

34. CONSUMER PROTECTION ACT

Today consumer has become more aware and conscious through consumer protection. But vendors, merchants, producers and retailers, cheat consumers in different ways. Producers cheat consumers easily by adopting various methods and techniques like adulterated food, defective equipment, wrong measurement, use of fake standard marks, etc. Government has made some amendments and rules to counter track and stop these frauds. Every effort is made by government so that the consumer is not exploited by the vendor or businessmen. These rules evidently provide protection to the consumers.



Fig. 34.1 Consumer Protection

The various laws made by the government in the interest of the above are as follows:

1. The prevention of food adulteration act (PFA) 1954 :

Indian parliament enacted a law called "The Prevention of Food Adulteration Act" in 1954. It came into force from 1st June 1955. The P.F.A lays down minimum standard requirements for all categories of food. Later, this rule was amended in 1968 and 1973. Any food stuff that does not come up to the minimum standards specified by the PFA rules is considered adulterated. The government takes following action through this rule:

- (i) Ban on adulteration and misrepresentation
- (ii) Educate consumer about the consumption of commodity
- (iii) Supply pure and original food to the consumers
- (iv) Punish businessmen who are doing adulteration
- (v) Protect consumer from using adulterated commodity
- (vi) To maintain minimum standard requirements of food products

Central government has established committees to certify the standard of food grains i.e. central food grain laboratories, all India cleanliness and health agencies. The main work of these agencies is to analyze the food grain samples and to certify them. Food analysis laboratories are set up at every district level, where the analysis is done, so that any person can get analysis of food samples. If analysis report suggest some adulteration in the food product then consumer can legally claim the producer/businessmen.

2. Drugs and cosmetics act 1940 :

This Act was passed to protect consumers from drugs and cosmetics of substandard quality by preventing them from being manufactured and marketed. This includes every drug and cosmetic which are made in India or imported to India. They should have proper labeling. Label should include, ingredients used in making drugs and cosmetics, their amount, method to use, manufacturing date, expiry date, producers name, brand and address, etc. This information is being given to guide the consumers. It lays down that no person or firm can stock, sell or distribute drugs unless they have a proper license issued by the state government for the purpose. It is mandatory that every dealer must issue a cash memo for the drug sold to the consumer under this law .

3. The standards of weights and measures act 1956 and 1976 :

This act was established in 1976 by Indian government. It includes an international system of units (metric) for weighing and measuring, formulation of specifications for weights, measures and equipments used for weighing and measuring and approval of models of equipment before they are manufactured. Weights and measures without seal or verification stamp are not genuine under any circumstances.

- Weighing and measuring act- 1976
- Weighing and measuring standards (packaging material rule) 1977
- **Weighing standards act 1985 :**

According to above mentioned rules and acts, use of wrong weighing and measuring standards, alteration in weighing and measuring standards, incomplete information about the package and interrupting the work of officers can be a serious offence.

4. Market and categorization act 1937 :

This act was passed by Indian government in 1937. This act is mainly meant for fruits, fruit products, potato, rice, coffee, butter, wheat, wheat flour, jaggery, vegetable oil, cotton, jute, metal, tobacco, wool, sandal wood, raw leather, etc. Consumer products are categorized and ranked according to

their purity and quality attributes in this act. Either A, B, C, or 1, 2, 3, or export quality is to be mentioned on the packet.

5. The agmark act 1937 :

The 'Agmark' is a trade mark of quality levels of agricultural commodities set up by the Directorate of marketing and Inspection of the Government of India. 'Agmark' seal can be seen on food stuff such as edible oils, butter, ghee, eggs, cereals, pulses, oil seeds, legumes, etc. This helps the consumer in selecting foods and offers him protection with regard to quality. A standard has been prepared to maintain the quality and nutritive value of all the food products according to this act, which guarantees that consuming products having this standard will not result any adverse, harmful or fatal effect on our health. Products are being categorized on the basis of their purity and nutritive value. Merchants, who are allowed to use this act, can use AGMARK on their product or commodity, but this sign is given only when the food item meets all the conditions related to the standard set by AGMARK.

6. Indian Standard Institute Act 1952, Bureau of Indian Standards (BIS) 1986 :

It is the most important institution of the country, whose main objective is to maintain the quality control and standards of the product. Items such as food products, drinking water, electrical goods, electronics goods, utensil, bicycles etc., are included under this act. Certification marks ensures that the product is cheap, safe and pure for the consumers. Institute provides ISI mark to the determined standard of the product. Institute provides license to only those merchant who promises to protect the consumer rights. This mark is not used for alcoholic beverages and drugs.

Special attention is taken towards the quality of the products, their properties, consumer protection and techniques of analysis, etc. ISI mark has been assigned by the Indian standard institute to the merchants, for that it is imperative to pay daily attention on quality control of the products from raw material to its final stage and also during storage. Investigations are scrutinized by the inspectors from

time to time. Any kind of negligence or inadvertent can cause difference in the quality of the products, the license is canceled if the complaint is found or found guilty. This act guarantees that if any complaint or guilty has been found in the ISI certified item, then the goods will be replaced by the merchant. There is a provision for harsh punishment by law if a producer uses fake imitation of ISI mark to cheat the consumer.

7. The Monopolies and restrictive Trade practices Act, 1969 (amendment year 1984):

This act was implemented by the Indian government in the year 1976 in order to stop the monopoly of seller, producers or manufactures in the market. Manufacturer charges arbitrarily from the public if he holds monopoly on something. Hence, considering the interests of the consumers, this Act was created so that no vendor/ manufacturer could arbitrarily draw money from the consumer. Market with healthy competition can also be established and the consumer has the facility of selection of the item.

8. Essential Commodities Act, 1955 :

Under the provision of the Act, the central and state government has been empowered to regulate the production, supply, distribution, and processing essential commodities such as cattle fodder, coal, iron, steel, paper, cotton and woolen textile, petroleum, petroleum products, drugs, foods, raw jute and cotton, etc. Ration shop is opened in every ward under this act. Its main objective is that in whole country, the public can get all the necessary ingredients in good quality at low prices. It has been mandatory for the traders to make a list of inventory and price list which has been set by the government in the Essential Commodities Act. It provides punishment on any hoarder, black marketer and profiteer. The offenders can be imprisoned for 3 – 5 years.

9. Electrical equipment (quality control) Act 1976 (amended in 1981) :

Indian government has implemented this act for consumer protection keeping in view the increase in accidents due the use of low standard electrical home appliances. Its main objective is to ensure that only those equipment are sold in the market which are safe.

As per this rule merchants cannot produce and sell equipment which do not have ISI standard. As you have studied that government has implemented consumer protection through different laws and acts and have made appropriate amendments as per the time. It was thought that consumer won't be harassed due to these laws and there will be good coordination between consumers and producers. Although these laws have provisions of imprisonment, fine and license cancellation of vendors but consumers don't get any sort of relief. Amount of money spend by the consumers get wasted and they have to face physical injuries many times due to fault products or services. government apart from these laws has made one more law to get rid of such situations and for protection of consumer rights "Consumer Protection Act 1986". As per this law consumer's right, objective and loss will be discussed in detail in the next chapter.



Fig. : 34.2 Consumer Awareness

Important Points :

1. Consumer has to seek help by consumer protection laws whenever he is cheated .
2. Government has made many laws towards protection of consumer.
3. It is the government's responsibility to facilitate the provision of basic household items at a reasonable price.
4. Informative label, wrong presentation of quality and quantity should not happen, opening up of ration shops, certification etc are done by the government so that consumer's problems can be resolved.

- (c) Symbols
 - (d) All of the above
- (v) Weight, shape and capacity of items should provide convenience in consumption, under the objective of :
- (a) Categorization
 - (b) Adulteration Control
 - (c) Regulated Business
 - (d) Certification
2. Fill in the blanks :
- (i) act promotes competition between businessmen.
 - (ii) certified product has any complaint or fault then it would be replaced by the producer.
 - (iii) Government has opened shops where common household items are easily available for consumption to the poor.
 - (iv) Agriculture Production Grading and Marketing Act, 1937 allows use of symbol.
 - (v) is a punishable offence under weight and measurement standard.
 - (vi) If any eatable is not as per the standard then it is considered as

3. Write short notes on the following :
 - (i) Consumer Protection Act
 - (ii) Distribution and Control of essential items
 - (iii) Categorization of items
 - (iv) High standard items
4. Why do consumers have to take support of law?
5. Write any one of the act in detail?
6. To display on the packet what are the necessary information needs to display on the packet?

1. (i) c (ii) c (iii) d (iv) a (v) d
2. (i) The Monopolies and restrictive Trade practices Act, 1969
(ii) ISI (iii) Ration (iv) Agmark
(v) Changes (vi) Adulterated