

12 Consumer Protection

Fastrack® Revision

- **Consumer Protection:** Consumer protection refers to not only providing education to consumers about their rights and responsibilities, but also helping them in getting their grievances redressed.

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 World Consumer Rights Day was established on 15th March, 1983 to promote consumer rights around the world.

- **Concept of Consumer According to Consumer Protection Act, 2019:** A 'consumer' is generally understood as a person who uses or consumes goods or avails any service. Under the Consumer Protection Act, 2019, a consumer is defined as:

- Any person who buys any goods for a consideration, which has been paid or promised, or partly paid and partly promised, or under any scheme of deferred payment. It includes any user of such goods, when such use is made with the approval of the buyer, but does not include a person who obtains goods for resale or any commercial purpose.
- Any person who hires or avails of any service, for a consideration which has been paid or promised, or partly paid and partly promised, or under any system of deferred payment. It includes any beneficiary of services when such services are availed of with the approval of the person concerned, but does not include a person who avails of such services for any commercial purpose.

- **Scope of the Act**

It is applicable to all types of undertakings:

- Large and small scale
- Private, public and cooperative sector
- Manufacturer or trader
- Firms supplying goods as well as services

- **Importance/Need of Consumer Protection**

- **From the Point of View of Consumer**

- **Educate Consumers to Avoid Consumer Ignorance:** Consumer protection spreads awareness amongst ignorant customers regarding their rights and remedies available to them.
- **Protect and Promote Interests of Unorganised Consumers:** Adequate protection is required to be given to consumers till these organisations become powerful. Consumers protection encourages establishment of such organisation.
- **Safeguard from Widespread Exploitation of Consumers:** Consumer need protection against unfair trade practices like defective and unsafe product adulteration and malpractices of the sellers.

- **From the Point of View of Business**

- **Long-term Interest of Business:** Businesses capture big market share only when they satisfy their consumers by providing good quality products at reasonable prices, providing after sales, service and avoiding unfair trade practices, etc. Satisfied consumers not only repeat sales, but also provide good feedback. So, it is necessary for businesses to protect their consumers if they want to succeed in long run.
- **Business Uses Society's Resources:** Business organisations use resources which belong to the society. Thus, business organisations have a responsibility to supply such products, render such services which are in public interest and would not impair public confidence in them.
- **Moral Justification:** It is the moral duty of any business to take care of consumer's interest and avoid any form of their exploitation. A business, thus, must avoid unscrupulous, exploitative and unfair trade practices like defective and unsafe products, adulteration, etc.
- **Government Intervention:** A business engaging in any form of exploitative trade practices would invite government intervention or action which can impair or tarnish the image of the company. So, business organisations must voluntarily resort to such practices where the customers' needs and interests will well be taken care of.

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 As per Right to Information (RTI) Act, 2005, Section 4, all relevant information is required to be made available to all citizens of the country.

- **Rights Available to a Consumer**

The Consumer Protection Act provides following six rights to consumers to safeguard their interests:

- **Right to be Safety/Protected:** It means a consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health. Thus, consumers are educated to use standardised goods, such as electrical goods with ISI mark, food products with FPO mark, etc., as such goods would be an assurance of meeting quality specifications.
- **Right to be Informed:** A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy.

Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.

- **Right to be Assured:** Consumers have the freedom to choose products of their choice. This implies that the marketers should offer a wide variety of products in terms of quality, brand, size, etc., so that the consumer can make a wise choice by comparing different products available at competitive prices.
- **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.
- **Right to Seek Redressal:** This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.
- **Right to Consumer Education/Awareness:** Consumer should have knowledge about the various rights and reliefs provided by the legislations to protect their interest. Every consumer has the right to be well-informed about his rights and to spread awareness and education by forming consumer organisations and associations.

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Two additional rights as per United Nations Guidelines are:

- Right to Satisfaction of Basic Needs.
- Right to a Healthy Environment.

► Responsibilities of a Consumer

A consumer should keep in mind the following responsibilities while purchasing, using and consuming goods and services:

- Be aware about various goods and services available in the market so that an intelligent and wise choice can be made.
- Buy only standardised goods as they provide quality assurance. Look for ISI mark on electrical goods, FPO mark on food products, Hallmark on jewellery, etc.
- Learn about the risks associated with products and services, follow manufacturer's instructions and use the products safely.
- Read labels carefully so as to have information about prices, net weight, manufacturing and expiry dates, etc.
- Ask for a cash memo on purchase of goods or services. This would serve as a proof of the purchase made.
- Be honest in your dealings. Choose only from legal goods and services and discourage unscrupulous practices like blackmarketing, hoarding, etc.

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FPO MARK
Food Products



ISI MARK
Electrical Appliances



HALLMARK
(BIS MARK)
Gold Jewellery



ECO MARK
Environment
Friendly Products



AGMARK
Agricultural
Products



WOOLMARK
100% Pure Wool

► Who can File a Complaint?

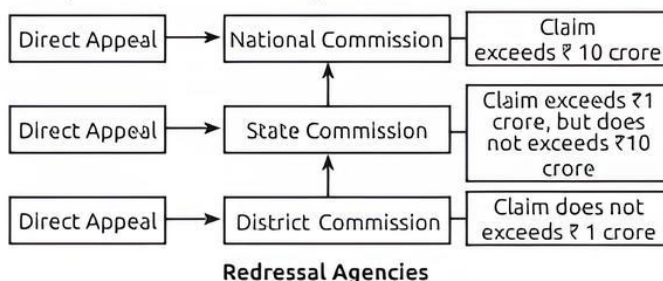
- Any consumer.
- Any registered consumer's association.
- The Central Government or any State Government.
- One or more consumers, on behalf of numerous consumers having the same interest.
- A legal heir or representative of a deceased consumer.

► Complaints can be Filed and Compensation Claimed w.r.t.

- Fraudulent practices by traders and manufacturers.
- Defective goods.
- Deficiency in services.

► Redressal Agencies Under Consumer Protection Act, 2019

- For the redressal of consumer grievances, the act provides a three-tier agencies as:



- The three-tier redressal agencies under 'The Consumer Protection Act, 2019' can be explained as under:

• District Commission

- **Territorial Jurisdiction:** District
- **Composition of Committee:** (i) A President; and (ii) not less than two and not more than such number of member as may be prescribed, in consultation with Central Government.
- **Condition for Lodging a Complaint:** Value of goods or services and compensation claimed does not exceed ₹ 1 crore.
- **Action on Receipt of Complaint:** (i) District Commission refers to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.
- **Passing of Order:** After considering lab report and hearing to the party against whom the complaint is filed, the District Commission passes an order.

- **Action by Aggrieved Party in case of Dissatisfaction with the Order:** It can appeal before the State Commission within 45 days of passing of the order.

- **State Commission**

- **Territorial Jurisdiction:** State
- **Composition of Committee:** (i) A President and (ii) Not less than four or not more than such number of members as may be prescribed in consultation with Central Government.
- **Condition for Lodging a Complaint:** (i) Value of goods or services and compensation claimed exceeds ₹ 1 crore, but does not exceed ₹ 10 crore. (ii) Appeals against the orders of District Commission.
- **Action on Receipt of Complaint:** (i) State Commission refers to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.
- **Passing of Order:** After considering the lab report and hearing to the party against whom the complaint is filed, the State Commission passes an order.
- **Action by Aggrieved Party in case of Dissatisfaction with the Order:** It can appeal before the National Commission within 30 days of passing of the order.

- **National Commission**

- **Territorial Jurisdiction:** Whole country except the State of Jammu and Kashmir.
- **Composition of Committee:** (i) A President; and (ii) Not less than four and not more than such number of members as may be prescribed.
- **Condition for Lodging a Complaint:** (i) Value of goods or services and compensation claimed exceeds ₹ 10 crore. (ii) Appeals against orders of State Commission.
- **Action on Receipt of Complaint:** (i) National Commission refers to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.
- **Passing of Order:** After considering the lab report and hearing to the party against whom the complaint is filed, the National Commission passes an order.
- **Action by Aggrieved Party in case of Dissatisfaction with the Order:** It can appeal before the Supreme Court within a period of 30 days from the date of the order.

- ▶ **Remedies/Reliefs Available to Consumers**

The remedies or reliefs available to consumers are as follows:

- ▶ To remove the defect in goods or deficiency in service.
- ▶ To replace the defective product with a new one, free from any defect.
- ▶ To refund the price paid for the product, or the charges paid for the service.
- ▶ To pay a reasonable amount of compensation for any loss or injury suffered by the consumer due to the negligence of the opposite party.
- ▶ To pay punitive damages in appropriate circumstances.
- ▶ To discontinue the unfair/restrictive trade practice and not to repeat it in the future.
- ▶ Not to offer hazardous goods for sale.
- ▶ Cease manufacturing hazardous goods.
- ▶ Pay an amount to consumer welfare fund/person (not less than 5%) to be utilised in the prescribed manner.
- ▶ Issue corrective advertisement to neutralise the effect of misleading ads.
- ▶ Pay adequate costs to parties.

- ▶ **Consumer Awareness–Role of Consumer Organisations**

Consumer awareness is an effective means to fight against unfair trade practices. In India, several consumer organisations and Non-Government Organisations (NGOs) have been set up to protect and promote consumers' interest.

NGOs have their own constitution and are free from interference of the government.

- ▶ **Functions Performed by Consumer Organisations and NGOs**

The main functions performed by consumer organisations and NGOs are as follows:

- ▶ Organise training programmes, conferences, seminars and workshops to educate the general public about consumer rights.
- ▶ Publish periodicals and other publications related to consumer rights, relief and other matter of interest.
- ▶ Carrying out comparative testing of competitive products and publish results for consumer welfare.
- ▶ Encouraging consumers to strongly protest and take an action against unscrupulous, exploitative and unfair trade practices of sellers.
- ▶ Providing legal aid to consumers.
- ▶ Filing complaints in appropriate consumer courts on behalf of the consumers.

- ▶ **Important Consumer Organisations and NGOs**

Following are the important consumer organisations and NGOs:

- ▶ Consumer Coordination Council, Delhi.
- ▶ Common Cause, Delhi.
- ▶ Voluntary Organisation in Interest of Consumer Education (VOICE), Delhi.
- ▶ Consumer Protection Council (CPC), Ahmedabad.
- ▶ Consumer Guidance Society of India (CGSI), Mumbai.
- ▶ Mumbai Grahak Panchayat, Mumbai.
- ▶ Karnataka Consumer Service Society, Bengaluru.
- ▶ Consumers Association, Kolkata.
- ▶ Consumer Unity and Trust Society (CUTS), Jaipur.



Practice Exercise



Multiple Choice Questions

- Q 1.** Which quality certification mark is used to ensure safety of electrical goods?
a. Hallmark b. Agmark
c. ISI mark d. FPO mark
- Q 2.** In which of the following, it is compulsory to include a woman as a member?
a. District Commission b. State Commission
c. National Commission d. All of these
- Q 3.** "Many business firms have set up their own consumer service and grievance cell." Which right is being highlighted in the given statement?
a. Right to consumer awareness
b. Right to be informed
c. Right to seek redressal
d. Right to be heard
- Q 4.** Name the right, which require manufacturers to provide information like ingredients, date of manufacture, price, quantity, directions for use, etc., on the product.
a. Right to be protected
b. Right to be informed
c. Right to be assured
d. Right to consumer awareness
- Q 5.** The members of District Commission are appointed by:
a. Central Government b. State Government
c. Either a. or b. d. Neither a. nor b.
- Q 6.** If any aggrieved party is not satisfied with the order of District Commission, then he can appeal before the State Commission within days of passing of the order.
a. 15 b. 30 c. 45 d. 60
- Q 7.** 'Jago Grahak Jago' is a part of:
a. Right to be protected
b. Right to information
c. Right to consumer awareness
d. Right to be heard
- Q 8.** Appeal against the order of National Commission can be done in:
a. District Court b. High Court
c. Supreme Court d. State Commission
- Q 9.** "The consumer must be given access to variety of goods and services at competitive prices." Which right is being highlighted in the given statement?
a. Right to be assured b. Right to be informed
c. Right to seek redressal d. Right to be heard
- Q 10.** Sonia bought a laptop for ₹50,000. It was later found to be defective. She asked the company to exchange it, but the company refused to do so. So, she filed a complaint in the District Commission. However, the District Commission also disallowed it. As she was not satisfied with the order of District Commission, she decided to appeal further after 50 days. In which redressal agency, Sonia can appeal against the order of District Commission?
a. Supreme Court b. National Commission
c. State Commission d. None of these
- Q 11.** Sheela went to a free eye camp and got her eyes operated for cataract. The surgery was not done properly, due to which she lost her vision. Where can she file a complaint under Consumer Protection Act? (CBSE 2020)
a. District Commission
b. State Commission
c. National Commission
d. None of the above
- Q 12.** As per Caveat Venditor, let the beware.
a. seller b. buyer
c. Both a. and b. d. None of these
- Q 13.** Match the 'Consumer Rights' given under Column I with suitable statements under Column II:
- | Column I | Column II |
|--------------------------------|--|
| A. Right to consumer awareness | (i) Right to choose any article or service. |
| B. Right to be protected | (ii) Right to acquire knowledge and skills to be an informed consumer. |
| C. Right to be assured | (iii) Right to be protected against dangerous and unsafe products. |
- A B C
a. (ii), (iii), (i) b. (i), (ii), (iii)
c. (ii), (i), (iii) d. (i), (iii), (ii)
- Q 14.** Compensation claimed in a complaint made to the State Commission must not exceed:
a. ₹ 50 lakh b. ₹ 75 lakh
c. ₹ 10 crore d. ₹ 1.5 crore
- Q 15.** Name the quality mark used for food products.
a. Agmark b. FPO mark
c. Hallmark d. ISI mark
- Q 16.** Sarita bought a flat from Sugan Developers for ₹ 5 crore and was shocked to discover that the quality of construction was bad, roof leaked during the rainy season and plaster was coming off at various places. Which consumer forum should she approach for redressal of her grievance? (CBSE 2023)
a. District Commission b. State Commission
c. National Commission d. Supreme Court
- Q 17.** According to, consumer has a right to get relief in case of defective goods or deficient services.
a. Right to be assured
b. Right to be heard
c. Right to be informed
d. Right to seek redressal

Q 18. Following mark is mentioned on the products related to:



- a. Agricultural products
 - b. Industrial products
 - c. Eco-friendly products
 - d. All processed food products
- Q 19. As per Caveat Emptor, let the beware.
- a. seller
 - b. buyer
 - c. Both a. and b.
 - d. None of these
- Q 20. Rights and are two sides of the same coin.
- a. reliefs
 - b. responsibilities
 - c. Both a. and b.
 - d. None of these
- Q 21. Agricultural products use a quality certification mark, name the mark.
- a. ISI mark
 - b. FPO mark
 - c. Agmark
 - d. Hallmark
- Q 22. Members of are appointed by Central Government.
- a. District Commission
 - b. State Commission
 - c. National Commission
 - d. All of these
- Q 23. Consumer protection is important due to:
- a. widespread exploitation of consumers
 - b. consumer ignorance
 - c. unorganised consumers
 - d. All of the above
- Q 24. Soniya is a pure vegetarian. She went to a snack bar and asked for 'Veg Burger'. In spite of Green Dot (signifying that it is a vegetarian product) on the packing of burger, she found that the burger had some non-vegetarian content. Under which right will Soniya be able to claim compensation?
- a. Right to be assured
 - b. Right to be informed
 - c. Right to seek redressal
 - d. Right to be protected
- Q 25. Under which consumer right, the consumer must be protected against hazardous goods and services?
- a. Right to be protected
 - b. Right to be assured
 - c. Right to be heard
 - d. Right to seek redressal
- Q 26. The Consumer Protection Bill, 2018 has replaced the Consumer Protection Act in which of the given years?
- a. 1981
 - b. 1986
 - c. 1991
 - d. 1978
- Q 27. Consumer Protection Act is significant to:
- a. immovable goods
 - b. movable goods
 - c. particular goods and services
 - d. all goods and services
- Q 28. Under the Consumer Protection Act, the rights of a consumer do not include to be:
- a. safety
 - b. choose
 - c. presented
 - d. informed

Q 29. In which Commission is it compulsory to have a female member?

- a. National Commission
- b. State Commission
- c. District Commission
- d. All of these

Q 30. The maximum age of National Commission member should be:

- a. 60 years
- b. 35 years
- c. 70 years
- d. 65 years

Q 31. Statement I: 'Right to be Informed' is important for a safe and secure life.

Statement II: According to this right, the consumer has a right to be protected against goods and services which are hazardous to life, health and property.

Choose the correct option from the options given below:

- a. Statement I is true and II is false.
- b. Statement II is true and I is false.
- c. Both the statements are true.
- d. Both the statements are false.

Q 32. Statement I: According to right to choose, marketers should not force the consumer to buy a particular brand.

Statement II: Every consumer has the right to choose from a variety of goods and services at competitive prices.

Choose the correct option from the options given below:

- a. Statement I is true and II is false.
- b. Statement II is true and I is false.
- c. Both the statements are true.
- d. Both the statements are false.



Assertion & Reason Type Questions

Directions (Q. Nos. 33-40): There are two statements marked as Assertion (A) and Reason (R). Read the statements and choose the appropriate option from the options given below:

- a. Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
 - b. Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
 - c. Assertion (A) is true, but Reason (R) is false.
 - d. Assertion (A) is false, but Reason (R) is true.
- Q 33. Assertion (A): Consumers have the freedom to choose products of their choice.
Reason (R): Consumer make a choice by comparing different products available at competitive prices.
- Q 34. Assertion (A): A complaint can be filed against seller, manufacturer or dealer of goods, whose goods are defective.
Reason (R): All complaints pertaining to those goods or services whose value is more than ₹ 10 crore can be filed before State Commission.
- Q 35. Assertion (A): State Commission is headed by a President, who have been a Judge of High Court.
Reason (R): Consumer Protection Commission is quasi-judicial body.

- Q 36. Assertion (A): State Commission can service consumer complaints where claim is not more than ₹ 1 crore.
Reason (R): State Commission is set up by State Government.
- Q 37. Assertion (A): Competition Act, 2002 provides protection to consumers in case of practices adopted by business firms that hamper competition in the market.
Reason (R): Competition Act aims to check adulteration of food articles and ensure their purity.
- Q 38. Assertion (A): Consumer should use FPO marked food products as this mark gives an assurance of such products meeting quality specifications.

Reason (R): It is the responsibility of the consumer and not the right to be protected against substandard products.

- Q 39. Assertion (A): Ramesh is a consumer, if he uses Ankit's car with the approval of Ankit.
Reason (R): Consumer includes any user of such goods (other than the person who buys them), when such use is made with the approval of the buyer.
- Q 40. Assertion (A): Producers are under legal obligation to provide information on the package and label of the product.
Reason (R): Consumer does not have a Right to Information about the ingredients of the product.

Answers

1. (c) ISI mark
2. (d) All of these
3. (d) Right to be heard
4. (b) Right to be informed
5. (b) State Government
6. (c) 45
7. (c) Right to consumer awareness
8. (c) Supreme Court
9. (a) Right to be assured
10. (d) None of these
11. (d) None of the above
12. (a) seller
13. (a) A-(ii). B-(iii). C-(i)
14. (c) ₹ 10 crore
15. (b) FPO mark
16. (b) State Commission
17. (d) Right to seek redressal
18. (d) All processed food products.
19. (b) buyer
20. (b) responsibilities
21. (c) Agmark
22. (c) National Commission
23. (d) All of the above
24. (b) Right to be informed
25. (a) Right to be protected
26. (b) 1986
27. (d) all goods and services
28. (c) presented
29. (d) All of these
30. (c) 70 years
31. (b) Statement II is true and I is false.
32. (c) Both the statements are true.
33. (a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
34. (c) Assertion (A) is true, but Reason (R) is false.
35. (b) Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
36. (d) Assertion (A) is false, but Reason (R) is true.
37. (c) Assertion (A) is true, but Reason (R) is false.

38. (c) Assertion (A) is true, but Reason (R) is false.
39. (a) Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).
40. (c) Assertion (A) is true, but Reason (R) is false.



Case Study Based Questions

Case Study 1

Read the extract given below and answer the questions on the basis of the same:

Anant bought a bottle of disinfectant spray for ₹ 500 from nearby market. He also took a cash memo as a proof of purchase. It had a knob which was to be opened in a particular way. However, there was no instruction on its package in this regard. Therefore, when he tried to open the knob in a casual way, some of the spray flew in his eyes. This affected his vision.

- Q 1. Which right of consumer is violated in the lines: "However regard."
a. Right to be assured
b. Right to be informed
c. Right to be heard
d. Right to seek redressal
- Q 2. Which right of consumer is violated in the lines: "Therefore vision."
a. Right to be Informed b. Right to be heard
c. Right to seek redressal d. Right to be protected
- Q 3. Where can Anant file a complaint against the seller?
a. National Commission b. State Commission
c. District Commission d. None of these
- Q 4. Under which Act can Anant file a complaint against the seller?
a. The Consumer Protection Act, 2019
b. The Essential Commodities Act, 1955
c. The Trade Marks Act, 1999
d. The Competition Act, 2002

Answers

- 1.(b) 2. (d) 3. (c) 4. (a)

Case Study 2

Read the extract given below and answer the questions on the basis of the same:

Roma purchased an electrical food processing machine for ₹ 5,000 from Mohak Machinery Pvt. Ltd. She found that the machine was not working properly. Despite many complaints, the defect was not rectified by Mohak Machinery Pvt. Ltd.

Q 1. Identify the consumer right that has been violated by Mohak Machinery Pvt. Ltd.

- a. Right to be protected
- b. Right to be informed
- c. Right to be heard
- d. Right to seek redressal

Q 2. Which mark must Roma look for on the electrical food processing machine?

- a. FPO mark
- b. ISI mark
- c. Agmark
- d. Hallmark

Q 3. Suggest the appropriate forum where Roma can file her complaint.

- a. District Commission
- b. State Commission
- c. National Commission
- d. Supreme Court

Q 4. Within how many days can she file a complaint in State Commission, if she is not satisfied with the order of District Commission?

- a. 30 days
- b. 35 days
- c. 40 days
- d. 45 days

Answers

- 1. (c)
- 2. (b)
- 3. (a)
- 4. (d)

Case Study 3

Read the extract given below and answer the questions on the basis of the same:

Payal purchased an ISI marked heater from Sonu Appliances. She made cash payment. But failed to get a cash memo. While making use of the heater, she observed that it was not working properly and also gave electric shocks. She contacted the shopkeeper immediately and told him the problem. Shopkeeper paid no heed to her complaint. Rather he marked that the good in question was not bought from his shop. Payal had no evidence of proving that the heater was purchased from his shop only. She discussed the problem with her friend Reema who advised her to approach Consumer Forum and lodge the complaint. Payal was convinced with the idea of lodging the complaint against the shopkeeper but due to lack of cash memo it was difficult for her to proceed.

Q 1. Identify the right of the consumer as referred to in the above paragraph.

- a. Right to be informed
- b. Right to be protected
- c. Right to be heard
- d. Right to choose

Q 2. Identify the responsibility of the consumer referred in the above case.

- a. Must obtain cash memo
- b. Quality conscious
- c. Ready to lodge complaint
- d. Cautious consumer

Q 3. Payal cannot lodge a complaint against the shopkeeper. Why?

- a. She do not have the right
- b. She was aware of the fact
- c. She was happy with the product
- d. She do not have the cash memo

Q 4. Under which Act Payal can seek to protect her rights being a consumer?

- a. The Indian Contract Act, 1872
- b. Consumer Protection Act, 1986
- c. Consumer Protection Act, 2019
- d. The Competition Act, 2002

Answers

- 1. (b)
- 2. (a)
- 3. (d)
- 4. (c)

Case Study 4

Read the extract given below and answer the questions on the basis of the same:

Shobit planned to buy a new car and did a lot of market research, he finally purchased a car for ₹ 15 lakh from 'Pankaj Motors' in his city. The car was delivered to him and he was really excited to own a brand new car. Later on after speaking with few of his friends, he got to know that though the car's performance was good from all aspects, people generally faced problems with the car's suspension over a period of time. When he observed his own car, he found that its suspension was also faulty and would start giving issues soon during driving. Thus, he decided to report the issue to the company. He complained multiple times with the company, but they were not responded to. This forced him to take further action and he decided to approach the three-tier machinery existing under the Consumer Protection Act. He filed a case at tier one. Since, he was not satisfied with the orders of this public authority, he appealed before tier two and on being dissatisfied with the orders at this level, he appealed before tier three. Shobit was not content with the orders at the third level also and decided to appeal in the Supreme Court of India.

Q 1. Which first tier authority did Shobit approach?

- a. District Commission
- b. State Commission
- c. National Commission
- d. None of these

Q 2. Which second tier authority did Shobit approach?

- a. District Commission
- b. State Commission
- c. National Commission
- d. None of these

Q 3. Which third tier authority did Shobit approach?

- a. District Commission
- b. State Commission
- c. National Commission
- d. None of these

Q 4. Can Supreme Court of India entertain Shobit appeal?

- a. Yes
- b. No
- c. Depends on the Supreme Court's discretion
- d. Only if tier three authority recommends his case to the Supreme Court

Answers

- 1. (a)
- 2. (b)
- 3. (c)
- 4. (b)

Case Study 5

Read the extract given below and answer the questions on the basis of the same:

HomeShop18 is an online and on-air retail and distribution venture of the Network 18 Group, India. It is a part of the Network 18 Media and Investment Limited which is owned and operated by Reliance Industries. Currently, HomeShop18.com comprises of more than 15 categories namely, Mobiles, Health and Beauty, Apparel, Jewellery, Home and Kitchen, Household Appliances, etc., to name a few. The company offers a wide variety of goods under each of these categories.

Q 1. Identify and explain the relevant consumer right being promoted by the company.

Ans. The Right to be assured is being promoted by the company. According to the Right to be assured, the consumer has a right to have access to a variety of products or services at competitive prices. Also, the marketers should offer a wide variety of products to buyers.

Q 2. Also mention any two concept being reflected through this approach adopted by the company.

Ans. The two concept being reflected through this approach adopted by the company are increasing standard of living and technological development.

Case Study 6

Read the extract given below and answer the questions on the basis of the same:

Under one of the legislations enacted in the year 1986, by the Parliament assuring the consumers of their rights to get protection against goods and services, which are hazardous to life and health. Sharvan Ltd. manufactures and sells electrical appliances. These appliances did not conform to the safety norms and a mark assuring quality specification was also missing. Cases were noticed, where these sub-standard appliances had caused serious injuries to many customers.

Q 1. Identify the legislation referred above.

Ans. The Consumer Protection Act, 1986.

Q 2. Which consumer right has been highlighted in the above case?

Ans. Right to Safety: Consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health.



Very Short Answer Type Questions

Q 1. What is meant by consumer protection?

Ans. Consumer protection refers to not only providing education to consumers about their rights and responsibilities, but also helping them in getting their grievances redressed.

Q 2. What is the purpose of enacting the Consumer Protection Act, 2019?

Ans. The act was enacted to protect and promote the interests of consumers.

Q 3. On which type of products is ISI mark used?

Ans. ISI is the standardisation mark for electrical appliances and electronic goods.

Q 4. How can business associations act as a means of consumer protection? State.

Ans. Business associations act as a means of consumer protection as they lay down guidelines for their members in dealings with the customers.

Q 5. What is the quality mark provided for the agricultural product?

Ans. Agmark.

Q 6. How many members are required to constitute 'District Consumer Dispute Redressal Commission'?

Ans. The District Commission consists of a President and two other members, one of whom should be a woman.

Q 7. What is meant by right to choose to a consumer?

Ans. Consumers have the freedom to choose products of their choice. This implies that the marketers should offer a wide variety of products in the terms of quality, brand, size, etc.

Q 8. Which consumer right suggests that a consumer must be protected against hazardous goods and services?

Ans. Right to safety.

Q 9. One of the rights suggests that a consumer be made aware of his rights and the remedies available. Identify the consumer right discussed.

Ans. Right to consumer education.

Q 10. Which consumer right entitles the consumer to get relief in case the product or service falls short of his expectations?

Ans. Right to seek redressal.

Q 11. Who can file a complaint on behalf of a deceased consumer?

Ans. A legal heir or representative of a deceased consumer.

Q 12. Give any one responsibility of a consumer in addition to obtaining a cash receipt while purchasing a washing machine.

Ans. Buy only ISI certified washing machine as it provides quality assurance.

Q 13. Give any one relief available to a consumer who suffers due to consumption of an expired date medicine.

Ans. Relief available to consumer is to refund the price paid for the medicine.

Q 14. When can a consumer get more than one relief for a complaint?

Ans. If the Consumer Court is satisfied about the genuineness of the complaint, a consumer can get more than one relief for a complaint.

Q 15. What can serve as the proof of purchase made, for filing a complaint against defective product?

Ans. Cash memo.

Q 16. Mention three-tier redressal agencies provided by Consumer Protection Act to protect interests of consumer.

Ans. (i) District Commission, (ii) State Commission, (iii) National Commission.

Q 17. Name any two parties who can file a complaint under the Consumer Protection Act, 2019 on behalf of the consumer.

Ans. (i) Any Registered Consumer's Association.
(ii) The Central Government or any State Government.

Q 18. Identify the products to which the following quality certification marks are associated. Also mention the name of quality mark.



Ans. (i) Food Products (FPO mark)
(ii) Electrical Appliances (ISI mark)



Short Answer Type-I Questions

Q 1. What is meant by a consumer as per the provisions of Consumer Protection Act, 2019?

Ans. As per Consumer Protection Act, 2019, a consumer is:

(i) Any person who buys any goods for a consideration, which has been paid or promised, or partly paid and partly promised or under any scheme of deferred payment. It includes any user of such goods, when such use is made with the approval of the buyer, but does not include a person who obtains the goods for resale or any commercial purpose.

(ii) Any person who hires or avails of any service, for a consideration, which has been paid or promised, or partly paid and partly promised or under any system of deferred payment. It includes any beneficiary of services when such services are availed of with the approval of the person concerned, but does not include a person who avails of such services for any commercial purpose.

Q 2. In one of the cases, the Goa State Commission held that "The Consumer Protection Act is not for entertaining or compensating speculative transactions or losses." It held that compensation cannot be given under the Consumer Protection Act to those involved in sale and purchase of shares, which are commercial transactions. The order follows an appeal by a Mumbai-based stock broker India Infoline Limited against an order of the Goa District Commission. Initially, the judgement of the Goa District Commission had awarded damages to Panaji-resident Vaman Nagesh who had lost money in share trading through a stock broker India Infoline Limited.

In the context of the above paragraph:

(i) Why do commercial transactions not fall under the purview of consumer under the Consumer Protection Act?

(ii) Why do you think that the above mentioned case was initially filed in the Goa District Commission by Vaman Nagesh?

(iii) Where do you think Vaman Nagesh could have filed a further appeal in case he was not satisfied with the judgement passed about his case by the Goa State Commission?

Ans. (i) Under the Consumer Protection Act, a consumer is generally understood as a person who uses or consumes goods or avails of any service for a consideration which has been paid or promised, or partly paid or partly promised or under any scheme of deferred payment. However, a person who buys goods for commercial purpose or resale will not be considered to be a consumer.

(ii) Presuming that the value of the securities, along with the compensation claimed, did not exceed ₹ 1 crore, the above mentioned case was initially filed in the Goa District Commission by Vaman Nagesh.

(iii) If Vaman Nagesh was not satisfied with the order of the State Commission, he could have filed an appeal before the National Commission within 30 days of the passing of the order.

Q 3. Explain any two points of importance of consumer protection from point of view of business and two points from point of view of consumers. (CBSE 2015)

Ans. The importance of consumer protection from point of view of business are:

(i) **Long-term Interest of Business:** Businesses capture big market share only when they satisfy their consumers by providing good quality products at reasonable prices, providing after sales service and avoiding unfair trade practices, etc. Satisfied consumers not only repeat sales, but also provide good feedback. So, it is necessary for businesses to protect their consumers if they want to succeed in long run.

(ii) **Business Uses Society's Resources:** Business organisations use resources which belong to the society. Thus, business organisations have a responsibility to supply such products, render such services which are in public interest and would not impair public confidence in them.

The importance of consumer protection from point of view of consumers are:

(i) **Educate Consumers to Avoid Consumer Ignorance:** Consumer protection spreads awareness amongst ignorant customers regarding their rights and remedies available to them.

(ii) **Protect and Promote Interests of Unorganised Consumers:** Adequate protection is required to be given to consumers till these organisations become powerful. Consumers protection encourages establishment of such organisation.

Q 4. Health Ltd., a pharmaceuticals company, has introduced mosquito repellent bands under the brand name 'All Out' in the wake of outbreak of Dengue in various parts of the country. The product attracted many people from all age groups, especially kids. However, the company failed to provide adequate guidance for the users on the label of the product in terms of time period of the effectiveness of the repellent band once its seal is opened. Because of this ambiguity, many buyers faced problems.

In the context of the above paragraph:

Identify and explain the consumer right which has been overlooked by the company.

Ans. The right to be informed is being overlooked by the company in the above mentioned case.

According to the Right to be informed, a consumer has the right to get complete information about the product that he/she intends to buy including its contents, date of manufacture, date of expiry, price, quantity, directions for use, etc. Also, as per law, it is mandatory for the marketers to provide complete information about the product/service to the buyers.

Q 5. Sumit purchased an ISI marked washing machine of a famous brand 'MG' from TG Electronics Ltd. The shopkeeper asked him to wait for two days for installation of the machine. His friend, Vivek, was very fond of experimenting with new electronic products. He told Sumit that there is no need to wait for the company's representative to install the machine and that he could do it. So, both of them installed the machine without following the manufacturer's instructions. Initially, the machine worked effectively and the wash was good. But after two days, the machine, started stopping in between the wash cycle. Sumit and Vivek tried their best to start the machine, but failed in their efforts. Sumit, therefore, approached TG Electronics Ltd., which refused to provide any service on the plea that the installation of the machine was not done by the company.

(i) State the responsibility which Sumit had to fulfil as an aware consumer to get the services of the company.

(ii) Explain briefly any two rights which Sumit could have exercised had he fulfilled his responsibility identified in point (i). (CBSE 2018)

Ans. (i) The responsibility that Sumit had to fulfil as an aware consumer is:

Learn about the risks associated with products and services, follow manufacturer's instructions and use the products safely.

(ii) Two rights which Sumit could have exercised had he fulfilled his responsibilities are:

(a) **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service.

It is because of this reason that many enlightened business firms have set up their own consumer service and grievance cells. Many consumer organisations are also working towards this direction and helping consumers in redressal of their grievances.

(b) **Right to Seek Redressal:** This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.

Q 6. Harishankar purchased a book for ₹ 225. Later on, he found that MRP of book was ₹ 200 only and the shopkeeper had put a sticker of ₹ 225 on the original MRP. Answer the following questions:

(i) Which right of Harishankar is violated in the given case?

(ii) Can he recover the extra money?

(iii) Whether any option is available against the book-seller?

Ans. (i) 'Right to be informed' is violated in the given case.

(ii) Yes, he can recover extra money of ₹ 25 (₹ 225 – ₹ 200).

(iii) Yes, he has two more options against the bookseller:

(a) He can ask for refund of entire money after returning the book.

(b) He can also sue the book-seller for unfair practices.

Q 7. In the year 2015, Under Section 12 (ID) of the Consumer Protection Act, the Consumer Affairs Ministry had filed a suit in National Consumer Disputes Redressal Commission (NCDRC) against Nestle India, the manufacturer of Maggi noodles, seeking about ₹ 640 crore in damages for alleged unfair trade practices, false labelling and misleading advertisements.

In the context of the above paragraph:

(i) Name any two other parties besides government who can file a case under Consumer Protection Act, 2019.

(ii) Why has the government filed a suit in National Consumer Disputes Redressal Commission (NCDRC) and at no other level of three-tier redressal system?

Ans. (i) The two other parties besides government who can file a case under Consumer Protection Act, 2019 are any consumer and any registered consumers' association.

(ii) The government has filed a suit in National Consumer Disputes Redressal Commission (NCDRC) and at no other level of the three-tier

redressal system because a complaint has to be made to the National Commission only when the value of the goods or services in question, along with the compensation claimed, exceeds ₹ 10 crore.

Q 8. Explain the following rights of a consumers:

(i) Right to be informed (ii) Right to be protected

Ans. (i) Right to be Informed: A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy.

Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.

(ii) Right to be Protected: It means a consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health. Thus, consumers are educated to use standardised goods, such as electrical goods with ISI mark, food products with FPO mark, etc., as such goods would be an assurance of meeting quality specifications.

Q 9. Consumer Protection Act, 2019 has a wide scope. Do you agree? Discuss your viewpoint on the same.

Ans. Yes, I agree that Consumer Protection Act, 2019 has a wide scope because of:

- (i) It covers a wide gamut of areas like:
 - (a) educating consumers about their rights, reliefs and responsibilities,
 - (b) redressal of grievances of consumers,
 - (c) creating awareness among consumers, so that they organise themselves into consumer organisations,
 - (d) protecting consumers against unscrupulous, unfair and exploitative trade practices.
- (ii) It is applied to all undertakings (whether big or small manufacturing or trading, public or private) that are engaged in selling goods or making available services.
- (iii) It applies to the whole of India except the State of Jammu and Kashmir.

Q 10. Against whom can an aggrieved customer file a complaint under CPA, 2019?

Ans. A consumer can file a complaint against:

- (i) The seller/manufacturer/dealer of goods that are defective. Goods are said to be defective when there is a fault, imperfection or shortcoming in their quality, quantity or purity.
- (ii) The provider of services that are deficient in any manner. Services are said to be deficient when there is an imperfection, shortcoming or inadequacy in the quality, nature or manner of performance of those services.

Q 11. On Monika's birthday, her mother gave her a pair of gold ear-rings. After two months, Monika observed that the ear-rings were losing their shine. She

checked the mark on the ear-rings and found that it was not a proper Hallmark and her mother had been cheated by the shopkeeper. So, she filed a complaint in the District Commission which rejected it. Not satisfied by the decision of the District Commission, she was very much disturbed and after two months, she decided to appeal further. Can Monika appeal against the decision of the District Commission? Give reason in support of your answer.

Ans. No, Monika will not be able to appeal further in the State Commission. This is because two months have already passed and the appeal had to be filed within 30 days of the passing of the order by the District Commission.

Q 12. Gaurav purchased a new car from 'Galaxy Motors' for ₹ 30 lakh. He was offered free insurance for the first year and three free servicing to be availed after the car had covered 5,000 km, 10,000 km and 15,000 km, respectively. When Gaurav took the car for the first free servicing, he was told that the car was not new and first service had already been availed on this car. He felt cheated and filed a complaint in the District Commission. Being not satisfied with the decision of the District Commission, after two months he decided to file an appeal against it. Can Gaurav appeal against the decision of the District Commission? Give reason in support of your answer.

Ans. No, Gaurav will not be able to appeal further against the decision of District Commission in the State Commission. This is because two months have already passed and the appeal had to be filed within 30 days of the passing of the order by the District Commission.

Q 13. Sonia went to a shopkeeper to buy a hair-dye. The shopkeeper forced her to buy a particular brand of hair-dye out of various available brands, irrespective of the willingness of Sonia. Which right of Sonia, as a consumer, has been violated? Name and explain the right.

Ans. The Right to be assured has been violated in the given case as Sonia was forced by the shopkeeper to buy a particular brand of hair-dye.

According to the Right to be assured, the consumer has a right to have access to a variety of products or services at competitive prices. Also, the marketers should offer a wide variety of products to buyers.

Q 14. Garvit purchased a pack of sweets for his son from a shop in the nearby market. After consuming those sweets, the condition of his son deteriorated and he had to be hospitalised. Later on through a laboratory test, it was certified that the sweets were adulterated.

- (i) State any one precaution that he should have taken while purchasing packed sweets.
- (ii) Name the appropriate redressal agency that he can approach in case he decides to file a case against the shopkeeper.

Ans. (i) Garvit should have checked for the quality assurance mark like FPO/FSSAI on its label while purchasing the food product.

(ii) District Commission.

Q 15. Gautam purchased some medicines worth ₹ 1,000 for his wife from a chemist in the nearby market. But he didn't take the cash memo for it from the chemist. After taking those medicines, the condition of his wife deteriorated and she had to be hospitalised. Later on through a laboratory test it was certified that the medicines were spurious.

(i) Can he file a case against the chemist? Justify your answer with the help of a suitable reason.

(ii) Explain any one responsibility which lacking in the above case.

Ans. (i) No, he cannot file a case against the chemist as he didn't take the cash memo for it from the chemist. A cash memo is the conclusive proof of the purchase of goods.

(ii) A consumer should always ask for a cash memo, as it is the proof of purchase required at the time of taking any action against a fraudulent seller/manufacture.

Q 16. Explain three redressal mechanisms available to a consumer under the Consumer Protection Act, 2019.

OR

Explain the following redressal mechanisms available to a consumer under the Consumer Protection Act, 2019. (CBSE 2022, Term-2)

(i) District Commission (ii) National Commission

Ans. (i) District Commission

(a) Territorial Jurisdiction: District

(b) Composition of Committee: (i) A President and (ii) Not less than two and not more than such number of member as may be prescribed. In consultation with Central Government.

(c) Condition for Lodging a Complaint: Value of goods or services and compensation claimed does not exceeds ₹ 1 crore.

(d) Action on Receipt of Complaint: (i) District Commission refers it to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.

(e) Passing of Order: After considering lab report and hearing to the party against whom the complaint is filed, the District Commission passes an order.

(f) Action by Aggrieved Party in Case of Dissatisfaction with the Order: It can appeal before the State Commission within 45 days of passing of the order.

(ii) State Commission

(a) Territorial Jurisdiction: State

(b) Composition of Committee: (i) A President and (ii) Not less than four or not more than such number of members as may be prescribed in consultation with Central Government.

(c) Condition for Lodging a Complaint: (i) Value of goods or services and compensation claimed exceeds ₹ 1 crore, but does not exceeds ₹ 10 crore. (ii) Appeals against the orders of District Commission.

(d) Action on Receipt of Complaint: (i) State Commission refers it to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.

(e) Passing of Order: After considering the lab report and hearing to the party against whom the complaint is filed, the State Commission passes an order.

(f) Action by Aggrieved Party in Case of Dissatisfaction with the Order: It can appeal before the National Commission within 30 days of passing of the order.

(iii) National Commission

(a) Territorial Jurisdiction: Whole country except the State of Jammu and Kashmir.

(b) Composition of Committee: (i) A President; and (ii) Not less than four and not more than such number of members as may be prescribed.

(c) Condition for Lodging a Complaint: (i) Value of goods or services and compensation claimed exceeds ₹ 10 crore. (ii) Appeals against orders of State Commission.

(d) Action on Receipt of Complaint: (i) National Commission refers it to the party against whom it is filed. (ii) If required, goods or sample can also be sent to laboratory for testing.

(e) Passing of Order: After considering the lab report and hearing to the party against whom the complaint is filed, the National Commission passes an order.

(f) Action by Aggrieved Party in Case of Dissatisfaction with the Order: It can appeal before the Supreme Court within a period of 30 days from the date of the order.



Short Answer Type-II Questions

Q 1. Kavita purchased a book from Lall Book Store. While reading the book, she found that eighteen pages were missing. She approached the seller of the book and complained about the missing pages. The seller promised that if the publisher was ready to change the book he would change the same. After a week, the seller informed Kavita that the publisher had refused to change the book. Where can Kavita file a complaint against the seller of the book? Give reason in support of your answer. Also explain who is a consumer as per 'Consumer Protection Act, 2019'.

Ans. Since, the value of the goods or services in question, along with the compensation claimed, does not exceeds ₹ 1 crore, she will file a case in the District Commission.

As per Consumer Protection Act, 2019, a consumer is defined as:

- (i) Any person who buys any goods for a consideration, which has been paid or promised, or partly paid and partly promised, or under any scheme of deferred payment. It includes any user of such goods, when such use is made with the approval of the buyer, but does not include a person who obtains goods for resale or any commercial purpose.
- (ii) Any person who hires or avails of any service, for a consideration which has been paid or promised, or partly paid and partly promised, or under any system of deferred payment. It includes any beneficiary of services when such services are availed of with the approval of the person concerned, but does not include a person who avails of such services for any commercial purpose.

Q 2. Prakhar purchased an ISI mark electric iron from Bharat Electricals. While using it, he found that it was not working properly. He approached the seller and complained about the same. The seller satisfies Prakhar by saying that he will ask the manufacturer to replace the iron. The manufacturer refused to replace and Bharat Electricals decided to file a complaint in the Consumer Court. Can Bharat Electricals do this? Why? Also explain who is a consumer as per Consumer Protection Act, 2019.

Ans. No, Bharat Electricals will not be able to file a complaint under Consumer Protection Act, 2019 because according to this act, a person is not deemed to be a customer if he buys goods for resale or commercial purpose.

Under the Consumer Protection Act, 2019, a consumer is defined as:

- (i) Any person who buys any goods for a consideration, which has been paid or promised, or partly paid and partly promised or under any scheme of deferred payment. It includes any user of such goods, when such use is made with the approval of the buyer, but does not include a person who obtains goods for re-sale or any commercial purpose.
- (ii) Any person who hires or avails of any service, for a consideration which has been paid or promised or partly paid and partly promised or under any system of deferred payment. It includes any beneficiary of services when such services are availed of such services for any commercial purposes.

Q 3. Shiv went to purchase a pack of chocolate for his son from a shop in the nearby market. Despite his preference to buy a pack of a particular brand, the shopkeeper forced him to buy the pack of chocolate of another brand, by giving some odd justifications. After coming back home, Shiv was feeling very dissatisfied.

- (i) Identify and explain the right of the consumer being violated in the above mentioned case.
- (ii) Briefly explain the two points highlighting the importance of consumer protection from the consumer's point of view.

Ans. (i) The Right to be assured has been violated in the given case as Shiv was forced by the shopkeeper to buy a particular brand of chocolate.

According to the Right to be assured, the consumer has a right to access to a variety of products and services at competitive prices. Also, the marketers should offer a wide variety of products to buyers.

- (ii) The Importance of consumer protection from consumer's point of view is outlined below:

(a) Educate Consumers to Avoid Consumer Ignorance: Consumer protection spreads awareness amongst ignorant customers regarding their right and remedies available to them.

(b) Protect and Promote Interests of Unorganised Consumers: Adequate protection is required to be given to consumers till these organisations become powerful. Consumers protection encourages establishment of such organisation.

Q 4. Shaan booked a flat through a private builder in Greater Noida, Uttar Pradesh at the cost of ₹ 3 crore. As per the terms of the contract, the builder promised to provide him with all the basic and modern amenities such as continuous electric supply, CCTV Camera, Club facility, good quality of water, good security, etc. Although he was given the possession of the flat in time, the builder did not provide all the basic and common facilities which also included three-tier security having CCTV camera coverage for each floor. Shaan kept complaining to the builder after possession of the flat for non-installation of CCTV camera and other common and basic amenities as promised at the time of agreement, but the builder kept assuring him that he will do the needful and he need not worry. After a month, Shaan had to travel abroad, so he left his home with his flat duly locked. But on his return, he found that his flat has been robbed and theft of ₹ 10,000 and jewellery worth ₹ 10 lakh had taken place. He complained to the builder that had CCTV cameras been installed, it would have been a deterrent and the theft would not have been taken place. Also, CCTV would have ensured that no unwanted person would have entered the building. When Shaan discussed this incident with his friend Siddhartha, who runs a consumer association, he advised him to file a case against the builder.

In the context of the above paragraph:

- (i) Name the right of consumer that Siddhartha has advised Shaan to exercise.

(ii) State any three functions highlighting the role of a consumer association.

Ans. (i) Siddhartha has advised Shaan to exercise Right to be heard.

(ii) The three functions highlighting the role of a consumer association are listed below:

(a) Educating the general public about consumer rights.

(b) Conducting comparative testing of consumer products available in the market.

(c) Filing complaints in appropriate consumer courts on behalf of the consumers.

Q 5. MVT Ltd. is a leading cosmetic manufacturing company. It has its own consumer service and grievance redressal centre to address consumer concerns. The mobile phone number of the consumer service and grievance redressal cell is printed on the labels of all its products as a policy to get feedback or complaints from their consumers. It also runs various programmes to educate the consumers about their rights and reliefs available to them in case a product or service falls short of their expectations.

Explain the two rights of the consumers which are being promoted by the company. (CBSE 2023)

Ans. Based on the information provided, it can be inferred that MVT Ltd. is promoting at least two rights of consumers. These rights are:

(i) **Right to be Informed:** A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy. Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.

(ii) **Right to Seek Redressal:** This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.

Q 6. Mr Akshay, a 20 year old college student purchased a book online from XYZ Pvt. Ltd. and when it was delivered, he noticed that there was no MRP mentioned on it. He browsed the internet and found that the book was sold at different prices in different places. He filed a case in District Commission against the publisher. The court held in favour of Akshay and awarded a compensation of ₹ 10,000.

(i) Identify and state the consumer right violated in the above case.

(ii) Name and explain the right exercised by Mr Akshay. (CBSE SQP 2023-24)

Ans. (i) In the above case 'Right to be informed' consumer right violated.

Right to be Informed: A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy. Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.

(ii) The right exercised by Mr Akshay is 'Right to seek redressal'.

Right to Seek Redressal: This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.

Q 7. Explain the following rights of a consumer as provided under Consumer Protection Act, 2019:

(i) Right to be protected; and

(ii) Right to be heard. (CBSE 2022, Term-2)

Ans. (i) **Right to be Protected:** It means a consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health. Thus, consumers are educated to use standardised goods, such as electrical goods with ISI mark, food products with FPO mark, etc., as such goods would be an assurance of meeting quality specifications.

(ii) **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.

Q 8. Explain the following rights of a consumer as provided under Consumer Protection Act, 2019:

(i) Right to be assured; and

(ii) Right to consumer awareness.

(CBSE 2022, Term-2)

Ans. (i) **Right to be Assured:** Consumers have the freedom to choose products of their choice. This implies that the marketers should offer a wide variety of products in terms of quality, brand, size, etc., so that the consumer can make a wise choice by comparing different products available at competitive prices.

(ii) **Right to Consumer Awareness:** Consumer should have knowledge about the various rights and reliefs provided by the legislations to protect their interest. Every consumer has the right to be well-informed about his rights, and to spread awareness and education by forming consumer organisations and associations.

Q 9. Aditi set up a company Dantik Ltd. to manufacture toothpastes using herbs found in her village instead of chemicals that are hazardous to health.

The package of the product was eco-friendly and had details like price, quantity, ingredients, directions for use and other relevant information. It also carries the contact details like address, phone number and e-mail id of Dantik Consumer Services and Grievance Cell. The toothpaste became very popular and she started getting orders from reputed traders.

Identify and explain any two rights of consumers discussed above.

Ans. Two rights of the consumer discussed in the above case are:

(i) **Right to be Informed:** A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy. Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.

(ii) **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.

Q 10. Bharti Airtel Limited is an Indian global telecommunications services company headquartered in New Delhi, India. It operates in 20 countries across South Asia, Africa and the Channel Islands. It provides GSM, 3G and 4G LTE mobile services, fixed line broadband and voice services depending upon the country of operation. It is the largest mobile network operator in India and the third largest in the world with 325 million subscribers. Its portal displays the following information:

"Airtel Mobile Customer Care – Call 121, 24-hrs Airtel customer service number from your Airtel phone. In case, you don't get satisfactory resolution of your query/complaint at the Airtel customer service centre, you can get in touch with Airtel Nodal officers with your complaint reference number and details of grievance."

In the context of the above paragraph:

(i) Identify and explain the right of the consumer being fulfilled by the company in the above mentioned case.

(ii) Name the function of marketing being performed by the company.

Ans. (i) The right of the consumer being fulfilled by the company in the above mentioned situation is right to be heard.

Right to be Heard: The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.

(ii) The function of marketing being performed by the company is customer support services.



TIP

Students should clear their concepts regarding each right.

Q 11. After completing his education, Amaal opened a small restaurant in a posh market to earn his livelihood. In order to attract good clientele, he decided to install two air-conditioners in the restaurant. Since, he didn't have sufficient funds to buy air-conditioners of a good brand, he bought two air-conditioners from a local manufacturer in Garh Road, Meerut for ₹ 20,000 each. Later on, he found that the compressor of one of the air conditioner was not working properly. Despite many complaints, the defect was not rectified by the manufacturer. So, he feels very disappointed about the issue and wants to take a legal action against the manufacturer to not only get compensation, but also to save other people from being duped by the local manufacturer.

(i) Name the redressal agency to which he can approach to file complaint against the local manufacturer.

(ii) State any two directions which the Consumer Court can issue to the local manufacturer after being satisfied with the genuineness of the complaint.

Ans. (i) He can approach the District Commission to file complaint against the local manufacturer.

(ii) The two directions which the Consumer Court can issue to the local manufacturer after being satisfied with the genuineness of the complaint are as follows:

(a) To remove the defect in goods.

(b) To provide replacement for the defective product.

Q 12. On her sister's wedding, Chetna decided to gift her gold ear-rings. When she shared her plan with her husband, he showed her an article in the daily national newspaper under the heading 'Jago Grahak Jago.' The campaign included details about the various aspects that people must consider before buying any gold jewellery.

(i) Why do you think campaigns like 'Jago Grahak Jago' are inserted in the newspaper?

(ii) Name the right of consumer being fulfilled through this initiative of the government.

(iii) State any two responsibilities that Chetna must discharge as an aware consumer while buying her sister's wedding gift.

Ans. (i) The campaigns like 'Jago Grahak Jago' are given in the newspaper to make the consumers aware of the various undesirable activities like unscrupulous, unfair trade practices, etc., which are carried out by the marketers to exploit the buyers.

- (ii) Right to consumer awareness is being fulfilled through this initiative of the government.
- (iii) The two responsibilities that Chetna must discharge as an aware consumer while buying her sister's wedding gift are as follows:
 - (a) Buy only standardised goods and check for standardisation mark like Hallmark for gold jewellery.
 - (b) Assert herself to ensure that she gets a fair deal.

Q 13. Mayank purchased a pack of chocolates of a renowned brand for his daughter from a shop in the nearby market. After consuming the chocolates, his daughter fell sick. He filed a case with the District forum against the renowned brand. He lost the case because of a mistake that he could not provide proof of purchase. What should be kept in mind by a consumer while purchasing, using and consuming goods and services apart from avoiding the mistake committed by Mayank, in order to enable him/her to achieve the objective of consumer protection? Enumerate any four points.

(CBSE SQP 2022-23)

Ans. A consumer should keep in mind the following responsibilities while purchasing, using and consuming goods and services:

- (i) Be aware about various goods and services available in the market so that an intelligent and wise choice can be made.
- (ii) Buy only standardised goods as they provide quality assurance. Look for ISI mark on electrical goods, FPO mark on food products, Hallmark on jewellery, etc.
- (iii) Learn about the risks associated with products and services, follow manufacturer's instructions and use the products safely.
- (iv) Read labels carefully so as to have information about prices, net weight, manufacturing and expiry dates, etc.

Q 14. Sameeksha is a Class-XII student having Business Studies as one of her subjects. After studying 'Consumer Protection' as one of the chapters in Business Studies, she tried to apply the acquired knowledge while purchasing and using the goods. She is very fond of cooking and always tries new recipes. This time she wants to purchase a 'Bread Maker' to prepare homemade bread. She checked online about the various brands of 'Bread Maker' available in the market and compared their price, so that an intelligent and wise choice can be made. Then she went to a near by market to buy it. Being an informed consumer she looked for the Standardisation Mark, negotiated the price printed on the label, checked the date of manufacturing and asked for guarantee or warranty of the product. After satisfying with all the concerned information,

she purchased the 'Bread Maker' and as a responsible consumer asked for the cash memo. After coming back home, she opened the packaging of the 'Bread Maker' and found an instruction booklet inside. She carefully read all the instructions and operated the 'Bread Maker' step-by-step and succeeded in making nice 'Atta Bread' for her family.

Sameeksha has fulfilled many responsibilities of a consumer while purchasing and using the 'Bread Maker'.

State any four responsibilities fulfilled by Sameeksha besides asking for a cash memo.

(CBSE 2023)

Ans. Sameeksha has fulfilled the following responsibilities of a consumer:

- (i) Sameeksha checked online about the various brands of bread makers available in the market and compared their price before purchasing. This shows that she was concerned about the quality and authenticity of the product she was buying.
- (ii) Sameeksha asked for a guarantee or warranty of the product, which ensures that she can get the product replaced or repaired, if it was defective. This shows that she was concerned about the safety of the product and the potential risks associated with using it.
- (iii) Sameeksha checked for the standardisation mark, which ensures that the product meets the necessary quality standards and is safe for use. This shows that she was concerned about the environmental impact of the product and wanted to ensure that it was safe for use.
- (iv) Sameeksha asked for the cash memo, which is a proof of purchase and helps in case of any disputes or legal issues. This shows that she was concerned about the ethical responsibility of buying a product and wanted to ensure that she was doing it legally and ethically.



Long Answer Type Questions ▾

Q 1. Radha purchased some household goods from a general store. After reaching home, she found that face cream which she had not been billed for. After checking the date of expiry and other details, she started using it. Her face burnt due to the use of the cream.

- (i) Where should Radha file a complaint? Justify your answer.
- (ii) Under Consumer Protection Act, 2019, who can file a complaint?

Ans. (i) Radha cannot file a complaint under Consumer Protection Act as:

- (a) According to Consumer Protection Act, 2019, a consumer is one who buys a goods or avails a service for a consideration. But here, Radha has not paid any consideration for the face cream that she bought.

- (b) A consumer must fulfil his/her responsibilities as a consumer in order to be eligible to file a complaint under Consumer Protection Act, 2019.

Here, Radha has not fulfilled one consumer responsibility, *i.e.*, Consumer must be honest in his dealings.

When she found that she was not billed for the face cream, she should have returned it to the general store.

- (ii) Under Consumer Protection Act, 2019, a complaint can be filed by:
- (a) any consumer.
 - (b) any registered consumers association.
 - (c) the Central Government or State Government.
 - (d) one or more consumers on behalf of numerous consumers.
 - (e) a legal heir or representative of a deceased consumer.

Q 2. Explain any four points of importance of consumer protection from the business point of view.
(CBSE 2019)

Ans. Four points of importance of consumer protection from the business point of view are given below:

- (i) **Long-term Interest of Business:** Businesses capture big market share only when they satisfy their consumers by providing good quality products at reasonable prices, providing after sales service and avoiding unfair trade practices, etc. Satisfied consumers not only repeat sales, but also provide good feedback. So, it is necessary for businesses to protect their consumers if they want to succeed in long run.
- (ii) **Business Uses Society's Resources:** Business organisations use resources which belong to the society. Thus, business organisations have a responsibility to supply such products and render such services which are in public interest and would not impair public confidence in them.
- (iii) **Moral Justification:** It is the moral duty of any business to take care of consumer's interest and avoid any form of their exploitation. A business, thus, must avoid unscrupulous, exploitative and unfair trade practices like defective and unsafe products, adulteration, etc.
- (iv) **Government Intervention:** A business engaging in any form of exploitative trade practices would invite government intervention or action which can impair or tarnish the image of the company. So, business organisations must voluntarily resort to such practices where the customers' needs and interests will well be taken care of.

Q 3. Fabrica Ltd. is engaged in the manufacturing of apparel. Over the years, it has become a popular brand due to its good product quality and exclusive

designing. The company plans to open its own retail showrooms in metropolitan cities in India. In order to meet its financial needs it has offered for subscription an IPO of ₹ 4 lakh equity shares in the price band of ₹ 430–₹ 445 each. As per the guidelines of SEBI, the company has provided a complete disclosure of the relevant details in its prospectus.

- (i) **Identify and explain the right of the consumer being fulfilled by the directives of SEBI in the above mentioned paragraph.**
- (ii) **Briefly explain any two points highlighting the importance of consumer protection from the point of view of the businessmen.**

Ans. (i) The right to be informed is being fulfilled by the directives of SEBI in the above mentioned paragraph.

According to the Right to be Informed, the consumer has the right to get complete information about the product that he/she may propose to buy including its contents, date of manufacture and expiry, maximum retail price, quantity, directions for use, etc. Moreover, as per law, it is mandatory for the marketers to provide complete information about the product/service to buyers.

- (ii) The importance of consumer protection from businessmen's point of view is outlined below:

(a) Long-term Interests of Business:

- Businesses capture big market share only when they satisfy their consumers by:
 - providing good quality products at reasonable prices.
 - providing after sales service and
 - avoiding unfair trade practices, etc.
- Satisfied consumers not only repeat sales, but also provide good feedback.
- So, it is necessary for businesses to protect their consumers if they want to succeed in long run.

(b) Business Uses Society's Resources:

- Business organisations use resources which belong to the society.
- Thus, business organisations have a responsibility to:
 - supply such products.
 - render such services which are in public interest and would not impair public confidence in them.

Q 4. Rita Sharma, who works as a guard in a school, purchased two shirts for ₹460 each for her son. When she went back home, she realised that the shirt was small in size for her son. She decided to ask for return of money or exchange of the shirt with an appropriate size.

But the store owner refused to return the money or exchange the shirt. Rita Sharma was disheartened. Her friend advised her to go to 'Seva

Sadan', an autonomous voluntary organisation working for the protection of consumer welfare. The organisation helped her by explaining to her the legal procedure, as well as educated her about her rights as a consumer and helped her in filing the complaint and getting relief. With the help of the organisation, Rita was able to get her money back from the store. Briefly explain the rights of a consumer which Rita Sharma was able to exercise with the help of the voluntary organisation.

Ans. The rights of consumer which Rita Sharma was able to exercise with the help of the voluntary organisation are:

- (i) **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.
- (ii) **Right to Seek Redressal:** This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.
- (iii) **Right to Consumer Awareness:** Consumer should have knowledge about the various rights and reliefs provided by the legislations to protect their interest. Every consumer has the right to be well-informed about his rights and to spread awareness and education by forming consumer organisations and associations.

Q 5. Suman wanted to purchase a sandwich toaster. She checked about the various sandwich toasters available online and compared the prices so that an intelligent and wise choice could be made. Then she went to a nearby market to buy the sandwich toaster. Being an informed consumer, she looked for the correct standardisation mark. The shopkeeper showed her different toasters, but was quoting a higher price than the price she had checked online. After negotiating with a shopkeeper, she was able to bring the price down. As a responsible consumer, she asked for a cash memo, against the amount paid for the product and took the toaster home. On opening the package, she found an instruction booklet, which she read carefully. Then she followed all instructions step-by-step and made nicely toasted paneer sandwiches for her family.

- (i) State any two responsibilities, which have been discharged by Suman, besides asking for a cash memo.
- (ii) Explain the two rights being discussed in the above case.

Ans. (i) Two responsibilities which have been discharged by Suman, besides asking for a cash memo are:

- (a) She was aware about various goods and services available in the market and made an intelligent and wise choice.
 - (b) She bought standardised product as standardisation provides quality assurance.
- (ii) Two rights discussed in the above case are:
- (a) **Right to be Assured:** Consumers have the freedom to choose products of their choice. This implies that the marketers should offer a wide variety of products in terms of quality, brand, size, etc., so that the consumer can make a wise choice by comparing different products available at competitive prices.
 - (b) **Right to be Protected:** It means a consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health. Thus, consumers are educated to use standardised goods, such as electrical goods with ISI mark, food products with FPO mark, etc., as such goods would be an assurance of meeting quality specification.

Q 6. Enumerate any five rights of a consumer under the Consumer Protection Act, 2019. (CBSE SQP 2022, Term-2)

Ans. The Consumer Protection Act, 2019 provides following five rights:

- (i) **Right to Safety/Protected:** It means a consumer has a right to be protected against the marketing of such goods and services that are harmful to life and health. Thus, consumers are educated to use standardised goods, such as electrical goods with ISI mark, food products with FPO mark, etc., as such goods would be an assurance of meeting quality specifications.
- (ii) **Right to be Informed:** A consumer has the right to get true and complete information about the quality, quantity, price, contents, expiry date of the goods and services which he intends to buy. Therefore, the legal framework in India has made it compulsory to provide all such information on the package of the product.
- (iii) **Right to be Assured:** Consumers have the freedom to choose products of their choice. This implies that the marketers should offer a wide variety of products in terms of quality, brand, size, etc., so that the consumer can make a wise choice by comparing different products available at competitive prices.
- (iv) **Right to be Heard:** The consumer has a right to file a complaint and to be heard in case of dissatisfaction with a goods or a service. It is because of this reason, many enlightened business firms have set up their own consumer service and grievance cells and help consumers in redressal of their grievances.
- (v) **Right to Seek Redressal:** This right assures justice to consumers against exploitation and includes compensation for any loss or injury suffered by the consumers, replacement of goods or repair of defects in the goods in order

to provide satisfaction to consumers. Thus, the consumer has a right to get relief in case the products falls short of his expectation.

Q 7. State any six responsibilities of a consumer.

(CBSE SQP 2022, Term-2)

Ans. The six responsibilities of a consumer are:

- (i) Be aware about various goods and services available in the market so that an intelligent and wise choice can be made.
- (ii) Buy only standardised goods as they provide quality assurance. Look for ISI mark on electrical goods, FPO mark on food products, Hallmark on jewellery, etc.
- (iii) Learn about the risks associated with products and services, follow manufacturer's instructions and use the products safely.
- (iv) Read labels carefully so as to have information about prices, net weight, manufacturing and expiry dates, etc.
- (v) Ask for a cash memo on purchase of goods or services. This would serve as a proof of the purchase made.
- (vi) Be honest in your dealings. Choose only from legal goods and services and discourage unscrupulous practices like blackmarketing, hoarding, etc.

COMMON ERROR

Students write about rights or reliefs available instead of responsibilities.

Q 9. Explain the three-tier redressal agencies under 'The Consumer Protection Act, 2019' for redressal of consumers' grievances.

Ans. The three-tier redressal agencies under 'The Consumer Protection Act, 2019' can be explained as under:

S.No.	Basis of Explanation	District Commission	State Commission	National Commission
(i)	Composition of committee	(a) A President and (b) Not less than two and not more than such number of members as may be <u>prescribed in consultation with Central Government</u> .	(a) A President and (b) Not less than four and not more than such number of members as may be <u>prescribed in consultation with Central Government</u> .	(a) A President and (b) Not less than four and not more than such number of members as may be <u>prescribed</u> .
(ii)	Condition for lodging a complaint	Value of goods or services and compensation claimed <u>does not exceeds ₹ 1 crore.</u>	- Value of goods or services and compensation claimed <u>exceeds ₹ 1 crore but does not exceeds ₹ 10 crore.</u> - Appeals against the orders of District Commission.	- Value of goods or services and compensation claimed <u>exceeds ₹ 10 crore.</u> - Appeals against orders of State Commission.



TiP

Learn rights, reliefs and responsibilities separately.

Q 8. There are many quality certification marks that exist to ensure the customer that the product conforms to certain standards. State any six such certification marks that a well-informed customer can look for while making a purchase.

Ans. Some of the quality certification marks are:

- (i) **FPO:** It stands for Fruit Products Order and in a mandatory certification mark and contains specification and quality control requirements regarding the production and marketing of processed fruits and vegetables.
- (ii) **ISI:** It is a standards-compliance mark for industrial products which is used for consumer durable products or electronic products.
- (iii) **Hallmark:** It is a certification system for jewellery sold in India certifying the purity of gold and silver used in the products.
- (iv) **Ecomark:** It is an ecomark used for labelling environment friendly products.
- (v) **Agmark:** It stands for agriculture marketing and is 'A grade' standard for agricultural commodities and livestock products.
- (vi) **Woolmark:** It is a wool industry certification and signifies 100% pure wool.

(iii)	Action on receipt of complaint	On receipt of complaint, • District Commission refers it to the <u>party against whom it is filed.</u> • If required, goods or sample can also be sent to laboratory for testing.	On receipt of complaint, • State Commission refers it to the <u>party against whom it is filed.</u> • If required, goods or sample can also be sent to laboratory for testing.	On receipt of complaint, • National Commission refers it to the <u>party against whom it is filed.</u> • If required, goods or sample can also be sent to laboratory for testing.
(iv)	Passing of order	After considering lab report and hearing to the <u>party against whom the complaint is filed,</u> the District Commission passes an order.	After considering the lab report and hearing to the <u>party against whom the complaint is filed,</u> the State Commission passes an order.	After considering the lab report and hearing to the <u>party against whom the complaint is filed,</u> the National Commission passes an order.
(v)	Action by aggrieved party in case of dissatisfaction with the order	Can appeal before the State Commission within 45 days of <u>passing of the order.</u>	Can appeal before the National Commission within 30 days of <u>passing of the order.</u>	Can appeal before the Supreme Court within a period of 30 days from <u>the date of the order.</u>

Q 10. State any two reliefs that the Consumer Court can grant to consumers in case of genuine complaints in each of the following situations:

- Divya was charged more than the printed Maximum Retail Price (MRP) for a bottle of water.
- Clara was sold a car with a defective engine.
- Antony suffered while using newly bought defective electric heater. (CBSE 2017)

- Ans.**
- To refund the price paid for the product.
 - To pay a reasonable amount of compensation for loss suffered by the consumer.
 - To remove the defect in goods or deficiency in service.
 - To replace the defective product with a new one, free from any defect.
 - To refund the price paid for the product or the charges paid for the service.
 - To pay a reasonable amount of compensation for any loss or injury suffered by the consumer due to the negligence of the opposite party.

Q 11. Indian Youth Organisation (IYO) organised a visit of its members to an old age home to inculcate the habit of social work among them. The visit revealed that the living conditions of the inmates of the old age home were not hygienic. So, the IYO members decided to clean the premises. During their cleanliness drive, they realised that the old age home also required pest control. But some of the inmates of old age home were reluctant for it because they believed that the pest control may create health problems for them. IYO, therefore, decided to provide ethical, safe and odourless pest control. They showed to the inmates of old age home a pamphlet of the proposed pest control product which promised easy, inexpensive and long-lasting pest control. The inmates happily agreed and the pest control was carried out. It worked for a fortnight but to their dismay the

effect started wearing off. IYO contacted the pest control company which kept on postponing their visit. After waiting for a month, IYO filed a case in the Consumer Court.

The Consumer Court was satisfied about the genuineness of the complaint and issued necessary directions to the pest control company.

State the directions that might have been issued by the court.

Ans. The directions that might have been issued by the court are:

- To remove the defect in goods or deficiency in service.
- To replace the defective product with a new one, free from any defect.
- To refund the price paid for the product, or the charges paid for the service.
- To pay a reasonable amount of compensation for any loss or injury suffered by the consumer due to the negligence of the opposite party.
- To pay punitive damages in appropriate circumstances.
- To discontinue the unfair/restrictive trade practice and not to repeat it in the future.
- To not to offer hazardous goods for sale.

Q 12. Mona purchased one litre of pure desi ghee from a shopkeeper. After using it, she had doubts that it was adulterated. She sent it for a laboratory test which confirmed that the ghee was adulterated. State any six reliefs available to Mona if she complains and the Consumer Court is satisfied about the genuineness of the complaint.

Ans. The six reliefs available to Mona are listed below:

- To withdraw the hazardous goods from sale.
- To provide replacement for the defective product.
- To refund the price paid for the product, or the charges paid for the service.

- (iv) To pay a reasonable amount of compensation for any loss or injury suffered by the consumer due to the negligence of the marketer.
- (v) Not to offer hazardous goods for sale.
- (vi) To issue corrective advertisement to neutralise the effect of a misleading advertisement.

Q 13. Non-government organisations perform several functions for the protection and promotion of interests of consumers. Discuss any six functions performed by them.

Ans. Functions Performed by Consumer Organisations and NGOs: The main functions performed by consumer organisations and NGOs are:

- (i) Organise training programmes, conferences, seminars and workshops to educate the general public about consumer rights.
- (ii) Publish periodicals and other publications related to consumer rights, relief and other matter of interest.
- (iii) Carrying out comparative testing of competitive products and publish results for consumer welfare.
- (iv) Encouraging consumers to strongly protest and take an action against unscrupulous, exploitative and unfair trade practices of sellers.
- (v) Providing legal aid to consumers.
- (vi) Filing complaints in appropriate Consumer Courts on behalf of the consumers.



Chapter Test

Multiple Choice Questions

- Q 1. 'Jago Grahak Jago' is a part of:**
- a. Right to safety
 - b. Right to information
 - c. Right to consumer education
 - d. Right to be heard
- Q 2. Appeal against the order of National Commission can be done in:**
- a. District Commission
 - b. High Court
 - c. Supreme Court
 - d. State Commission
- Q 3. To avail the benefits of Consumer Protection Act, the consumer:**
- a. must insist on cash memo
 - b. must be oversmart
 - c. must refer labels carefully
 - d. Both a. and c.
- Q 4. Statement I: Many business firms have set up their own consumer service and grievance cells.**
Statement II: Consumer has a right to get relief in case the product or service falls short of his expectations.
Choose the correct option from the options given below:
- a. Statement I is true and II is false.
 - b. Statement II is true and I is false.
 - c. Both the statements are true.
 - d. Both the statements are false.

Assertion and Reason Type Questions

Directions (Q. Nos. 5-6): There are two statements marked as Assertion (A) and Reason (R). Read the statements and choose the appropriate option from the options given below:

- a. Both Assertion (A) and Reason (R) are true and Reason (R) is the correct explanation of Assertion (A).

- b. Both Assertion (A) and Reason (R) are true, but Reason (R) is not the correct explanation of Assertion (A).
- c. Assertion (A) is true, but Reason (R) is false.
- d. Assertion (A) is false, but Reason (R) is true.

Q 5. Assertion (A): Consumer have the freedom to choose products of their choice.

Reason (R): Consumer make a choice by comparing different products available at competitive prices.

Q 6. Assertion (A): State Commission can service consumer complaints where claim is not more than ₹ 1 crore.

Reason (R): State Commission is set up by State Government.

Case Study Based Questions

Q 7. Read the extract given below and answer the questions on the basis of the same:

Vikrant goes for shopping. He stops at a branded sunglasses showroom. He enters the showroom and asks for the sunglass that has attracted his most. The shopkeeper told him that he cannot buy it and has to choose from the options provided by him. Out of necessity and lack of time, he pays for it and doesn't ask for the bill. Later, when he carries the glasses at home and he found it defective. He goes to the showroom the next day and asks for replacement. The shopkeeper bluntly denies that glasses are purchased from him.

(i) Identify the right of consumer violated in the above case.

- a. Right to be informed
- b. Right to be heard
- c. Right to safety
- d. Right to choose

(ii) Identify one responsibility of consumers not fulfilled by Vikrant in the above case.

- a. Ask for full information
- b. Be quality conscious
- c. Exercise the right
- d. Insist on cash memo

(iii) Can Vikrant file complaint against the shopkeeper?

- a. Yes
- b. No
- c. May be
- d. Can't say

(iv) Identify the type of interest overlooked by the shopkeeper.

- a. Profit maximisation
- b. Wealth maximisation
- c. Long-term interest
- d. Short-term interest

Q 8. Read the extract given below and answer the questions on the basis of the same:

After completion of his education, Rajat opened a small restaurant in a posh market to earn his livelihood. In order to attract good clientele, he decided to install three air-conditioners in the restaurant. Since, he didn't have sufficient funds to buy air-conditioners of a good brand, he bought two air-conditioners from a local manufacturer in Chhipitola, Agra for ₹ 9,000 each. Later on, he found that the compressor of one of the air conditioner was not working properly. Despite many complaints, the defect was not rectified by the manufacturer. So, he feels very disappointed about the issue and wants to take a legal action against the manufacturer to not only get compensation, but also to save other people from being duped by the local manufacturer.

(i) Name the redressal agency to which he can approach to file complaint against the local manufacturer.

(ii) State any two directions which the Consumer Court can issue to the local manufacturer after being satisfied with the genuineness of the complaint.

Very Short Answer Type Questions

Q 9. Give any one responsibility of the consumer in addition to obtaining a cash memo while purchasing an edible oil.

Q 10. Raman wants to buy an iron. As an aware customer how can he be sure about the quality of iron?

Q 11. Name the component of product mix that helps the consumer to exercise the right to information.

Short Answer Type-I Questions

Q 12. Explain in brief any three means, by which a consumer can be protected.

Q 13. What are the responsibilities of consumer?

Short Answer Type-II Questions

Q 14. Explain the following 'Rights of consumers':

- (i) Right to be informed,
- (ii) Right to seek redressal.

Q 15. Explain the importance of Consumer Protection from the point of view of consumer.

Long Answer Type Questions

Q 16. Explain the three-tier machinery under the Consumer Protection Act, 2019.

Q 17. Explain in brief, any six remedies available to consumer under the Consumer Protection Act, 2019.