

**Central Consumer Protection Authority**

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

Case No: CCPA-2/18/2024-CCPA

In the matter of: Misleading advertisement by Vajirao & Reddy Institute with respect to UPSC CSE 2023 result.

CORAM:

Mrs. Nidhi Khare, Chief Commissioner

Mr. Anupam Mishra, Commissioner

APPEARANCES

For Vajirao & Reddy Institute:

1. Mr. Sameer Abhyankar, Advocate
2. Ms. Yachna Sharma, Advocate

Date: 20.02.2026

**ORDER**

1. This is a suo-moto case taken up by the Central Consumer Protection Authority (hereinafter referred as 'CCPA') against Vajirao & Reddy Institute (hereinafter referred as 'opposite party') with regard to alleged misleading advertisements on its official website ([www.vajiraoinstitute.com](http://www.vajiraoinstitute.com)). The following claims were made in the advertisement –

- i. *“Over 645 Selections Out of 1016 Vacancies in UPSC CSE 2023 From Vajirao & Reddy Institute”*
- ii. *“6 in Top 10 AIR”*
- iii. *“35 in Top 50 AIR”*
- iv. *“64 in TOP 100 AIR” (Annexure-1)*

2. Taking cognizance of the issue, the CCPA in exercise of power conferred under 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. As per the preliminary inquiry report, CCPA prima facie observed that opposite party had published above mentioned claims and prominently featured the pictures and names of successful candidates of the UPSC CSE 2023. Opposite party simultaneously also advertised various types of courses offered by it on its official website, namely: "GS/Complete Course/Foundation Course, Pre-Foundation Course, Weekend Course, Optional Subject Course, GS Pre-cum Mains Course"

4. It is relevant to state that the CCPA is established under Section 10 of the Act for the purpose of regulating matters relating to violation of consumer rights, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of consumers as a class. Further, Section 18 also empowers the CCPA to ensure transparency, accuracy and full disclosure in advertisements, and to protect the right of consumers to be informed, so as to enable them to make informed choices. The said provisions clearly confer jurisdiction upon the CCPA to examine, inquire into and take action against misleading advertisements issued by service providers, including coaching institutes.

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, the CCPA issued a notice dated 14.05.2024 to the opposite party for violation of the provisions of the Act, highlighting the issue of alleged misleading advertisements via concealing important information, i.e., the specific courses opted for by the following successful candidates:-

- i. AIR 1 - Aditya Srivastava
- ii. AIR 2 - Animesh Pradhan
- iii. AIR 4 - P K Sidharth Ramkumar
- iv. AIR 6- Srishti Dabas
- v. AIR 7- Anmol Rathore

- vi. AIR 8 - Ashish Kumar
- vii. AIR 13 - Medha Anand
- viii. AIR 53 - Mohan Lal and so on.

7. The opposite party was granted an opportunity to furnish a response within 15 days from the date of issuance of the notice and was directed to submit the following documents to substantiate its claims:

- i. Detail of 645 successful candidates of UPSC Civil Service Exam 2023 as claimed by opposite party in its advertisement.
- ii. Enrolment/consent form of such student.
- iii. Type of course attended by 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.

8. In response to the notice, a reply via mail dated 27.06.2024 was received wherein the opposite party made the following submissions:-

- i. The CCPA's Notice mention the names of 8 students who have been selected in UPSC CSE 2023 and whose names have been mentioned by the institute on its website. In this regard, institute stated that the names of the said students have rightly been displayed by the Institute on its website as the said students have availed the service of the Institute.
- ii. It is submitted that while the course and tenure for which students are enrolled is wholly irrelevant for adjudging whether the said candidates were students of the institute or not, however, despite the foregoing, the said information is being provided to the CCPA in this reply.
- iii. It is submitted that date of joining of each student is neither relevant nor recorded by the institute anywhere.
- iv. It is submitted that the fee structure of the institute is a matter which is decided on a case basis and while some students are charged the full amounts, some students are given a rebate or free classes, based on their result in the scholarship test conducted by the institute. Therefore, it is impossible to provide the details.

- v. It is stated that Student IDs which are issued to the students remain in the possession of the said students and the same are therefore not within the possession of the institute and as such, the institute is not in position to provide the same.
- vi. It is stated that presently there are no guidelines in enforcement through which advertisements made by coaching institutes can be governed. That's why institute's advertisement may not be considered misleading.

9. In view of the above, the CCPA examined the opposite party's reply dated 27.06.2024, along with the annexure containing the names of students and courses opted by them in tabular form, and found that a majority of the successful candidates showcased in the impugned advertisement had only taken the Interview Guidance Programme. Further, the opposite party failed to provide fee receipts, enrollment forms, or consent forms signed by such candidates. Considering the facts and circumstances of the case as well as the reply submitted by the opposite party, the CCPA was satisfied that a prima facie case of misleading advertisement under the Consumer Protection Act, 2019 existed. Accordingly, vide letter dated 30.07.2024, the CCPA requested the Director General (Investigation) to conduct a detailed investigation into the matter.

10. Thereafter, DG (Investigation) issued notice to the opposite party and directed them to furnish the following documents:

- i. Details of 645 students who you are claiming to have cleared UPSC 2023 exam belong to your academy and the Enrolment/consent form along with KYC of such students with documentary evidence.
- ii. Date of joining of each such student and type of course along with documentary proof.
- iii. Details of course duration attended by these 645 students.
- iv. Fees paid by each student along with the copies of receipt and details of scholarships being offered to the students.
- v. Ratio of turnover of "Vajirao & Reddy Institute" in relation to the Advertisement/promotion expenses incurred for the last 5 Financial Years (2019-20 to 2023-24) with documentary evidence.

11. The Director General (Investigation) in its investigation report dated 21.11.2025 submitted the following:

- i. It is pertinent to note that the UPSC Civil Services Examination (CSE) 2023 comprises three distinct phases- Preliminary Examination (screening stage), Main Examination, and Personality Test (Interview). Only the marks obtained in the Main Examination and the Personality Test are considered for the final merit list. Candidates become eligible for the interview stage only after qualifying the Preliminary and Main Examinations.
- ii. Upon a detailed examination of the information furnished by Vajirao & Reddy Institute, together with the supporting documents and the response submitted to the Investigation Wing and the CCPA, it has been observed that: Vajirao & Reddy Institute stated that over 645 selections out of 1016 vacancies, 6 candidates in the Top 10 All India Ranks (AIR), 35 in Top 50 AIR, 64 in Top 100 AIR selected candidates in the Civil Services Examination (CSE) 2023 were associated with their programs.
- iii. Actual Enrolment Breakdown
  - a. Interview Programme: Out of the 645 selected candidates, 643 candidates were not enrolled in this programme.
  - b. Interview Course: 57 out of the 645 selected candidates had enrolled in this course.
  - c. Interview Guidance Course: 33 out of the 645 selected candidates were enrolled in this course.
  - d. Interview (Mock) Course: Out of the 645 selected candidates, 644 candidates were not enrolled in this course.
  - e. Non-enrolment in Any Programme: A total of 431 out of 645 selected candidates were not enrolled in any of the programmes offered by Vajirao & Reddy Institute.
- iv. Pursuant to the issuance of the Show Cause Notice and the subsequent Notice to join Investigation under the Consumer Protection Act, 2019, the Investigating Authority conducted a comprehensive examination of the operational practices of Vajirao & Reddy, with specific reference to the applicable provisions of the said Act.

- v. The advertisement published on the official website of Vajirao & Reddy, claimed that 6 candidates in the Top 10 All India Ranks (AIR), 35 in Top 50 AIR, 64 in Top 100 AIR.
- vi. 431 out of 645 selected candidates were not enrolled in any of the programmes offered by Vajirao & Reddy Institute. The institute failed to provide any documentary evidence to support its claims. The omission of material details regarding the nature of services availed by the featured candidates constitutes misleading advertising under Section 2(28) of the Consumer Protection Act, 2019. Moreover, the use of the names and pictures of successful candidates who never availed themselves of the institute's services amounts to unfair trade practice and a gross violation of the provisions of the Consumer Protection Act, 2019, including the rights of consumers.
- vii. Despite being directed to submit specific records including Bio-data, KYC documents, course details, course duration, details of scholarship and fee receipts for the claimed 645 successful candidates, the institute failed to provide the requisite information. This non submission undermines the credibility of the claims made in the advertisement and reflects non-compliance with statutory obligations.
- viii. The CCPA observed that the impugned advertisement continued to be displayed on the institute's website, despite the issuance of a formal notice dated 17<sup>th</sup> May 2024. It was clearly evident that Vajirao & Reddy keep on displaying advertisements on their website without course details and enrolment in programmes, which indicates involvement in violation of consumer rights.
- ix. Although the Institute submitted a written response dated 29th June 2024 acknowledging certain lapses and outlining corrective steps, no verifiable documentation was provided to demonstrate actual implementation. The measures described were generic and insufficient to address the gravity of the misleading claims. In addition, Vajirao & Reddy has claimed in the advertisement that, in the Civil Services Examination (CSE) 2023, 645 out of 1016 selected candidates were associated with its programs. However, actual enrolment records indicate otherwise. In the Interview programme, 643 out of 645 selected candidates were not enrolled in this program, Interview Course 57 out of 645 selected candidates had enrolled in this course, Interview guidance

Course 33 out of 645 selected candidates had enrolment in this course, Interview (mock) Course 644 out of 645 selected candidates were not enrolled in this course, No Program Enrolment 431 out of 645 selected candidates were not enrolled in any of the Vajirao & Reddy.

- x. These material discrepancies between the public representations and the verified enrolment records raise substantive concerns regarding the accuracy, truthfulness, and potential misrepresentation in the advertisement and violations of Consumer Rights. In view of the above findings, it is established that Vajirao & Reddy has contravened the provisions of the Consumer Protection Act, 2019, particularly with respect to misleading advertisements and non-compliance with investigative directives issued by the Authority.
- xi. In view of the findings recorded, it is conclusively established that Vajirao & Reddy has violated multiple provisions of the Consumer Protection Act, 2019, as well as the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022. The Investigating Authority notes with grave concern the specific instances concerning 431 out of 645 selected candidates which were not enrolled in any course. The institute prominently displayed their names and photographs in its advertisements and promotions on its websites, falsely representing them as enrolled students of Vajirao & Reddy, there being no record of any such association. Despite being afforded multiple opportunities, the institute failed to furnish any consent form, or other documentary evidence substantiating its claims.
- xii. In the present case, out of the total 645 claimed selections, 643 out of 645 selected candidates were not enrolled in Interview programme, 57 out of 645 selected candidates had enrolled in this Interview Course, 33 out of 645 selected candidates had enrolment in Interview guidance Course, 644 out of 645 selected candidates were not enrolled Interview (mock) Course, 431 out of 645 selected candidates were not enrolled in any programme cleared the UPSC CSE 2023 entirely without any academic assistance or enrolment in any program of Vajirao & Reddy. The institute, through its impugned advertisements, deliberately concealed this material information from the public, thereby misleading consumers as a class.
- xiii. Furthermore, the advertisements claiming "645 selected candidates" failed to specify the course type, name, or duration undertaken by each selected

candidate. Such omission deprived potential aspirants of the ability to make an informed choice, which constitutes an essential component of the "right to be informed" under Section 2(9) of the Consumer Protection Act, 2019. Accordingly, Vajirao & Reddy has been found to be in violation of Section 2(9) and Section 2(28) (ii) and (iv) of the said Act. These actions collectively amount to a misleading advertisement designed to induce consumer reliance under false pretenses, thereby attracting regulatory action under the applicable provisions of law.

12. The Investigation Report submitted by DG (Investigation) was shared with the opposite party vide letter dated 05.12.2025 to furnish its comments, if any within 7 days.

13. Thereafter, hearings were scheduled on 11.12.2025, 18.12.2025 and 26.12.2025, during which Ms. Yachna Sharma, Advocate, appeared on behalf of the opposite party, sought adjournments and additional time to submit comments on the DG (Inv.) Report. The CCPA considered the requests and granted the opposite party additional time to file its comments on the DG (Inv.) Report.

14. In response to the investigation report, the CCPA received a reply from the opposite party on 26.12.2025, wherein, following submissions were made:

- i. The CCPA has ordered investigation without arriving at a prima facie satisfaction- it is submitted that the entire exercise of the proposed action sought to be taken by the CCPA is contrary to Section 19(1) of the Act.
- ii. In the Report, it is claimed that the direction to investigate was issued by the CCPA to the DG vide Letter F. No. CCPA-2/18/2024-CCPA dated 30 July 2024. No such letter has ever been supplied to the opposite party.
- iii. Opposite party has put its reliance on Section 26(1) of the Competition Act, 2002 (which is similarly worded provision as Section 19(1) of the Act), the Hon'ble High Court of Delhi at New Delhi has held in *Telefonaktiebolaget LM Ericsson (PUBL) Versus Competition Commission of India and Another* [2016 SCC OnLine Del 1951] that:

*"80. In terms of Section 26(1) of the Competition Act, a direction to cause an investigation can be made by CCI only if it is of the opinion that there exists a prima facie case. Formation of such opinion is sine qua non for exercise of any jurisdiction under Section 26(1) of the Competition Act. Thus, in cases where the commission has not formed such an opinion or the opinion so formed is ex-facie perverse in the sense that no reasonable person could possibly form such an opinion on the basis of the allegations made, any directions issued under Section 26(1) of the Competition Act would be without jurisdiction and would be liable to be set aside."*

- iv. The CCPA has opined that the promotional material of the opposite party is misleading since opposite party "failed to disclose critical information such as the nature of the courses those candidates were enrolled in or the duration and timing of their association with the institute".
- v. This assertion is factually incorrect because the promotional material on the website of opposite party discloses the courses pursued by each of the candidates who had secured rank in the UPSC 2023, and whose photographs and ranks were placed on the website. This is also specifically stated in opposite party's reply dated 26/27.06.2024;
- vi. It is submitted that the absence of the other factors referred to by the CCPA, which in the subjective opinion of the CCPA are critical information, cannot be made the basis for action under Section 19(1) of the Act against opposite party;
- vii. That each of the students mentioned on the website of opposite party were the students of opposite party has been established through the information and documents supplied by opposite party along with their reply. Once the said students were students of opposite party's institute, there was no element whatsoever of any falsity or misrepresentation on the part of opposite party so as to constitute a 'misleading advertisement' in terms of Section 2(28) of the Act or 'unfair trade practice' in terms of Section 2(47) of the Act.
- viii. The CCPA has also observed that "multiple coaching institutes have used the same successful candidates' names and images, without clarity on whether these individuals actually availed of paid services from those institutions. This practice creates visual deception, giving a false impression that the rank-holders were enrolled in full-fledged courses, which is misleading to potential UPSC aspirants and consumers"

- ix. The aforesaid observation is entirely incorrect, and in any event could not have formed basis of an investigation against opposite party because the candidates whose photographs were used were students of opposite party was established vide its reply. If that was established, and yet it was found that the said students' photographs were reflected on the website of other institutes, the investigation ought to have been directed against the said other institutes to ascertain the truth;
- x. Further, even if as a result of the said investigation if it was found that the same student had availed of the services of multiple coaching institutes, the CCPA did not have any further jurisdiction in the matter;
- xi. Further, even for the sake of argument, proceeding on the basis of the CCPA's erroneous assumption that the fact that the students mentioned on the website are not clearly and visibly shown as students of opposite party, it is submitted that the CCPA has unjustly assumed that no prospective student will make any enquiries whatsoever after seeing the promotional material on the website of opposite party. The assumption is illogical.
- xii. All of the above ought to be considered in the backdrop of the fact that there is absolutely no evidence whatsoever of any potential UPSC aspirant having been misled by opposite party.
- xiii. The aforesaid two observations form the basis of the alleged opinion of the CCPA under Section 19(1). It is respectfully submitted that for the reasons stated in paragraphs above, the said alleged opinion stated to have been formed vide Letter dated 30.07.2024 suffers from a perversity
- xiv. Opposite party had stated vide its reply that the investigation initiated basis the above perverse opinion has caused grave prejudice to opposite party since on the basis of statements made by the CCPA (without considering opposite party's response), opposite party's goodwill and reputation in the market is being tarnished through reporting in media about the investigation by the CCPA.
- xv. In conclusion, it is submitted that the entire exercise initiated by the CCPA against opposite party in respect of the UPSC 2023 result is *de hors* Section 19(1) of the Act, and therefore without jurisdiction.
- xvi. The present proceedings may be deferred on account of the pending proceedings before the Hon'ble NCDRC (CCPA Appeal No. 3 of 2024) and the

Hon'ble High Court of Delhi at New Delhi (W.P. (C) No. 13269 of 2022 and W.P.(C) No. 13809 of 2022)

- xvii. Without prejudice to the submissions made hereinabove, it is stated that on identical allegations made by the CCA in respect of Our Client subsequent to the result of UPSC 2022, the CCA had passed an Order dated 22.11.2024 in Case No. CCPA/23/ 2023- CCPA. Vide the said Order, the CCA had, inter alia, imposed a penalty under Section 21(7) of the Act upon Our Client.
- xviii. Against the said Order of the CCA, Our Client has preferred CCPA Appeal No. 3 of 2024 before the Hon'ble National Consumer Disputes Redressal Commission (NCDRC) under Section 24 of the Act. On 15.01.2025, the Hon'ble NCDRC was pleased to admit the appeal and, after noting the contentions of Our Client, to observe inter alia that: "*Prima facie the matter requires consideration*" and thereafter direct that no coercive action be taken against Our Client. The said appeal remains pending before the Hon'ble NCDRC. The CCA has received notice of the Appeal and has filed its counter affidavit in the said proceedings. Further, without prejudice to the above, the constitution and powers of the CCA as contained in Chapter III of the CP Act, and the ambit of Sections 10, 15, 19, 20 and 21 of the CP Act are subject matter of W.P. (C) No. 13269 of 2022 and W.P.(C) No. 13809 of 2022 pending before the Hon'ble High Court of Delhi at New Delhi. Noticing that the vires of the provisions of the CP Act dealing with powers of the CCA are in question before the Hon'ble High Court, the Hon'ble NCDRC had thought it fit to adjourn the appeals challenging the Orders passed by CPA (including Our Client's appeal) to 11.03.2026. The writ petitions before the Hon'ble High Court are listed next on 25.02.2026. It is therefore respectfully submitted that the very same issues and facts *qua* Our Client being subject matter of the appeal before the Hon ble NCDRC, the hearing in respect of the DG Report may be adjourned to await the decision of the Hon'ble NCDRC in the appeal. It is respectfully stated that such a course of action may be in accordance with the doctrine of judicial propriety, the principles of which may also be applied to the present adjudicatory proceedings.
- xix. The aforementioned facts, along with copies of the Orders of the Hon'ble NCDRC had been placed before the CCA vide the email dated 10.12.2025. The said submissions appear not to have been taken note of by the CCPA.

- xx. Further, the Report pertains to a series of notices and replies exchanged lastly in October 2024, i.e. over an year prior to the date of the Report. Vide the emails dated 05.12.2025, 11.12.2025 and 19.12.2025 received from the CCPA, Our Client has been granted a total period of 24 days to respond to a Report which appears to have taken over one year to prepare. Especially in the light of pendency of the above proceedings, the haste in concluding the matter at the present stage is highly prejudicial to Our Client.
- xxi. Without prejudice to each of the above submissions, the preliminary response on behalf of opposite party to the Report is as follows:
- a. Assuming without admitting that the investigation by the DG was premised on a valid Order under Section 19(1) of the Act, it is submitted that the DG has wholly exceeded its scope of investigation under the Act. In the course of the investigation, the DG appears to have determined the courses which opposite party is entitled to provide to aspirants for the UPSC exam. It is submitted that no part of the Act permits either the DG or the CCPA to make any such determination.
  - b. As a service provider in the coaching services industry, opposite party is fully entitled to design and conduct any such courses as it is desirous of conducting.
  - c. Accordingly, opposite party has designed various programs for the benefit of students aspiring for civil services, each of which programs focus on a specific or various areas of preparation for competitive examinations. Therefore, once opposite party had provided the enrolment/ admission number along with the details of the course which the said student had opted for in respect of each of the successful 645 candidates, there was absolutely no occasion for the DG to conclude that *"A total of 431 out of 645 selected candidates were not enrolled in any of the programmes offered by the opposite party."*
  - d. The said conclusion completely ignores the material provided by opposite party along with its reply, it is respectfully submitted that it is not up to the discretion of the DG to conclude that a person is not a student of opposite party solely on the ground that he/ she is not enrolled in one of the specific programmes referred to by the DG.

- e. It is submitted that while arriving at the above conclusion, the DG has completely lost sight of the fact that the limited scope of the investigation was only to ascertain as to whether opposite party had engaged in misleading advertisement. On a demurrer, it is submitted that a conclusion of 'misleading advertisement could have been arrived at by the DG (even considering only the arbitrarily selected 4 courses mentioned in paragraph 7 of the Report) only and only if any student not enrolled in any of these 4 courses was shown to have been so enrolled in its advertisement by opposite party. Admittedly, the DG has not been able to point out any such falsity in the advertisement.
- xxii. Therefore, by any stretch of imagination, the findings arrived at by the DG are unsupported in law or fact and are therefore perverse. The aforesaid erroneous findings of the DG form basis of the conclusions of the DG. Another reason that the Report merits rejection in entirety is that the DG has completely ignored the information provided by opposite party through its reply.
15. Thereafter, an opportunity of hearing was provided to the opposite party on 09.01.2025 wherein opposite party was represented by Mr. Sameer Abhyankar and Ms. Yachna Sharma, Advocates submitted the following:-
- i. The opposite party submitted that, under the Consumer Protection Act, the CCPA is required to conduct a preliminary inquiry and arrive at a prima facie satisfaction prior to ordering investigation under Section 19 of the Act. It was further stated that the direction to investigate was allegedly issued by the CCPA to the DG vide Letter F. No. CCPA-2/18/2024-CCPA dated 30 July 2024; however, no such letter was ever provided to them.
  - ii. The opposite party submitted that the CCPA has already passed a final order dated 22.11.2025 against the opposite party's institute in relation to UPSC CSE 2022, whereby a penalty of ₹7,00,000/- was imposed. It was submitted that the said order has been challenged before the Hon'ble NCDRC and is presently pending adjudication (CCPA Appeal No. 3 of 2024).
  - iii. The opposite party submitted that the impugned advertisement merely serves the purpose of attracting prospective students to make enquiries.

Upon such enquiry, the student visits the institute, seeks clarification regarding the services offered, and only if he/she is satisfied, takes admission.

- iv. The opposite party contended that all the individuals referred to in the advertisement were students of the institute. According to them, the dispute pertains only to the specific course opted by such students. They submitted that documents have been furnished to corroborate this fact. They further admitted that fee receipts and certain other documents requisitioned by the Authority were not submitted.
- v. The opposite party accepted that in the majority of enrolment forms, the course opted by the respective students was not mentioned.
- vi. The opposite party further accepted that non-mentioning of the course name opted by the successful students in the impugned advertisement was misleading to that extent. However, it was submitted that pursuant to directions issued by the CCPA, the institute has now begun displaying the name, rank and course opted by each student on its official website.

16. The opposite party has contended that the investigation initiated by the CCPA is vitiated on the ground that the direction issued by the CCPA to the Director General (Investigation) under Section 19(1) of the Consumer Protection Act, 2019 was never supplied to them. This contention is untenable and is not supported either by the statutory provisions or by the applicable regulations.

17. At the outset, it is pertinent to note that neither Section 19 of the Consumer Protection Act, 2019 nor the regulations framed thereunder mandate that the direction issued by the CCPA to the Director General (Investigation) for causing an investigation is required to be communicated to the opposite party. Section 19(1) merely stipulates that where the Central Authority is satisfied that there exists a prima facie case of violation of consumer rights, unfair trade practice, or misleading advertisement, it "shall cause investigation to be made" by the Director General or the District Collector, as the case may be. This internal direction issued to the Director General to commence investigation does not acquire the legal status of a document required to be served upon the opposite party.

18. It may be noted that Section 22 of the Act empowers the Director General (Investigation) to conduct search and seizure operations during investigation. The element of surprise is intrinsic to such investigative powers. If the argument of mandatory prior communication of investigation directions were to be accepted, it would frustrate the statutory scheme by enabling parties to remove or destroy incriminating material, thereby rendering investigation ineffective. The legislature has consciously excluded any requirement of pre-investigation notice under Section 19 to safeguard the efficacy of enforcement. This legislative intent also finds resonance in Section 8(1) (h) of the Right to Information Act, 2005, which exempts disclosure of information that would impede the process of investigation. The Consumer Protection Act, 2019 embodies this principle in spirit by insulating the investigative initiation stage from compulsory disclosure to the party under scrutiny.

19. It is also material to note that the record clearly establishes that the opposite party was duly informed of the initiation and scope of investigation, was issued notices by the Investigation Wing, was called upon to submit documents, and was afforded multiple opportunities to place its defence on record. The Investigation Report was shared with the opposite party, written comments were invited, and personal hearings were granted. Therefore, no prejudice whatsoever has been caused to the opposite party on account of non-furnishing of the Section 19(1) direction.

20. The principles of natural justice stand fully satisfied when a party is afforded a reasonable opportunity to defend itself against the findings of investigation, which has been done in the present case through notice, access to the Investigation Report, submission of written replies, and oral hearing. Accordingly, the objection raised by the opposite party regarding non-communication of the CCPA's direction to the Director General (Investigation) is rejected as being contrary to the statutory scheme, misconceived in law, and devoid of merit.

21. The Consumer Protection Act, 2019, defines misleading advertisements under Section 2(28). Further, the Act confers upon consumers the right to be informed, which includes the right to receive truthful and accurate information enabling them to make informed 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.

22. 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.

23. It may be noted that what constitutes "important information" in an advertisement varies on a case-to-case basis and must be assessed from the consumer's perspective. In the present case, specific course opted by successful candidates is an important information for the potential consumer i.e. UPSC aspirant. Reason being this will directly influence the perception of prospective aspirants regarding the efficacy, scope, and quality of the services offered by the Institute. Non-disclosure of such information creates confusing & misleading impression that the successful candidates were comprehensively trained by the institute across all stages of the examination, including preliminary, mains, and interview stages, which may not be factually correct.

24. UPSC Civil Service Examination (CSE) contains 3 phases i.e., Prelims, Mains and Interview. It is only after qualifying the two rigorous stages of Preliminary and Mains stage that candidates get a chance to appear for interview. While the Preliminary test is a screening test but the marks obtained in both the Mains Exams and the Interview are considered in the final selection merit list. The total marks for Main Exams and PT are 1750 and 275 respectively. According to various news reports, approximately 10 to 11 lakhs aspirants appear for UPSC Civil Service Examination every year.

25. Opposite party published following misleading advertisements on its official website along with names & pictures of successful candidates of UPSC CSE 2023 soon after the UPSC CSE 2023 result was declared on 16.04.2024.

- i. *“Over 645 Selections Out of 1016 Vacancies in UPSC CSE 2023 From Vajirao & Reddy Institute”*
- ii. *“6 in Top 10 AIR”*
- iii. *“35 in Top 50 AIR”*
- iv. *“64 in TOP 100 AIR” (Annexure-1)*

26. It is important to note that opposite party had published above mentioned claims and simultaneously advertised various types of courses offered by it on its official website, namely: “GS/Complete Course/Foundation Course, Pre-Foundation Course, Weekend Course, Optional Subject Course, GS Pre-cum Mains Course”. These representations created a misleading impression among consumers that all the successful candidates had enrolled in and availed the regular courses advertised by the opposite party.

27. It may be noted that a website, unlike print media, provides significantly greater flexibility, scalability, and scope for detailed disclosures. It is accessible globally and for as long as the advertisement is required to be displayed. It is also the primary medium through which aspirants, especially in the present era of digitalization, research coaching institutes, review their claims, and make informed choices.

28. The concealment of important detail such as specific course opted by successful candidates will affect the ability of consumers to make an informed choice about which courses to enrol in and at what stage of their preparation of Civil Service Examination. 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 must not be concealed in the advertisement. The effect of which is violation of Consumer rights u/s 2(9) of the Act. Such disclosure is therefore essential to enable aspirants to make an informed choice, and its omission amounts to concealment of material information from consumers.

29. In the absence of clear and prominent disclosure of course type, duration, and fee structure, consumers are deprived of the ability to assess whether the claimed results are of long-term academic coaching, short-term test series or interview guidance. Such disclosure is therefore essential to enable aspirants to make an informed choice, and its omission amounts to deliberate concealment of material information from consumers.

30. It is noted that there is no dispute regarding courses offered by the opposite party's institute including both free and paid programmes, of varying durations. However, the declaration of specific courses to which these alleged 645 successful candidates were enrolled is important and this was not disclosed to the prospective consumers, who were the intended audience of the impugned advertisement. The concealment of such material information impaired the ability of potential consumers to make an informed choice among the courses offered. Such non-disclosure amounts to a violation of consumer rights as defined under Section 2(9) of the Consumer Protection Act, 2019.

31. The aforesaid acts of the opposite party are in contravention of the provisions of the Consumer Protection Act, 2019, particularly the "rights of consumers" as defined under Section 2(9) of the Act, which provides for the right to be informed about the quality, quantity, potency, purity, standard, and price of goods or services, so as to protect consumers against unfair trade practices. The opposite party published advertisements containing claims such as "Over 645 selections out of 1016 vacancies in UPSC CSE 2023 from Vajirao & Reddy Institute," "6 in Top 10 AIR," "35 in Top 50 AIR," and "64 in Top 100 AIR," and prominently displayed the names and photographs of successful candidates. These representations created a misleading impression among consumers that all the successful candidates had enrolled in and availed the regular courses advertised by the opposite party.

32. It was further observed that the opposite party, in its reply dated 27.06.2024 to the CCPA's Show Cause Notice dated 14.05.2024, had furnished an annexure containing a tabulated list of students along with the respective courses allegedly opted by them. However, upon cross-verification by the CCPA with the corresponding

enrolment forms of these students, it was found that the enrolment forms did not specify or mention the courses for which the students supposedly enrolled and moreover, the enrolment forms did not mention the date on which they were filled by the students. Enrolment forms submitted by the opposite party before the CCPA have been placed on record and are accessible via Google Drive link. ([https://drive.google.com/drive/folders/1TJALVXqZ8Y\\_ktlx2zwhreBSB8VZ0PDTj?usp=drive\\_link](https://drive.google.com/drive/folders/1TJALVXqZ8Y_ktlx2zwhreBSB8VZ0PDTj?usp=drive_link))

33. During the hearing dated 09.01.2025, the CCPA raised this discrepancy with the opposite party; however, no satisfactory explanation was provided from them. Further, the opposite party failed to produce any corroborative documentary evidence, such as fee receipts or other relevant records, to substantiate its claims. Such lack of disclosure and absence of supporting documentation raises serious concerns regarding the genuineness and veracity of the claims made by the opposite party in its advertisements vis-à-vis the documents submitted before the CCPA.

34. 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 coaching Institute and mislead aspirants/consumers regarding the nature and quality of the institute's services.
- ii. The opposite party has violated all 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
  - d. Section 2(47)- Unfair Trade Practice

35. It is important to note that the doctrine of Caveat Emptor (“let the buyer beware”) has gradually evolved into Caveat Venditor (“let the seller beware”), thereby placing a greater onus on sellers and service providers. The doctrine of Caveat Venditor developed to impose enhanced obligations on sellers/service providers, and laws were

enacted across the globe to protect consumer rights. In the modern world, consumer protection regimes have evolved with a focus on ensuring truthful and fair conduct by sellers, rather than burdening consumers with the sole responsibility of verification.

36. The Consumer Protection Act, 2019 was enacted to address the challenges posed by new and evolving markets. The Statement of Objects and Reasons of the 2019 Act recognizes the need for the creation of an authority to protect consumer interests, in the following terms:

“4. The proposed Bill provides for the establishment of an executive agency to be known as the Central Consumer Protection Authority (CCPA) to promote, protect and enforce the rights of consumers; make interventions when necessary to prevent consumer detriment arising from unfair trade practices and to initiate class action including enforcing recall, refund and return of products, etc. This fills an institutional void in the extant regulatory regime. Currently, the task of prevention of or acting against unfair trade practices is not vested in any authority. This has been provided for in a manner such that the role envisaged for the CCPA complements that of the sector regulators and duplication, overlap or potential conflict is avoided.”

37. The Central Authority is an authority established specifically for the purpose of protecting the interests of consumers in the modern marketplace. Therefore, the opposite party's argument that a student would make independent enquiries after viewing the promotional material on the opposite party's website and verify its claims before taking an informed decision is misplaced and untenable. In the present case, the responsibility lies squarely on the opposite party's coaching institute, being the service provider, to ensure that its advertisements are truthful, non-misleading, and do not exploit the aspirations of consumers. The expectation that a consumer would verify or cross-check the claims made in an advertisement before taking admission cannot absolve the opposite party of its statutory obligations. Moreover by concealing important information the advertisement attempts to thwart the efforts of the very due diligence by aspirants that the argument of opposite party casts on them.

38. 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.

39. The opposite party provide online and offline coaching across India. The opposite party has 4.46 Lakhs subscribers on its YouTube Channel. It may be mentioned that every year approximately 11,00,000 students apply for the UPSC Civil Service exam thereby highlighting the vast target audience potentially influenced by such advertisements. Therefore, the CCPA is of the opinion that it is necessary to impose proportionate penalty on the opposite party in consumer interest.

40. Section 21 of Act expressly contemplates a higher penalty for a "subsequent contravention" of the provisions relating to false or misleading advertisements. The legislative scheme of Section 21(2) of Act provides a gradual enhancement of penalty enabling an in violation of law to make amends capping penalty related for first contravention at ₹10,00,000. However "subsequent contravention" a higher penalty up to ₹50,00,000 has been prescribed. The term "subsequent" must therefore be construed in the context of the statutory sequence: the first part stipulates the ₹10,00,000 ceiling for the primary violation, and the second part provides for enhanced penalty where the advertiser continues to violate the Act despite the imposition or initiation of earlier regulatory action. The higher penalty addresses the situation of sustained non-compliance and the advertiser's disregard of regulatory directions and contempt towards consumer interest.

41. a) In the case of the same opposite party the CCPA had already passed an order dated 22.11.2024 against the opposite party concerning misleading claims related to UPSC CSE 2022 results. The present misleading advertisements pertaining to UPSC CSE 2023 were published after the issuance of a show-cause notice in the earlier proceedings.

- b) The contention of the opposite party to keep the present proceedings in abeyance owing to its writ petition before Hon'ble High Court pertaining to an earlier year is untenable. Section 21(2) of Act provides that for every subsequent contravention the penalty imposable by CCPA extends to 50 lakhs. Therefore, the principles of res judicata is not applicable to proceedings under CCPA. Every proceeding for contravention of the same party has to be seen in light of the conspectus of facts inherent therein. In this context, it is pertinent to point out some factual differences in the misleading advertisements of both the years. The advertisements of 2023 has material differences from the advertisements of 2022. The front size of the Rank 1 and 2 have increased in size. Further the words used in 2022 are "*our students*" while in 2023 is "*our super achievers*"; "*6 in top 10 and still counting*".
- c) CCPA is a creature of the Consumer Protection Act 2019. The Central Authority is established as the regulatory body with mandate to enforce the rights of the consumer as a class (Section 10 of Act) as well. By design, CCPA is not an appellate body under the statute. The right of party to appeal against CCPA orders has also been provided by the Act. Moreover, there is no stay in pursuing the present proceedings by the judicial authorities.
- d) In light of these factors the request for keeping the proceedings in abeyance cannot be accepted.
- e) It is further clarified that the scheme of the Consumer Protection Act, 2019 itself contemplates action against subsequent contraventions. Section 21(2) expressly provides for imposition of enhanced penalty for every subsequent contravention, thereby recognizing that repeated violations by the same entity are independently actionable. The statutory framework does not contain any provision which bars the Central Authority from initiating or continuing proceedings for a fresh or subsequent contravention merely because an earlier order passed against the same entity is under challenge before an appellate forum or is subject to interim orders. Each instance of misleading advertisement constitutes a distinct and separate cause of action, to be examined on its own facts and merits.
- f) It is also a settled principle that unless there is a specific stay on the initiation or continuation of proceedings in respect of a subsequent violation, the mere pendency of an appeal or writ petition against an earlier order does not operate

as a bar to the exercise of statutory powers by the Authority. In the present case, no judicial forum has restrained the CCPA from examining or adjudicating upon the misleading advertisements relating to UPSC CSE 2023. Therefore, the contention of the opposite party that the present proceedings ought to be deferred in view of the pendency of proceedings before the Hon'ble National Consumer Disputes Redressal Commission (NCDRC) is legally untenable. Accepting such a contention would defeat the very purpose of Section 21(2) of the Act and would permit continued publication of misleading advertisements.

- g) Accordingly, the request of the opposite party to defer the present proceedings on account of pending proceedings before the Hon'ble NCDRC or the Hon'ble High Court is rejected. The Central Authority is duty-bound and empowered to discharge its statutory mandate to protect consumer rights and to take appropriate action against every subsequent contravention in accordance with law.

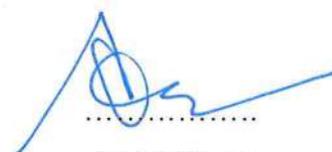
42. Opposite party despite being cautioned through second show-cause notice and ongoing proceedings, choose to continue publishing misleading advertisements on its official website and, such conduct amounts to a subsequent contravention with full knowledge of regulatory disapproval. The Act is a consumer-welfare legislation and must be interpreted to protect, promote and enforce consumer rights. In the present case, therefore, the opposite party's conduct despite prior notice, ongoing inquiry, and a final order dated 22.11.2024 clearly demonstrates a deliberate and conscious continuation of misleading advertisements on their official website with respect to result of UPSC CSE 2023. Accordingly, the present violation qualifies treatment as a subsequent contravention under Section 21(2), justify imposition of a penalty higher than 10,00,000 in the interest of consumers.

43. As has been evidenced from the DG (Inv.) report, the opposite party's advertisements are of misleading nature as defined in the Act. Similar violation was established in the case of the opposite party in the immediately preceding year. Despite being expressly placed on notice regarding misleading advertisements, the opposite party continued to publish fresh misleading advertisements on their official website without correction or exercise of restraint. This conduct clearly indicates a continued pattern of non-compliance and reflects an "intention" to persist with the

misleading practice even after the violations has been established. Under these circumstances and facts in the case, the violation of the opposite party comes within the scope of a "subsequent contravention" under section 21 of the Act. Considering that the opposite party chose to continue with the advertisement in the immediate succeeding year on their official website, despite the initiated proceedings by CCPA, the central authority therefore finds it necessary to levy the higher penalty for "subsequent" contravention under section 21 (2) of Consumer Protection Act 2019.

44. 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. In light of the nature of the violations detailed in the foregoing paragraphs, it is necessary (as discussed in above paras) that the opposite party is directed to pay a penalty of ₹ 15,00,000 for subsequent contravention with respect to publishing misleading advertisement on their official website.
- b. The opposite party shall desist from further publication of misleading advertisement and make truthful and complete disclosures in future.
- c. Submit a compliance report of the directions (a) above within 15 days of receipt of the Order.



Nidhi Khare

Chief Commissioner



Anupam Mishra

Commissioner

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#### CSE Result - 2023, Selections



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**RANK 02**  
ANIMESH PRADHAN



**RANK 04**  
PKS RAMKUMAR

6 In Top 10 AIR

35 In Top 50 AIR

64 In Top 100 AIR

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### CSE Result - 2023, Selections



**RANK 06**  
SHRISHTI DABAS



**RANK 07**  
ANMOL RATHORE



**RANK 08**  
ASHISH KUMAR

6 In Top 10 AIR

35 In Top 50 AIR

64 In Top 100 AIR

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# UPSC CSE 2023 Final Result

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 <p>7 Rank</p> <p><b>ANMOL RATHORE</b> Roll No. 3406060</p>	 <p>8 Rank</p> <p><b>ASHISH KUMAR</b> Roll No. 1121316</p>	 <p>13 Rank</p> <p><b>MEDHA ANAND</b> Roll No. 813845</p>	 <p>14 Rank</p> <p><b>SHAURYA ARORA</b> Roll No. 867419</p>	 <p>15 Rank</p> <p><b>KUNAL RASTOGI</b> Roll No. 2205311</p>	 <p>16 Rank</p> <p><b>AYAN JAIN</b> Roll No. 415007</p>

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 <p>17 Rank</p> <p>SWATI SHARMA Roll No. 838034</p>	 <p>21 Rank</p> <p>PURURAJ SINGH SOLANKI Roll No. 1101464</p>	 <p>22 Rank</p> <p>ANSHUL BHATT Roll No. 8500983</p>	 <p>23 Rank</p> <p>SAURABH SHARMA Roll No. 308293</p>	 <p>24 Rank</p> <p>PRAJNANANDAN GIRI Roll No. 5301033</p>	 <p>25 Rank</p> <p>RITIKA VERMA Roll No. 6207400</p>
 <p>26 Rank</p> <p>RUPAL RANA Roll No. 6406864</p>	 <p>27 Rank</p> <p>NANDALA SAIKIRAN Roll No. 1026031</p>	 <p>28 Rank</p> <p>PAWAN KUMAR GOEL Roll No. 500060</p>	 <p>29 Rank</p> <p>SALONI CHHABRA Roll No. 6311776</p>	 <p>30 Rank</p> <p>GURLEEN Roll No. 3516118</p>	 <p>31 Rank</p> <p>VISHNU SASIKUMAR Roll No. 1904851</p>
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Roll No. 1310792



**43 Rank**  
**THAKUR ANJALI AJAY**  
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**BASANT SINGH**  
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**48 Rank**  
**ANSHUL HINDAL**  
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**50 Rank**  
**K N CHANDANA JAHNAVI**  
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**MOHAN LAL**  
Roll No. 1106390



**54 Rank**  
**KASHISH BAKSHI**  
Roll No. 1109551



**55 Rank**  
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Roll No. 3533452



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**59 Rank**  
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Roll No. 1903257



**60 Rank**  
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Roll No. 3515615



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**72 Rank**  
**TANUJ PATHAK**  
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**73 Rank**  
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Air 1 - UPSC CSE 2023



**ANIMESH PRADHAN**  
Air 2 - UPSC CSE 2023



**P K S RAMKUMAR**  
Air 4 - UPSC CSE 2023



**SRISHTI DABAS**  
Air 6 - UPSC CSE 2023



**ANMOL RATHORE**  
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### 6 In Top 10 AIR

**Our UPSC CSE Result 2023:**  
645 Selections Out Of 1016 Vacancies



**RANK 01**  
ADITYA SRIVASTAVA

6 In Top 10 AIR



**RANK 02**  
ANIMESH PRADHAN

35 In Top 50 AIR



**RANK 04**  
P.K.S. RAMKUMAR

64 In Top 100 AIR

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### 6 In Top 10 AIR

**Our UPSC CSE Result 2023:**  
645 Selections Out Of 1016 Vacancies



**RANK 06**  
SHRISHTI DABAS



**RANK 07**  
ANMOL RATHORE



**RANK 08**  
ASHISH KUMAR

6 In Top 10 AIR

35 In Top 50 AIR

64 In Top 100 AIR

### Announcements

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**RANK 04**  
P.K.S. RAMKUMAR

6 In Top 10 AIR

35 In Top 50 AIR

64 In Top 100 AIR

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SHRISHTI DABAS



**RANK 07**  
ANMOL RATHORE



**RANK 08**  
ASHISH KUMAR

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