

- Consumer Protection
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## Consumer Protection

Consumer Protection refers to the measures and laws designed to safeguard the rights and interests of consumers against unfair trade practices, exploitation, and defective goods or services. It ensures that consumers are educated, protected, and empowered to make informed decisions and seek redressal when their rights are violated.

### Key Definitions and Features:

- **Consumer:** As per the Consumer Protection Act, 2019, a consumer is a person who buys any goods or avails any service for a consideration, including online and offline transactions, but excluding purchases for resale or commercial purposes.
- **Consumer Protection Act, 2019:** A law that provides for the protection of consumer rights, establishment of consumer dispute redressal agencies, and promotion of fair trade practices.
- **Scope:** Applies to all goods and services, all types of undertakings (private, public, cooperative), and extends throughout India except Jammu and Kashmir.

**Example:** A consumer buying an electrical appliance that is ISI marked is assured of safety and quality standards.

## Practice Set:

- *Level 1:* Define a consumer as per the Consumer Protection Act, 2019.
- *Level 2:* Explain the importance of consumer protection from the consumer's point of view.
- *Level 3:* Discuss the scope of the Consumer Protection Act, 2019 and its applicability to online transactions.

## Answer Key:

- **Level 1:** A consumer is a person who buys goods or avails services for consideration, including online purchases, excluding resale or commercial purposes.
- **Level 2:** Consumer protection educates consumers, safeguards unorganized consumers, and protects against exploitation.
- **Level 3:** The Act covers all goods and services, all undertakings, and includes electronic transactions, ensuring comprehensive consumer protection.

## Quick Reference:

- **Consumer:** Buyer of goods/services for consideration
- **Act:** Consumer Protection Act, 2019
- **Scope:** All goods, services, undertakings, online/offline

## Glossary:

- **Consumer:** Individual purchasing goods or services
- **Consideration:** Price or payment made for goods/services
- **Redressal:** Remedy or compensation for consumer grievances

# Consumer Rights

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Consumer Rights are the fundamental entitlements granted to consumers to protect them from exploitation and ensure fair treatment in the marketplace.

### Key Rights as per Consumer Protection Act, 2019:

- **Right to be Protected:** Protection against hazardous goods and services.
- **Right to be Informed:** Information about quality, quantity, potency, purity, standard, and price.
- **Right to Choose:** Access to a variety of goods and services at competitive prices.
- **Right to Seek Redressal:** Ability to seek remedy against unfair trade practices.
- **Right to be Heard:** Opportunity to voice complaints and be heard.
- **Right to Consumer Education:** Acquire knowledge to make informed decisions.

**Example:** Consumers should use ISI marked electrical appliances to ensure safety.

### Practice Set:

- *Level 1:* List the consumer rights under the Consumer Protection Act, 2019.
- *Level 2:* Explain the Right to Seek Redressal with an example.
- *Level 3:* Discuss how consumer education helps in protecting consumer rights.

### Answer Key:

- **Level 1:** Rights include protection, information, choice, redressal, being heard, and education.
- **Level 2:** Consumers can file complaints against unfair practices; e.g., returning defective goods for replacement.
- **Level 3:** Education empowers consumers to make safe purchases and avoid exploitation.

### Quick Reference:

- Rights: Protection, Information, Choice, Redressal, Heard, Education

### Glossary:

- **Redressal:** Remedy for consumer grievances
- **Consumer Education:** Awareness about rights and safe practices

## Consumer Responsibilities

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Consumer Responsibilities are the duties that consumers must perform to protect their own interests and contribute to a fair marketplace.

### Key Responsibilities:

- Be aware of available goods and services.
- Check for quality certification marks.
- Use products safely and as intended.
- Read labels carefully before purchase.
- Obtain cash memos or receipts.
- Form or join consumer organizations.
- File complaints when necessary.
- Contribute to environmental protection.
- Seek fair deals and avoid unethical practices.

### Practice Set:

- *Level 1:* Mention any three responsibilities of consumers.
- *Level 2:* Explain why obtaining a cash memo is important.
- *Level 3:* Discuss the role of consumer organizations in supporting consumer responsibilities.

## Answer Key:

- **Level 1:** Awareness, safe use, filing complaints.
- **Level 2:** Cash memos serve as proof of purchase and are essential for claiming warranty or redressal.
- **Level 3:** Consumer organizations educate consumers, provide legal aid, and help file complaints.

## Quick Reference:

- Responsibilities: Awareness, Safety, Documentation, Complaint Filing

## Glossary:

- **Cash Memo:** Proof of purchase document
- **Consumer Organization:** Group working for consumer rights

## Reliefs Available to Consumers

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Consumers are entitled to various remedies when goods or services fail to meet quality or contractual standards.

### Types of Reliefs:

- Removal of defects in goods or services.
- Replacement of defective goods.
- Compensation for loss or injury suffered.
- Refund of price paid and punitive damages.
- Issuance of corrective advertisements.
- Withdrawal of hazardous goods from the market.
- Ceasing manufacture of hazardous goods.

- Contribution to consumer welfare funds.
- Discontinuation of unfair trade practices.

### Practice Set:

- *Level 1:* Name any three types of reliefs available to consumers.
- *Level 2:* Explain the importance of corrective advertisements.
- *Level 3:* Discuss how withdrawal of hazardous goods protects consumers.

### Answer Key:

- **Level 1:** Replacement, compensation, refund.
- **Level 2:** Corrective advertisements inform consumers about previous misleading claims and prevent further harm.
- **Level 3:** Removing hazardous goods prevents injury and promotes safety in the market.

### Quick Reference:

- Reliefs: Defect removal, Replacement, Compensation, Refund, Corrective Ads

### Glossary:

- **Compensation:** Monetary payment for loss or injury
- **Corrective Advertisement:** Public notice correcting false claims

## Redressal Machinery Under Consumer Protection Act, 2019

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The Consumer Protection Act, 2019 establishes a three-tier quasi-judicial system for timely and effective resolution of consumer disputes.

## Levels of Redressal:

- **District Commission:** Handles disputes up to ₹1 crore; consists of one President and two members (one woman); appointed by State Government.
- **State Commission:** Handles disputes between ₹1 crore and ₹10 crores; consists of one President and at least four members (one woman); appointed by State Government.
- **National Commission:** Handles disputes exceeding ₹10 crores; consists of one President and four members (one woman); appointed by Central Government.

**Appeals:** Consumers dissatisfied with District Commission decisions can appeal to State Commission within 45 days; appeals from State Commission go to National Commission within 30 days; appeals from National Commission can be made to Supreme Court within 30 days if within its original jurisdiction.

## Practice Set:

- *Level 1:* Identify the redressal agency for a dispute of ₹50 lakhs.
- *Level 2:* Explain the composition of the State Commission.
- *Level 3:* Describe the appeal process from District Commission to Supreme Court.

## Answer Key:

- **Level 1:** District Commission handles disputes up to ₹1 crore, so ₹50 lakhs falls under District Commission.
- **Level 2:** State Commission has one President and minimum four members, including at least one woman member.
- **Level 3:** Appeal from District Commission to State Commission within 45 days; from State Commission to National Commission within 30 days; from National Commission to Supreme Court within 30 days if applicable.

## Quick Reference:

- District Commission: ≤ ₹1 crore
- State Commission: ₹1 crore to ₹10 crores
- National Commission: > ₹10 crores

### Glossary:

- **Redressal Agency:** Authority to resolve consumer disputes
- **Appeal:** Request for review of a decision

## Role of Consumer Organisations and NGOs

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Consumer Organisations and Non-Governmental Organizations (NGOs) play a vital role in protecting and promoting consumer interests.

### Functions:

- Educate the public about consumer rights through training, seminars, and workshops.
- Publish periodicals and materials to raise awareness about consumer issues.
- Conduct comparative testing of products in accredited laboratories.
- Encourage consumers to protest against unfair trade practices.
- Provide legal assistance and support in filing complaints.
- File cases in consumer courts on behalf of consumers or public interest.

### Important Organisations:

- Consumer Coordination Council, Delhi
- Common Causes, Delhi
- Voluntary Organisation in Interest of Consumer Education (VOICE), Delhi
- Consumer Education and Research Centre (CERC), Ahmedabad
- Consumer Protection Council (CPC), Ahmedabad
- Consumer Guidance Society of India (CGSI), Mumbai

- Mumbai Grahak Panchayat, Mumbai
- Karnataka Consumer Service Society, Bangalore
- Consumers Association, Kolkata
- Consumer Unity and Trust Society (CUTS), Jaipur

### Practice Set:

- *Level 1:* Name two functions of consumer organisations.
- *Level 2:* Explain how NGOs assist consumers in legal matters.
- *Level 3:* Discuss the importance of comparative product testing by consumer organisations.

### Answer Key:

- **Level 1:** Educating consumers and filing complaints.
- **Level 2:** NGOs provide legal aid and file complaints in consumer courts on behalf of consumers.
- **Level 3:** Comparative testing helps consumers choose quality products and avoid substandard goods.

### Quick Reference:

- Functions: Education, Legal Aid, Testing, Advocacy

### Glossary:

- **NGO:** Non-profit organisation working for social causes
- **Comparative Testing:** Evaluation of products to assess quality

## Mnemonics for Consumer Protection

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## Concept 1: Consumer Rights (Hey Champ, Remain Punctual In Class)

- H: Heard (Right to be Heard)
- R: Redressal (Right to Seek Redressal)
- I: Informed (Right to be Informed)
- C: Choose (Right to Choose)
- P: Protected (Right to be Protected)
- C: Consumer Awareness (Right to Consumer Education)

## Concept 2: Redressal Agencies (No Singing and Dancing!)

- N: National Commission
- S: State Commission
- D: District Commission

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