

What are the consumer rights in case of wedding photography? Find out here

: 12/15/2024



Gaurav Pathak3 days ago

-
-
-

कॉपी लिंक



Wedding photos and videos hold a lot of emotional significance. They have an invaluable contribution in preserving memories for generations. Now that wedding photography packages are running into millions, it has become very important to understand consumer rights in this field.

Legal remedy Under Section 2(7) of the Consumer Protection Act, 2019, any person who hires photography services is a consumer. Section 2(11) defines a deficiency which causes loss to the consumer. The law recognises both offline and online transactions and complaints can be filed electronically with consumer commissions within two years of the incident. Photography services come under the definition of "services" as envisaged under Section 2(42) of the Act. **Contractual Obligations** Consumer forums emphasize the importance of explicit contracts in photography services. In the case of Sakshi Kumar vs. Rana Gurtej Singh (2018), the Chandigarh State Commission held that even though time may not matter so much in a photography contract, photographers should complete the work within a reasonable time. The contract should clearly state the deliverables (number of photos, editing needs and delivery format). The Commission observed that the selection of photographs is a personal matter and photographers cannot be expected to shortlist the photos at their level as they are not aware of the connection of the invitees to the wedding family. In this case, if the photographer followed due process and distributed the edited photos as per the contract, the commission also protected their rights. **Data loss and backups** A major concern is the loss of wedding photos due to technical failures. In the case of Satyam Gurung vs. Samden Yolmo (2024), when a photographer claimed that the hard disk containing wedding photographs was damaged due to lightning, the West Bengal State Commission awarded a compensation of Rs 10 lakh. The Commission said that professional photographers should take proper security measures for upping the equipment and data. The complainant should substantiate claims of technical failures with evidence such as expert reports or forensic analysis. The commission said that being professional photographers, proper arrangements should have been put in place to prevent such data loss. In such cases, merely returning the advance does not absolve the photographers of

responsibility. **Timely delivery** Jagdish Chandra Sharma v. R.K. In Verma's (2005) case, the Delhi State Commission considered a case in which the photographer had not given a wedding album for five years. "A photo album of one's daughter's wedding ceremony has sentimental value and its value can never be lost as it preserves memories for the times to come," the commission observed. The photographer was directed to deliver the album and forfeit the pending payment. Similarly, in the case of P. Muralikrishnudu vs. Varikala Srinivas (2016), when the photographer failed to deliver the album on time as promised despite taking 85% advance payment, the District Forum ordered refund of the amount with interest. The responsibility of **quality standard** photographers is more than just the quantity of photographs. Photographers must deliver edited photos according to the promised quality standards. In the Satyam Gurung case, sharing unedited photos through Google Drive was not considered sufficient. The Commission noted that both quantity and quality matter in wedding photography contracts.

अपने अधिकारों की रक्षा स्मृतियों को संजोने के महत्व के मद्देनजर उपभोक्ताओं को विस्तृत लिखित अनुबंध हासिल करना चाहिए, जिसमें डिलीवरेबल्स, समयसीमा और गुणवत्ता मानकों का उल्लेख किया गया हो। अनुबंध में बैकअप प्रक्रियाओं, संपादित फोटो की जरूरतों और तकनीकी विफलताओं के मामले में वैकल्पिक व्यवस्था का भी जिक्र होना चाहिए। उपभोक्ता को सभी कम्युनिकेशन और भुगतानों का रिकॉर्ड रखना चाहिए। उपभोक्ता आयोगों ने विवाह फोटोग्राफी मामलों में लगातार पर्याप्त मुआवजा दिया है। हालांकि मौद्रिक मुआवजा भावनात्मक नुकसान की पूरी तरह से भरपाई नहीं कर सकता, फिर भी यह कीमती यादों को खोने की पीड़ा को कम करने में मदद कर सकता है। (लेखक सीएएससी के सचिव भी हैं।)

[ऐप खोलें](#)