**CHAPTER -12**

**CONSUMER PROTECTION**

Q1. Yash had severe pain in his throat, so he called up the doctor and asked for telephonic advice. The doctor prescribed him a sachet of Throat Reliever Hot Sip. He asked his servant to get a sachet from a local chemist with a cash memo. After consuming the sachet, he started feeling more ill, so he picked up the empty sachet and started reading the label. To his utter dismay, the sachet had already expired last month. Which of the following remedies is not available to him any longer as a consumer?

(a) To withdraw the hazardous goods from sale

(b) To replace the defective product with a new one

(c) To refund the price paid for the product

(d) To pay a reasonable amount of compensation for any loss suffered by the consumer due to the negligence of the opposite party

Q2. Which of the following types of cases are filed in the State Commission?

(a) When the value of the goods or services in question, along with the compensation claimed, exceeds ₹20 lakhs but does not exceed ₹1 crore

(b) When the value of the goods or services in question, along with the compensation claimed, exceeds ₹20 lakhs but does not exceed ₹2 crore

(c) When the value of the goods or services in question, along with the compensation claimed, exceeds ₹40 lakhs but does not exceed ₹1 crore

(d) None of the above

Q3. Identify the responsibility of consumers being highlighted in the picture given below.



(a) Be honest in your dealings

(b) Learn about the risks associated with products and services

(c) Assert yourself to ensure that you get a fair deal

(d) Respect the environment.

Q4. A popular nationalised bank has been fined ₹ 8 lakh by the country’s highest consumer court, National Consumer Disputes Redressal Commission (NCDRC), for not sharing complete insurance policy details with a customer. The bank has been ordered to pay the full amount as compensation to the customer. Identify the rights of consumers being violated in the given case.

(a) Right to be heard

(b) Right to seek redressal

(c) Right to information

(d) Right to safety

Q5. \_\_\_\_\_\_\_ are made to hear complaints of the value less than 5 lakhs.
(*a*) Consumer forum at district level
(*b*) State commission
(*c*) National commission
(*d*) None of the above

Q6. Which of the following statement is incorrect?

(a) National Commission is set up by the Central Government.

(b) The State Commissions and the District Forums are set up, by the State Government.

(c) If any of the parties are not satisfied by the order of the National Commission can appeal against such order to the Supreme Court of India within 45days.

(d) State Commission has a jurisdiction to entertain complaints where the value of goods and services paid as consideration exceeds one crore.

Q7. Siddhartha booked several rooms in a reputed five-star hotel in Goa for his destination wedding. On the day of his wedding, when his friend Ramandeep, after attending the lunch party, returned to his room to take a shower, he had a fall in the bathroom. The bathroom was three stairs down to the bathing area and there was a handle bar to the right. On the second step, Ramandeep slipped badly and fell on his face with a great force, resulting in multiple fractures. He filled a case against the hotel for compensation for the injuries suffered due to faulty designing of its room. Identify the right of consumers being violated in the given case.
(a) Right to be heard
(b) Right to seek redressal
(c) Right to consumer education
(d) Right to safety

Q8. In case a consumer is not satisfied with the order passed in the State Commission, he can further make an appeal in the National Commission within a time period of
(a) 10 days
(b) 20 days
(c) 30 days
(d) 45 days

Q9. Who can file a complaint in a consumer court? (3)

Q10. Give the definition of ‘Consumer’ as per CPA, 1986. (3)

Q11. Reena purchased one litre of pure desi ghee from a shopkeeper. After using it, she had a doubt that it is adulterated. She sent it for a laboratory test which confirmed that the ghee is adulterated. State any six reliefs available to Reena, if she complains and the consumer court is satisfied about the genuineness of the complaint.  (4)

Q12. Explain the following consumer rights. (4)

(a) Right to be assured

(b) Right to be heard

Q13. Explain the redressal mechanism available to consumers under the Consumer Protection Act, 2019. (6)

Q14. What are the responsibilities of a consumer? (6)

**Answers**

Ans 1. (b) To replace the defective product with a new one

Ans 2. (a) When the value of the goods or services in question, along with the compensation claimed, exceeds ₹20 lakhs but does not exceed ₹1 crore

Ans 3. (b) Learn about the risks associated with products and services

Ans 4. (c) Right to information

Ans 5. (*a*) Consumer forum at district level

Ans 6. (b) The State Commissions and the District Forums are set up, by the State Government.

Ans 7. (d) Right to safety

Ans 8. (c) 30 days

Ans 9. Under the Consumer Protection Act, many establishments have been established for the redressal of the grievances of consumers, these establishments are consumer forums and consumer courts. As per the act, the following type of entities can file a complaint in a consumer court:

1. Any individual consumer.

2. Any registered consumer organisation or any such association.

3. The state and the central government.

4. An individual consumer or a group of such consumers who represent a large number of consumers, each having the same type of interest.

5. Any legal representative or heir of a consumer who is deceased.

Ans 10. Under the Consumer Protection Act, 1986, the term ‘consumer’ has been defined as any person who buys goods or hires or avail 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 also includes any user of such goods with the approval of the buyer or any beneficiary of services when such goods or services are availed of with the approval of the person concerned but does not include a person who avails such services for any commercial purpose.

Ans 11 .  Reliefs available to Reena are:
(i) To replace the adulterated ghee.
(ii) To refund the price paid for the product.
(iii) To pay a reasonable amount of compensation for any loss or injury/sickness suffered by her due to the negligence of the manufacturer.
(iv) To pay punitive damages in appropriate circumstances.
(v)To withdraw the adulterated ghee from sale.
(vi)To cease manufacture of adulterated ghee.

Ans 12. (a)Right to be Assured means right to be choose, wherever possible of access to variety of goods and services at competitive price. In case of monopolies, it means right to be assured of satisfactory quality and service at a fair price. It also includes right to basic goods and services. This is because unrestricted right of the minority to choose can mean a denial for the majority of its fair share. This right can be better exercised in a competitive market where a variety of goods are available at competitive prices.

(b) Right to be heard

Means that consumer's interests will receive due consideration at appropriate forums. It also includes right to be represented in various forums formed to consider the consumer's welfare. The Consumers should form non-political and non-commercial consumer organizations which can be given representation in various committees formed by the Government and other bodies in matters relating to consumers.

Ans 13. For the redressal of consumer grievances, the Consumer Protection Act provides for setting up of a three-tier enforcement machinery at the District, State and the National levels.
(i) District Forum **-**  A complaint can be made to the appropriate District Forum when the value of goods or services, along with the compensation claimed, does not exceed Rs. 1 Crore. In case the aggrieved party is not satisfied with the order of the District Forum, he can appeal before the State Commission within 30 days.
(ii) State Commission - A complaint can be made to the appropriate State Commission when the value of the goods or services, along with the compensation claimed, exceeds Rs. 1 Crore but does not exceed Rs 10 crore. The appeals against the orders of District Forum can also be filed before the State Commission. In case the party is not satisfied with the order of the State Commission, he can appeal before the National Commission within 30 days of the passing of the order by State Commission.
(iii) National Commission - A complaint can be made to the National Commission when the value of the goods or services, along with the compensation claimed exceeds Rs 10 crore. The appeals against the orders of a State Commission can also be filed before the National Commission. An order passed by the National Commission in a matter of its original justification is appealable before the supreme court. This means that only those appeals, where the value of goods + services in question, along with the compensation claimed, exceeded Rs. 10 crore and where the aggrieved party was not satisfied with the order of the National Commission, can be taken to the Supreme Court of India.

Ans 14. A customer can have some responsibilities, which are enumerated as follows:

1. A consumer should be aware of the goods and services available. It will make the customer informed, and accordingly, the customer can make a choice.

2. A consumer must check all the appropriate quality marks on the items before purchasing the items. For example, checking hallmark symbols before purchasing jewellery.

3. A consumer must always ask for a cash memo for the product or service that is purchased. It acts as proof that the purchase happened and can be used as a reference in case of any dispute that may arise in future.

4. Consumers must read the labels about price, expiry date etc., before making a purchase.

5. A consumer must always deal with honesty and not be involved in illegal business deals for benefit.

6. A consumer must read the manuals that are provided with the equipment in order to be safe.

7. A consumer must file a complaint about a product that is defective or lacking any functions as mentioned for the product. Complaints must be done in the appropriate forum.

8. Consumers must keep the environment clean by avoiding pollution or generating waste from products purchased.