

What is the Consumer Protection Act?

The Consumer Protection Act, implemented in 1986, gives easy and fast compensation to consumer grievances. It safeguards and encourages consumers to speak against insufficiency and flaws in goods and services. If traders and manufacturers practice any illegal trade, this act protects their rights as a consumer. The primary motivation of this forum is to bestow aid to both the parties and eliminate lengthy lawsuits.

This Protection Act covers all goods and services of all public, private, or cooperative sectors, except those exempted by the central government. The act provides a platform for a consumer where they can file their complaint, and the forum takes action against the concerned supplier and compensation is granted to the consumer for the hassle he/she has encountered.

What is the aim of the Consumer Protection Act?

The basic aim of the Consumer Protection Act, 2019 to save the rights of the consumers by establishing authorities for timely and effective administration and settlement of consumers' disputes.

Objective:

The principal objective of the Consumer Protection Act is to grant shield for the improved safeguard to consumers. Unlike prevailing laws, which are disciplinary or precautionary in nature, the provisions of this Act are compensatory in nature. The act is aimed to afford simple, quick and economical redressal to the consumers' grievances, and reliefs of a particular nature and award of damages wherever appropriate to the consumer.

The Consumer Protection Act has been revised in 1993 both to extend its coverage and scope and to augment the powers of the redressal. The fundamental rights of consumers as per the Consumer Protection Act are:

1. Right to be shielded against promotion of goods and services which are risky to life and property
2. Right to be conversant regarding the wholesomeness, standard ,quality, quantity, potency, and value of goods, or services so as to shield the buyer against unfair trade practices
3. Right to be ensured, access to range of goods and services at viable prices wherever possible
4. Right to be informed and be ensured that consumers' benefit will be given due consideration at appropriate level
5. Right to search for redressal against unjust trade practices or restraining trade practices or deceitful exploitation of consumers
6. Right to consumer education

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The main objective of the Consumer Protection Act is to grant shield for the improved safeguard of consumers and their rights. Even though there is a prevailing Consumer Protection Act, it is still doubtful as to how far the objectives of the Act are achieved. Still we see that Rights of consumers are ignored but we hope the government will surely take necessary actions in order to establish the proclaimed fundamental rights soon. Government must ensure consumers right to be conversant regarding the purity, standard ,quality, quantity, potency, and value of goods, or services so as to shield the buyer against unfair trade practices.

Consumer Protection Act, 1986 is an Act of the Parliament of India enacted in 1986 to protect the interests of consumers in India. It makes provision for the establishment of consumer councils and other authorities for the settlement of consumers' disputes and for matters connected therewith also.

Significance of the statute

This statute is regarded as the Magna Carta in the field of consumer protection for checking the unfair trade practices and 'defect in goods' and 'deficiencies in

services' as far as India is concerned. It led to the establishment of a widespread network of consumer forums and appellate courts all over India. It has significantly impacted how businesses approach consumer complaints and empowered consumers to a great extent.

Consumer Protection Council

Consumer Protection Councils are established at the national, state and district level to increase consumer awareness.

The Central Consumer Protection Council

The Central Govt. shall by notification establish with effect from such date as it may specify in such notification a Council to be known as the Central Consumer Protection Council.

Consumer Disputes Redressal Agencies

1. District Consumer Disputes Redressal Forum (DCDRF): Also known as the "District Forum" established by the State Government in each district of the State. The State Government may establish more than one District Forum in a district. It is a district level court that deals with cases valuing up to ₹2 million (US\$31,000).
2. State Consumer Disputes Redressal Commission (SCDRC): Also known as the "State Commission" established by the State Government in the State. It is a state level court that takes up cases valuing less than ₹10 million (US\$160,000)
3. National Consumer Disputes Redressal Commission (NCDRC): Established by the Central Government.

Consumer Rights and Responsibilities:

The Rights of the Consumer

- **Right to Safety-** Before buying, a consumer can insist on the quality and guarantee of the goods. They should ideally purchase a certified product like ISI or AGMARK.

- **Right to Choose-** Consumer should have the right to choose from a variety of goods and in a competitive price.
- **Right to be informed-** The buyers should be informed with all the necessary details of the product, make her/him act wise, and change the buying decision.
- **Right to Consumer Education-** Consumer should be aware of his/her rights and avoid exploitation. Ignorance can cost them more.
- **Right to be heard-** This means the consumer will get due attention to express their grievances at a suitable forum.
- **Right to seek compensation-** The defines that the consumer has the right to seek redress against unfair and inhumane practices or exploitation of the consumer.

The Responsibilities of the Consumer

- **Responsibility to be aware** – A consumer has to be mindful of the safety and quality of products and services before purchasing.
- **Responsibility to think independently**– Consumer should be well concerned about what they want and need and therefore make independent choices.
- **Responsibility to speak out-** Buyer should be fearless to speak out their grievances and tell traders what they exactly want
- **Responsibility to complain-** It is the consumer’s responsibility to express and file a complaint about their dissatisfaction with goods or services in a sincere and fair manner.
- **Responsibility to be an Ethical Consumer-** They should be fair and not engage themselves with any deceptive practice.

How to File a Complaint?

- Within two years of purchasing the product or services, the complaint should be filled.

- In the complaint, the consumer should mention the details of the problem. This can be an exchange or replacement of the product, compensation for mental or physical torture. However, the declaration needs to be reasonable.
- All the relevant receipts, bills should be kept and attached to the complaint letter.
- A written complaint should be then sent to the consumer forum via email, registered post, fax or hand-delivered. Acknowledgement is important and should not be forgotten to receive.
- The complaint can be in any preferred language.
- The hiring of a lawyer not required.
- All the documents sent and received should be kept.