

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 2816
TO BE ANSWERED ON 13.03.2018

SERVICE RECIPIENTS AS CONSUMERS

2816. DR. ANUPAM HAZRA:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether the Government has included service recipients as consumers;
- (b) whether there are any regulations to regulate hefty fees and service charges for legal and medical services, if not, whether the Government has contemplated on formulating such regulations in the interest of natural justice to the needy; and
- (c) whether the Government has any mechanism for punitive measures against producers, sellers and dealers of injurious consumable products, if so, the outcome of such measures during 2014 to 2016?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री सी. आर. चौधरी)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C. R. CHAUDHARY)

- (a) : Yes, Madam. As per the provisions of the Consumer Protection Act, 1986, a consumer means any person who hires or avails of any service for a consideration.
- (b) : Medical Council of India with the previous approval of the Central Government has notified Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002. Clause 1.8 'Payment of professional services' of the said regulations prescribes that a physician should announce his fees before rendering service and not after the operation or treatment is under way.

Further, clause 3.7 'Fees and other charges' of the said regulations prescribes that a physician shall clearly display his fees and other charges on the board of his chamber and/ or the hospitals he is visiting.

(c) : As per the provision of the Consumer Protection Act, 1986, unfair trade practice means a trade practice which, for the purpose of promoting the sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice. Selling defective products, spurious goods/services etc fall under unfair trade practice. Consumers can file complaints in the consumer forum against the traders, manufacturers and service providers etc. for selling defective products, spurious goods/services etc. If a complaint is upheld, a Consumer Forum can order removal of defect in the goods, replacement of goods with new goods, compensation to the consumer, discontinuance of the unfair trade practice, to withdrawal of hazardous goods from being offered for sale. Further, a Consumer Forum shall have power to grant punitive damages in such circumstances as it deems fit.
