



CCPA imposes penalty of ₹8,00,000 each on Dikshant IAS and Abhimanu IAS, Coaching Centres for misleading advertisements and unfair trade practices

Posted On: 01 NOV 2025 12:58PM by PIB Delhi

The Central Consumer Protection Authority (CCPA) has passed final orders against Dikshant IAS and Abhimanu IAS imposing penalty of ₹8,00,000 each for indulging in misleading advertisements, unfair trade practices and violation of consumer rights under the Consumer Protection Act, 2019.

The decision was taken to protect and promote the rights of consumers as a class and ensure that no false or misleading advertisement is made of any goods or services which contravenes the provisions of the Consumer Protection Act, 2019.

In both cases, the Central Consumer Protection Authority (CCPA) took cognizance of representations received from successful UPSC candidates whose names and photographs were used without consent in advertisements claiming credit for their results. In view of the violation of the Consumer Protection Act, 2019, the CCPA, headed by Chief Commissioner, Smt. Nidhi Khare, and Commissioner, Shri Anupam Mishra has issued an Orders against Dikshant IAS and Abhimanu IAS.

1. **Case of Dikshant IAS:** The CCPA received a representation from Ms. Mini Shukla (AIR 96, UPSC CSE 2021), who stated that her name and photograph were used in the institute's promotional material without her consent. She clarified that she had never been associated with Dikshant IAS and had only attended a mock interview at Chahal Academy, which she later came to know was jointly organized with Dikshant IAS.

CCPA noted that Dikshant IAS had published advertisements claiming “200+ Results in UPSC CSE 2021”, featuring the photographs and names of successful candidates without disclosing the specific courses taken by them. The institute was unable to substantiate this claim with credible evidence despite multiple opportunities.

Dikshant IAS claimed that the students had attended its Interview Guidance Programme (IGP) and that the programme was jointly conducted with Chahal Academy. However, the Authority found that Dikshant IAS could produce only 116 enrolment forms against its claim of “200+ results”. It also failed to submit any agreement with Chahal Academy or any evidence to show that the students were informed of the joint nature of the programme. In the instant case, it has been found to be taking full credit of “200+ results in UPSC CSE 2021” for all the stages of the examination by deliberately concealing important information from potential aspirants about the specific course taken by the successful candidates.

The Consumer Protection Act, 2019 confers upon consumers the right to be informed, which includes the right to receive truthful and accurate information enabling them to make rational choices. Misleading advertisements undermine this right and adversely affect consumer interest, particularly in the field of education where aspirants invest significant time, effort, and financial resources. The facts of the present case establish that the opposite party violated Sections 2(28) and 2(47) of the Act by issuing misleading advertisements and concealing material information about course opted by successful candidates and the joint nature of the mock interview session.

The investigation revealed that the advertisements deliberately concealed crucial details about the courses undertaken by successful candidates. This omission created a false impression that Dikshant IAS had contributed to their overall UPSC preparation, whereas their association was limited to the interview stage. Such misleading claims could unfairly influence lakhs of aspirants who invest significant time, effort, and money in their preparation.

2. Case of Abhimanu IAS: A representation from Ms. Natasha Goyal (AIR 175, UPSC CSE 2022) revealed that the institute had falsely claimed her as its student and used her name and photograph without authorization.

Evidence showed that the institute had shared a question bank with her based on her Detailed Application Form (DAF) for a mock interview that was never conducted. Despite this, the institute used her name and photograph without consent, a practice held by the CCPA to be deceptive and unfair, amounting to an unfair contractual condition under the Consumer Protection Act, 2019.

Upon examination, CCPA found that Abhimanu IAS had also published misleading claims such as “2200+ Selections since Inception”, “10+ Selections in IAS Top 10”, and “1st Rank in HCS/PCS/HAS”. The advertisements prominently featured the pictures and names of successful candidates from various examinations in 2023, including the UPSC Civil Services Examination, Haryana Civil Services (HCS), RBI Grade-B, and NABARD Grade-A, while concealing important information about the specific courses these candidates had enrolled in.

CCPA’s investigation found that the institute submitted details of 139 claimed selections across various examinations in 2023, out of which 88 students had cleared the Prelims and Mains stages without any assistance from Abhimanu IAS. The institute had merely provided mock interview programmes or personalized question banks to them. Concealing such crucial information was found to be misleading and deceptive, depriving students of their right to make informed choices, and thereby constituting an unfair trade practice.

Regarding the misleading claim of “10+ Selections in IAS Top 10”, the CCPA found that most of these selections dated back to 2001–2012, with only two in 2018, and that those students had merely attended interview guidance programmes. The omission of the phrase “since 1999” was held to be a material omission that misled consumers into believing that the institute had recent and frequent top-10 results. The Authority observed that such misrepresentation influences students’ decisions unfairly and violates their right to be informed under Section 2(9) of the Consumer Protection Act, 2019.

The claim of “2200+ Selections since Inception” was also found to be unsupported, as the institute failed to produce any evidence to substantiate it. The advertisements did not specify which examinations these selections referred to such as UPSC, HCS, RBI Grade-B, or NABARD

Grade-A thereby creating a false impression that all selections were from the UPSC CSE. This broad and unqualified claim inflated the institute's credibility and misled aspirants. Similarly, the claim of producing "1st Rank in HCS/PCS/HAS" remained unsubstantiated, as no documentary evidence was provided despite multiple opportunities.

The Consumer Protection Act, 2019 upholds the right of consumers to make informed decisions. Misrepresentation of facts in advertisements interferes with this right, as consumer (as in this case, students) might invest their time, money, and effort based on an exaggerated & false success rate. Presenting an untrue, incomplete and misleading claim, is an engagement in unfair trade practices, warranting corrective measures.

The CCPA has urged successful candidates of competitive examinations to promptly report any instance where a coaching institute falsely uses their name or photograph in advertisements or for promotional purposes.

So far, the CCPA has issued 57 notices to various coaching institutes for misleading advertisements and unfair trade practices. Penalties amounting to over ₹98.6 lakh have been imposed on 27 coaching institutes, along with directions to discontinue such misleading claims.

(Final Order is available on the Central Consumer Protection Authority website https://doca.gov.in/cpa/orders-advisories.php?page_no=1)

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