

DIPLOMA COURSE IN CONSUMER PROTECTION LAWS

Eligibility for Admission :

To be eligible for admission, the candidate must be a graduate of any faculty either of this university or of any other university, whose degrees are recognized as equivalent to the corresponding degrees of this University.

Duration of the Course :

Duration of the course shall be one academic year commencing from June only.

Medium of Instruction :

The medium of Instruction at the Diploma Course in Consumer Protection Law shall be English.

Examination :

The examination shall be held at the end of the every academic year on the dates to be announced by the University. Second half examination may be held in case of students who have failed.

Standard of Passing or exemption :

- (a) Each Paper shall carry 100 marks
- (b) The standard of passing for the Diploma Course will be 35% marks in individual paper/subject and 50% marks in aggregate. The candidate obtaining between 50% and 54% marks will be declared to have passed in **SECOND CLASS**, between 55% and 59% marks shall be placed in **HIGHER SECOND CLASS**. The candidate obtaining between 60% and 69% marks will be declared to have

passed in FIRST CLASS. The candidate obtaining 70% marks and above will be declared to have marked in FIRST CLASS WITH DISTINCTION.

Candidate who obtains atleast 50% of the full marks in a paper shall at his option be exempted from that paper at subsequent examination. He/She shall, however, have to pass in the remaining paper or papers in accordance with standard of passing laid above, such exemption is for six years only.

Diploma Course in Consumer Protection Laws
Paper – I

Consumer Movement and Consumerism

100 Marks

1. Consumer movement at national and international level, historical perspectives, the post independence scenario.
2. International Convention on Consumer Justice, role of Consumer International (C.I) International Activities for consumers Protection, U.N. guidelines for Consumer Protection.
3. Consumerism : concept of consumerism, consumer, justice and consumer sovereignty.
4. Consumer organizations and consumer actions group, consumer resistance, consumer boycotts, lobbying, consumer guidance.
5. Consumer education : Consumer awarness of rights and duties
6. Role of media in consumer protection

7. Constitutional perspective of consumer justice :
Social Justice and welfarism, Rights of producers and traders versus rights of consumers, Right of legal services.
8. Right of Healthy Life and Environment as a consumer right :
Concept of environment, Causes of environmental pollution, Protection of forests and place of public resorts, Salient features of environmental Protection of forests and place of public resorts, Salient features of Environmental Protection Act 1986.
9. Human Rights vis-a-vis Consumer Rights.
10. Concept of public utility services related laws and consumer.

Selected Readings :

1. Gordon Barries. The Development of Consumer Law and Policy (1984).
2. Joel R. Ivans. Consumerism in the United States and Inter - Industry Analysis.
3. Ram Krishana Bajaj - Consumer view - point.
4. M.M. Prasad, Top consumer Behavior (Top Publication, Delhi).
5. Robert N. May. Consumer Movement - Guardians of Market Place (1980).
6. Foo Gaik Sim. 10 CU on Record, A Documentary History of the International Organisation of Consumer Unions 1969-90.
7. United Nations Guidelines on Consumer Protection. 9th April 1985.

8. J.N. Barowalia. Commentary on the Consumer Protection Act, 1986 (1996) Universal Publishing Co.Pvt. Ltd.
9. Kilash Thakur Environment Protection Law and Policy in India.

Paper – II
Consumer Protection Act, 1986

100 Marks

1. Historical and Sociological Background of Consumer Protection, Act
2. Concept of Consumer :
Consumer of goods and services, Professional services – Medical, legal, educational and welfare services.
3. Rights of Consumer under the Act, nature and characteristics.
4. Definitions : complaint, consumer dispute, defect, deficiency in service, unfair trade practices, restrictive trade practices.
5. Consumer Protection Councils, role, objects and composition.
6. Composition, power, functions and Jurisdiction of District Forum, State Commission and National Commission.
7. Law of compensation, approach of Consumer Forum while awarding compensation.
8. Procedure to be followed by consumer redressal agencies, provisions regarding appeal, execution of the order of the redressal agencies.
9. Landmark Judgements of S.C. and NCDRC.

Selected Readings :

1. Yenkat Rao, Law of Consumer Protection, 1998, Asia Law House.
2. G.B. Reddys, Law of Consumer Protection, 1997, Gogia Law Agency.
3. V.K. Agrawal, Consumer Protection Law & Practice 1997. B.L.H. Publishers.
4. D.N. Saraf, Law of Consumer Protection in India 2nd Edn/1995.
5. Consumer Protection Judgements (CPJ) and Consumer Protection Reports (CPR).
6. Dr. Gurjit Singh, The Law of Consumer Protection in India. 1996 Deep and Deep Publication.
7. R.S.Chaudhari, Doctor & Consumer Protection Act, 1994. Maharashtra Law Agency.
8. R.M.Vats, Law relating to Insurance, 1997. Universal Law Publishing Co. Pvt. Ltd.
9. R.M.Vats, Law relating to Telephone, 1996. Universal Law Publishing Co. Pvt. Ltd.

Paper - III**Consumer Protection Legislations**

100 Marks

Relevant Provisions under the following acts regarding consumer protection

- (a) The Prevention of Food Adulteration Act, 1954 (salient features).
- (b) Drugs and Cosmetics Act, 1954 (salient features).
- (c) Standards of Weights and Measures Act, 1976. Definition of Director and provisions regarding penalties (Sec.50-70).

- (d) Sale of Goods Act, 1930, Definition of contract, sale and agreement to sale, law relating to warranty and guarantee and doctrine of Caveat emptor.
- (e) Contract Act, 1872, What agreement are contracts, free consent (Sec. 10-30), the consequences of breach of contract, rights of parties, agents and principal (Sec.226-232 and 238), Definitions : (Sec.2), Proposal, acceptance, agreement, consideration, contract, misrepresentation, fraud, void agreements, discharge of contract, contract of guarantee.
- (f) Negotiable Instruments Act, 1881, Definition of Banker, cheque-holder :
Negotiable instrument, dishonor of cheque for insufficiency of funds etc. cognizance of offences.
- (g) Indian Penal Code (IPC) 1860, Definition of document, produce a Document in a court of law false document, forge a document. Mischief, trespass, fraud and cheating.
- (h) Indian Evidence Act, 1872 – Definition of evidence, documents, acts, Admissions, statements and admissibility.
- (i) MRTP Act, Power of MRTP Commission, penalties.
- (j) Maharashtra Co-operative Societies Act, 1961 :
Definition of Housing Society, Member, Share or interest not liable to attachment, share and debenture of society and disputes (Sec. 2,31,41, and 91).

Selected Reading :

1. Indian Penal Code, 1860 (Amended in 2002) (Sec.29,172,173,425,441,463,466 & 472).
2. Indian Evidence Act, 1872 (Amended in 2002) (Sec. 3,17,35,39 & 65)2001.
3. The Indian Contract Act, 1872 (Sec. 10 to 30, Sec. 73,102,211,215,226,227,228,230 to 233 and 238).
4. Negotiable Instruments Act, 1881, 2002 (Sec. 3,8,12,130,142).
5. The Maharashtra Cooperative Societies Act, 1961. Definition of Housing Society.
6. The Carriers Act, 1865. (2002)
7. The Sale of Goods Act, 1930,2000. (Sec. 2(1), 2(4), 2(11), 4,5,11,12,18, & 20).
8. P. Ramanatha Aiyer, The Sale of Goods Act, 7th Edn : The Universal Book Agency.
9. M.P. Furmston, Cheshire and Fifoot's Law of Contract, 9th Edn. Butterworths.
10. Standards of Weights and Measures Act, 1976.
11. R.V. Ramkrishna's Prevention of Food Adulterations Act, 4th Edn. 1997, Gogia and Co. Hyderabad.
12. S.L. Tripathi's – The Standard of Weights and Measures Act with Rules 1987 Law Publishers India Pvt. Ltd.
13. P.L.Mallik – Law relating to Weight and measures Act, 4th Edn. Eastern Book co.
14. Vijay Malik, Drugs and Cosmetics Act, 1940, 10th Edn, Eastern Book Co.
15. R.K. Naik – Consumer Protection in India Eco-legal treaties Consumer Justice (ILI 1991).

Paper – IV**Dissertation/Research work / Project work.***Guidelines for the students*

100 Marks

Candidates have to submit a Dissertation/Research work/Field Report of about 50 pages on a topic of Consumer Law. Study Report is expected to be an indepth and critical analysis of problem of contemporary significance in the field of Consumer Laws. There is no specific format for writing the project report. However, it must be original (not just copied), must indicate some degree of research and reflection of issues related to consumer protection. The Candidates will be examined at an oral examination (Viva-voce) on the strength of written work.

Distribution of Marks

(a) Dissertation / research work

OR

(b) Report of the Field work

(a) Observance of Case in Consumer Forum

(b) Dealing with the consumer case

(c) Visit to various consumer related institutions like AGMARK. Department of Weight and Measures. ISI Institute, Department of Food and adulterations, consumer forum / Commission, MRTP etc.

(d) Visit to consumer organizations.

Distribution of Marks

(a) Jornal – 80 Marks

(b) Viva-voce – 20 Marks