

INTRODUCED ON 17-02-2020

<sup>AS</sup>  
[TO BE INTRODUCED IN THE SENATE]

A

BILL

*further to amend the Islamabad Consumers Protection Act, 1995*

**WHEREAS** it is expedient further to amend the Islamabad Consumers Protection Act, 1995 (III of 1995), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.**- (1) This Act may be called the Islamabad Consumers Protection (Amendment) Act 2020.

(2) It shall come into force at once.

**2. Amendment of section 9, Act III of 1995.**- In the Islamabad Consumers Protection Act, 1995 (III of 1995), in section 9, for sub-sections (2), (3) and (4), the following shall be substituted, namely:-

"(2) If any person violates any obligation, imposed by any Act or rules, of selling any goods within cover and inscribing weight, amount, ingredients, instructions for use, maximum, retail; price, date of manufacture, date of packaging and date of expiry of that goods on the label, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(3) If any person violates any obligation, imposed by any Act or rules, of displaying the price-list of goods by affixing it at a conspicuous place of his shop or organization, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(4) If any person violates the obligation, imposed under any Act or rules, of preserving price-list of service of his shop or organization and displaying it by affixing at a relevant or conspicuous place, he shall be punished with imprisonment for a term not exceeding one year or with fine not exceeding fifty thousand rupees, or with both.

(5) If any person sells or offers to sell any goods, medicine or service at a price higher than the price fixed under any Act or rules, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(6) If any person knowingly sells or offers to sell any adulterated goods or medicine, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding two hundred thousand rupees, or with both.

(7) If any person mixes with foodstuff any ingredient which is injurious to human life or health and the mixing of which with foodstuff is prohibited by any Act or rules, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding two hundred thousand rupees, or with both.

(8) If any person manufactures or processes any goods in a process which is injurious to human life or health and prohibited under any Act or rules, he shall be punished with imprisonment for a term not exceeding two years, or with fine not exceeding one hundred thousand rupees, or with both.

(9) If any person deceives any buyer by any false or untrue advertisement for the purpose of selling any goods or service, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding two hundred thousand rupees, or with both.

(10) If any person does not sell or deliver properly any goods or service promised in consideration of money, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(11) If any person sells or supplies any goods to consumer less than the offered weight, at the time of supplying or selling, he shall be punished with imprisonment for not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(12) If any weight stone or weight measuring instrument used for measuring weight for the purpose of selling or delivering goods in any shop or commercial organization of any person, shows more than the actual weight, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(13) If any person sells or delivers any goods to the consumer less than the offered measurement at the time of delivering or selling, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(14) If any fraud is committed in measuring gauge or anything used for measuring length in selling or delivering goods in any shop or commercial organization of any person, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(15) If any person makes or manufactures fake goods, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding two hundred thousand rupees, or with both.

(16) If any person sells or offers to sell any date expired goods or medicine, he shall be punished with imprisonment for a term not exceeding one year, or with fine not exceeding fifty thousand rupees, or with both.

(17) If any person, in violation of any prohibition imposed under any Act or rules, does any act which is detrimental to the life or security of any service receiver, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding two hundred thousand rupees or with both.

(18) If any service provider, by negligence, irresponsibility or carelessness, damaging money, health or life of a service receiver, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding two hundred thousand rupees, or with both.

(19) If any person, with a motive to harass any person, businessman or service provider or to defame him publicly or to damage his business reputation, files any false or vexatious case, he shall be punished with imprisonment for a term not exceeding three years, or with fine not exceeding fifty thousand rupees, or with both.

(20) If any person convicted of any offence mentioned in this Act does the same offence again, he shall be punished with twice the maximum punishment provided for that offence.

(21) If the court thinks fit, it may, in addition to the punishment provided in the foregoing sections, pass an order to forfeit the illegal goods of manufacturing ingredients, materials etc. related to the offence in favour of the federal government."

### **STATEMENT OF OBJECTS AND REASONS**

The Islamabad Consumers Protection Act, 1995 contains provisions regarding protection of the rights of consumers in Islamabad Capital Territory's jurisdiction. Through the proposed amendment the effectiveness of the Act shall be further improved. Penalties and punishments have been categorized for not using cover of goods etc, for not showing price-list, for not preserving and displaying price-list of services, for selling goods, medicines or service at higher price than fixed one, for selling adulterated goods or medicine, for mixing prohibited materials in foodstuff, for manufacturing or processing goods in illegal process for deceiving buyers by false advertisements, for not selling or delivering properly any goods or service promised, for deceiving in weight, for deceiving in weight stone or weight measuring instruments, for deceiving in measurement, for deceiving in measuring gauge or anything used for measuring length, for making or manufacturing fake goods, for selling any date expired goods or medicine, for doing any act detrimental to life or security of service receiver, for damaging money, health or life etc. service receiver by negligence etc, for filing false or vexatious cases and for reoccurring offence. In this way it would be more effective and easier of demarcate the nature of violation of consumer rights on one hand and to protect them in every manner on the other hand.

The Bill has been designed to achieve the aforementioned purpose.

**SENATOR MIAN MUHAMMAD ATEEQ SHEIKH  
MEMBER-IN-CHARGE**