



INDIA'S CONSUMER PROTECTION LAWS, WITH A FOCUS ON HUMAN HEALTH

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ABSTRACT

Consumer protection law arose from and is still an element of consumerism. The term "consumerism" refers to the process of achieving a consumer's rights and maintaining proper standards for goods and services for which a payment is made. Any consumer protection law should include representations from various non-government consumer organisations, the government, sample consumers of specific products, trade, industry, and service providers, legislators, and those in charge of enforcing the laws and norms. This study will target 500 consumers in the Ahmedabad area to examine the effective, inexpensive, and timely redressal system for consumers, to examine the Indian Constitution and Consumer Protection Laws in India, to examine the liabilities for crimes against the consumer's health, and to examine the awareness and experience of Ahmedabad-based consumers with regard to Consumer Protection Laws in India.

KEYWORD: Consumers, Laws, India, Constitution.

INTRODUCTION OF THE CONSUMER:

We rarely have appropriate understanding of a product's quality and safety when we purchase it. We're quite concerned about being duped. This is when consumer protection becomes necessary. Consumer protection has become a topic of growing public concern in recent years, since unethical business practises have a negative impact on the nation's well-being by contributing to social unrest and giving consumers excessive financial hardship.

The consumer is the person who pays for the products and services that are produced. As a result, consumers play a critical role in a country's economic structure. Producers would lack a key reason to produce, which is to sell to consumers, if there was no effective demand. Consumer trust in manufacturers boosts economic activity, but the consumer must have reasonable grounds for trust. Consumers will respect not just the quality and safety of the product, but also the assurance of the quality and safety of the product. As a result, assurance is necessary for confidence. Producers benefit from offering certainty, therefore they strive to establish, expand, and display a positive image. Advertisements, displays, sales assistance, labelling and packaging, among other things, are used by producers to exhibit quality and safety, as well as to make the content of promises apparent and publicly known. When there is a loss of trust or an unreasonable risk, however, the consumer's trust is shattered.

RESEARCH OBJECTIVE:

1. To study the Consumer protection Laws in India
2. To study the effective, inexpensive and speedy redressal system to Consumers
3. To study the Indian Constitution and Consumer protection Laws in India

THE CONSUMER PROTECTION ACT 1986:

Consumer Protection Councils were established under the Consumer Protection Act of 1986.

COUNCILS FOR CONSUMER PROTECTION:

Consumer Protection Councils were established and given powers under the Consumer Protection Act of 1986. At the national and state levels, it establishes two-tiered protection councils. Central Consumer Protection Council compositions The Central Council will have 150 members, including ex-officio members. The Minister-in-Charge of the Department of Civil Supplies is the Chairman of the Central Council, and the Vice-Chairman is the Minister of State if he is not holding an independent charge or Deputy Minister in the Department of Civil Supplies. Members of the Central Council are these two Central Ministry ministers. Ex-officio members are all state ministers of food and civil supplies or ministers in charge of consumer affairs. Twenty-six states will contribute 30 members, omitting Jammu and Kashmir and the six Union Territories. The eight members of Parliament who make up the Council are five from the Lok Sabha and three from the Rajya Sabha. An ex-officio member is the Commissioner for Scheduled Castes and Tribes. Members of the Council include representatives from Central Government Departments and autonomous organisations concerned with consumer interests (no more than twenty), farmers, trade and industry representatives (no more than twenty), and persons capable of representing consumer interests (no more than fifteen). There are two more classes, with a minimum of 35 and 10. They are women's representatives with a minimum of 108° and consumer organisations or consumers with a minimum of 35.31°.

When the maximum and minimum members specified by the rule are added together, the total number of members is 141. As a member-secretary 32, the Secretary of the Department of Civil Supplies is added to this body. The State Consumer Protection Council is made up of the following people: In a similar vein, the Act mandated the establishment of a separate State Consumer Protection Council in each state. Every state government has the authority to form a State Council. It is established by notification and takes effect on the date stated in the Gazette notification; if no date is provided, it takes effect on the date of the notifications. It shall be composed of such member or members as the appropriate State Government may specify by notification from time to time. There are states that are large and ones that are little. As a result, the number of members of each state fluctuated depending on its size and population. As a result, the Act does not provide a number. Because Part 30 of the Constitution does not reference this section, the State Government's rules do not refer to the State Council as the Central Rules do in Rules 3 and 4. There isn't a single paragraph dedicated to the technique to be followed. So far, 22 states and union territories have established these councils under the Act, however it is unclear how effective these councils have been in defending consumers' interests. Only time will tell.

Objects of the Central and State Council:

The Act provides the objects of Central and State Council. The object of Centre and all States shall be to promote and protect the rights of consumers laid down by the Act.

1. Sec. 6: 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 and services 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, whenever possible, access to a variety of goods and services at competitive prices;
 - (d) The right to be heard and to be assured that consumers' interests will receive due consideration at appropriate;
 - (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.
2. Sec. B: The objects of every State Council shall be to promote and protect within the State rights of the consumers laid down in clauses (a) to (f) of section 6.
3. Consumer Protection Act, 1986; Sec. 6 and B. The beginning of consumer movement or consumerism is very interesting in different countries of the world.

CONCLUSION:

Following the passage of the Consumer Protection Act of 1986, various publications were created to explain the provisions in a clear and understandable manner.

ner, including annotations to clarify its scope. Many university-level studies have been conducted to evaluate the extent to which its provisions are applied, as well as to determine why particular provisions are not implemented. The focus has been placed on the reasons for their underused status. The study project's major concept is "Jaan Hai to Jahan Hai," which means that there is no world without life. Despite the fact that the word "consumer" does not occur in the Constitution, it can be found in the preamble, the chapters on fundamental rights, and the directive principles of State policy. The Constitution is dedicated to ensuring social justice for all Indian citizens who are consumers.

Article 21 of our Constitution contains the most crucial fundamental rights: freedom of life and liberty. Consumerism is a social movement aimed at promoting, preserving, and protecting consumers' rights and powers in relation to market sellers. Even now, there is a lack of total awareness of consumer rights. The metamorphosis of the seller's market to the buyer's market is due to the growth of civilization, industrialization, and the establishment of large corporate houses, rendering consumer sovereignty an illusion. Consumers, who were previously sovereign, have now become pitiful victims of big business - both national and transnational - exploitation.

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