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Comm. Studies
Lokesh Arora.

Tender Heart High School

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Ch-4. Consumer Protection

Good Morning Students,
This lesson is for class 10th for the subject of Commercial Studies. The topic for today is 'Basic Concepts under Consumer Protection Act' which is covered in chapter 4 titled Consumer Protection of your book.
This lesson is being submitted to you on 6/05/24.
All the students now please open page number 38 of your book and listen carefully.

Basic Concepts under Consumer Protection Act:-

1. Consumer:- The term consumer is defined in terms of goods and services as follows.
(i) A person who buys any goods for a payment. It also include any user of such goods when such use is made with the permission of the buyer. But it does not include a person who purchase such goods for re-sale.
(ii) A person who hires or avails of any services for a consideration. It also includes any beneficiary of services when such benefits are availed with the approval of the hirer of the services.
'Buys any goods' and 'hires or avails' any services' include offline and online transactions through electronic means or by teleshopping or direct selling or multi-level marketing

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2. Complaint:- Complaint means any allegation in writing made by a complainant in regard to one or more of the following:-

(a) That he has suffered loss or damage as a result of any unfair trade practice or restrictive trade practice adopted by any trader,

(b) That the goods bought by him or agreed to be bought by him suffer from one or more defects,

(c) That the services hired or availed of by him suffer from any deficiency,

(d) That the trader has charged for the goods and services a price in excess of the price either displayed on the goods or as fixed by any law for the time being in force.

(3) Class Complaint:-

Any complaint filed by one or more consumer for the benefit of several consumers having a common interest is class complaint.

(4) Persons who can file a Complaint:-

(i) A consumer, or
(ii) Any voluntary consumer association, or
(iii) The central Authority, or
(iv) The Central Government, or any State Government, or
(v) one or more consumers, where there are numerous consumers having the same interest, or
(vi) in case of death of a consumer, his legal representative.

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(5) Period for filling complaints (Limitation period for filling complaints)

(i) Any complaint can be filed within two years from the date on which the cause of action has arisen.

(ii) However, a consumer can file a complaint after the expiry of two years if the complainant satisfies the court that he had sufficient reason for not filling the complaint within such period.

(6) Procedure for filing a Complaint :-

A complaint should contain the following information :-

(i) The name, description and address of the complainant and of the opposite party or parties,

(ii) the facts relating to complaint and when and where it arose,

(iii) documents if any, in support of the allegations contained in the complaint,

(iv) The relief (solution) which the complainant is seeking (expecting).

The complaint may be presented by the complainant or his authorised agent or may be sent by post. There is no fee for filing a complaint

(7) Defect :- Defect means any fault, imperfection or shortcoming in the quality, quantity, purity or standard in relation to any goods which is required to be maintained under the law or as required/claimed by the trader.

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(8) **Deficiency!-**
Deficiency means any fault, imperfection, shortcoming or inadequancy in the quality, nature and manner of performance which is required to be maintained under the law or as required/claimed by the person or otherwise in relation to any service.

(9) **Restrictive Trade Practice!-**
It means any trade practice which requires a consumer to buy/hire or avail of any goods or services, as the case may be, as a condition precedent for buying, hiring and availing other goods and services.
For example, if a gas dealer forces a consumer to purchase a gas stove for releasing the gas connection, it is a Restrictive Trade Practice

(10) **Unfair Trade Practice!-**
Any trade practice in which the trader/seller adopts any unfair method or deceptive practice for the purpose of promoting the sale of goods is an unfair trade practice. The unfair/deceptive practices include one of the followings!-
(i) falsely represents that goods are of a particular standard, quality, style or model.
(ii) falsely represents any re-built, second-hand, renovated or old goods as new goods
(iii) Falsely disrespecting the goods, services or trade of another person.
(iv) Misleading or falsely representing the need

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for or usefulness of any goods or services.

(V) falsely representing that the goods have some special features which such goods does not have.

(II) Remedies Available to a Consumer:-

Under the consumer protection Act, the following solutions are available to a dissatisfied consumer:-

(i) Removal of defects in goods or
(ii) Replacement of defective goods with new goods of similar description which shall be free from any defect or
(iii) return of price by the seller, or
(IV) Payment of compensation for any loss or injury suffered by the consumer, or
(V) removal of deficiency in the service
(VI) discontinue the unfair/restrictive trade practices, and not to repeat them.
(vii) Provide ~~for~~ adequate costs to parties.

Students, remaining topic is ~~your~~ the chapter is not in the syllabus.
Students, with this, I am ending my topic here, write the answers of the following questions in your note-books.

Ques1 What is Restrictive Trade Practice?
2- What is Defect?
3 Who can file a complaint?
4 Who is a consumer?
5 What is the period for filing a complaint?

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