

## Consumer Protection Laws You Need to Know

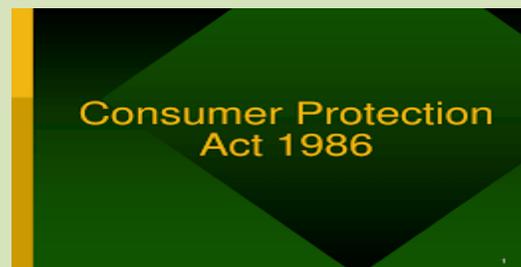
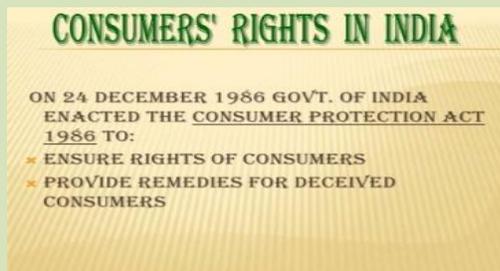
You buy a new motorbike for your son as a birthday gift. Few weeks later, you notice the alignment of front tyre is not proper. What do you do? Should you fix it yourself and avoid the trouble of going back to the store? Has the return time lapsed? Is the mobike still covered under warranty? What do you do if it expires guarantee/warrantee period?

The blue shirt, you bought has given you a rash. When you look at the label, you notice that it is not 100% cotton as advertised. Instead, it is made from a mix of unpronounceable materials. Can you dispute the seller's claims?

These are some of the situation that consumers go through daily. Consumer protection laws are meant to protect us against these types of issues. So it is important to familiarise ourselves with the consumer protection laws.

### Consumer Protection in India

Besides basic necessities, consumers need a variety of things in their daily lives such as mobiles, digital cameras, soaps, perfumes, cosmetics and many more things. When consumers buy things from the market they expect value for money, i.e., right quality, right quantity, right price, information about the mode of use, etc. But there may be instances where a consumer is cheated.



In such cases, most of consumers do not know to whom they should approach to seek redressal against these complaints. They also do not know their “rights” as a consumer and often hesitate to complain or even stand up to unfair practices.

Consumer rights are the rights given to a “consumer” to protect him/her from being cheated by salesman/manufacturer. Consumer protection laws are designed to ensure fair trade competition and the free flow of truthful information in the marketplace. Consumer protection is linked to the idea of “consumer rights” (that consumers have various rights as consumers), and to the formation of consumer organisations which help consumers make better choices in the marketplace. There are consumer forums which help consumers to seek justice against unfair practices without incurring exorbitant litigation costs. There is no need to hire a lawyer, consumers are guided to handle their case on their own.

## **Consumer Protection Act, 1986**

The first and the only Act of its kind in India, it has enabled ordinary consumers to secure less expensive and often speedy redressal of their grievances.

The Consumer Protection Act, 1986 (CPA) gives a simpler and quicker access to redress of consumer grievances. The Act seeks to promote and protects the interest of consumers against deficiencies and defects in goods or services. It also seeks to secure the rights of a consumer against unfair trade practices, which may be practiced by manufacturers and traders. The Act applies to all goods and services unless specifically exempted by the Central Government. It covers all the sectors whether private, public or cooperative.

## **Consumer Rights**

Under the Consumer Protection Act 1986, a consumer is guaranteed the following rights:

- Right to be protected against the marketing of goods and services which are hazardous to life and property
- Right to be informed about the quality, quantity, potency, purity, standard and price of goods or services so as to protect the consumer against unfair trade practices
- Right to be assured , wherever possible , access to a variety of goods and services at competitive prices
- Right to be heard and to be assured that consumers' interests will receive due consideration at appropriate forums
- Right to seek redressal against unfair trade practices and unscrupulous exploitation of consumers
- Right to consumer education.

To redress the consumer grievances this Act has provided machinery whereby consumers can file their complaints. The complaints are heard by the consumer forums with special powers so that action can be taken against erring suppliers and the possible compensation may be awarded to consumer for the hardships he has undergone.

## **Consumer redressal forum**

The Act envisages a three - tier quasi-judicial machinery at the National, State and District levels. Consumers can get their grievances heard in these forums.



- National Consumer Disputes Redressal Commission - known as “National Commission” deals with complaints involving costs and compensation higher than Rs. 20 lakhs.
- State Consumer Disputes Redressal Commissions - known as “State Commission” deals with complaints involving costs and compensation higher than Rs. 5 lakhs but less than 20 lakhs.
- District Consumer Disputes Redressal Forums - known as “District Forum” deals with complaints involving costs and compensation less than Rs. 5 lakhs.

A written complaint to the company is taken as proof that the company has been informed. The complaint should be supported by copies of bills, prescriptions and other relevant documents, and should set a deadline for the company to respond. Consumers can also complain through a consumer organisation.