

Consumer Protection Act 1986

Objects of the Act

1. Better Protection of Interests of Consumers
2. Protection of Rights of Consumers
3. Consumer Protection Councils
4. Quasi- Judicial Machinery for Speedy Redressal of Consumer Disputes

Definitions

Complainant

- “complainant” means
- (i) a consumer; or
- (ii) any voluntary consumer association registered under the Companies Act, 1956 (1 of 1956) or under any other law for the time being in force; or
- (iii) the Central Government or any State Government; or
- (iv) one or more consumers, where there are numerous consumers having the same interest;
- (v) in case of death of a consumer, his legal heir or representative; who or which makes a complaint;

Complaint

- “complaint” means any allegation in writing made by a complainant that—
- (i) an unfair trade practice or a restrictive trade practice has been adopted by any trader or service provider
- (ii) the goods bought by him or agreed to be bought by him suffer from one or more defects;
- (iii) The services hired or availed of or agreed to be hired or availed of by him suffer from deficiency in any respect;

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- (iv) a trader or the service provider, as the case may be, has charged for the goods or for the services mentioned in the complaint, a price in excess of the price
 - (a) fixed by or under any law for the time being in force;
 - (b) displayed on the goods or any package containing such goods;
 - (c) displayed on the price list exhibited by him by or under any law for the time being in force;
 - (d) agreed between the parties;

- (v) goods which will be hazardous to life and safety when used are being offered for sale to the public
- (a) in contravention of any standards relating to safety of such goods as required to be complied with, by or under any law for the time being in force;
- (b) if the trader could have known with due diligence that the goods so offered are unsafe to the public;
- (vi) services which are hazardous or likely to be hazardous to life and safety of the public when used, are being offered by the service provider which such person could have known with due diligence to be injurious to life and safety

Consumer

- “consumer” means any person who,
- (i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

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- (ii) hires or avails of any services for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such services other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person but does not include a person who avails of such services for any commercial purpose

Consumer Dispute

- Consumer Dispute means a dispute where the person against whom a complaint has been made, denies or disputes the allegations contained in the complaint

