name, year of passing, student photo, course enrolment information and testimonials to establish association of these candidates with them.
- ii. To substantiate the claim of total selections in various examinations 2023, Opposite party provided:
  - a. dashboard screenshots of the registered candidates,
  - b. Detailed Application Form (DAF)/Bio data form for Interview of 81 candidates,
  - c. 90 personalized question bank provided to the students based on the DAF/Bio data form filled by the them,
  - d. 52 YouTube mock interview videos.
- iii. Opposite party provided DAF form filled by Natasha Goyal and personalized question bank created for her based on the DAF filled by her. Also, the institute stated that as per norms and terms and conditions mentioned on the website, the institute can claim any registered student as their student. If a student does not feel so, the institute withdraws the name as per the wishes

of the student. Ms. Goyal has not raised any concern with the institute and the institute is always prompt to clarify and provide solution.

- iv. Several coaching institutes prominently use the same successful candidate's names, pictures and videos in their advertisements while deliberately concealing important information from consumers as a class with respect to course opted by such successful candidates. It is misleading to the potential aspirants (consumer as a class) as they make misinformed choice because it is nowhere mentioned in the advertisement about the courses opted by the selected candidate. Therefore, in the present case, opposite party has concealed important information like type/name of courses opted by selected candidates and duration of the course attended by such student.
- v. It should be noted that various exams of UPSC such as CSE, Assistant commandant, ESIC Deputy Director and EPFO, Haryana Civil Services (HCS) & exams of RBI Grade B and NABARD Grade-A contains 3 phase i.e., Prelims, Mains and Interview. Also, after qualifying two rigorous stages Pre and Mains stage, candidates get a chance to appear for interview.
- vi. In the present case, out of 139 claimed selection in 2023, 88 students cleared the Pre and Mains stage without any assistance of opposite party. They have taken only Mock Interview Programme and personalized question bank for Interview from the opposite party. And this information is important for consumers. Opposite party in the impugned advertisement has concealed this important information from consumers.
- vii. During the course of the investigation, it has been found that opposite party has now started displaying the course opted by the candidates selected in 2023 & 2024 along with the photograph, name & and rank on its website but it is visible only when we click the courses link provided below the name of the candidate. It is worth mentioning here that the institute is still not displaying the details regarding the course opted by the students selected before 2023.
- viii. The Institute has provided DAF form filled by Natasha Goyal and personalized question bank created for her based on the DAF filled by her to show her association with the Institute, no other supporting documents regarding Ms. Goyal has been provided by the institute. The advertisements by the opposite party which display selected candidates must also mention



the type/name and duration of the course opted by the selected candidate so that potential aspirants can make well informed choice as its consumer right under Section-2(9) of the Consumer Protection Act, 2019. As this was not done by the opposite party in its advertisement, hence it appears to be in potential violation of Section 2 (28) (ii) & (iv) of consumer rights under the Consumer Protection Act, 2019.

10. The Investigation Report submitted by DG (Investigation) was shared with the opposite party vide letter dated 19.12.2024 to furnish its comments.

11. In response to the investigation report, the CCPA received a reply from the opposite party on 24.01.2025, wherein, following submissions were made:-

- i. The interview is a critical and specialized phase of any competitive examination preparation. Our Interview Guidance Program, which includes services like Personalized Question Banks, strategy lectures, and mock interviews, is designed to prepare candidates specifically for this stage of the examination.
- ii. We firmly believe that every stage of the examination process holds its own significance.
- iii. Since 2021, we have been consistently providing a detailed list of selections, including the courses opted for by candidates, on our website. This information includes:
  - a. The specific course availed by the candidate (e.g., Prelims, Mains, Interview).
  - b. Names, ranks, and photographs of selected candidates.
- iv. This transparency ensures aspirants can make informed decisions. Additionally, we have updated historical selections as per recent guidelines. If further data is required, we are ready to provide it.
- v. We would like to emphasize that we have never falsely claimed that a candidate availed all services exclusively from us unless they have actually done so. When inquiries are made, we provide accurate and truthful information about the candidate's association with Abhimanu IAS/abhikipedia.
- vi. Our claims are strictly based on the actual courses availed by the candidate, and we have never misled aspirants by presenting partial associations as complete ones. We ensure that the list of selected candidates is displayed

- transparently at all our centers, where details of the courses they availed are explicitly mentioned. In compliance with recent directions, this has now been updated in all our advertisements and communication materials as well.
- vii. Regarding the case of Ms. Natasha Goyal, we have already submitted her enrollment details, the DAF she uploaded, and the Personalized Question Bank created specifically for her. If additional documents are required to support this claim, please let us know, and we will ensure compliance promptly. We would like to clarify that Ms. Goyal has not raised any concerns with us, and we remain committed to addressing any issues if they arise.
  - viii. We have updated our website and advertisements to include:
    - a. Names, ranks, and photographs of selected candidates.
    - b. Specific course details availed by each candidate.
  - ix. We have taken all necessary steps to ensure that our advertisements and communication materials are clear, transparent, and compliant with the Consumer Protection Act, 2019. Committed to rectifying any gaps.
  - x. We are open to implementing any additional guidelines provided by the honourable authority.
12. Thereafter, an opportunity of hearing was provided to the opposite party on 24.01.2024 wherein opposite party was represented by Mr. Parveen Bansal, Managing Director, Abhimanu IAS. He submitted the following:-
- i. Abhipedia is part of Abhimanu IAS which provides coaching through online platform. Abhimanu IAS provide coaching for UPSC CSE in offline mode and Abhipedia has an agreement that online course courses will be run by Abhipedia.
  - ii. With respect to claim of "10+ SELECTIONS IN IAS TOP 10", he submitted that **these 10 selections are since 1999**. Institute established in 1999 and total 10 students from the institute secured ranks in top 10 over the period of 25 years.
  - iii. It was stated that the UPSC CSE pattern changed in 2013-14, and since then, **the institute has not produced any student who secured a top 10 rank after studying there**. In 2018, two students who enrolled in the Online Interview Guidance Programme from the opposite party secured top 10 ranks in UPSC CSE 2018. It was admitted that the phrase "**since 1999**" may have **been mistakenly omitted** in connection with the above claim.



- iv. Accepted the fact that there might be different interpretations of our claims on the website. Institute will change the claims on website.
- v. With respect to allegations of Ms. Natasha Goyal (Rank- 175 CSE-2022), Institute submitted that it's in their terms & conditions that once student register themselves on their platform, they can claim that students if he clear the respective exam. He further stated that Institute shared personalized question bank based on her Detailed Application Form (DAF) with Ms. Natasha Goyal. He stated that personalized question bank/Detailed Application Form (DAF) analysis means Mock Interview Programme (MIP). They are one and the same thing.
- vi. Opposite party don't have any branch outside Chandigarh.
- vii. Opposite party have posted successful student's pictures and names at our coaching premise in Chandigarh along with course opted by them.
- viii. It was stated that opposite party will submit the proof of the same through mail.
- ix. It was stated that due to lack of space, it is not possible to write course name along with successful candidate names and picture.

13. On 24.01.2025, the opposite party requested the CCPA via email to grant them a physical, in-person hearing, stating that they wished to demonstrate their system through a presentation of its features and functionality.

14. Thereafter, considering the opposite party's request CCPA granted them another opportunity of virtual hearing on 10.03.2025 at 04:30 PM. However, opposite party failed to appear for the hearing.

15. In view of the above, CCPA via Interim Order dated 21.03.2025 issued the following directions-

- i. The CCPA emphasizes that virtual hearings are essential tool for ensuring the expeditious and cost-effective delivery of justice. Such hearings effectively reduce case pendency and provide a seamless, prompt, and affordable method of resolving disputes without requiring parties to travel or be physically present.
- ii. The Supreme Court of India, various High Courts, and the National Consumer Disputes Redressal Commission (NCDRC) have also actively promoted virtual hearings and encouraged the use of technology.



- iii. The CCPA has accommodated the opposite party's request for postponements and has provided ample opportunities to present their case. Despite these efforts, the opposite party failed to appear on the scheduled date of 10.03.2025. The CCPA firmly believes that if the opposite party wishes to demonstrate their system and website, this can effectively be achieved through a virtual hearing utilizing available screen-sharing tools and other online presentation methods. Considering the opposite party's involvement in offering various online courses on their platforms, it is evident that they are well-versed in using technology.
- iv. In light of the above, the CCPA is now providing the opposite party with a final opportunity to present their case via a virtual hearing on 28.03.2025 at 4.00pm. Failure to appear at the scheduled hearing will constrain CCPA to pass a final order based on the earlier submissions made by the opposite party.
- v. The CCPA remains committed to ensuring fair proceedings and urges the opposite party to avail themselves of this final opportunity to present their case effectively through the provided virtual platform.

16. However, opposite party failed to appear for the scheduled hearing dated 28.03.2025 at 4.00pm as well. CCPA received a representation from the opposite party on 28.03.2025, wherein, following submissions were made:-

- i. With the utmost respect for the Hon'ble Chief Commissioner and the CCPA, we humbly submit that we do not wish to pursue any further hearings. We place our full faith in the wisdom of the Hon'ble Commission and accept the final decision to be made in this matter.
- ii. We sincerely appreciate the opportunity to present our stance and reaffirm our commitment to abiding by all directives issued by the Hon'ble CCPA.
- iii. We reaffirm that we have always been law-abiding and have operated with the utmost integrity. Our intention has never been to mislead students or the public, and we are committed to addressing any concerns raised in a fair and transparent manner.
- iv. Additionally, we have historically been publishing press releases mentioning the specific courses opted for by successful candidates. We can submit the evidence copy if required.
- v. The claim regarding "12+ SELECTIONS IN IAS TOP 10" was never intended to be misleading. It has always been our practice to mention "since inception"

in our institute's premises and communication. If there was any inadvertent omission on the website, we acknowledge it as a minor oversight, which was unintentional and not aimed at misguiding aspirants. The selected candidates' photos have been displayed in the institute since 1999. The same was displayed in virtual hearing.

- vi. Ms. Natasha Goyal had enrolled in the Mock Interview Program (MIP), and we had provided her a personalized question bank based on her Detailed Application Form (DAF). However, Ms. Natasha never raised any concerns with us. We deeply regret any misunderstanding that may have arisen. Additionally, we have never received any email or message from her seeking clarification.

17. It may be mentioned that Section- 2(28) of the Act defines “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.

18. From a plain reading of the above provisions of the Act, it is evident that any advertisement must adhere to the following principles:-

- i. It should present a truthful and honest representation of facts.
- ii. Any assertions or guarantees made in the advertisement must be supported by credible and authentic evidence, studies, or materials.
- iii. Must not engage in unfair trade practices as defined under Section 2(47) of the Act. Specifically:
- iv. It should not falsely represent that the goods or services are of a particular standard or quality [Section 2(47)(a)];
- v. It should not make false or misleading claims regarding the necessity or usefulness of any goods or services [Section 2(47) (f)].
- vi. Important information must be disclosed in a clear, prominent, and hard to miss manner to ensure that no critical details are concealed from consumers.



19. In respect of the advertisement wherein opposite party claimed, “10+ SELECTIONS IN IAS TOP 10”. The CCPA provided ample opportunities via Show cause notice dated 14.05.2024, during the investigation stage, hearings dated 24.1.2025, 10.03.2025 & 28.03.2025, and written submissions after every hearing to the opposite party to substantiate the claim. In response, the opposite party submitted that these 10 selections are since 1999. Institute was established in 1999 and total 10 students from the institute secured ranks in top 10 over the period of 25 years. Opposite party in its reply submitted the fee receipts/GST invoice and enrolment forms of these candidates pertain to a period prior to 2019, and as such, these specific records are currently unavailable. Opposite party shared the course opted by the successful students are as hereunder:

S.No	Rank	Year	Name	Course
1.	2	2005	Basant Garg, IAS	General studies Pre cum Mains regular classroom
2.	2	2007	Dr. Amit Saini, IAS	General studies Pre cum Mains regular classroom
3.	2	2009	Sharandeep Kaur, IAS	General studies Pre cum Mains, Sociology regular classroom
4.	3	2001	Gurkirat	General studies Pre cum Mains regular classroom
5.	3	2002	Abhishek Jain	General studies Pre cum Mains regular classroom
6.	3	2005	Gaurav Uppal, IAS	General studies Pre cum Mains regular classroom
7.	3	2012	Prince Dhawan, IAS	General studies mains, test series
8.	4	2009	Virender Sharma, IAS	General studies Pre cum Mains, Sociology regular classroom
9.	4	2018	Atul Parkash, IAS	Online Interview Guidance Programme

10.	8	2018	Anubhav Singh, IAS	Online Interview Guidance Programme
11.	10	2007	Juhi Mukherjee	General studies Pre cum Mains regular classroom
12.	10	2008	Khsuboo Goel, IAS	General studies Pre cum Mains regular classroom

The claim “10+ SELECTIONS IN IAS TOP 10” is likely to give a prudent consumer the impression that such achievements are recent and ongoing. However, upon examining the data provided by the opposite party, as shown in the table above, it becomes evident that the last student who enrolled in the classroom programme and secured a top 10 rank did so in 2012. Following a six-year gap, two students achieved top 10 ranks in 2018, wherein they attended Interview Guidance Programme only. However, the opposite party has failed to submit any admission forms, enrollment records, or fee receipts for these claims regarding successful candidates.

20. The opposite party during hearing dated 24.01.2024 admitted that the phrase “since 1999” was mistakenly omitted. However, this is not a minor error but a material omission that changes the entire meaning of the claim. The absence of a timeframe significantly alters how the statement is perceived by consumers. Prospective students, believing that the institute has achieved recent and frequent top-10 selections, may choose this coaching institute over its competitors. This unfairly influences consumer choice, leading them to believe that enrolling in this institute provides a higher probability of achieving a top-10 rank in IAS.

21. The Consumer Protection Act, 2019 upholds the right of consumers to make informed decisions. Misrepresentation of facts in advertisements interferes with this right, as students might invest their time, money, and effort based on an exaggerated & false success rate. By presenting an untrue, incomplete and misleading claim, the opposite party has engaged in unfair trade practices, warranting corrective measures. Additionally, it is important to note that this misleading claim was published on the institute’s official website, which significantly increases its reach and influence over consumers across the country. Unlike local advertisements with limited circulation, a



website is accessible nationwide and even globally, allowing a larger number of consumers to be misled by the false impression created.

22. With respect to the allegations of Ms. Natasha Goyal (Rank- 175 CSE-2022) wherein *"Abhimanu IAS in Chandigarh claimed me as their student, in lieu of a pdf on Punjab State shared by them on WhatsApp. They had promised to provide with a mock interview. However, neither the session was arranged, nor was any official declaration signed by me to permit them to claim her as their student."* The opposite party submitted that as per their terms & conditions, students who registers themselves on their platform can be claimed as their student if he/she clears the respective exam. Additionally, they submitted that Ms. Natasha Goyal never raised any concerns with them, and that they have never received any email or message from her seeking clarification.

23. It is important to note that mere registration does not equate to availing any service. A Student may register on various platforms but not actively engage with or utilize the platform's offerings. By claiming a student's success without having provided promised service, the institute is engaging in a deceptive and unfair trade practice. The opposite party's assertion that Ms. Natasha Goyal never raised her concerns with them is not tenable. Section 2(46) of the Act defines unfair contract as one which has terms causing significant change in the rights of consumers including imposing any unreasonable charge, obligation or condition which puts a consumer to disadvantage. The fact that the opposite party used her name and picture without her consent is wrong as such a condition is onerous and constitutes an unfair contractual condition under Section 2(46) of the Act.

24. It is important to note that candidates who qualify for the UPSC interview (Personality Test) must mandatorily fill and submit the Detailed Application Form-II (DAF-II) to UPSC. Opposite party stated that they prepared personalized question bank based on Ms. Natasha Goyal's DAF. CCPA examined the same and other personalized question banks submitted by the opposite party and observed that it includes general question relating to birth place, hobbies, occupation, and academic background.

25. Opposite party during hearing dated 24.01.2025 stated that personalized question bank/Detailed Application Form (DAF) analysis means Mock Interview Programme (MIP). They are one and the same thing. The CCPA observed the opposite party's submission dated 29<sup>th</sup> August 2024 to DG (Investigation) wherein opposite party attached the basic enquiry/admission details which indicates that Ms. Natasha Goyal opted for MIP- Interview. Additionally, in the same submission, opposite party submitted "Selected student Details for 2023" in tabular form wherein it was mentioned that Natasha Goyal opted for MIP-interview & Personalized question bank (PQB). Therefore, opposite party's assertion is incorrect and misleading, as questions based on DAF and a mock interview are two different things. In fact the assertion of Ms. Natasha Goyal that no session for mock interview was arranged by opposite party was found to be true. The opposite party was wrong in claiming that Ms. Natasha Goyal had attended MIP-interview from their Institute and therefore has prepared misleading advertisement to the effect.

26. In respect of the advertisement wherein opposite party claimed, "*2200+ Selections since Inception*". The CCPA provided ample opportunities via Show cause notice dated 14.05.2024, during the investigation stage, hearings dated 24.1.2025, 10.03.2025 & 28.03.2025, and written submissions after every hearing to the opposite party to substantiate their claim. In response, opposite party in its reply dated 01.06.2024 submitted that "*2200 selections are a meager number as we only took major selections till 2019.*" However, the opposite party failed to provide any evidence to support this claim. Additionally, the advertisements did not specify which examination these selections pertained to, including the UPSC CSE, Haryana Civil Service (HCS), RBI Grade-B, and NABARD Grade A etc.

27. As per the opposite party submissions during hearing dated 24.01.2024, Abhimanu IAS provide coaching for UPSC CS examination in offline mode and Abhipedia provides coaching through online modes for various examination including RBI Grade-B, and NABARD Grade A, Railway examination, State Civil Services examinations, Staff selection commission etc. However, the placement of the advertisement, featuring the Institute's name i.e. Abhimanu IAS along with the abovementioned claim i.e. "*2200+ Selections since Inception*", a common prudent consumer would assume that the Abhimanu IAS has produced 2200 plus selections



since its inception in UPSC CSE which is not true. This presentation is misleading and likely to deceive consumers. By using broad, unqualified claims, the advertisement wrongly inflates the institute's credibility. The claim is misleading and creates a false impression about the opposite party's services, constitute a misleading advertisement under the Consumer Protection Act, 2019. The omission of material facts deceive students and parents, leading them to enroll in the coaching institute under false expectations. It may be noted that consumers have the right to accurate and truthful information about the services they are paying for.

28. It is important to note that the opposite party on its official website prominently carried pictures and names of successful candidates of various examinations of 2023 including UPSC CSE 2023, Haryana Civil Service exam 2023 (HCS), RBI Grade- B exam 2023 & NABARD Grade A-2023 etc. As per investigation report dated 08.11.2024, opposite party submitted details of 139 selections in various examinations and **out of 139 claimed selections in 2023, 88 students cleared the Prelims and Mains stage without any assistance of opposite party.** Opposite party had provided Mock Interview Programme or personalized questions to them. And this information is extremely important for consumers. Opposite party in the impugned advertisement has concealed this important information from consumers regarding specific course opted by successful candidates and adopted unfair or deceptive trade practices.

29. It is worth noting that various exams including UPSC CSE, Assistant commandant, ESIC Deputy Director and EPFO, Haryana Civil Services (HCS) & RBI Grade B and NABARD Grade-A contains 3 phase i.e., Prelims, Mains and Interview. Also, after qualifying two rigorous stages of Preliminary and Mains stage, candidates get a chance to appear for interview. In the instant case, opposite party through its misleading advertisement has been found to be taking credit of successful candidate's efforts and success for all the stages of the examination by deliberately concealing important information about the specific course taken by the successful candidates. CCPA further observed that in the advertisement opposite party simultaneously advertised its courses like "Offline batches- Morning, Evening & Weekend batches" and made it look like all the courses offered through the impugned advertisement had the same success rate for the consumers, which was not true. These facts are

important for the potential students to decide on the courses that may be suitable for them and should not have been concealed in the impugned advertisement.

30. This concealment of important details has affected the ability of potential students (consumers) to make an informed choice about which courses to buy and at what stage of their preparation of Civil Service Examination. The effect of which is violation of Consumer rights u/s 2(9) of the Act. For the potential consumers, true & honest information about specific courses taken by successful candidates would have contributed in their making an informed choice about the course to be opted for ensuring their success at CSE. These facts are important for the potential students to decide on the courses that may be suitable for them and should not have been concealed in the impugned advertisement.

31. In respect of the advertisement wherein opposite party claimed “1st RANK IN HCS/PCS/HAS”, in its reply dated 01.06.2024, it stated that “Abhimanu has produced 12 selections in top 10 in UPSC since 1999 and first position in HCS, PCS, HAS consistently through its classroom regular programmes.” However, the opposite party failed to provide any evidence to substantiate the claim. Thus, this claim was also found to be misleading.

32. The CCPA after carefully considering the written submissions, the submissions made by the opposite party during the hearings and the investigation report submitted by Director General (Investigation) finds that:-

- i. The advertisement is false & misleading as it deliberately conceals important information with respect to the course opted by the said successful candidates from the opposite party's Institute.
- ii. The opposite party has violated the provisions related to misleading advertisement of the Consumer Protection Act 2019:-
  - a. Section 2(28) (i) -Falsely describes such product or service
  - b. Section 2(28)(iv) – Deliberately conceals important information
  - c. Section 2(28)(iii) - Unfair Trade Practice [conveys a representation through *deceptive practice, unfair method* ]
  - d. Section 2(47)- Unfair Trade Practice [*deceptive practice, unfair method* ]



Therefore, CCPA is satisfied that opposite party has engaged in unfair trade practice, false or misleading advertisement as envisaged under the Act and therefore CCPA is of the opinion that it is necessary to impose a penalty in consumer interest.

33. The CCPA is empowered under Section- 21 of the Consumer Protection Act, 2019 to issue directions to the advertiser of false or misleading advertisement to discontinue or modify the advertisement and if necessary, it may, by order, impose a penalty which may extend to ten lakh rupees and for every subsequent contravention may extend to fifty lakh rupees. Further, Section 21 (7) of the above Act prescribes that following may be regarded while determining the penalty against false or misleading advertisement:-

- a) the population and the area impacted or affected by such offence;
- b) the frequency and duration of such offence;
- c) the vulnerability of the class of persons likely to be adversely affected by such offence.

34. In the above context it may be noted that, the opposite party provide online and offline coaching across India. Although, it has 1 centre in Chandigarh but through its online coaching services, it reach is manifold. Notably, approximately 11,00,000 students apply for the UPSC Civil Services Examination each year, highlighting the vast potential audience for such coaching services.

35. The opposite party was given abundant opportunities to explain its case in virtual mode. The opposite party could not back its request for physical hearing for deviating from the norm of virtual hearing by explaining why the current mode of virtual hearing was inadequate in his case. Arbitrary deviation from the norm of virtual hearing would have been unfair to other parties whose cases are being conducted on virtual mode. Additionally, the interim order as noted in para 15 above adequately addressed as to why the opposite party case does not merit a deviation from the norm of virtual hearing.

36. In view of the above, under Section- 20, 21 read with Section 10 of the Consumer Protection Act 2019, CCPA hereby issues the following directions:-

- a) Discontinue the misleading advertisements with immediate effect.
- b) The name & photo of Ms. Natasha Goyal (Rank- 175 CSE-2022) should not be used in claiming her as student of Abhimanu IAS in any form, whether on online publicity material or brochure or website.
- c) In light of the nature of the violations detailed in the foregoing paragraphs including unauthorized use of the name of a successful candidate, it is necessary that the opposite party is directed to Pay a penalty of ₹ 8,00,000 for publishing misleading advertisement and unfair trade practice.
- d) Submit a compliance report on all the above directions within 15 days of receipt of the Order.



Nidhi Khare  
Chief Commissioner



Anupam Mishra  
Commissioner