

An umbrella for the consumer

As online transactions become a way of life, the [Consumer Protection Bill](#), 2018 is a step towards providing ordinary consumers some protection of their interests and establishing points for quick and effective administration and settlement of disputes.

The pending Bill, which will replace the Consumer Protection Act, 1986, defines the “consumer” as a person who buys any good or avails a service for a consideration. The Bill covers transactions, both online and offline, and includes tele-shopping and multi-level marketing.

The definition of “consumer rights” in the Bill exhaustively covers the right to be protected against the marketing of goods, products or services that are hazardous to life and property. It also focusses on the right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, as the case may be, so as to protect a consumer against unfair trade practices. It also includes the right to be assured, wherever possible, of access to a variety of goods, products or services at competitive prices. More importantly, it involves the right to seek redress against unfair or restrictive trade practices, or unscrupulous exploitation of consumers.

The Bill’s salient features include establishment of an executive agency to be known as the Central Consumer Protection Authority (CCPA) to promote, protect and enforce the rights of the consumers. The Bill proposes to empower the CCPA to investigate, recall, refund and impose penalties. The Bill provides for product liability action in cases of personal injury, death or property damage caused by or resulting from any product, and mediation as an alternate dispute resolution, making the process of dispute adjudication simpler and quicker.

The CCPA is also empowered to deal with unfair trade practices and misleading advertisements. The CCPA is to be headed by a Chief Commissioner.

The Bill seeks to set up a monitoring cell, to be constituted by the president of the National Consumer Disputes Redressal Commission to oversee the functioning of the State consumer commissions from the administrative point of view. The Bill provides for a State government to establish a consumer mediation cell to be attached to each of the district commissions and the State commissions. Further, the Bill proposes that the Centre establishes a consumer mediation cell to be attached to the National Commission.

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