

CBSE Test Paper - 01 (Chapter - 12 Consumer Protection)

1. The state commissions are set up in each state by _____ **(1)**
 - a. State Government
 - b. High court
 - c. Supreme court
 - d. Central Government
2. As per the _____ the consumer has right to acquire knowledge and to be a well informed consumer through life. **(1)**
 - a. Right to be informed
 - b. Right to consumer education
 - c. Right to choose
 - d. Right to be heard
3. _____ are set up in each district by the State Government concerned. **(1)**
 - a. District Forums
 - b. National Commission
 - c. State Commission
 - d. None of these
4. Which act provides safeguards and reliefs to the buyers of the goods in case the goods purchased do not match with express or implied conditions or warranties? **(1)**
 - a. The Indian Contract Act, 1872
 - b. Consumer protection Act, 1986
 - c. Sale of goods Act, 1930
 - d. None of these
5. What is meant by right to be heard to a consumer? **(1)**
6. Which claims can be appealable before the Supreme Court under Consumer Protection Act? **(1)**
7. Which consumer right entitles the consumer to get relief in case the product or service falls short of his expectations? **(1)**
8. Sirajuddin purchased a car for Rs.15 lacs from an automobile company and found that its airbags were defective. After many complaints with the company that went unheard, he filed a case in the District Forum. He was not satisfied with the orders of the District Forum. He then appealed before the State Commission and on being

dissatisfied with the orders of State Commission, he appealed before the National Commission. Sirajuddin was not satisfied with the orders of National Commission. Suggest him the highest authority where he could appeal against the decision of the National Commission. **(1)**

9. State any three points which highlight the importance of consumer protection from consumer's point of view. **(3)**
10. Jolly bought an Anti-dandruff Shampoo of a reputed company which claimed to contain zinc pyrithione (ZPTO) to control dandruff. When the product did not show the promised results even after regular use for two months she discussed the problem with his aunt Dolly who is a dermatologist. Dolly told him ZPTO is an anti-fungal agent, meaning that only dandruff caused by a fungal infection could be 'cured.' But to Jolly's surprise, this condition was not mentioned in the shampoo case. In the context of the above case:
 - a. Identify and explain the consumer right being violated in the above case.
 - b. List any two other consumer rights. **(3)**
11. Prakhar purchased an ISI mark electric iron from 'Bharat Electricals'. While using he found that it was not working properly. He approached the seller and complained for the same. The seller satisfies Prakhar by saying that he will ask the manufacturer to replace this 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, 1986. **(4)**
12. Vasvi purchased a bottle of pickle from the local grocery shop. The information provided on the bottle was not clear. She fell sick on consuming it. She filed a case in the District Forum under the Consumer Protection Act and got the relief.
 - a. Identify the important aspect neglected by the marketer in the above case.
 - b. Explain briefly the functions of the aspect identified in (a) above. **(4)**
13. What roll can you as a student play to contribute to the cause of consumer protection?
14. As a well-informed consumer, what kind of quality certification marks you will look for before buying 'products? Specify and 6 points. **(5)**
15. 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. **(6)**

CBSE Test Paper - 01
Chapter - 12 Consumer Protection

Answer

1. a. State Government

Explanation:

- The state commissions are set up in each state by State Government.
- Each State Commission consists of a President and not less than two other members, one of whom should be a woman.
- They are appointed by the State Government concerned.
- A complaint can to be made to the appropriate State Commission when the value of the goods or services in question, along with the compensation claimed, exceeds Rs. 20 lakhs but does not exceed Rs. 1 crore.
- The appeals against the orders of a District Forum can also be filed before the State Commission.

2. b. Right to consumer education

Explanation:

According to right to consumer education:

- **The consumer has a right to acquire knowledge and to be a well informed consumer throughout life.**
- He should be aware about his rights and the reliefs available to him in case of a product or service falling short of his expectations. Many consumer organisations and some enlightened businesses are taking an active part in educating consumers in this respect.

3. a. District Forums

Explanation:

- District Forums are set up in each district by the State Government concerned.
- The District Forum consists of a President and two other members, one of whom should be a woman.
- They all are appointed by the State Government concerned.

- A complaint can to be made to the appropriate District Forum when the value of the goods or services in question, along with the compensation claimed, does not exceed Rs. 20 lakhs

4. c. Sale of goods Act, 1930

Explanation:

- The Sale of Goods Act came into existence on 1 July 1930.
- It is a contract whereby the seller transfers or agrees to transfer the property in the goods to the buyer for price.
- It is applicable all over India, except Jammu and Kashmir.
- The goods are sold from owner to buyer for a certain price and at a given period of time.
- **This act provides safeguards and reliefs to the buyers of the goods in case the goods purchased do not match with express or implied conditions or warranties.**

5. Nowadays, with the emphasis on Marketing Concept, almost all the business houses have their consumer grievance cell where the complaints of the consumers can be heard and the consumers can seek justice for their exploitation by the goods or service providers. This is called Right to be heard.
6. It takes appeals against Orders passed by the State National commission which has value of more than 1 crore rupees.
7. Right to Seek Redressal.
8. Sirajuddin cannot appeal to any other higher authority. This is because only those matters which have been directly filed in the National Commission and where the value of goods and services in question along with the compensation claimed exceed Rs.1 crore are appealable before Supreme Court. Their main function centers on maintaining the trade practices that are offered by the seller to the consumers. Consumers are free to file a case against the seller if they have been exploited or harassed which in this sirajuddin has been done.
9. Importance of consumer protection from consumer's point of view is:
- Spreading Awareness among the Consumers:** Due to widespread ignorance of consumers about their rights and reliefs available to them, they need to be made aware in this regard Consumer protection provides information to the ignorant consumers regarding their rights and reliefs available to them. With this, even the

sellers who try to cheat the ignorant and illiterate consumers, become conscious and mend their ways.

ii. **Unorganized consumers:** Consumers need to be organized for safeguarding their interests. In developing countries like India, consumers are not organized. In other words, there is a dearth of a National Level Consumer Organization. There are very few consumer organizations which are working to protect the interests of consumers. Consumer protection encourages the establishment of more consumer organizations.

iii. **Widespread exploitation of consumers:** Consumers are exploited by unscrupulous, exploitative and unfair trade practices of sellers. They might be exploited by unfair trade practices like defective and unsafe products, adulteration, hoarding, black marketing, etc. Consumers need protection against such unfair trade practices. Consumer protection has been a support system for all such consumers to protect their interests and provide them justice.

10. a. Right to information is being violated in the above case.

The Consumer Protection Act, 1986 (CPA) protects the interests of the consumers in the widest range possible. According to the Right to information, 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 marketers to provide complete information about the product/service to buyers. Though CPA came into force in 1986 it had the provision empowering consumers to seek information regarding goods or services under proper legislation.

b. The two other consumer rights are:

i. Right to be Heard

ii. Right to Seek Redressal.

11. i. Bharat Electricals cannot file a complaint. This is because Bharat Electricals is not a consumer as per Consumer Protection Act, 1986 because they bought the goods for resale/commercial purpose.

ii. A 'consumer' is generally understood as a person who uses or consumes goods or avails of any service. Under the Consumer Protection Act, a consumer is defined as:

-
- a. 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.
 - b. 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.
12. a. The marketer had overlooked the Labelling as it was not done appropriately for the product. Labelling is the display of label in a product. A label contains information about a product on its container, packaging, or the product itself. It also has warnings in it. For e.g. in some products, it is written that the products contain traces of nuts and shouldn't be consumed by a person who's allergic to nuts. The type and extent of information that must be imparted by a label are governed by the relevant safety and shipping laws.
- b. The functions of labelling are detailed below:
- i. **Describes the product and specifies its contents:** Labelling provides information about the core function of the product i.e. how and why the product is likely to be beneficial to the prospective buyer. It educates them about the usage and precautions related to the product. It also gives detailed information about the ingredients of the product.
 - ii. **Helps in identification of the product or brand:** The label contains the logo, brand name, tagline, name and address of the manufacturer etc. of the product which helps in easy identification of the product.
13. A student can play an active role in bringing out an awareness campaign on 'Consumer Protection'.
- i. Special assemblies can organised to show the display of consumer rights and responsibilities e.g. right to satisfaction of basic needs, right to safety, right to be informed and protected, responsibility to be aware of the quality and safety of goods and services before purchasing, responsibility to Think Independently and make choices about well considered needs and wants etc.

-
- ii. When school organises any exhibition the commerce students can put a stall and give demonstration on responsibilities of a consumer.
 - iii. The Biology and Chemistry laboratories can be used for testing adulterated goods, (e.g., milk, paneer, spices etc).
 - iv. Essay writing competitions, debate competition and quiz can be organised to promote the awareness on consumer protection.
 - v. Encourage students to boycott goods/eatables which are adulterated or defective in school canteen.
 - vi. To set up voluntary complaint centre for consumer guidance and counselling.
14. Some of the quality certification marks are:
- i. **FPO (Fruit Products Order 1955)** - It contains specification and quality control requirements regarding the production and marketing of processed fruits and vegetables, sweetened aerated water, vinegar and synthetic syrups.
 - ii. **ISI**- On consumer durable products. ISI mark is a certification mark for industrial products in India. It is the most popular and recognised certification mark in the Indian subcontinent. This mark ensures that the product conforms to the Indian standards mentioned by the Indian Standard Institute.
 - iii. **Hallmark**- BIS certification scheme for gold jewellery items.
 - iv. **Earthen Pitcher**- for Labelling Environment-friendly products.
 - v. **AGMARK** - It is a grade standard for agricultural commodities and like stock products.
 - vi. **Wool mark**- It signifies 100% pure wool.
15. In case of genuineness of the complaint, the court can issue one or more directions to the opposite party. Six reliefs available to Reena, if she complains are
- i. **To remove defect from goods or services:** If there is defect in the goods or services then the court can pass the order to remove defect from goods or services. For example, if there is defect in TV then court can pass the order to remove the defect from TV.
 - ii. **To refund the price:** If the seller is failed to remove defect from the product, order can be passed to refund the customer. In above example if seller fails to remove defect from TV then court can pass order to refund the price paid by the customer.
 - iii. **To replace the defective good with a new one:** If the seller is failed to remove

defect from the product, order can be passed to replace the product immediately. In above example if seller fails to remove defect from TV then court can pass order to replace the TV immediately.

- iv. To pay a reasonable amount of compensation for any loss or injury suffered: Seller is liable to pay appropriate compensation if Loss or injury suffered from defective product.
- v. **To pay punitive damages:** Punitive damages may be recovered from seller in some cases.
- vi. To discontinue the unfair/restrictive trade practices: Unfair or restrictive trade practices should be stopped immediately to save consumers.