

CONSUMER PROTECTION ACT 2019

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- **CP Act 1986**

- provided for a three-tier consumer dispute redressal machinery at the National (NCDRC), State (State Commissions) and District levels (District Fora)

SALIENT FEATURES OF CP ACT 2019

- Consumer Protection Councils
- Central Consumer Protection Authority (CCPA)
- Simplified Dispute Resolution Process
- Mediation
- Product Liability
- Rules on e-commerce and direct selling
- Penalty for adulteration of products/spurious goods

CENTRAL CONSUMER PROTECTION AUTHORITY (CCPA)

- To provide relief to a class of consumers
- Empowered to -
 - Conduct investigations into violations of consumer rights and institute Complaints / Prosecution
 - Order recall of unsafe goods and services
 - Order discontinuance of unfair trade practices and misleading advertisements
 - Impose penalties on Manufacturers/Endorsers/Publishers of Misleading Advertisements
- Gazette Notification for establishment of CCPA under publication

SIMPLIFIED DISPUTE RESOLUTION PROCESS

- Deemed admissibility after 21 days of filing
- Empowerment of Consumer Commissions to enforce their orders
- State Commission & District Commission can now review their own orders
- Appeals only on question of law after second stage
- Ease of approaching Consumer Commissions
 - Filing from place of residence/work
 - E-filing
 - Videoconferencing for hearing

MEDIATION

- An Alternate Dispute Resolution (ADR) mechanism
- Reference to mediation by Consumer Commissions wherever scope for early settlement exists and parties agree for it.
- Mediation Cells to be attached to Consumer Commissions
- Panel of mediators to be selected by selection committee consisting of the President and a member of Consumer Commission.
- Mediation to be held in consumer mediation cell
- No appeal against settlement through mediation

PRODUCT LIABILITY

- A manufacturer or product service provider or product seller to be responsible to compensate for injury or damage caused by defective product or deficiency in services
- Basis for product liability action -
 - Manufacturing defect
 - Design defect
 - Deviation from manufacturing specifications
 - Not conforming to express warranty
 - Failing to contain adequate instructions for correct use
 - Service provided-faulty, imperfect or deficient

BENEFITS TO CONSUMERS

- The CP Act 1986- single point of access to justice, which is time consuming. Additional swift executive remedies provided through CCPA
- Deterrent punishment to check misleading advertisements and adulteration of products
- [Product liability](#) provision to deter manufacturers and service providers from delivering defective products or deficient services
- [Ease of approaching Consumer Commissions and Simplification of adjudication process](#)
- Scope for early disposal of cases through [mediation](#)
- Provision for rules for new age consumer issues: e-commerce & Direct selling

RULES & REGULATIONS

Rules

- General Rules
- Central Consumer Protection Council Rules
- Consumer Disputes Redressal Commissions Rules
- Appointment of President & Member in State/District Commission Rules
- Mediation Rules
- Model Rules for States
- E-Commerce Rules

Regulations

- Consumer Commission Procedure Regulations
- Mediation Regulations
- Administrative control over State Commission & District Commission Regulations

Thank you