

**WRITTEN EXAMINATION FOR THE POSTS OF
MEMBERS, STATE COMMISSION, ODISHA, 2021**

Time – 2 hours

Full Marks – 100

GROUP 'A' (50 Marks)

(Answer any **FIVE** Questions)

- Q.1) Write any essay on the objectives of the Consumer Protection, Act, 2019 and its salient features. [10 marks]
- Q.2) Discuss in detail about the Jurisdiction and powers of National Commission and the procedure it is required to follow. [10 marks]
- Q.3) Is there any provision for mediation under the Consumer Protection Act, 2019 and Rules and Regulations made thereunder ? Discuss [10 marks]
- Q.4) Write in detail about various offences envisaged under the Consumer Protection Act, 2019. Can such offences be compounded ? [10 marks]
- Q.5) What is Unfair Trade Practice and how it is different from Restrictive Trade Practice ? [10 marks]
- Q.6) Can a patient be a Consumer vis-à-vis the treating physician and the hospital where he has undergone treatment ? Discuss with reference to Case Laws. ? [10 marks]

Group 'B' (50 marks)

(Answer all Questions)

- 1) What is e-commerce ? [1 mark]
- 2) What is express warranty ? [2 marks]
- 3) What is meant by product liability and product liability action ? [3 marks]
- 4) What is Unfair Contract ? [5 marks]
- 5) What is the meaning of Service ? [3 marks]
- 6) Who is an e-Commerce entity ? [2 marks]
- 7) When did the provisions of Consumer Protection Act, 2019 come into force ? [2 marks]
- 8) Write a short note on the Explanation to the definition of Consumer. [3 marks]

- 9) Whether consumer dispute can be raised by students taught at Coaching Institutes against such institutes ? Discuss with reference to Case Laws? [7 marks]
- 10) Can an examinee be a Consumer vis-à-vis Examining Bodies like Board of Secondary Education, Odisha/Central Board of Secondary Education ? Discuss with reference to Case Laws. [5 marks]
- 11) Can a litigant file a consumer dispute against a Lawyer for deficiency in Service ? Discuss with reference to Case Laws. [4 marks]
- 12) Can any grievance relating to Service Conditions of an employee be filed before a Consumer Forum ? Discuss with reference to the Case Laws. [4 marks]
- 13) Whether a Sub-Registrar registering sale deeds renders any service under the Consumer Protection Act, 2019 ? Support the answer with reasons. [3 marks]
- 14) Whether a person applying for allotment of shares of a Company can be termed as a Consumer ? Discuss with reasons. [4 marks]
- 15) Can a customer of a bank who avails overdraft facility be described as a Consumer ? [2 marks]

**WRITTEN EXAMINATION FOR THE POSTS OF PRESIDENTS,
DISTRICT COMMISSIONS OF ODISHA, 2021**

Time – 2 hours

Full Marks – 100

GROUP 'A' (50 Marks)

(Answer any **FIVE** Questions)

- Q.1) Do we really require a Consumer Protection Act? How does this piece of Legislation help Consumers ? Discuss in details. [10 marks]
- Q.2) Discuss in detail about the Jurisdiction and Powers of the State Commission and the procedure it is required to follow. [10 marks]
- Q.3) What directions a District Commission can give if it records a finding that the goods complained against suffers from defects or there has been any deficiency of any service or any unfair trade practice ? [10 marks]
- Q.4) Discuss the salient features of Consumer Protection (Consumer Disputes Redressal Commissions) Rules, 2020. [10 marks]
- Q.5) (a) What is an inventory e-commerce entity and what are its duties ? [5 marks]
- (b) What is Market Place e-commerce entity and what are its liabilities? [5 marks]
- Q.6) Discuss the salient features of the Consumer Protection (Consumer Commission Procedure) Regulations, 2020. [10 marks]

Group 'B' (50 marks)

(Answer all Questions)

- 1) Who is a Consumer as per the Consumer Protection Act, 2019 ? [5 marks]
- 2) What is the meaning of Complaint and who can be a complainant ? [6 marks]
- 3) What are the rights of Consumers and what is the meaning of Consumer Dispute ? [5 marks]
- 4) What is misleading advertisement ? [3 marks]

- 5) Can a Co-operative Society or a Hindu Undivided Family be regarded as a person for the purpose of the Consumer Protection Act, 2019 ? [2 marks]
- 6) Who is a Product Seller ? [5 marks]
- 7) What are the functions of Consumer Protection Council ? Who can be members of such council ? [2 marks]
- 8) What are the powers and functions of the Central Consumer Protection Authority ? [5 marks]
- 9) Discuss the administrative powers exercised by the State Commission over the District Commission with reference to legal provisions. [5 marks]
- 10) Can a vendee in respect of a Sale Deed be regarded as a Consumer ? Discuss. [3 marks]
- 11) Can a Charitable Trust running a diagnostic centre rendering free service only to ten per cent of patients referred to it be described as a Consumer vis-à-vis the goods used by it for carrying out diagnosis ? [3 marks]
- 12) A Child is admitted in a private hospital and suffers on account of negligence. Can the parents bring an action under the Consumer Protection Act, 2019 against the Doctors and Hospital ? [4 marks]
- 13) Give some examples of the Public Utility Service ? [2 marks]

**WRITTEN EXAMINATION FOR THE POSTS OF
MEMBERS, DISTRICT COMMISSIONS, ODISHA, 2021**

Time – 2 hours

Full Marks – 100

GROUP 'A' (50 Marks)

(Answer any **FIVE** Questions)

- Q.1) Discuss in detail about the Jurisdiction and Powers of the District Commission and the procedure it is required to follow. [10 marks]
- Q.2) Does Consumer Protection Act, 2019 protect the Consumers ? Discuss in detail. [10 marks]
- Q.3) Write an essay on mediation by referring to relevant provisions of Consumer Protection Act, 2019 and Regulations made thereunder. [10 marks]
- Q.4) Discuss the salient features of Consumer Protection (e-commerce) Rules, 2020. [10 marks]
- Q.5) In case of non-compliance of direction of Central Authority, for false and misleading advertisements, for manufacturing for sale or storing of products containing adulterant and for manufacturing for sale or for storing of spurious goods, what remedies are provided under the Consumer Protection Act, 2019? [10 marks]
- Q.6) What are the powers of the Central Authority to issue directions and to impose penalties ? [10 marks]

Group 'B' (50 marks)

(Answer all Questions)

- 1) What is bargain price ? [2 marks]
- 2) What matters cannot be referred to mediation ? [5 marks]
- 3) On what date/dates, provisions of Consumer Protection Act, 2019 came into force ? [2 marks]
- 4) What are the grounds for removal of a Member of District Commission from Office ? [5 marks]
- 5) What is the prescribed dress code for the President & Members of every Consumer Commission while presiding over benches? [2 marks]
- 6) (a) What is Parcscha Yaddast ? [1 mark]

- (b) Can a Consumer Commission insist upon parties to engage advocates ? [1 mark]
- (c) Which cases can be listed and disposed of on priority basis ? [1 mark]
- (d) What is the period for which the complaint record shall be preserved ? [1 mark]
- (e) Whether parties or their agents can be permitted to inspect the records? [1 mark]
- 7) Answer the following by indicating 'Yes' or 'No'.
- (a) Loss of Service to Customers by bank due to illegal strike by it's employees. Bank is liable under the Consumer Protection Act, 2019 to pay compensation. [1 mark]
- (b) Dispute between parties to Contract of Sale and Purchase of goods is consumer dispute. [1 mark]
- (c) Client of Bank having overdraft facility is a consumer. [1 mark]
- (d) A person who buys goods and uses those himself exclusively for the purpose of earning livelihood by way of self employment is not a consumer. [1 mark]
- (e) A person alleging delay in disbursement of pension amount is not a consumer. [1 mark]
- 8) What is the difference between Complaint, Appeal and Revision Petition ? [5 marks]
- 9) Write a short note on the Constitution of State Commission. [2 marks]
- 10) Who can be described as a Consumer and what are the rights of a Consumer ? [5 marks]
- 11) Can a student file a consumer dispute against his educational institution ? Discuss with reference to Case Laws. [6 marks]
- 12) What remedies are available against the order passed by the National Commission ? [2 marks]
- 13) For non-supply of Certified Copy by a public authority, can an aggrieved person file a consumer dispute ? [2 marks]
- 14) Who is a manufacturer ? [2 marks]
