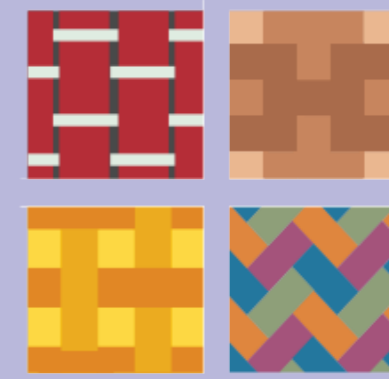




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CONSUMER PROTECTION ACT (2019)

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CONTEXT

The Consumer Protection Act, 2019, aims to expand the protection available to consumers in India.

The Act replaces the old act of 1986 and introduces a range of new measures to protect consumers' rights, including stricter penalties for sellers who mislead consumers.

The new Act updates the legal measures available for settling consumer complaints and importantly extends consumer protection to the online world.

The Consumer Protection Act protects your rights as a consumer. It prevents sellers from misleading or taking advantage of you and provides you with the legal tools to challenge them if you have been unlawfully treated.



RIGHTS OF THE CONSUMER

Under the law, a consumer is anyone who pays for a good or service (either renting or buying outright) with the intention of using it themselves, not selling it.

The Act sets out rights of the consumer to:

- 1) Be protected from marketing of hazardous goods, products and services.
- 2) Be informed about the quality, quantity, potency, purity, standard and price of goods, products and services.

KEY PROVISIONS

- 3) Be assured, wherever possible, of access to a variety of goods, products or services at competitive prices.
- 4) Be heard and to be assured that their interests will receive due consideration.
- 5) Enforce their rights in cases of unfair trade practice, restrictive trade practices or unscrupulous exploitation.

SETTLING DISPUTES

- 1) The Act establishes a new Central Consumer Protection Authority (CCPA), a central body that can impose penalties on non-compliant businesses and enforce consumer protection under the law.

- 2) This law allows consumers to file complaints against sellers about defective goods from where they live, rather than having to go to the seller's place of business.
- 3) The consumer does not have to pay fees if the compensation claimed is less than ₹5 lakhs.
- 4) If a group of consumers have been wronged, they can join together to bring a single legal case against a seller, to reduce their legal costs.
- 5) The law introduces new more serious penalties, including imprisonment, for sellers of fake or spurious goods and for misleading advertisers.



e C O M M E R C E

The Act also introduces a number of new provisions to update consumer protection for the digital age:

- 1) Companies that sell online must disclose all relevant information about their products and must respond to consumer complaints within prescribed timelines.**
- 2) The new law also allows consumers to file complaints online. Filing online reduces the costs and time involved for you as a consumer.**

ACTION POINTS

This law updates and improves upon many aspects of the previous Consumer Protection Act. By setting new standards for business, consumers have more protection from fraudulent or misleading business practices.

The Act introduces online consumer protection for the first time. While this is a welcome extension of consumer rights into the digital world, it remains to be seen how effectively these laws will be enforced for online sellers.

The new facility for lodging complaints online promises to make it easier for consumers to get compensation in cases where their rights have been violated. As the law has only recently come into force, it remains to be seen how user-friendly this system is for the consumer in practice.

FURTHER INFORMATION FOR CONSUMERS:

Overview of consumer protection law in India:

<https://www.onlinelegalindia.com/consumer-complaint/consumer-protection-law-in-india/>

Guide to lodging a complaint online:

<https://www.onlinelegalindia.com/consumer-complaint/how-to-file-a-complaint-online-in-consumer-court-forum/>

The full Consumer Protection Act 2019:

<https://consumeraffairs.nic.in/acts-and-rules/consumer-protection>