

APPENDIX - I
Post Graduate Diploma in Consumer law (PGDCL)

Sr.No.	Name of the Paper	No. of Credits	Max.Marks	Min.Marks
1	Consumer Movement and Consumerism	4	Th 80 I.A 20	40 10
2	Consumer Justice and Welfarism	4	Th 80 I.A 20	40 10
3	Law of Consumer Protection	4	Th 80 I.A 20	40 10
4	Laws for the Consumers	4	Th 80 I.A 20	40 10
5	Dissertation/Research Work/Project Report Extension Activities	8	200	100

APPENDIX – II
Post Graduate Diploma in Consumer law (PGDCL)

Detailed Syllabus

OBJECTIVES OF THE COURSE:

1. To create awareness amongst consumers about their rights and responsibilities.
2. To sensitise the people about the duties and responsibilities of manufacturers, sellers, producers, service providers and the remedial measures available under the Indian Legal System.
3. To equip the citizens/consumers with knowledge and competence so that the consumer laws can be enforced with exactitude and stringency.
4. To teach how to effectively advocate consumer issues before the Consumer Forum, how to prepare complaints and understand different provisions of law.
5. To build a campaign for public education and devise such official and lawful styles of protest against the violation of consumer rights.

PAPER - I

Consumer Movement and Consumerism.

1. Consumer movement and consumer protection in India, historical perspectives, the post independence scenario.
2. Emergence of consumer protection and Co-operatives in India, U.S.A. and Britain.
3. Consumerism: Concept of consumerism, consumer justice and consumer sovereignty, and development of public policy and consumer justice.
4. Consumer behaviour in market economy and marketing system in India.
5. Countervailing influence: Responsibility of manufacturers, producers organisations, Gandhian principle of trusteeship.
6. Consumer groups and tools of consumer organizations: Consumer action groups, consumer resistance, consumer boycotts, lobbying, consumer guidance.
7. Development of consumer protection movement in international sphere, International Convention on Consumer Justice, role of Consumer International (CI), International Activities for Consumers Protection, IOCU, FAO, ILO, WIPO, WHO, UNCTAD, UN guidelines for Consumer Protection.
8. Emergence of new Consumer Movements: Green Consumerism, Cyber Consumerism.
9. Consumer education: Consumer awareness of rights and duties, lack of awareness, particularly in rural areas and amongst the farmers, lack of access to information.
10. Role of media in consumer protection, social effect of advertisement, remedies for false and deceptive advertisement, code for commercial advertisements.

Selected Reading:

1. Gordon Barrier, 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. Wilson M. Herman, Business Economic Problems
5. M.M. Prasad, Top Consumer Behaviour (Top Publication, Delhi).
6. Robert N. May, Consumer Movement-Guardians of Market Place (1980).
7. Foo Gaik Sim, 10 CU on Record, A Documentary History of the International Organisation of Consumer Unions 1969-90.
8. United Nations Guidelines on Consumer Protection, 9th April 1985.
9. J.N. Barowalia, Commentary on the Consumer Protection Act, 1986 (1996), Universal Publishing Co, Pvt. Ltd.
10. Dr. Gurjeet Singh, Law of Consumer Protection in India (1996).

PAPER II

CONSUMER JUSTICE AND WELFAREISM.

1. Constitutional perspective of consumer justice:
 - a) Social Justice and welfarism.
 - b) Rights of producers and traders versus rights of consumers.
 - c) Right of legal services.
 - d) Public Interest Litigation.
 - e) Speedy justice.

2. Right of Healthy Life and Environment:
 - a) Concept of environment
 - b) Causes of environmental pollution.
 - c) Protection of forests and places of public resorts.
 - d) Salient features of Environmental Protection Act, 1986.

3. Concept of Human Rights:
 - a) Protection of Human Rights Act, 1993
 - b) Constitution of National Human Rights Commission, functions and powers of the Commission, Human Rights Courts, special investigation teams.

4. Common Law and Consumer:
 - a) Liability for negligence and duty to take care.
 - b) Caveat emptor and caveat venditor.
 - c) Liability for nuisance.
 - d) Liability for hazardous and dangerous activities.
 - e) Liability for unsafe products : Product liability.
 - f) Compensation - Nature and scope.
 - g) Accountability of public authorities and liability of irresponsible public officials.

5. Essential Commodities Act, 1955:

Regulation and prohibition of the production, supply and distribution of essential commodities, supply and pricing, power of search and seizure, confiscation, public distribution system and its shortcomings.

6. Company Law and Consumer:
 - a) Kinds of Shares, allotment and calls on shares, rights of shareholder and forfeiture of shares.
 - b) Company Deposit Rules, rights of deposit holders, restrictions on companies for accepting public deposits.
 - c) Shareholders and deposit holders of non-banking Financial Institutions.
 - d) Non Banking Financial Companies and Investors Rights under Company Law and RBI Guidelines.
 - (e) SEBI

7. ISI certification, AGMARK, Trade and Merchandise Mark, Drugs and Cosmetic Control.

8. Concept of Public Utility Services, related laws and consumer:
- a) Electricity
 - b) Mass Communication
 - c) Railway and State Transport
 - d) Insurance
 - e) Banking
 - f) Local bodies and civil amenities
 - g) Housing

Selected Readings:

- 1) Dilip K. Sheth, Treatise on Consumer Protection Law, 2001, Snowwhite.
- 2) Essential Commodities Act, 1995
- 3) Indian Standards Institutions (Certification Marks) Act, 1952 (Section 3,5,6,13-15)
- 4) Trade and Merchandise Act, 1985 (2002) (Section 2 (1), (N), 77 to 81 and 96. Universal Law publishing Co. Ltd.
- 5) The Bureau of Indian Standards Act, 1986, Sections 10,11,14 & 23.
- 6) The Protection of Human Rights Act, 1993 (Section 2(1) d 2 (1) e 2(1)c 2(1) & Section 3,12,13,14,17,18,19,30, and 37.
- 7) R.M. Vats, Law Relating Insurance 1997
- 8) R.M. Vats, Law Relating toTelephones, 1996.
- 9) Amar Ramani, Banking and Consumer Protection 1997 Bhakti and Company.
- 10) Kailash Thakur, Environment Protection Law and Policy in India.
- 11) The Universals Companies Act, 2002, Universal Law Publishing Co.
- 12) SEBI Act, 1992.
- 13) R.F.V. Heuston and R.A. Buckley, Salmond & Heuston on the Law of Torts, 20th Edition, Universal Law Publishing Pvt. Ltd.
- 14) Ownership of Flats and Apartments in Maharashtra (Act, Rules, Notification).

PAPER - III

LAW OF CONSUMER PROTECTION.

1. Historical and Sociological Background of Consumer Law
2. Concept of Consumer:
 - a) Consumer in India.
 - b) Consumer of goods and services.
 - c) Professional services - Medical, legal, educational and welfare services.
3. Rights of Consumer under the Act, nature and characteristics.
4. Definitions: complainant, consumer dispute, defect, deficiency in service, service, unfair trade practices, restrictive trade practices.

5. Consumer Protection Councils, role, objects, and composition.
6. Structure, composition, power and functions 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 execution of the decision and Appeals.
9. Landmark Judgments of Supreme Court and NCDRC.

Selected Readings:

1. Venkat 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 Judgments (CPJ) and Consumer Protection Reports (CPR)
6. Dr. Gurjit Singh, The Law of Consumer Protection in India, 1996 Deep and Deep Publications.
- 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 IV

LAWS FOR THE CONSUMERS.

1. Right to quality, quantity, standard and purity.
 - a) Food adulteration: salient features of the Prevention of Food Adulteration Act, 1954.
 - b) Drugs and Cosmetics Act, 1954 (salient features).
 - c) Standards of Weights and Measures Act, 1976, Definition of Director and other staff penalties (Sec. 50-70).
 - d) Standards of Weights and Measures (Package Commodities) Rules 1977.

2. Right to be assured, access to variety of goods at competitive price- (sale-purchase contract)
 - a) Sale of Goods Act. 1930. Definition of contract, sale and agreement to sale, law relating to warranty and guarantee and doctrine of Caveat emptor.
 - b) Contract Act, 1872, What agreement are contracts, free consent (Sec.- 10- 30), the consequences of breach of contracts, 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.
 - c) Negotiable Instruments Act, 1881, Definition of Banker, Cheque-holder: Negotiable instrument, dishonour of cheque for insufficiency of funds etc, cognizance of offences.

3. Practice and Procedure:
 - a) Indian Penal Code (IPC) 1908, Definition of document, procedure to produce a document in a court of law false document, forge a document, mischief, trespass, fraud and cheating.
 - b) Indian Evidence Act, 1872 - Definition of evidence, documents, acts, admissions, statements and admissibility.
 - c) Criminal Procedure Code (1974), Definition and Procedure of Search and Seizure.

4. Right to Redress other problems:
 - a) MRTP Act, Power of MRTP Commission, Penalties
 - b) Competition Bill introduced in Parliament.
 - c) Carriers Act, 1865, Definition of common carrier, liability of carrier (Sec. 3,4,5 & 8), negligence of carriers & limitation (Sec. 9 & 10)
 - d) Maharashtra Cooperative 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, & 91).

Selected Reading:

- 1) Indian Penal Code 1908 (amended in 2002) (Sections - 29,172,173, 425,441, 463, 466, 472).
- 2) Indian Evidence Act, 1872 (amended in 2000) (Sections - 3,17,35,39 & 65) 2001,
- 3) The Indian Contract Act, 1872 (Sections 10 to 30, Sections 73,102,211,215,226,227,228,230, to 233 and 238).
- 4) Negotiable Instrument Act, 1881, 2002 (Section 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) (Sections - 2(1), 2(4), 2(11), 4,5,11,12,12,18, & 20.
- 8) P. Ramanatha Aiyar, The sale of goods Act, 7th – Edn, The Universal Book Agency
- 9) M.P. Furmston, Cheshire and Fifoots': Law of Contract, 9th - Edn. Butterworths.
- 10) Standards of Weights and Measures Act, 1976
- 11) R.V. Ramkrishna's Prevention of Food and Adulterations Act, VIth Edn, (1997) Gogia and Co. Hyderabad.
- 12) S.L. Tripathi's - The Standard of Weights and Measures Act with Rules (1997) Law Publishers India Pvt. Ltd.
- 13) P.L. Mallik- Law Relating to Weights and Measures, VI 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 (ILLI 1991).

Paper V

Dissertation / Research work / Project Work.

Guideline for the Students

Candidates have to submit an Dissertation / Research work / Field Report of about 100 pages on a topic of Consumer Law. The Essay / Study Report is expected to be an in-depth and critical analysis of a 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 already available material. The candidates will be examined at an oral examination (Viva-voce) on the strength of written work.

The work will carry 200 marks for which 100 marks will be for the written work and 50 marks for viva and 50 marks for Role and Extension Services. The work must be submitted to the Director of the Centre before 15 of March every year. The supervisor for the dissertation shall of the teaching members of the faculty. The students will be assigned the topic for project by their respective supervisors and the topics must be approved by the Director before 15th of September every year. After the dissertation is submitted they shall be evaluated by the external examiner.

The examiner will evaluate the essay / study report taking into account the following points.

- 1) The coverage of subject matter
- 2) Arrangement and presentation
- 3) Nature of reference and materials used
- 4) Critical appreciation and the original contribution of the candidate

Total Marks -	200 marks
For Written work	100 marks
For Viva - voce	50 marks
For role /extension services	50 marks.