

# CONSUMER PROTECTION

## STUDY NOTES

- **Consumer Protection Act**

- **Introduction**

- A consumer is said to be a king in a free market economy. The earlier approach of caveat emptor, which means “Let the buyer beware”, has now been changed to caveat venditor (“Let the seller beware”).

- **Consumer Rights**

- **Right to Safety:** As stated in the Consumer Protection Act 1986, this consumer right is defined as the ‘right to be protected against marketing of goods and services which are hazardous to life and property’.
- **Right to Information:** This consumer right is defined as the ‘the right to be informed about the quality, quantity, potency, purity, standard and price of goods or services, as the case may be so as to protect the consumer against unfair trade practices’ in the Consumer Protection Act of 1986. This right ensures that all consumable products are labeled in a standard manner which contains the cost, the ingredients, quantity, and instructions on how to safely consume the product.
- **Right to Choose:** Consumer Protection Act 1986 defines this right as ‘the right to be assured, wherever possible, to have access to a variety of goods and services at competitive prices’
- **Right to be Heard:** According to the Consumer Protection Act 1986, ‘the right to be heard and to be assured that consumer's interests will receive due consideration at appropriate forums’ is referred to as the right to be heard. This right is supposed to empower Indian consumers to fearlessly voice their complaints and concerns against products and companies to ensure their issues are handled efficiently and expeditiously.
- **Right to Redressal:** The right ‘to seek redressal against unfair trade practices or restrictive trade practices or unscrupulous exploitation of consumers’ is defined as the right to redressal in the Consumer Protection Act 1986. Consumer courts such as District Consumer Disputes Redressal Forums at the district level, State Consumer Disputes Redressal Commissions and National Consumer Disputes Redressal Commissions have been established through the Consumer Protection Act.
- **Right to Consumer Education:** The consumer must be made aware of his rights and remedies available to him in case a product falls short of claims made by the manufacturers and sellers. To promote awareness Indian Govt. has taken several measures like “Jago Grahak Jago”.

UNO has recommended the following **additional two** rights

- **Right to a Healthy Environment:** The right to live an environment that will enhance the quality of life and is safe to the well being of the present and future generations.
  - **Right to Satisfaction of Basic Needs:** The right to have access to basic essential goods and services including adequate food, clothing, shelter, health care and education.
- **Consumer Responsibilities**
  - A consumer should keep in mind the following responsibilities while purchasing, using and consuming goods and services.
    - (a) Be aware about various goods and services available in the market so that an intelligent and wise choice can be made.

- (b) Buy only standardised goods as they provide quality assurance. Thus, look for ISI mark on electrical goods, FPO mark on food products, Hallmark on jewelry etc
  - (c) Learn about the risks associated with products and services, follow manufacturer's instructions and use the products safely.
  - (d) Read labels carefully so as to have information about prices, net weight, manufacturing and expiry dates, etc.
  - (e) Assert yourself to ensure that you get a fair deal.
  - (f) Be honest in your dealings. Choose only from legal goods and services and discourage unscrupulous practices like black-marketing, hoarding etc.
  - (g) Ask for a cash memo on purchase of goods or services. This would serve as a proof of the purchase made.
  - (h) File a complaint in an appropriate consumer forum in case of a shortcoming in the quality of goods purchased or services availed. Do not fail to take an action even when the amount involved is small.
  - (i) Form consumer societies which would play an active part in educating consumers and safeguarding their interests.
  - (j) Respect the environment. Avoid waste, littering and contributing to pollution.
- **Consumers' awareness:** The is about Consumer's rights and responsibilities is just one of the way in which the objective of consumer protection can be achieved. The are other ways in which this objective may be achieved.
  - **Who are not considered to be Consumers?**
    - The person who has obtained goods and services for resale or for any commercial purposes.
    - The person who has obtained goods and services without any consideration.
    - The person who has obtained goods and services without the approval of buyer.
  - **Who can file a complaint?**
    - A complaint before the appropriate consumer forum can be made by:
      - (a) Any consumer;
      - (b) Any registered consumers' association;
      - (c) The Central Government or any State Government;
      - (d) One or more consumers, on behalf of numerous consumers having the same interest; and
      - (e) A legal heir or representative of a deceased consumer.
- \* The complaint must be filed within 3 months of purchase of goods and if some testing to be done then within 5 months
- **Redressal Agencies Under the Consumer Protection Act:** For the redressal of consumer grievances, the Consumer Protection Act provides for setting up of three tier enforcement machinery at the District, State, and the National levels, known as the District Consumer Dispute Redressal Forum, State Consumer Disputes Redressal Commission, and the National Consumer Disputes Redressal Commission.
  - **Relief Available:** If the consumer court is satisfied about the genuineness of the complaint, it can issue one or more of the following directions to the opposite party.
    - 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.
    - To withdraw the hazardous goods from sale.
    - To cease manufacture of hazardous goods and to desist from offering hazardous services.

- To pay any amount (not less than 5% of the value of the defective goods or deficient services provided), to be credited to the Consumer Welfare Fund or any other organisation/person, to be utilised in the prescribed manner.
- To issue corrective advertisements to neutralise the effect of a misleading advertisement.
- To pay adequate costs to the appropriate party.
- **The Consumer Protection Act 2019:** The new Consumer Protection Act was passed by Parliament in 2019. It came into force in July 2020 and replaced the Consumer Protection Act, 1986.
- **Need for the new act:**
  - The Digital Age has ushered in a new era of commerce and digital branding, as well as a new set of customer expectations. Digitisation has provided easy access, a large variety of choices, convenient payment mechanisms, improved services and shopping as per convenience. However, there are also associated challenges related to consumer protection.
  - To help address the new set of challenges faced by consumers in the digital age, the Indian Parliament passed the landmark Consumer Protection Bill, 2019 which aims to provide timely and effective administration and settlement of consumer disputes.
- **Highlights**
  - Consumer Protection Act, 2019 is a law to protect the interests of the consumers. This Act provides safety to consumers regarding defective products, dissatisfactory services, and unfair trade practices.
  - The basic aim of the Consumer Protection Act, 2019 is to save the rights of the consumers by establishing authorities for timely and effective administration and settlement of consumers' disputes
- **Rights of the consumers:**
  - Consumers have the right to information on various aspects of goods and services. This could be information about the quantity, quality, purity, potency, price, and standard of goods or services.
  - To be protected from hazardous goods and services. Right to protection against goods and services that can be dangerous to life and property.
  - To be protected from unfair or restrictive trade practices.
  - Consumers have the right to access a variety of goods and services at competitive prices.
  - Consumers should have the right to redressal.
- **Salient Provisions of the Consumer Protection Act**
- **New definition of consumer**
  - The new Act has widened the definition of 'consumer'.
- **Definition of consumer**
  - As per the Act, a person is called a consumer who avails the services and buys any good for self-use. Worth to mention that if a person buys any good or avails any service for resale or commercial purposes, he/she is not considered a consumer. This definition covers all types of transactions i.e. offline and online through teleshopping, direct selling or multi-level marketing.
- **Central Consumer Protection Authority**
  - The Act proposes the establishment of the Central Consumer Protection Authority (CCPA) as a regulatory authority.
  - The CCPA will protect, promote and enforce the rights of consumers and regulate cases related to unfair trade practices, misleading advertisements, and violation of consumer rights.
  - CCPA would be given wide-ranging powers.
  - The CCPA will have the right to take suo-moto actions, recall products, order reimbursement of the price of goods/services, cancel licenses, impose penalties and file class-action suits.
  - The CCPA will have an investigation wing to conduct independent inquiry or investigation into consumer law violations.

- **Consumer Disputes Redressal Commission**

- The Act has the provision of the establishment of Consumer Disputes Redressal Commissions (CDRCs) at the national, state and district levels to entertain consumer complaints.
- As per the notified rules, the State Commissions will furnish information to the Central Government on a quarterly basis on vacancies, disposal, the pendency of cases and other matters.
- The CDRCs will entertain complaints related to:
  - (a) Overcharging or deceptive charging
  - (b) Unfair or restrictive trade practices
  - (c) Sale of hazardous goods and services which may be hazardous to life.
  - (d) Sale of defective goods or services
- As per the Consumer Disputes Redressal Commission Rules, there will be no fee for filing cases up to ₹5 lakh.

- **E-Filing of Complaints**

- The new Act provides flexibility to the consumer to file complaints with the jurisdictional consumer forum located at the place of residence or work of the consumer. This is unlike the earlier condition where the consumer had to file a complaint at the place of purchase or where the seller has its registered office address.
- The new Act also contains enabling provisions for consumers to file complaints electronically and for hearing and/or examining parties through video-conferencing.
- Consumers will also not need to hire a lawyer to represent their cases.

- **Product Liability & Penal Consequences**

- The Act has introduced the concept of product liability.
  - (a) A manufacturer or product service provider or product seller will now be responsible to compensate for injury or damage caused by defective products or deficiency in services.
- This provision brings within its scope, the product manufacturer, product service provider and product seller, for any claim for compensation. The term 'product seller' would also include e-commerce platforms.

- **Penalties for Misleading Advertisement**

- The CCPA may impose a penalty on a manufacturer or an endorser, for a false or misleading advertisement. The CCPA may also sentence them to imprisonment.

- **Provision for Alternate Dispute Resolution**

- The new Act provides for mediation as an Alternate Dispute Resolution mechanism. For mediation, there will be a strict timeline fixed in the rules.
- As per the recently notified rules, a complaint will be referred by a Consumer Commission for mediation, wherever scope for early settlement exists and parties agree for it. The mediation will be held in the Mediation Cells to be established under the aegis of the Consumer Commissions. There will be no appeal against settlement through mediation.

- **Unfair Trade Practices**

- The new Act has armed the authorities to take action against unfair trade practices too.
- The Act introduces a broad definition of Unfair Trade Practices, which also includes the sharing of personal information given by the consumer in confidence unless such disclosure is made in accordance with the provisions of any other law.

- **The Central Consumer Protection Council**

- The Consumer Protection Act empowers the Central Government to establish a Central Consumer Protection Council. It will act as an advisory body on consumer issues.
- As per the notified Central Consumer Protection Council Rules, the Central Consumer Protection Council would be headed by the Union Minister of Consumer Affairs, Food and Public Distribution with the Minister of State as Vice Chairperson and 34 other members from different fields.

- The Council, which has a three-year tenure, will have a Minister-in-charge of consumer affairs from two States from each region – North, South, East, West, and NER. There is also a provision for having working groups from amongst the members for specific tasks.

● **Applicability**

- This Act is applicable to all the products and services, until or unless any product or service is especially debarred out of the scope of this Act by the Central Government.

## QUESTION BANK

### MULTIPLE CHOICE QUESTIONS

- The new Consumer Protection Act was passed by Parliament in 2019. It came into force in \_\_\_\_\_ and replaced the Consumer Protection Act, 1986.
  - July 2019
  - July 2020
  - June 2020
  - None of the above
- Consumer day celebrated on:
  - 15th March
  - 25th March
  - 5th March
  - None of the above
- An Act to provide for protection of the interests of consumers and for the said purpose, to establish authorities for timely and effective administration and settlement of consumers' disputes and for matters connected therewith or incidental thereto.
  - COPRA 1986
  - The Consumer Protection Act, 2019
  - Both (a) and (b)
  - All of the above
- Which department played the vital role in consumer protection act, 2019?
  - Central government
  - Department of Consumer Affairs
  - Local government
  - Any type of government.
- Name of quality certification work used in case of food products:
  - Hallmark
  - ISI
  - FPO
  - None of the above
- 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
  - 10 days
  - 20 days
  - 30 days
  - 45 days
- \_\_\_\_\_ are made to hear complaints of the value less than 18 lakhs.
  - Consumer Forum at district level
  - State Commission
  - National Commission
  - None of the above
- Identify the rights of consumers being promoted in the picture given on the right.
  - Right to Consumer Education
  - Right to Seek redressal
  - Right to be Heard
  - Right to Choose
- Quality mark used for electrical goods is:
  - FSSAI
  - FPO
  - ISI
  - AGMARK
- The National Commission has the jurisdiction to entertain complaints where the value of the goods or services paid as consideration is:(The Consumer Protection Act, 2019)
  - Up to ₹1 crore
  - ₹1 crore to ₹10 crore
  - More than ₹10 crore
  - None of the above
- If any of the parties is not pleased with the decision taken, they can file a complaint with the Supreme Court of India within \_\_\_\_\_ of the order being issued.
  - 30 days
  - 40 days
  - Both (a) and (b)
  - None of the above



12. Any person who buys any goods for a \_\_\_\_\_. It includes any user of such goods with the approval of the buyer. But it does not include a person who obtains goods for resale or any commercial purpose.  
 (a) consideration, (b) price (c) Both (a) and (b) (d) None of the above
13. Consumer has the right to be protected against products, & services which are \_\_\_\_\_ to health & life.  
 (a) Safe (b) Hazardous (c) Both (a) and (b) (d) None of the above
14. Consumers have the right to get relief in case the product or service falls short of their expectations or is dangerous. He may be provided with replacement/removal of \_\_\_\_\_ or compensation for any loss. Various redressal forums are set up by the Govt. at the National and State level.  
 (a) defect (b) correction (c) Both (a) and (b) (d) None of the above
15. Consumers need to be \_\_\_\_\_ in the form of consumer organisations which would take care of their interests. Though, in India, we do have consumer organisations which are working in this direction, adequate protection is required to be given to consumers till these organisations become powerful enough to protect and promote the interests of consumers. A.  
 (a) Organized (b) Unorganised (c) Both (a) and (b) (d) None of the above
16. Consumers might be \_\_\_\_\_ by unscrupulous, exploitative and unfair trade practices like defective and unsafe products, adulteration, false and misleading advertising, hoarding, black-marketing etc. Consumers need protection against such malpractices of the sellers.  
 (a) Protected (b) Exploited (c) Both (a) and (b) (d) None of the above
17. It is the \_\_\_\_\_ of any business to take care of consumer's interest and avoid any form of their exploitation. Thus, a business must avoid unscrupulous, exploitative and unfair trade practices like defective and unsafe products, adulteration, false and misleading advertising, hoarding, black marketing etc.  
 (a) legal responsibility (b) moral duty  
 (c) Both (a) and (b) (d) None of the above
18. Satisfied \_\_\_\_\_ not only lead to repeat sales but also provide good feedback to prospective customers and thus, help in increasing the customer-base of business. Thus, business firms should aim at long-term profit maximisation through customer satisfaction.  
 (a) Customers (b) Producers  
 (c) Both (a) and (b) (d) None of the above
19. A business engaging in any form of \_\_\_\_\_ trade practices would invite government intervention or action. This can impair and tarnish the image of the company. Thus, it is advisable that business organisations voluntarily resort to such practices where the customers' needs and interests will well be taken care of.  
 (a) exploitative (b) illegal (c) Both (a) and (b) (d) None of the above
20. The Consumer Protection Act, 1986 seeks to protect and promote the interests of \_\_\_\_\_. The Act provides safeguards to consumers against defective goods, deficient services, unfair trade practices, and other forms of their exploitation.  
 (a) Consumers (b) Customers  
 (c) Both (a) and (b) (d) None of the above
21. The Consumer Protection Act, 1986 provides for the setting up of a \_\_\_\_\_ machinery, consisting of District Forums, State Commissions and the National Commission. It also provides for the formation of consumer protection councils in every District and State, and at the apex level.  
 (a) three-tier (b) fixed  
 (c) stable (d) flexible
22. The consumer has a right to get relief in case the product or service falls short of his expectations. The Consumer Protection Act provides a number of reliefs to the consumers including replacement of the product, removal of defect in the product, compensation paid for any loss or injury suffered by the consumer, etc. this is:  
 (a) Right to safety (b) Right to seek Redressal  
 (c) Both (a) and (b) (d) None of the above

23. The consumer has a right to have complete information about the product he intends to buy including its ingredients, date of manufacture, price, quantity, directions for use, etc. this is:
- (a) Right to be Informed (b) right to be heard.  
(c) Both (a) and (b) (d) None of the above
24. The Digital Age has ushered in a new era of commerce and digital branding, as well as a new set of customer expectations. \_\_\_\_\_ has provided easy access, a large variety of choices, convenient payment mechanisms, improved services and shopping as per convenience. However, there are also associated challenges related to consumer protection.
- (a) Digitisation (b) Commercialization (c) Both (a) and (b) (d) None of the above
25. The basic aim of the Consumer Protection Act, 2019 is to save the rights of the consumers by establishing authorities for timely and effective administration and settlement of:
- (a) consumers' disputes (b) producer's disputes  
(c) Both (a) and (b) (d) None of the above
26. From the set of facts given in column I and corresponding relevant fact given in column II, choose the correct pair of statement: Identify which of the following option is showing correct pairing:

Column I		Column II	
I.	Right to be Informed	A.	Consumers should be aware about his rights and the reliefs available to him in case of a product or service falling short of his expectations.
II.	Right to Safety	B.	It is because of this reason that the legal framework in India requires the manufacturers to provide such information on the package and label of the product
III.	Right to be Heard	C.	Consumers are educated that they should use electrical appliances which are ISI marked as this would be an assurance of such products meeting quality specifications.
IV.	Right to Consumer Education	D.	It is because of this reason that many enlightened business firms have set up their own consumer service and grievance cells.

- (a) I – A, II – C, III – B, IV – D (b) I – B, II – C, III – D, IV – A  
(c) I – D, II – C, III – A, IV – B (d) I – C, II – A, III – B, IV – D
27. From the set of facts given in column I and corresponding relevant fact given in column II, choose the correct pair of statement:

Column I		Column II	
I.	Consumer Organisations	A.	The freedom to choose from a variety of products at competitive prices
II.	Right to Safety	B.	Be aware about various goods and services available in the market so that an intelligent and wise choice can be made.
III.	Consumer Right	C.	A consumer, who is well informed about his rights and the reliefs available to him, would be in a position to raise his voice against any unfair trade practices or unscrupulous exploitation
IV.	Consumer Responsibility	D.	Play an important role in educating consumers about their rights and providing protection to them

- (a) I – A, II – B, III – D, IV – C (b) I – D, II – A, III – C, IV – B  
(c) I – D, II – C, III – A, IV – B (d) I – B, II – A, III – C, IV – D

28. From the set of facts given in column I and corresponding relevant fact given in column II, choose the correct pair of statement:

Column I		Column II	
I.	District Forum	A.	Consists of a President and two other members, one of whom should be a woman.
II.	State Commission	B.	Only those appeals where the value of goods and services in question, along with the compensation claimed, exceeded ₹1 crore and where the aggrieved party was not satisfied with the order of the National Commission
III.	National Commission	C.	Consists of a President and not less than two other members, one of whom should be a woman. exceeds ₹1 crore but does not exceed ₹10 crore.
IV.	Supreme court	D.	Consists of a President and at least four other members, one of whom should be a woman.

- (a) I - D, II - B, III - C, IV - A  
 (b) I - D, II - A, III - B, IV - C  
 (c) I - A, II - B, III - C, IV - D  
 (d) I - A, II - C, III - D, IV - B

29. From the set of facts given in column I and corresponding relevant fact given in column II, choose the correct pair of statement:

Column I		Column II	
I.	District Forum	A.	A legal heir or representative of a deceased consumer
II.	National Commission	B.	They are appointed by the State Government concerned
III.	State Commission	C.	Are appointed by the State Government concerned. In case the aggrieved party is not satisfied with the order, he/she can appeal before the National Commission within 30 days of the passing of the order.
IV.	Can file a complaint	D.	They are appointed by the Central Government.

- (a) I - C, II - D, III - A, IV - B  
 (b) I - A, II - B, III - D, IV - C  
 (c) I - B, II - D, III - C, IV - A  
 (d) I - B, II - C, III - A, IV - D

30. From the set of facts given in column I and corresponding relevant fact given in column II, choose the correct pair of statement:

Column I		Column II	
I.	Right to redressal	A.	He right of a consumer which creates awareness in him about his rights
II.	District judge	B.	Seek legal remedy in the court
III.	Creating consumer awareness	C.	President of district forum
IV.	Right to education	D.	Use of media

- (a) I - B, II - C, III - D, IV - A  
 (b) I - D, II - B, III - C, IV - A  
 (c) I - C, II - D, III - B, IV - A  
 (d) I - A, II - B, III - C, IV - D



## INPUT-TEXT BASED MCQs

**Read the following text and answer the following questions (31 to 34) on the basis of the same:**

**Manjeet Singh Vs. National Insurance Company Ltd. & Anr:** In this case, the appellant had purchased a second - hand truck under a Hire Purchase agreement. He has the cash memo of it. The vehicle was insured by the respondent insurance company. One day when he was driving the truck, a passenger asked him to stop the truck and give him a lift. When he stopped the truck, the passenger brutally assaulted the driver and fled with the vehicle. An FIR was lodged and the respondent finance company was intimidated about the theft. However, the insurance company rejected the claim on the ground of breach of terms of the policy. The complainant approached the District Consumer Disputes Forum, State Commission and National Commission to compensate him for the loss. All of them had rejected the case. So, finally he approached the Supreme Court.

31. Who is the king of the market?  
 (a) Supplier (b) Producer (c) Consumer (d) Manufacturer
32. Judgment: "The court also directed the insurance company to pay a sum of ₹1,00,000 as compensation." which court gave this decision?  
 (a) Consumer court (b) District court (c) Supreme court (d) All of above
33. Asking for a cash memo by the consumer is his/her \_\_\_\_\_.  
 (a) Right (b) Responsibility (c) Relief (d) Both (a) and (b)
34. \_\_\_\_\_ are set up in each district by the state government concerned.  
 (a) District forum (b) State commission (c) Nation commission (d) None of the these

**Read the following text and answer the following questions (35 to 38) on the basis of the same:**

**Sehgal School of Competition Vs. Rohan Singh:** is one of the landmark consumer protection act cases and judgments. A student was asked to deposit lump sum fees of ₹18,734 for coaching of medical entrance examination for the next two years. This amount was deposited by the student in two complete installments. However, the student realized that the quality of the coaching institute was not upto the mark and therefore sought a refund for the remaining period which was further refused by the coaching institute. The appellant lodged a case against Sehgal School of Competition before the National Commission. While Sehgal School of Competition submitted records that showed good results of the institute and alleged that it was wrong to observe that the coaching services are substandard.

The National Commission stated that fees once paid shall not be refunded is an unfair trade practice. It quoted UGC guidelines declaring that even if a student has not attended a single class, an amount of 1000 can get deducted and proportionate charges for hostel fees, etc, and the balance amount could be refunded. State Consumer Forum, mentioned that not just the balance amount of fee, but also a higher compensation for legal costs as well as the pain that the student had to undertake, could be availed in such cases.

35. 40 \_\_\_\_\_ is set up by the Central government.  
 (a) District forum (b) State commission  
 (c) National commission (d) None of the these
36. Consumer Protection Act is applicable  
 (a) immovable goods (b) movable goods  
 (c) specific goods & services (d) all goods and services
37. When consumer protection act amendment takes place?  
 (a) 1992 (b) 2019 (c) 2004 (d) None of the above
38. Which of the following is not the commission in which consumer appeals?  
 (a) State Commission (b) National Commission (c) Areas Commission (d) District Commission

**Read the following text and answer the following questions (39 to 42) on the basis of the same:**

**Sapient Corporation Employees Provident Fund Trust Vs. HDFC & Ors:** It is one of the remarkable consumer protection act cases. This consumer protection act case happened when a wrongful debit happened from a bank account. The complainant trust - Sapient Corporation Employees Provident Fund Trust maintained an account with the respondent HDFC Bank. The bank received instructions from the Employee Provident Fund Organisation (EPFO) that mentioned the order of payment of ₹1.47 crores against the trust, and that no other payments from the trust's account

be made until EPFO's liability has not been settled by the trust. However, the trust issued an instruction to the HDFC bank not to debit any amount until further communication as they wanted to seek a stay order. However, in payment of the statutory due to EPFO, the bank, after giving due time, debit the account with an amount of ₹1.47 crores. The challenged this transaction as a deficiency in service and demanded the amount debited along with interest, damages, and legal expenses. Trust lodged the complaint against the HDFC before the National Commission on the ground that bank committed default by paying an amount payable as a statutory due.

Judgment: The National Commission dismissed the argument of the complainant saying that the bank informed the trust as its customer and gave them due time. So, it cannot be said that EPFO conducted a deficiency in services. For this false litigation, the National Commission had imposed a penalty of ₹25,000 on the complainant trust to be paid to the HDFC Bank.

39. Which one of the following is not a consumer right?
- (a) Right to safety (b) Right to seek redressal  
(c) Right to get discount (d) All of above
40. Who is a consumer?
- (a) A person who buys any goods or services for a consideration, which has been paid or promised or partly paid and partly promised, or under any system of deferred payment also includes the user with approval of such goods or beneficiary of services.  
(b) As per Consumer Protection Act 2019, the expression "buys any goods" and 'hires or avails any services' includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing.  
(c) Both (a) and (b)  
(d) None of above
41. What are the main features of Consumer Protection Act 2019?
- (a) Inclusion of E- commerce, Direct selling Establishment of Central Consumer Protection Authority (CCPA)  
(b) Greater ease to dispute resolution Addition in the clause of "Unfair Trade Practice":  
(c) Alternate Dispute Resolution through mediation  
(d) All of the above
42. What is meant by 'deficiency' under the Consumer Protection Act, 2019?
- (a) "Deficiency" means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which is required to be maintained by the producer/provider.  
(b) Any act of negligence or omission or commission by such person which causes loss or injury to the consumer;  
(c) Deliberate withholding of relevant information by such person to the consumer  
(d) All of the above

**Read the following text and answer the following questions (43 to 46) on the basis of the same:**

Gayatri went to a free eye camp and got her operated for cataract. The surgery was not done properly, due to which she lost her vision. "Gayatri's husband asked the management of the camp to provide him with a complete list of the patients who underwent surgery at the camp", he said, adding that so far the eyes of at least 15 patients were lost after they developed post-surgical complications.

A member of the camp's managing committee told PTI on condition of anonymity that altogether 65 people were operated on at the eye camp held on that day. "Of them, some complained of symptoms. Four people's eyes were lost because of infection and as a measure to save the other eye".

He claimed that the cataract surgery was performed by a competent surgeon but was tight-lipped when asked about hygiene at the camp and the number of operations that each doctor performed on that day.

Unconfirmed reports put the number of operations at about 250 and the affected patients are poor villagers from within the district as well as adjoining ones.

43. Asserting oneself to ensure that one gets a fair deal, is the right of a consumer.
- (a) True (b) False (c) May be true (d) May not be false
44. Where can Gayatri file a complaint under Consumer Protection Act?
- (a) District Forum (b) State Commission  
(c) National Commission (d) None of the above

45. Which consumer right suggests it is to be protected against goods and services hazardous to life and health?  
 (a) Right to choose (b) Right to safety (c) Right to be heard (d) Right to be informed
46. Who is not a consumer?  
 (a) A person who obtains goods free of charge  
 (b) Who obtains goods for resale or for any commercial purposes  
 (c) Who avails services under contract of service  
 (d) All of the above

**Read the following text and answer the following questions (47 to 51) on the basis of the same:**

Mr. Rajpal Yadav, a consumer purchased medicines without noticing the date of expiry. He also did not obtain the cash memo. Consumption of medicines causes serious injury to Rajpal yadav. His father explained, Expired medical products can be less effective or risky due to a change in chemical composition or a decrease in strength. Certain expired medications are at risk of bacterial growth and sub-potent antibiotics can fail to treat infections, leading to more serious illnesses and antibiotic resistance. Once the expiration date has passed there is no guarantee that the medicine will be safe and effective. If your medicine has expired, do not use it. Rajpal asked, what to with these expire medicines? We can not through these in garbage as it can harm animals also if taken by mistake. Father explain the National Prescription Drug Take-Back Day, coordinated by the DEA, addresses a vital public safety and public health issue by focusing attention on this important issue and reminding everyone to get rid of unneeded and outdated medicines. Through this important program many tons of unneeded and out-date drugs have been removed for proper disposal.

47. Rajpal Yadav filed his complaint under consumer protection act .Will he get the relief or not?  
 (a) Yes (b) No  
 (c) Yes, if he has cash memo (d) None of the above
48. What are Consumer Disputes Redressal Agencies?  
 (a) District Consumer Disputes Redressal Commission or District Commission  
 (b) State Consumer Disputes Redressal Commission or State Commission  
 (c) National Consumer Disputes Redressal Commission or National Commission.  
 (d) All of the above
49. Where can the complaint be filed?  
 (a) Place of business or residence of opposite parties,  
 (b) Place of business or residence of complainant,  
 (c) Where the cause of action, wholly or in part, arise  
 (d) Any of the above
50. What is CCPA?  
 (a) Central Consumer Protection Authority (CCPA)  
 (b) Central Consumer Protection Authority (CCPA)  
 (c) Common Consumer Protection Authority (CCPA)  
 (d) Central Consumer Protection Act (CCPA)
51. What is the pecuniary jurisdiction of Commissions?  
 (a) District Commission: upto 1 crore (b) State Commission: 1 crore to 10 crore  
 (c) National Commission : above 10 crore (d) All of the above

## ANSWERS

### Multiple Choice Questions

- |         |         |         |         |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 1. (b)  | 2. (b)  | 3. (b)  | 4. (b)  | 5. (c)  | 6. (c)  | 7. (a)  | 8. (a)  | 9. (c)  | 10. (c) |
| 11. (a) | 12. (a) | 13. (b) | 14. (a) | 15. (a) | 16. (b) | 17. (b) | 18. (a) | 19. (a) | 20. (a) |
| 21. (a) | 22. (b) | 23. (a) | 24. (a) | 25. (a) | 26. (b) | 27. (b) | 28. (d) | 29. (c) | 30. (a) |

### Input-Text Based MCQs

- |         |         |         |         |         |         |         |         |         |         |
|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 31. (c) | 32. (c) | 33. (b) | 34. (a) | 35. (c) | 36. (d) | 37. (b) | 38. (c) | 39. (c) | 40. (b) |
| 41. (d) | 42. (d) | 43. (b) | 44. (a) | 45. (b) | 46. (d) | 47. (b) | 48. (d) | 49. (d) | 50. (a) |
| 51. (d) |         |         |         |         |         |         |         |         |         |

