

**B.A. LL.B.(Hons.) 5 –Year Integrated Course
II-Semester**

Paper 205

Law of Consumer Protection and Competition

Internal Assessment:20 Marks

Theory: 80Marks

Total: 100 Marks

Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit -V shall carry 20 Marks.

UNIT-I

Consumer Protection-International and National Developments, The Consumer Protection Act, 2019- Nature and Scope; Definitions and Scope of the Concepts of Consumer, Complaint, Complainant, Consumer Dispute, Goods, Service, Defect, Deficiency, Spurious Goods and Services; Product Liability Deficiency in Medical Services, Insurance Services, Banking Services, Housing Services etc. Rights of Consumers; Consumer Protection Councils – their composition and role. Endorsers’s liability, central consumer protection authority

Case:-M/S Spring Meadows Hospital & anr. v. Harjot Ahluwalia, AIR 1998 SC 1801; (1998) I CPJ 1 (SC)

UNIT-II

Mediation, Consumer Disputes Redressal Commission- District Commission, its composition, Jurisdiction, Manner of Making Complaint, Procedure on admission of Complaint; State Commission – Composition, Jurisdiction- Original, Appellate and revisional; Procedure applicable to the State Commission; National Commission- Composition, Jurisdiction- Original Appellate, revisional; power of review; procedure applicable to National Commission; Circuits Benches Appeal to the Supreme Court.

Case:- Ashish Handa Advocate v. Hon’ble The Chief Justice of High Court of Punjab & Haryana, AIR 1996 S.C. 1308

UNIT-III

Unfair Trade Practices – Definition and Scope, Specific categories of unfair trade practices, Restrictive Trade Practice- Definition and Scope, Remedies available to Consumers, Period of Limitation, Administration Control, Enforcement of orders of District Forum, State Commission and National Commission, Dismissal of Frivolous or Vexatious Complaint, Penalties.

Case:- Lucknow Development Authority v. M.K. Gupta AIR 1994 SC 787; (1993) III CPJ 7 (SC)

UNIT-IV

The Competition Act, 2002 –Background and Salient Features of the Act, Preliminary (Section 1 -2), Prohibition of certain Agreements, Abuse of Dominant Position and Regulation of Combinations (Section 3-6), Competition Commission of India (Section 7-17), Duties, Powers and Functions of Commission (Section 18-39), Competition Appellate Tribunal(Section 53A -53U).

Statutory Material

- (i) The Consumer Protection Act, 2019
- (ii) The Competition Act, 2002

Suggested Readings

Agarwal, V.K.	Law of Consumer Protection (Student Edition)
G.B. Reddy & Baglekar	Consumer protection Act : A Commentary
Akash Kumar	
N.V. Pranjape	Consumer Protection Law in India
Ajay Jagga Adv.	The consumer Protection Act, 2019
	Taxman's Consumer protection Law & Practice
V.P. Bhagat	Commentary on the consumer protection Act,
Kumar Keshav	2019
Justice S.N. Aggarwal	Supreme Court on Consumer Protection Act.
S.M. Duhgar	Guide to competition Law (Containing Commentary on the
	Competition Act, 2021
Aggarwal V.K.	The Competition Act, 2002