

LLM
SECOND SEMESTER
CONSUMER PROTECTION LAW
LLM-2.2 [CCL-5]

(Use separate answer scripts for Objective & Descriptive)

Duration : 3 hrs.

Full Marks : 70

(PART-A : Objective)

Time : 20 min.

Marks : 20

Choose the correct answer from the following:

1X20=20

1. In which year was the Consumer Protection Bill passed by the houses of Parliament?
 - a. 1981
 - b. 1994
 - c. 1986
 - d. 1991
2. Which of the following is NOT correct according to the Consumer Protection Act, 1986?
 - a. District Forum shall consist of a lady social worker
 - b. State commission shall consist of a person who is or has been a judge of a High Court
 - c. District Forum shall consist of four members
 - d. National Consumer Disputes Redressal Commission shall consist of a person who is or has been a judge of the Supreme Court
3. Consumer Protection Act was enacted in:
 - a. 1990
 - b. 1986
 - c. 1992
 - d. 1985
4. 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
5. Which one of these are consumer rights specified in the consumer protection Act, 1986?
 - a. Right to safety
 - b. Right to choose
 - c. Right to consumer education
 - d. All of the above
6. Which of the following settles the consumer disputes at district level?
 - a. Session Court
 - b. District court
 - c. District Forum
 - d. District collector
7. In July 2020, the Government of India established the Central Consumer Protection Authority under the Consumer Protection Act?
 - a. 2020
 - b. 2018
 - c. 2015
 - d. 2019
8. Which of the following statements regarding the National Food Security Act is incorrect?
 - a. Act applicable for the whole of India
 - b. This act is also known as Right to Food Act
 - c. The Act provided that the domestic woman of the age of 18 years or above shall be the head of the household for the purpose of issuing the ration card
 - d. This act was implemented in the year 2015

9. Which of the following does not fall in the ambit of the objectives of the Competition Act, 2002?
- | | |
|---------------------------------------------------------------------|---------------------------------------|
| a. Encourage Competition | b. Prevent abuse of dominant position |
| c. Prevent monopolistic rights arising out of intellectual property | d. Regulate merges and acquisitions |
10. Redressal mechanism for consumer disputes under section 9 of the Consumer Protection Act envisages a:
- | | |
|-----------------------|-----------------------------------------|
| a. Single-tier system | b. Two-tier system |
| c. Three-tier system | d. Open system independent of hierarchy |
11. Which of the following statements is not correct relating to consumerism?
- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| a. Consumerism is a manifestation of the failure of the business to guarantee and ensure consumer legitimate rights | b. The government does not have any role in consumer protection as it is the part of business organisation alone |
| c. The consumer should accept consumerism as a means of asserting and enjoying their rights | d. Consumerism evolution is not a setback for marketing but rather points to the next stage in the evolution of enlightened marketing |
12. Which of the following is not an implied condition in a contract of sale?
- | | |
|---------------------------------------|-------------------------------------------|
| a. Condition as to quality or fitness | b. Condition as to merchantable quantity |
| c. Condition as to wholesomeness | d. Condition as to free from encumbrances |
13. Which of the following is an example of a public good?
- | | |
|-------------------------|-----------------------------|
| a. Residential building | b. National defence |
| c. Restaurant meals | d. Swimming pool of a house |
14. Meaning of unpaid seller is:
- | | |
|-------------------------------------------------------------------------|-------------------------------------------------------------|
| a. The person who has not paid the price | b. The person who has sold the goods and received the price |
| c. The person who has sold the goods and has not yet received the price | d. The person who has not sold the goods |
15. According to Sale of Goods Act, which two of the following are defined as 'good'?
- | | |
|---------------------------------------|----------------------------------------|
| a. Movable property and book debt | b. Growing crops and actionable claims |
| c. Movable property and growing crops | d. Growing crops and book debts |
16. Which of the following is the odd one out?
- | | |
|-------------------|-------------------------|
| a. Specific goods | b. Un-ascertained goods |
| c. Future goods | d. Ascertained goods |
17. How many rights does a consumer have under the Consumer Protection Act, 1986?
- | | |
|------|------|
| a. 8 | b. 6 |
| c. 4 | d. 5 |
18. When the seller manipulates the price, it is known as:
- | | |
|-------------------------------|---------------------------|
| a. Caveat Emptor | b. Unfair trade practices |
| c. Restricted trade practices | d. None of the above |
19. Under the act, minimum age of forum member of a district forum should be?
- | | |
|-------|-------|
| a. 30 | b. 40 |
| c. 35 | d. 65 |
20. The maximum age of national commission member should be:
- | | |
|------------------------|----------------------|
| a. National commission | b. State commission |
| c. District commission | d. None of the above |

(PART-B : Descriptive)

Time : 2 hrs. 40 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. What is meant by consumer? Discuss the rights of the consumer and justify the need for consumer protection policies and its laws. 2+4+4=10
2. Write a comparative note on Consumer Protection Act 1986 and Consumer Protection Act, 2019 highlighting new policy challenges. 10
3. Discuss a brief note on Three Tire system of grievance redressal system. 10
4. Write an analytical note on the concept of E-Commerce and the E-Consumer rights. In what ways the civil society plays its role in protecting the consumer Protection rights? 5+5=10
5. Write short notes on: 5+5=10
 - a) Medical Negligence
 - b) Lawyers Negligence
6. Explain the salient features on The Drugs and Magic Remedies (Objectional Advertisement) Act, 1954. 10
7. Discuss the jurisdiction of the Consumer Forums and the emerging issues in consumer protection and Laws. 5+5=10
8. Write a brief note on sale of Goods Act, 1930. 10

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