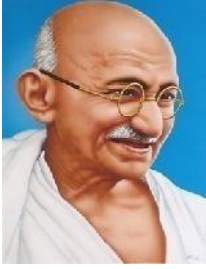


CONSUMER PROTECTION



A customer is the most important person in our premises. He is not dependent on us, we are dependent on him.

He is not an interruption in our work; he is a purpose of it.

He is not an outsider of our business; he is a part of it.

We are not doing him a favour by serving him.

He is doing us a favour by giving us an opportunity to do so

----- **Mahatma Gandhi**



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Consumer is said to be the king in a free market economy. The earlier approach of “Caveat emptor” (let the buyer beware) has been changed to “Caveat venditor” (let the seller beware).

With the growing competition and to push up the sales, businessmen indulge in exploitative and unfair trade practices which include supply of defective and unsafe products, adulteration, false and misleading advertising, hoarding, black marketing etc., so there arises the need for providing protection to consumers.

Consumer - Definition

Consumer Protection Act, 1986 defines a consumer is an individual or organization who buys goods and services for a consideration.

Some other definitions for consumer are as follows:

1. The person who buys any goods for a consideration.
2. A person who hires or avails of any services for a consideration.

Legal protection to consumers

1. **Consumer Protection Act (CPA) 1986** – It gives protection against defective goods, unfair trade practices and all other exploitation. It provides for protection of consumer rights and redressal of consumer disputes. It also provides for the setting up of a three-tier machinery – *District Forums, State Commissions and the National Commission*.
2. **The Contract Act 1982** – This Act specifies the remedies available in case of breach of contract.
3. **The Sale of Goods Act 1930** – It assures some safeguards to buyers of goods in case the goods do not conform to the implied conditions or warranties.
4. **The Essential Commodities Act 1955** – This Act suggests for action against antisocial activities of profiteers, hoarders and black marketers.
5. **The Agricultural Produce (Grading and Marking) Act 1937** – It lays down the procedure for grading, marking and packing of agricultural products. The quality mark is known as AGMARK.
6. **The Prevention of Food Adulteration Act 1954** – To check adulteration of food items and to ensure their purity.
7. **The Standards of Weights and Measures Act 1976** – It gives protection to consumers against the malpractice of underweight or under measure.
8. **The Trade Marks Act 1999** – This Act prevents the use of fraudulent marks (duplicate trademarks of other companies) on products.

9. The Competition Act 2002 – This Act replaced the MRTP Act 1969 (Monopolies and Restrictive Trade Practices). It gives protection to consumers in case policies adopted by business firms hamper competition in the market.

10. The Bureau of Indian Standards Act 1986 – The Bureau has two sets of activities – (1) Formulation of quality standards and (2) Certification through BIS. By this, producers can use ISI mark on their products only if the products meet the prescribed quality. Also there is a grievance cell under the bureau accepts complaints from consumers.

Consumer Rights

Common unfair trade practices

- Adulteration
- Black marketing
- False weights
- Poor quality

- Exorbitant price
- Misleading advertisement
- Duplication of brands

1. Right to safety – Consumers have the right to be protected against the goods which are hazardous to health and safety. Manufacturing defects in electrical goods, pressure cookers etc. may endanger the life of consumers.

- 2. Right to be informed** – It implies that the producer should disclose all the facts regarding his products. Information as to the quantity, quality, price, date of manufacture, ingredients, precautions of use etc. should be given.
- 3. Right to choose** – It implies that consumer has the chance to choose from the alternatives, the producer should not take away the right through aggressive selling techniques.
- 4. Right to be heard** – Every consumer would like to be assured that complaints or grievances regarding a product or service will be considered.
- 5. Right to seek redressal** – When the consumers are cheated or exploited they have the right to get compensation.
- 6. Right to consumer education** – A consumer can get protected against fraud and malpractices only with the help of knowledge and proper education, he should know the rights and remedies available to him. It is possible only with proper consumer education.

Redressal Agencies under the CPA 1986

There is a three-tier grievance redressal system for enforcement of the rights of the consumers, they are:-

1. District Forum	2. State Commission	3. National Commission
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<p>a. Established by State Govt.</p> <p>b. In all the Districts</p> <p>c. Entertain the complaints where value of goods or service and compensation claimed up to 20 lakhs.</p> <p>d. Appeal to State Commission within 30 days of order from District Forum</p>	<p>a. Established by State Govt.</p> <p>b. In all the States</p> <p>c. Above 20 lakhs but less than 1 crore.</p> <p>d. Appeal to National Commission within 30 days of order from State Commission.</p>	<p>a. Established by Central Govt.</p> <p>b. Only at national level.</p> <p>c. 1 crore or more.</p> <p>d. Appeal to Supreme Court within 30 days of order from National Commission.</p>
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