



**FACULTY OF JURIDICAL SCIENCES**

**COURSE: B.A.LL.B. I st Semester**

**SUBJECT: LAW OF TORTS**

**SUBJECT CODE: BAL 106**

**Name of Faculty: Dr. Aijaj Ahmed Raj**

## **LECTURE 33**

# **TOPIC: CONSUMER PROTECTION ACT, 1986- CONSUMER PROTECTION COUNCIL, CONSUMER DISPUTE REDRESSAL AGENCIES**

### **Procedure of Central Consumer Protection Councils**

Section 4 of the 2019 Act deals with procedure of the working of Central Consumer Protection Councils

Section 4- (1) The Central Council shall meet as and when necessary, but at least one meeting of the Council shall be held every year.

(2) The Central Council shall meet at such time and place as the Chairperson may think fit and shall observe such procedure in regard to the transaction of its business as may be prescribed.

Rule 4 of Consumer Protection Rules further provides: The Central Council shall observe the following procedure in regard to the transaction of its business, -

(1) The meeting of the Central Council shall be presided over by the Chairman. In the absence of the Chairman, the Vice-Chairman shall preside over the meeting of the Central Council. In the absence of the Chairman and the Vice-Chairman, the Central Council shall elect a member to preside over that meeting of the Council.

(2) Each meeting of the Central Council shall be called by giving, not less than ten days from the date of issue, notice in writing to every member.

(3) Every notice of a meeting of the Central Council shall specify the place and the day and hour of the meeting and shall contain statement of business to be transacted thereat.

(4) No proceedings of the Central Council shall be invalid merely by reasons of existence of any vacancy in or any defect in the constitution of the Council.

(5) For the purpose of performing its functions under the Act, the Central Council may constitute from amongst its members, such working groups as it may deem necessary and every working group so constituted shall perform such functions as are assigned to it by the Central Council. The findings of such working groups shall be placed before the Central Council for its consideration.

(6) The non-official members shall be entitled to first class or second Air-Conditioned by all trains (including Rajdhani Express) to and fro Railway fare or actual mode of travel whichever is less. Outstation non-official members shall be entitled to a daily allowance of one hundred rupees per day for attending the meetings of the Central Council or any working group. Local non-official members shall be paid actual conveyance, hire charges subject to a ceiling of Rs. 75.00 per day irrespective of the classification of the city. Members of Parliament shall be entitled to travelling and daily allowances at such rates as are admissible to such members.

(7) The resolution passed by the Central Council shall be recommendatory in nature.

### **Objective of Central Consumer Protection Councils**

Section 5 of Consumer Protection Act 2019 deals with objective of Central Protection Council It provides: The objects of the Central Council shall be to render advice on promotion and protection of the consumers' rights under this Act.

The objects of the Central Council shall be to promote and protect the rights of the consumers such as, (a) the right to be protected against the marketing of goods which are hazardous to life and property,

(b) The right to be informed about the quality, quantity, potency, purity, standard and price of goods or services, as the case may be, so as to protect the consumer against unfair trade practices:

(c) The right to be assured, wherever possible, access to a variety of goods or services, as the case may be, at competitive prices;

(d) The right to be heard and to be assured that consumers interests will receive due consideration at appropriate forums;

(e) The right to seek redressal against unfair trade practices or restrictive trade practices or unscrupulous exploitation of consumers, and

(f) The right to consumer education

The National Commission in the case of Distt. Manager, *Telephones v. Dr. Tarun Bharthari* (1991) has held that the consumer forum can grant reliefs which are even not prayed for by the complainant.

**Exercise:**

1. What is the full form of CCPA?

- a) Central Consumer Protection Authority
- b) Consumer Consult and Protection Authority
- c) Central Consumer Protection Association
- d) Consumer Consult and Protection Association

2. How much penalty does CCPA take for misleading advertisement?

- a) 5 lakhs
- b) 10 lakhs
- c) 15 lakhs
- d) 20 lakhs

3. A consumer can file a complaint with the CDRC in relation to

- a) Unfair trade practices
- b) Defective good or services
- c) Overcharging or deceptive charging
- d) All of the above

4. When was Motor Vehicle Act launched?

- a) 1970
- b) 1988
- c) 1978
- d) 1970

5. What is Motor Vehicle Act concerned with?

- a) Road safety
- b) Air safety
- c) Water safety
- d) Consumer safety