



FUNCTIONS OF CCPA

- Issue directions to the concerned trader, manufacturer, endorser, advertiser, publisher to either discontinue a false or misleading advertisement or to modify it.
- Investigate violations of consumer rights and pursue prosecution in the appropriate fora.
- Issue safety notices to consumers against unsafe good and services.
- Impose penalties if cases are proven.

WHAT IS CONSUMER PROTECTION?

- The Consumer Protection Act, 2019 establishes the Central Consumer Protection Authority (CCPA) whose primary objective will be to promote, protect and enforce the rights of consumers. It is empowered to conduct investigations into violations of consumer rights and institute complaints/prosecution.
- The Act of 2019 repealed the Consumer Protection Act, 1986.
- The purpose of the act is to provide for protection of the interests of consumers and for the said purpose, to establish authorities for timely and effective administration and settlement of consumers' disputes and for matters connected therewith or incidental thereto.



SYMBIOSIS
LAW SCHOOL, NOIDA

THE CONSUMER PROTECTION ACT, 2019



JURISDICTION

- **District Consumer Disputes Redressal Commission**
 - Claim does not exceed Rs. 1 cr. [Sec. 34]
- **State Consumer Disputes Redressal Commission**
 - Claim exceeds Rs. 1 cr. but does not exceed Rs. 10 cr. [Sec. 47]
- **National Consumer Disputes Redressal Commission**
 - Claim exceeds Rs. 10 cr. [Sec. 58]

PENALTIES

- **False or Misleading Advertisements:** Penalty of up to Rs 10 lakhs and imprisonment for up to two years.
- **Injury to consumer due to adulterated products:** Manufacturer, seller, or distributor can be fined up to Rs 5 lakhs and imprisonment up to seven years.
- **Death of consumer due to adulterated products:** Minimum fine of Rs 10 lakhs and seven years of imprisonment which may extend to life imprisonment.

PROCEDURE TO FILE A CONSUMER CASE

STEP 1

Intimation: The aggrieved party sends a notice to the provider of goods and services. This notice informs about the intention of the consumer to act.

STEP 2

Drafting of the complaint: If the seller or service provider is not ready to offer compensation, a formal complaint is lodged under Consumer Protection Act. The consumer can deal with the process himself.

The consumer must mention the following details:

1. Name, address and description of both the parties.
2. Cause of action, approximate date, time and place.
3. Relevant causes behind the action.
4. The compensation or remedy claimed by the consumer
5. Signature of the complainant or authorized lawyer.

STEP 3

Attach required documents: Material evidence and documents are required to be produced before the court to support the complaint.

- Copy of bill, delivery receipt, packaging, record of online booking.
- Warranty/Guarantee cards.
- Copy of the written complaint and notice.

STEP 4

Appropriate Commission: The consumer needs to choose the proper forum.

STEP 5

Pay court fee: A certain amount of money is needed to be paid along with the complaint.

STEP 6

Submit Affidavit in court: It is the proof that all the facts described are true.