

CONSUMER PROTECTION ACT 1986

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INTRODUCTION

The moment a person comes into this world, he starts consuming. He needs clothes, milk, oil, soap, water and many more things. When we approach the market as a consumer, we expect value for money, i.e, right quality, right quantity of use etc. But there may be instances where a consumer is harassed or cheated. **The consumer protection act 1986 was enacted to provide a simpler and quicker access to redressal of consumer grievances.** It is interesting to note that the act doesn't seek to protect every consumer within the literal meaning of the term. The protection is meant for the person who fits in the definition of 'consumer' given by the act.

Now we understand that the consumer protection act provides means to protect consumers from getting cheated or harassed by suppliers.

WHO IS A COSUMER

An individual who buys products or services for personal use and not for manufacture or resale.

A consumer is someone who can make the decision whether or not to purchase an item at the store, and someone who can be influenced by marketing and advertisements. Any time someone goes to a store and purchases a toy, shirt, beverage, or anything else, they are making that decision as a consumer.

WHAT IS CONSUMER PROTECTION ACT 1986?

The consumer protection act is the govt regulation that is aimed at protecting consumer's rights and welfare. It helps to protect them against businesses that practice fraud, overcharging clients, unfair competition and untruthfulness.

HOW A CONSUMER CAN SEEK PROTECTION?

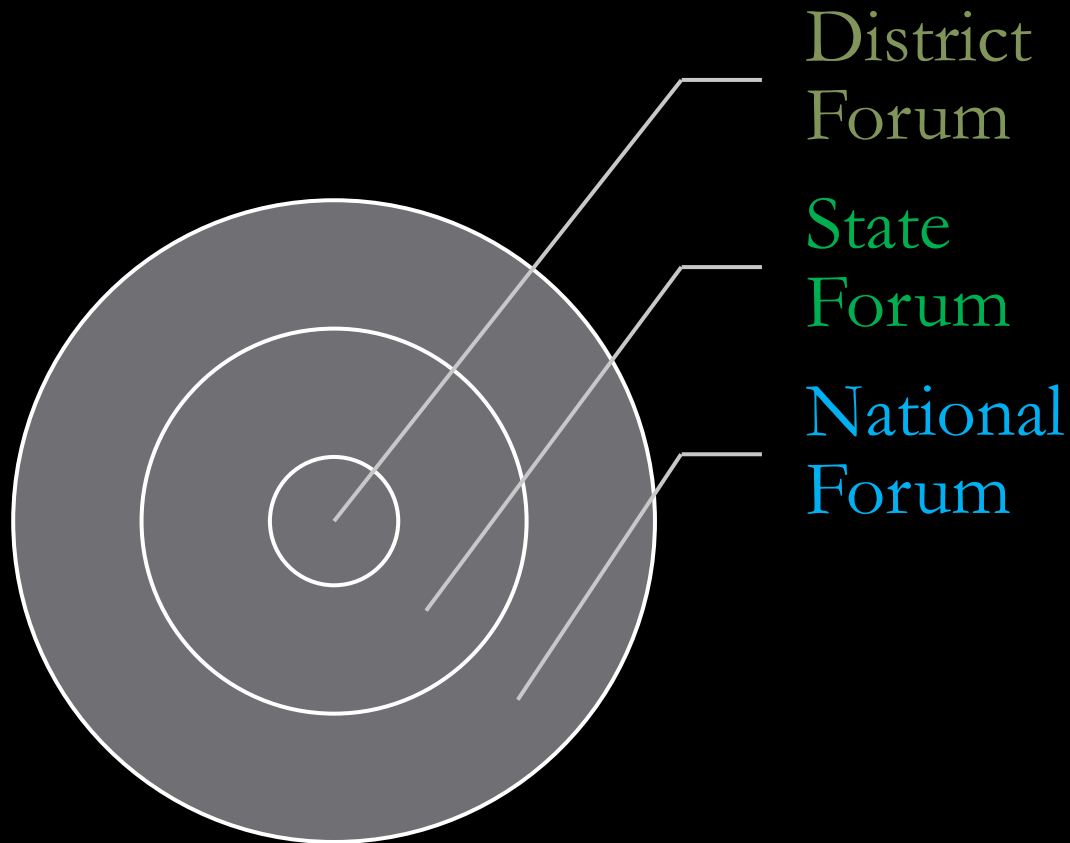
The act has provided a machinery whereby consumers can file their complaints which will be entertained by the consumer forums with special powers so that action can be taken against erring suppliers and the possible compensation may be awarded to consumer for the hardships he has undergone. **No court fee is required to be paid to these forums and there is no need to engage a lawyer to present the case.**

SALIENT FEATURES

1. **APPLICABILITY** - This act is applicable on both goods and services. **Goods** are manufactured by the manufacturer and consumer buys them from manufacturer or seller. **Service** includes transport, electricity, water, roads, banking, teaching, etc under this act.

2. **CONSUMER REDRESSAL FORUM** - Under consumer protection act, **the three judicial systems** has been setup to provide relief to consumers. These forums has been setup **to safeguard the interests of consumers**. In these forums, a consumer can file their complaints.

CONSUMER REDRESSAL FORUMS



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3. **TIME PERIOD** - Under this act, there is a provision to settle the complaint **within 3 months of filing it**. If complaint needs laboratory testing, **the period is extended to five months**.
4. **NO FEE REQUIRED** – There is a **no fee for lodging complaint**. Even poor people can get justice.

IMPORTANCE AND NEED FOR CONSUMER PROTECTION ACT 1986

Importance, Needs of Consumer Protection

Protection from Exploitation

Consumer Education

Redressal of Complaints

Bulletins and Periodicals

Encouraging Honest Businessmen

Connecting Link

Unity

Quality life for Consumer

Getting Public Support

To Discourage Antisocial Activities

To Awaken the Government

EXPLANATION

1. Protection from Exploitation

Importance of the consumer protection is to safeguard the consumer from exploitation. In the absence of consumer protection, consumers were exploited in many ways e.g. sale of unsafe products, adulteration and hoarding of goods, using wrong weights and measures, charging excessive prices and sale of inferior quality goods, etc. Through various Consumer Protection Acts; business organizations are under pressure to keep away from exploiting consumers.

2. Consumer Education

Importance of consumer protection is to create awareness among consumers about their rights and responsibilities by organizing workshops and seminars and gives them confidence to take legal action against companies who have defaulted.

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3. Redressal of Complaints

Importance of Consumer Protection is to present the consumer complaints in appropriate consumer courts and make sure that justice is done to consumers.

4. Bulletins and Periodicals

Importance of consumer protection organization is to issue various journals and periodicals in which wide publicity is given to the unfair trade practices adopted by business organisations so that they are pressured to give fair treatment to consumers.

5. Encouraging Honest Businessmen

Importance of consumer protection is to encourage the honest businessmen. organizations give the credit to the business organizations which aims at consumer satisfaction by publishing favorable reports in their periodical's about them. This helps in building goodwill for such organizations.

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6. Connecting Link

Importance of consumer protection is they play connecting link between the consumer. Consumer Protection organizations act as a link between consumers wanting to file complaints on one side and the business organizations that have defaulted on other sides and make sure that justice is done to final consumers.

7. Unity

Consumer Protection aims at bringing unity among consumers to fight collectively against the business organisations which indulge in unfair trade practices. Consumers are encouraged to form co-operative societies so that the focus is on providing services to members rather than earning profit on the cost of customers.

8. Quality life for Consumer

Importance of Consumer Protection is to aim at redressal of consumer complaints in an effective manner but also on giving good-quality life to consumers by business organizations who have defaulted on the other side and make sure that justice is done to final consumers.

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9. Ethical Obligations

Importance of consumer protection, Today ethics play a prominent role in business.

Business without ethical values is nothing but a criminal activity. Protecting the interests of the consumer includes absence of unfair business practices such as black marketing, profiteering, creating an artificial shortage, using wrong weights and measures, publishing false advertisement, etc. It is necessary for a businessman not to practice such uneven means thereby protect the interest of consumers.

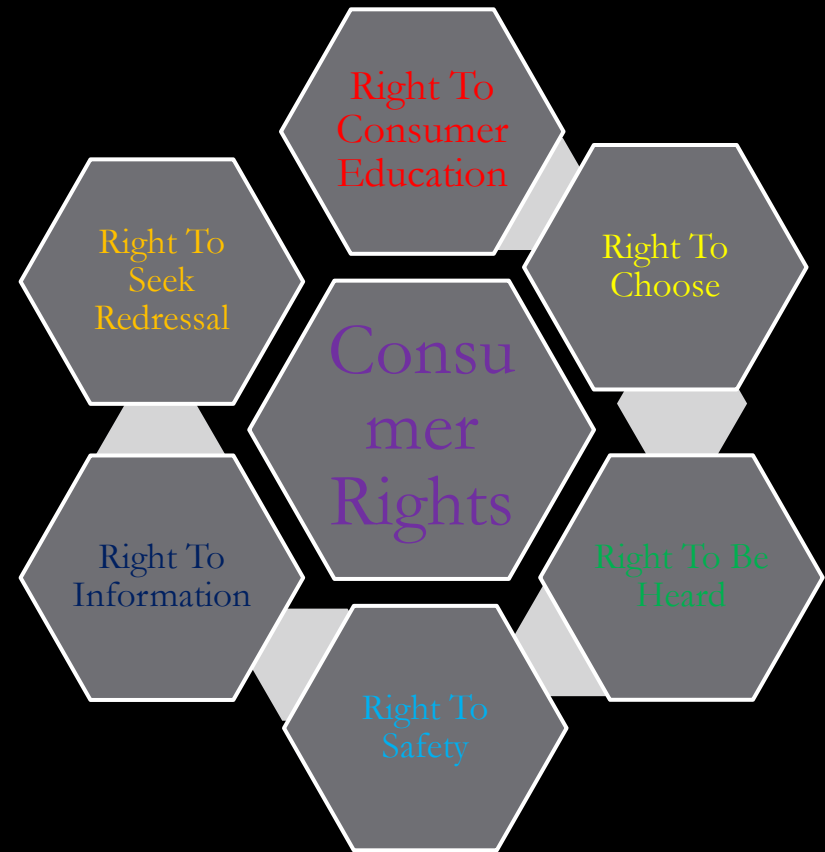
10. Getting Public Support

Importance of consumer protection does not isolate the business. **Financial institutions and banks provide finance to business. Government provides support and incentives.**

Employees contribute their time, skill and labour. Consumers are ready to pay for value. The businessmen can get the best support of all these parties only when it stops exploiting its customers.

To conclude, the importance of Consumer Protection is to safeguard consumers from any kind of exploitation from business organizations and ensuring the position of 'King of Market' to consumer.

CONSUMER RIGHTS



EXPLANATION OF CONSUMER RIGHTS

1. **RIGHT TO CONSUMER EDUCATION** - The right to consumer education is an important right to the consumers. Information about the consumer products in the market and for the proper functioning of the legal system. It is necessary that the knowledge of the availability of a legal remedy should be so widely explained, advertised and circulated, so that people as a whole become conscious of their rights.
2. **RIGHT TO SAFETY** - According to the consumer protection act 1986, the consumer right is referred to as 'right to be protected against marketing of goods and services which are hazardous to life and property. It is applicable to specific areas like health care and food processing.
EXAMPLE – Adulterated food is dangerous to life and weak cement is dangerous to life as well as to property.

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3. **RIGHT TO CHOOSE** - The right to choose means the right to be assured. Wherever possible, access to a variety of goods and services at competitive prices. Fair and effective must be encouraged in order to provide consumers with the greatest range of choice among products and services at the lowest price.

4. **RIGHT TO BE HEARD** - This right helps to empower the consumers of india for putting forward their complaints and concerns fearlessly and raising their voice against products or even companies and ensure that their issues are taken into consideration as well as handled expeditiously.

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5. **RIGHT TO SEEK REDRESSAL** - The consumer has been given the right to seek redressal against unfair trade practices or their unscrupulous exploitation. The consumer should have some means of redress when goods fail to live up to their promise or indeed cause injury.

6. **RIGHT TO INFORMATION** - The consumer has the right to be informed by the producer about the quality, quantity, potency, purity, standard and price of goods so as to protect the consumer against unfair trade practices. The right to obtain adequate information is an important right which enables the consumer to take intelligent decision at the time of purchasing any goods or hiring any services.

