

You can get compensation if the weight mentioned on the packet is less | रसरंग में आपके अधिकार: पैकेट पर अंकित वजन कम होने पर पा सकते हैं मुआवजा

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Your rights in Rasrang: You can get compensation if the weight mentioned on the packet is less

Gaurav Pathak 19 days ago



In our daily lives, we buy many types of products. If they are to be sold in the open, like vegetables, fruits or grains etc., then we buy them by weighing them. However, with packaged products, most people rely on the weight or volume written on the package. Today, let us know what consumer laws say about packaged products.

What are the rights of consumers? Consumer rights are described in Section 2(9) of the Consumer Protection Act, 2019. Apart from many other rights, the consumer also has the right to know about the quantity of goods or products so that he can avoid unfair trade

practices. Apart from this, if the above right is violated, then the consumer also has the right to approach the concerned consumer commission.

What is the law regarding weight? Parliament has enacted the Legal Metrology Act, 2009 to establish standards of weight and measurement. Under this, goods are sold or distributed on the basis of weight, measurement or number. Before this law, the Standards for Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985 were in force in India. Under all these laws, rules were made regarding different categories of products based on the nature of the products. It is necessary to mention the weight / quantity of the product 'when packed' on the label of some products, because the weight may decrease or increase in some storage conditions. On the other hand, only the weight has to be mentioned on some products and it is mandatory to make the same quantity available to the consumer.

Consumer courts and commissions have taken such cases seriously when the quantity of the biscuits is found to be less. In this regard, the famous case of George Thattil in Kerala can be taken. He bought two packets of biscuits for Rs 40 each in January 2020. The weight was written on each package as 300 grams. But on measuring it, he found that one of the said packages weighed only 268 grams and the other 249 grams. He complained to the concerned officer under the Legal Metrology Act, 2009, who confirmed the shortage in weight. Since consumers cannot get compensation under the Legal Metrology Act, they approached the District Consumer Forum under the Consumer Protection Act, 1986, which was in force at that time. The Consumer Forum, after considering the evidence, held that both the manufacturer of the biscuits and the seller of the biscuit packets had violated Section 30 of the Legal Metrology Act and according to the consumer law, it amounts to a case of deficiency in service. The forum said, 'Such deceptive act on the part of the erring manufacturer or trader is against the dignity of the consumer and amounts to endangering his right to live free from fraud or any unfair trade practice.' The consumer was ordered to pay Rs 50,000 for financial loss and suffering and Rs 10,000 for the cost of the case. Also, the manufacturer and the seller were ordered to withdraw with immediate effect those products which had less weight than the prescribed quantity.

In a typical case of soap, in 1993 a consumer approached the Andhra Pradesh State Consumer Commission stating that the weight of the soap was found to be less by a few grams than the weight mentioned on the packaging. To this the Commission observed, "The weight mentioned in the package is the weight at the time it was packed. As due to environmental and other conditions moisture may decrease and hence the weight may also decrease. The Commission considered that the consumers may not be aware that with the passage of time the weight of soap decreases and accordingly directed the authorities to educate the consumers in this regard. ----- **(The author is also the Secretary, CASC.)**

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