

**GOVERNMENT OF INDIA
MINISTRY OF EDUCATION
DEPARTMENT OF HIGHER EDUCATION**

**LOK SABHA
UNSTARRED QUESTION NO. 411
ANSWERED ON 05.02.2024**

Guidelines to Stop False/Misleading Advertisements by Coaching Institutions

**411. SHRI SHRIRANG APPA BARNE:
SHRI DHAIRYASHEEL SAMBHAJIRAO MANE:
SHRI SANJAY SADASHIVRAO MANDLIK:
SHRI SUDHEER GUPTA:
SHRI PRATAPRAO JADHAV:**

Will the Minister of EDUCATION be pleased to state:

- (a) whether large number of coaching institutes are misleading the students/aspirants by making false claims regarding success rates or the number of selections and if so, the details thereof;
- (b) whether the Government has come out with/ prepared a draft guidelines to stop misleading advertisements by various coaching institutes and if so, the details thereof;
- (c) whether these guidelines are also applicable on online coaching institutes and if so, the details thereof;
- (d) whether some of the coaching institutes are also misleading the consumers by deliberately concealing important information with respect to various selected candidates; and
- (e) if so, the details thereof and the action taken by the Government against such institutes?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF EDUCATION
(DR. SUBHAS SARKAR)**

(a) to (e): Department of Consumer Affairs is working for Consumer Protection and empowerment of consumers by enactment of progressive legislations. With a view to modernize the framework governing the consumer protection in the new era of globalization, technologies, e-commerce markets etc Consumer Protection Act, 1986 was repealed and Consumer Protection Act 2019 was enacted.

Under the Consumer Protection Act, 2019, misleading advertisement in relation to any product or service is defined as 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.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has been established w.e.f 24.07.2020 to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers as a class.

The CCPA has notified the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June, 2022. These guidelines inter-alia provide for; (a) conditions for an advertisement to be non-misleading and valid; (b) certain stipulations in respect of bait advertisements and free claim advertisements; and, (c) duties of manufacturer, service provider, advertiser and advertising agency. These Guidelines shall apply to a manufacturer, service provider or trader whose goods, product or service is the subject of an advertisement, or to an advertising agency or endorser whose service is availed for the advertisement of such goods, product or service.

CCPA had taken suo moto action against misleading advertisements by coaching institutes. In this regard, CCPA has issued 32 Notices to coaching institutes for misleading advertisements.

Besides, Ministry of Education has prepared a Guidelines for Regulation of Coaching Centers in the country which has been sent to States/UTs for consideration by way of appropriate Legal framework. The Guidelines inter-alia recommends that no coaching center shall publish any misleading advertisements.
