

# CONSUMERS PROTECTION IN PAKISTAN

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## Abstract

Consumers are important for both the government and corporate entities. They are responsible for creating or depressing demand in the economy. The British were the first to introduce a semblance of consumer laws in the pre-partition united India. After the emergence of Pakistan in 1947, several consumer protection laws were promulgated and different institutions established to provide redress and relief to consumers. Two consumer protection non-governmental organizations are also working, mainly in the urban areas. However, a strong and organized consumer movement could not take root in the country. This paper traces the development of consumer protection rights in Pakistan. It also analyses the efficacy and effectiveness of recently introduced consumer laws at the federal and provincial levels that aim to provide protection from unfair trade practices. As indicated by Khan and Hafeez (1999), nonattendance of a section on "shopper" in the records of law books in Pakistan shows absence of customer concern in the legitimate verbal confrontation and statutes of Pakistan. Regardless of huge advancements and an inexorably mindful customer base, the state has for the most part shied far from giving remuneration and harms to customers as statutory cures. Because of this variable, buyers have response to protracted and roaming techniques under common ward, contract or tort standards of law, which they regularly stay away from. The same is valid for proactive buyer insurance boards, which have not discovered a spot on the motivation of common society. On account of surviving laws, their fitting authorization and usage in letter and soul needs to be guaranteed. It is high time that the shoppers declare themselves and have their say in the nature of items or administrations they pay for.

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# Introduction

The Network (2010) characterizes a buyer as a man who secures products and administrations for individual utilization or generation of different merchandise and administrations. However, as indicated by( GOP 2010: 238), Pakistan is a nation of 173.5 million individuals with the offer of working populace coming to 59 percent in 2006, no exertion has been made to archive the arrangements securing the privileges of purchasers. Despite the fact that key to financial action, purchasers are defenseless because of misuse by makers/suppliers, misdirecting and deviated data, lack of awareness about their rights and non-accessibility of review systems. Their status in Pakistan is by and large truly woeful. (Saunders and Harris 1990) find that customer weakness is endemic in numerous territories of state procurement. Indeed, even the vicinity of focused markets does not wipe out data slacks and in addition inquiry and transport expenses expected to settle on watchful decisions (Khan and Mansoor, 1996). In the Pakistani situation, a low proficiency rate of 57 percent (GOP, 2010) puts the credulous and insensible buyers helpless before makers and retailers.

This is turning out to be progressively along these lines, subsequent to with privatization, 167 open endeavors (PC, 2010), including a few syndications, have been exchanged to the private area. While people in general area may have settled costs because of some politically-prompted welfare inclinations, the private segment is driven only with a benefit thought process. Privatization or ascent of the private area has likewise put an effectively uninformed purchaser at a considerably more noteworthy hindrance.( UNCTAD 2001, p. 1) additionally perceives the vicinity of lopsided characteristics in financial terms, instructive levels and dealing force of customers; and finds that purchasers have particular rights concerning access to non-perilous items, and the "privilege to advance simply, impartial and economical monetary and social improvement and natural insurance". Hence, it advocates an in number case for government mediation to secure the privileges of buyers. It gives point by point rules to their direction and assurance.

As indicated by (UNCTAD 2001, p. 3): "Legislatures ought to create or keep up an in number purchaser insurance arrangement ... [E]ach Government ought to set its own particular needs for the assurance of shoppers as per the monetary, social and natural circumstances of the

nation and the needs of its populace, remembering the expenses and advantages of proposed measures."This implies that the onus for buyer security falls on the state. It is for the legislatures to execute or advance the usage of suitable measures, including legitimate frameworks, security laws, household, worldwide or intentional norms, and the keeping of wellbeing records to verify that the items are ok for either arranged or ordinarily expected utilization. This paper describes chronicled and current improvements in buyer assurance in Pakistan, a territory which has beforehand stayed dismissed. After presentation, the second segment displays a past filled with customer assurance in Pakistan and follows its attaches to the seasons of British India. The third segment, partitioned into numerous sub-areas, expounds and examinations the improvement of purchaser security laws and their requirement instruments in the nation. The last segment closes talk.

Purchaser security laws, when all is said in done, are intended to underwrite reasonable rivalry, going of open data, accessibility of value products and administrations, and bless tenets for brief and due equity. Buyers, in Pakistan, are the feeblest group of individuals. Absence of familiarity with buyer rights, crevice between the accessible purchaser laws and the absence of determination to actualize those laws assume critical part in their defenselessness. The point of this article is to teaches the fundamental shopper about his rights and accessible courses of change with the assistance of purchaser insurance laws in Pakistan and choose cases.

## **Definition of Consumer**

An important question that arises here is that who is a consumer? Simply it can be defined as "every human being who consumes anything for survival is a consumer" However, in a specific sense it has been defined by different sources. defines a consumer in "Black's law Dictionary" as "A person who buys goods or services for persona, family, or household use, without intention of resale; a natural person who uses products for personal rather than business purposes."

Khyber Pakhtunkhwa adopted almost same definition as "Islamabad Consumer Protection Act, 1995". According section 2(c) of the "Khyber Pakhtunkhwa Consumers Protection Act, 1997":

*"(c) Consumer means any person who:-*

(i)buys goods for a consideration which has been paid or to promised or partly paid and partly

promised to be paid or under any system of deferred payment including hire purchase and leasing and includes any user of such goods but does not include a person who obtains such goods for re-sale or for any commercial purpose; or

(ii) Hires any goods or services for a consideration which has been paid or promised or partly paid and partly promised to be paid or under any system of deferred payment including hire purchase and leasing and includes any beneficiary of such services.”

- Punjab defined it in section 2(c) of the “Punjab Consumer Protection Act 2005” as:

“Consumer means a person or entity who:–

(i) Buys or obtains on lease any product for a consideration and includes any user of such product but does not include a person who obtains any product for resale or for any commercial purpose; or

(ii) hires any services for a consideration and includes any beneficiary of such services;”

“Explanation: For the purpose of sub-clause (i) commercial purpose does not include use by a consumer of products bought and used by him only for the purpose of his livelihood as a self-employed person.”

The careful analysis of the definitions would deem a consumer as a person or an organization that hires or buy goods or services for their personal needs. This may be quite a wide-ranging definition. However, its sphere and amplitude depends upon how the expressions person, goods, services and personal needs is defined. For example, a vehicle purchased by a business firm for the travelling of its staff would be a purchase made by an organization for personal needs. As in above definitions, consumer protection laws, in almost all jurisdictions of the world, gave a very narrower meaning to the term consumer.

Use of the services provided by private or public sector organization, according to David Oughton, also comes in the ambit of the term [3]. He has made the following three essentials for identifying consumer:

(1) The consumer must be an individual; (2) The supplier must act in a business capacity; and (3) The goods or services supplied must be intended for private, not business use [4]. Summing up it can be validly said that any person, natural or legal, who hire or acquire goods or services for his personal use is consumer (Samad, 2014).

Consumer Right Measures for the assurance of subjects against the misbehaviors of suppliers, brokers and producers are very old in the Indian sub-landmass. Indeed, even before the making of

Pakistan, there were laws in one structure or the other to secure subjects. Nonetheless, the greater part of them were general in nature and did not regard natives as customers. They were later embraced by the Government of Pakistan after autonomy in 1947 and some are still in vogue. Some vital laws in power at the season of British India are talked about below. The Fatal Accidents Act, 1855 made a proprietor obligated to pay if his hireling or driver brought on damage or passing because of his wrongful demonstration. Also, open and corporate bodies additionally went under the locale of this Act. It, on the other hand, did not recommend any firm standards for building up the measure of pay. It was left to the tact of better Courts than focus the quantum of pay in light of the future of an expired and his pay.

## **Consumerism during British raj**

The Indian Penal Code, 1860 contained general procurements for the insurance of Indian natives from any demonstration which created mental and physical aggravation. The Act gave diverse sorts of punishments to the individuals who disregarded the Code. In spite of the fact that the Act did exclude any particular procurements for protecting the hobbies of a customer or recompensing him pay on the off chance that he is wronged, different conditions could by implication help him in ensuring his rights. The Indian Contract Act, 1872 made any individual who enjoyed misrepresentation or distortion subject to adjust for it. The venders and purchasers executed on the premise of this Act. If there should be an occurrence of a break by the dealer, the purchaser was qualified for remuneration for any misfortune brought about to him by the rupture of contract. once more, this Act just gave circuitous help to the reason for customer assurance. As indicated by ( Ansari and Hafeez 2000), a buyer was not qualified for any case under this Act unless he was a gathering to the applicable contract. Be that as it may, in spite of its disables, this was a stage forward in deciding a contractual relationship between the two executing gatherings. The Specific Relief Act, 1877 characterized the law identifying with specific sorts of particular reliefs reachable in common courts. These included taking ownership of certain property and conveying it to an inquirer; requesting a gathering to do the very demonstration, which he is under a commitment to do; keeping a gathering from doing, which he is under a commitment not to do; deciding and announcing the privileges of gatherings generally than by a recompense of

pay; or naming a recipient. This Act controlled the area of the common courts from where subjects could acquire relief. The Sale of Goods Act, 1930 was the first Act in the Indian sub-mainland that straightforwardly gave the buyer/purchaser some assurance from vendors.

As indicated by this paper, a dealer is committed to convey the great and a purchaser or shopper is committed to get and pay for it. The Act controlled issues bury alia dealing with the conveyance of merchandise, receipt of products after examination and examination, and the dismissal of products on unacceptable quality or non-similarity with the obliged standard. The Act likewise stipulated that a purchaser could sue a vender for rupture of guarantee, if the last wrongfully dismissed or declined to convey the merchandise. The Drugs and Cosmetics Act, 1940 shielded purchasers from acts of neglect in the medications business. It recommended benchmarks for the assembling and circulation of medications and additionally their imports. It founded the workplace of reviewer who was made in charge of guaranteeing agreeability with its diverse procurements and indicated punishments for repudiating them. This Act can be known as a defining moment in the historical backdrop of buyer insurance in the Indian sub-landmass.ts during the British Raj.

## **The Consumer Protection Rationale**

Understanding consumer, the next question that needs attention is that why a consumer needs protection and from whom? Consumers are a key pillar of present economic structure. They have gained universal acknowledgment. Different laws are enacted for consumer protection. Consumer satisfaction is the main characteristic of urbanized markets. It restrains very kind of twisting information, vending of substandard goods and full disclosure regarding quality and extent of services .Perhaps the most important reason for protecting consumers is that of lack of information . Wide information gap between consumer and sellers hinder consumer's ability to make informed decision. The beginning of accumulative utilization has resulted in consumers facing an information gap when they enter transactions involving the purchase of products or the provision of services ].This necessitated introducing preventive measures where consumer rights were concerned.

Pursuing their own interests, the consumer's lack of knowledge, experience and bargaining

power would make it more likely that they will be tricked by deceptive practices and will less likely be able to guard their benefits. In most cases, the trader has more understanding of the intricacy and characteristics of the product sold than the consumer. Sometimes, even a well-informed consumer can face difficulties in choosing goods or services. For example: purchased drug is effective or injurious or unhealthy radiation emitted from a microwave oven, x-ray machine or mobile phone. With regard to services, for example, appraisal of the provisions of different insurance policies or travel details in a holiday contract.

Responsibility for consumer protection descends upon the government of each country .In countries like Pakistan traders and service providers, public or private, enjoy unrestrained powers and the consumer is always at their sheer clemency. In Pakistan a low literacy rate puts the inexperienced and uninformed consumers at the pity of service providers, retailers and producers. Those attending to complaints, most of the times, treats the consumer in a most unreasonable and spiteful manner e.g. WAPDA, Sui Gas or even a small transport company. Ignorant to their rights, they have to tolerate the disrespect because they are afraid that they may not be deprived of whatever little facility they are able to get. Advertising is considered most influential source for inducing consumer. Advertisements, instead of informing the consumer, often tend to misinform. The advertisements do not provide information on an objective basis. The advertisers influence the consumer and tell what they intend the consumer to listen and different realities which may be important to a careful shopping choice are frequently overlooked . Advertising are designed to encourage unnecessary purchases and affect the informed decision of the consumer and create artificial needs, for example, deceptive and misleading advertising about height increase or weight loss. To conclude, it may be argued that the reason why the law seeks to protect consumers is that consumers may enter into transactions with a business without the necessary information required to make an informed, rational purchasing decision . (Samad, 2014)

## **CONSUMER RIGHTS IN PAKISTAN**

The consumer's rights are the essential element of human rights. Before the 1900, consumers had diminutive protection in world. Consumerism started in United States in the beginning of 1900. Two Acts "Food & Drug Act (1906)" and "Meat Inspection Act (1906)" were

enacted, followed by establishment of “Federal Trade Commission for Protection of Consumer Interests” in 1914 [1].The Consumer International was founded in 1960 [11]. President John F. Kennedy, On March 15, 1962 put forth the "Consumer Bill of Rights" to assist consumers be aware of their rights and obligations [10]. In 1985, the United Nation General Assembly adopted the following eight fundamental consumer rights for stronger consumer protection policies worldwide for protection of consumers against dishonesty, fraud and abuse. (Samad, 2014)

**a) The Right to Safety:**

It’s a consumer’s basic right to feel protected from harmful goods and services available in market. Especially if those goods or services are used appropriately for desired purpose Consumers should be protected from the flow and sale of hazardous products and services.

**b) The Right to Choose:**

Competition is the main factor to avoid monopolizes market. Consumers should have a choice of worth goods and services. They need to be sure that intended goods and services are available at competitive cost . It indicates that consumers must have the option to go for the products or services that they want to get.

**c) The Right to be informed:**

Consumers must have access to sufficient information about products to make an informed decision. Dependable sources should be available to aware them about different goods or services

**d) The Right to be heard:**

Governments have the obligation to protect consumer rights by giving it reasonable consideration in strategy making. State is also responsible to ensure justice without delay upon any claim. In simple words, it is a consumer right to protest when there are issues or



apprehension (Wilson, 2008). It is a Consumer right that he be heard when he raise his voice and to anticipate positive remedy.

**e) The Right to Redress or Remedy:**

It's a settled legal maxim "ubi jus ibi remedium" mean there is no wrong without remedy. Simply mean that whenever a right is infringed there shall be a remedy for that. The UN guide lines for consumer protection recognized the right to redress by raising voice for his dissatisfaction.

**f) The Right to Service:**

By "right to service" it is meant that the consumer should have access to all the necessary goods and services which are essential for life. Its consumer's basic right to expect convenience, respectful treatment, a proper response to his needs, and good quality in a product and also expect a humble behavior in market or other organization.

**g) The Right to Environmental Health:**

Living in a healthy environment is an essential consumer right and to subsist and work in an atmosphere where the comfort of present and future generations is not compromised. Consumers must be safeguarded from the impacts of unhealthy environment that may be the result of daily marketplace operations.

**h) The Right to Consumer Education:**

Consumer has the right to be educated about his rights available under national and international laws. Consumer awareness ensures the enjoyment and protection of rights. Consumer education is vital for making informed decision. It develops and enhances the knowledge and skills that are required to make an informed decision.

After the formation of Pakistan, distinctive Acts in vogue amid the season of British India were embraced in the nation. Be that as it may, succeeding governments in Pakistan were excessively

occupied in taking care of some essential issues, for example, setting up a constitution for the youthful nation and settling the recently arrived transients from India, that they had little time for the customers. Later, military governments assumed control over the reins of forces and purchasers lost all voice through the unlucky deficiency of justly chose lawmaking bodies. The outcome was that shoppers and their rights were both dismissed and there was absolute unlucky deficiency of purchaser welfare considering. Indeed, even where a few laws were sanctioned, for example, Price Control and Prevention of Profiteering and Hoarding Act, 1977, they were either not legitimately executed or did exclude the buyer as a free and invested individual (Ansari and Hafeez, 2000). This chronicled legacy of overlooking the buyers has prompted a circumstance where they have been totally barred or just incompletely suited in the administrative plan. There are no sufficient techniques for buyers to get review. The state and administrators have neglected to give pay and harms as statutory cures (Ansari and Hafeez, 2000). Along these lines, the buyers are dependably in a disadvantageous position as contrasted and makers or suppliers (Khan and Hafeez, 1999). This regrettable circumstance has emerged inspite of the way that Article 18(b) of the 1973 Constitution orders that it is the obligation of the state to control exchange, business or industry in light of a legitimate concern with the expectation of complimentary rivalry. Then again, before the foundation of Competition Commission in 2007, Monopoly Control Authority (MCA), that meant to check monopolistic conduct and manage preposterously prohibitive exchange practices, had no legitimate power to punish the offenders. This is clear from the instance of concrete makers in February, 1999 when, subsequent to discovering attractive confirmation that there was arrangement and cartelisation in the bond business to raise costs, it could just encourage them to satisfy their "ethical commitment" and store the abundance sum charged from customers (referred to in Ansari and Hafeez, 2000). Essentially, however article 212(1) (b) of the constitution accommodates the foundation of unique tribunals to mediate tort cases, it keeps on remaining an ignored territory in Pakistan. The accompanying areas show a review of diverse shopper assurance laws in the nation.

## **Legislation made for the consumer protection in Pakistan.**

### **Food Sector Legislation**

Pakistan does not have a well-integrated legal framework to protect the consumer of food

products. However, there are certain laws regarding food quality and standards. Though these were passed many years before, they can be very effective if properly enforced. The Pure Food Ordinance, 1960 binds all importers, manufacturers and resellers to comply with its provisions regarding the manufacturing, processing/preparation, packaging, labelling, consignment, delivery and standard of quality of food items. There are separate stipulations for products such as margarine, banaspati<sup>2</sup> and fat. This Act also set rules for the appointment of analysts and inspectors to enforce the Ordinance within their jurisdiction. Various penalties and procedures have also been specified in the law. The Pakistan Hotels and Restaurants Act was enacted in 1976. Its purpose is to provide procedures for regulating the standards of service and facilities in hotels and restaurants. It prohibits the sale of food and beverages which are injurious to health or which are contaminated due to lack of cleanliness in the hotel.

The owner or manager is required to undertake scientific tests of water, food and other articles of human use to ensure they conform with health and hygiene standards. The authorized officer can at any time inspect the quality of foodstuff and other appliances. It mandates a hotel to get license and registration before operation. The law is limited because it does not provide procedures for lodging a complaint in case of injury to a consumer nor does it state compensation due to him. Though Pakistan Standards and Quality Control Authority (PSQCA) Act, 1996 cannot be characterized exclusively as a food law, it provides for standardization and quality control services which are related to the health and safety of food. This Act provides for necessary measures for the testing of products and services for their quality, specifications and characteristics. It also regulates the quality labelling standards which shall state ingredients, performance, specification, usage, methods and other relevant quality control matters. It also prohibits the manufacture, sale and storage of any article including food items which do not conform with quality

### **Health sector legislation in pakistan**

. The Pharmacy Act, 1967 stipulates the establishment of Pharmacy Councils to regulate the practices of pharmacy and to protect consumer rights. This Act specifies procedures and examinations to qualify a person as a pharmacist. It mandates the Pharmacy Council as a regulatory body to hold exams, approve the course of study and practical training, prescribe the conditions and requirements of admission, and to lay down and maintain teaching

standards. The Drugs Act, 1976 is another major Act that regulates the import, export, manufacturing, storage, distribution and sale of drugs. This Act prohibits the sale, manufacture, import and export of any fake drug, counterfeit, misbranded, adulterated, substandard, drug after its expiry date, or drug which is not registered or is in conflict with the conditions of registration. It stipulates the constitution of Provincial Quality Control Boards with the authority to inspect a location where drug are being manufactured or sold, and to recommend to the suitable authority the cancellation or suspension of the licence to manufacture or sell drugs or to seal the premises if engaged in activities in contravention of this Act. It analyses the reports of provincial Inspectors, and Government Analysts responsible for testing drugs sent to them by the Inspectors. It also regulates the advertisements of drugs. This Act protects the consumer by levying various penalties .e.g. imprisonment and fine on manufacturers, importers or distributors of drugs. This Act also requires the formation of drug courts where a complaint about any drug manufacturer, seller, importer and exporter can be filed. The Drugs (Labelling and Packaging) Rule, 1986 specifies that drugs must have information about the weight, volume or dose. The name of manufacturer, license number, registration number, date of expiry, Urdu version of the drug name, distinctive batch number, date of manufacture and maximum retail price must be mentioned on the label of the container. Drug label must mention about its usage i.e. whether for internal or external use or a sample for a physician. In case, the drug is meant for government institution or veterinary use, the label must contain information about it. Non-sterilized surgical instruments must have information printed on them stating about their status

### **Transport**

. All the four territories have instituted Motor Vehicles Ordinance, 1965. The Act accommodates the authorizing of drivers , enlistment of engine vehicles, control of activity and determines punishments and remunerations for the bothered if there should be an occurrence of offense. In any case, the statute has neglected to serve the customers due to long unwieldy strategies that have no time restrain and insufficient pay

### **Environmental Protection**

. The Pakistan Environmental Protection Act, 1997 accommodates the insurance, protection, recovery and change of the Environment, for the avoidance and control of contamination and

the advancement of supportable improvement. The Act accommodates setting up Pakistan Environmental Protection Council in charge of sanctioning national natural strategies, and National Environmental Quality models giving rules to ensuring nature and arranging combination of the standards and concerns of supportable advancement arrangements and policies. The Act further accommodates the foundation of Pakistan Environmental Protection Agency to go about as the key actualizing arm of the Council. The Agency is helped by its partners at the commonplace levels. The Act accommodates the constitution of Environmental Tribunals and arrangement of Environmental Magistrates, permitting a distressed individual to record protests before them. There are punishments indicated in the Act for those damaging the principles and regulations contained in the Act and pay for the distressed party. The Act stipulates two parallel legal frameworks. The Environmental Tribunal is an appealing party power for the government and common organizations, and requests went by the Tribunals are appealable in the witness of the High Court. The Environmental justices can likewise attempt the guilty parties and their choices can be tested in the court of the Session Judge, whose choice is last.

### **Energy Sector**

National Electric and Power Regulatory Authority (NEPRA) has been set up under Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 that characterizes the terms and states of the permit, sets measures of support and rates of tax and in addition secures purchasers against monopolistic and oligopolistic rivalry. This is finished by giving chances to buyers to partake in the tax setting process and determining debate in the middle of customers and administration suppliers. The Act records definite strategy for cabin a protestation and getting change if no move is made by the administration supplier. The permit of an administration supplier can be repudiated in great cases. The Act was fortified with the assistance of distinctive gauges and principles which were arranged by NEPRA and affirmed by the administration (NEPRA, 2003; 2004; 2005; 2006). Oil and Gas Regulatory Authority (OGRA) was set up under Oil and Gas Regulatory Authority Ordinance, 2002. It is in charge of cultivating rivalry, expanding private venture and possession in the midstream and downstream petroleum industry and determining grievances and debate in the middle of buyers and administration suppliers (OGRA, 2007). For this reason, Complaints Resolution Procedure, 2003 rundowns a nitty gritty protestation taking care of and pay recompensing strategies with

particular courses of events OGRA legally ties each licensee to shape a dissention determination framework which must be sanction by the authority Any individual can record an objection against a licensee or a merchant in rupture of law guidelines and regulations, for non-congruity with administration models or charging, association or disengagement of administration, metering, outlandish postpone in administration procurement, security practice, quality and amount of normal gas, LPG or CNG supplied. On the off chance that the objection is demonstrated right, the expense should be paid by the licensee or the merchant. The complainant or licensee, if not fulfilled by the choice of the assigned officer, can advance against the choice inside of thirty days.

### **Telecommunications Sector Legislation in Pakistan**

National Electric and Power Regulatory Authority (NEPRA) has been set up under Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 that portrays the terms and conditions of the license, sets measures of bolster and rates of assessment and furthermore secures buyers against monopolistic and oligopolistic contention. This is done by offering opportunities to purchasers to share in the expense setting process and deciding civil argument amidst clients and organization suppliers. The Act records unmistakable procedure for lodge a protestation and getting change if no move is made by the organization supplier. The grant of an organization supplier can be disavowed in incredible cases. The Act was sustained with the help of unmistakable gages and standards which were orchestrated by NEPRA and attested by the organization (NEPRA, 2003; 2004; 2005; 2006). Oil and Gas Regulatory Authority (OGRA) was situated up under Oil and Gas Regulatory Authority Ordinance, 2002. It is responsible for developing competition, growing private wander and ownership in the midstream and downstream petroleum industry and deciding grievances and open deliberation amidst purchasers and organization suppliers (OGRA, 2007). Hence, Complaints Resolution Procedure, 2003 once-overs a quick and dirty protestation dealing with and pay rewarding methods with specific courses of occasions OGRA legally binds every licensee to shape a dissention determination structure which must be endorse by the authority Any individual can record a protest against a licensee or a trader in burst of law rules and regulations, for non-congruity with organization models or charging, affiliation or withdrawal of organization, metering, shocking defer in organization acquirement, security practice, quality and measure of ordinary gas, LPG or CNG supplied. In case the protest is shown right, the cost ought to be paid by the licensee or the trader.

The complainant or licensee, if not satisfied by the decision of the allocated officer, can progress against the decision within thirty days.

## **Dawn of a Modern Era for Consumers**

Being individual from United Nation Organization, Pakistan additionally embraced its determination on buyer security. In any case, deplorably, every single purchaser right supported by the UN are not adequately perceived by the customer assurance laws in Pakistan. Powerlessness to understand the significance the shopper insurance laws and absence of determination in its usage has given in an incapable structure . These circumstances gave a ridiculous point of preference to the products and administrations suppliers and put them in an extremely overwhelming position as against the customers [3]. Shoppers, then again, are clueless of their rights because of nonattendance of assets and suitable data. Important assets and suitable data will help in opposing the surge of substandard items and administrations against the common society(USAID, January 2013).

Buyer insurance, in Pakistan, goes under the ambit of common enactment. In National Assembly and the Senate a level headed discussion centering customer rights enactment was started in 1994 accordingly, The "Islamabad Consumer Protection Act" was authorized in 1995. Khyber Pakhtunkha, Balochistan and Punjab, accordingly, have instituted customer insurance laws for their particular wards. In consequent sections, a try to survey Islamabad Capital Territory, Khyber Pakhtunkha and Punjab laws on purchaser security has been made to examine their similarity with the belief system, figured by the Consumer International for making enactment in regards to buyer insurance. Investigation of the current laws uncovers that these customer security enactments are similarly diverse. Case in point, the Islamabad Capital Territory and Khyber Pakhtunkha customer security law demoralize "uncalled for exchange hones "however the Punjab buyer insurance law grant cases in admiration of "lacks" and "imperfections" in administrations or goods(USAID, January 2013). The Punjab purchaser security law permits suits against lawful and wellbeing administrations while Islamabad Capital Territory customer insurance law on other hand stays noiseless. Nonetheless, Khyber Pakhtunkha purchaser insurance law and Punjab customer security law place clear and definite obligation on producers

left unaddressed under Islamabad Capital Territory Consumer Protection Act

### **Islamabad Consumers Protection Act, 1995**

. A cutting edge period for shopper security rose in the nation when the government declared Islamabad Consumers Protection Act, 1995 in the elected capital. It manages vile exchange practices and gives instruments to handle buyer protests. This Act stressed the detailing of Consumer Protection Council to defend the privileges of buyers. The Council is ordered to shield them from unsafe merchandise, guarantee their privilege of data about item quality, amount, intensity, immaculateness, standard and value, their privilege of decision, change, instruction and right of accessibility of vital products and administrations. Grievances can be documented with the power in the event of unreasonable exchange hones or false ads. On the off chance that the business substance is discovered liable, it can confront detainment, fine or requested that pay remuneration.

### **North West Frontier Province Consumer Protection Act, 1997**

. Islamabad Consumer Protection Act, 1995 turned into a model for the territories to take after. NWFP (now renamed Khyber Pakhtunkhwa) assembly passed The North West Frontier Province Consumer Protection Act, 1997. This Act expects to secure the privileges of buyers by controlling uncalled for exchange practices like bogus representation of merchandise and administrations, denying the offer of substandard products, giving deluding data, false ensure and guarantee or deceiving open with respect to the cost of an item. This demonstration commits a producer to distribute greatest retail cost on the compartment of each item, the nature, standard and different determinations of the item like weight, size or volume and dates of assembling and expiry. Receipt might be issued to buyer which expresses the date of offer, particulars of products sold, the amount, name and location of the merchant. The demonstration likewise accommodates the definition of Consumer Protection Council on lines like Islamabad Consumers Protection Act. The Act likewise indicates an instrument for the change of purchaser dissensions

### **Punjab consumer protection act**

Punjab Consumer Act cutting edge time for buyer security developed in the nation when the government proclaimed Islamabad Consumers Protection Act, 1995 in the elected capital. It manages uncalled for exchange practices and gives instruments to handle shopper grievances.



This Act accentuated the detailing of Consumer Protection Council to shield the privileges of shoppers. The Council is ordered to shield them from risky merchandise, guarantee their privilege of data about item quality, amount, strength, virtue, standard and value, their privilege of decision, change, training and right of accessibility of crucial products and administrations. Objections can be documented with the power if there should arise an occurrence of unreasonable exchange hones or false notices. On the off chance that the business substance is discovered liable, it can confront detainment, fine or requested that protection Act, 2005

#### **Sindh consumer protection act 2014**

Sindh Assembly (SA) on Friday unanimously passed Sindh Consumer Protection Bill 2014. Sindh Minister for Parliamentary Affairs Sikandar Mandhro tabled this government bill.

This bill would provide and protect the rights and interests of consumers in Sindh and whereas it was expedient to provide protection and promotion of rights and interests of consumers and speedy redressal of consumers complaints .Sindh government would set up a provincial consumer protection council in the province. Besides government might set up consumer protection councils in all districts which would report to provincial consumer protection council.

The provincial consumer protection council would gather information and data necessary in order to remove unreasonably dangerous products and faulty and defective services from trade or commerce with approval of the government. Each consumer protection council would have an adequate representation of consumers and associations of trade, industry and services, as case may be, duly registered under law for the time being in force, provided the representation of consumers of council, other than any ex-officio members, would not be less than fifty percent of its total membership. The Sindh government would set up consumer courts in province. A claim for damages arising out of contravention of any provision of consumer protection act would be filed before a consumer court set up under this act.The government by notification would establish one or more separate consumer courts in each district to exercise jurisdiction and powers under this act.A judicial magistrate would be appointed for each consumer court by government in consultation with Sindh High Court.The terms and conditions of service of judicial magistrate would be such as may be prescribed under the act.

A consumer court would have jurisdiction to entrain complaints within the local limits of those jurisdictions where the defendant or each of the defendants, where there were more than one at

the time of filing of claim, actually and voluntarily resides or carries on business or personally works for gain or any of the differences where there are more than one at the time of the filing of the claim, actually and voluntarily resides, or carried on business, or personally works for gain, provided that in such a case the permission is granted by the consumer court or the defendants who do not reside, or carry on business or personally work for gain, as the case may be, acquiesce in such institution or the cause of action wholly or in part.

All agencies of government would act in aid of consumer court in performance of its functions.

No suit, prosecution or other legal proceedings would lie against any functionary under this act, acting under direction of the consumer council or government for anything which was in good faith done or intended to be done under the act. The government may by notification in official gazette make rules for carrying out purposes of this act. An authority would work under Sindh consumer protection bill 2015 and it would mean the secretary or director general Supply and Prices Department or any other officer notified by government. The Sindh consumer protection bill 2015 defines a consumer a person or entity, who buys or obtain or lease any product for a consideration and includes any user of such product but does not include a person who obtains any product for resale or for any commercial purpose. The commercial purpose does not include use by a consumer of products bought and used by him only for the purpose of his livelihood as a self-employed person. Consumer also means a person or entity who hires any service for a consideration and includes any beneficiary of such services. Consumers in general are facing serious difficulties in purchasing essential consumable commodities, which are being manufactured and sold without any proper check and control. In order to promote and protect rights and interest of consumers, it was expedient to make provisions to establish consumer protection council and consumer tribunals and for matter connection these with and incidental thereof.

### **Rise of the Regulatory State**

Like the states in created nations, Pakistan has additionally navigated making a course for "Administrative State" (for a talk on administrative state, please see Loughlin and Scott, 1997; Majone, 1994; Moran, 2001; Wright, 2009). The rising tide of neo-progressivism and prospect of privatizing utilities constrained the strategy producers to set up administrative offices to appropriate the presence of private imposing business models. These organizations not just control restraining infrastructures by arbitrating between the general population open, open

private and private-private purchasers and venders, additionally mean to ensure the hobbies of customers. On the other hand, their foundation neglects to give confirmation of an unmistakable and predictable shopper welfare approach. Still, it is a stage forward, following under their separate laws, a shopper has been perceived as an influenced gathering with a honest to goodness enthusiasm for the procedure of settling taxes (Ansari and Hafeez, 2000).

The accompanying sections give a diagram of measures taken by the state for securing the hobbies of buyers with the assistance of administrative organizations.

### **Competition Commission of Pakistan**

The Competition Commission of Pakistan (CCP), established under the Competition Ordinance, 2007, deals with the issues of competition and consumer protection. The Ordinance sets out the principles and norms of sound competitive behaviour as well as the manner of their enforcement in the country. The CCP is mandated to redress deceptive marketing practices and enhance the link between the Commission and the consumer. The Commission is also engaged in advocacy through various means including seminars, roundtables, media appearances, active sessions of the Competition Consultative Group and bilateral meetings with sector regulators in order to create awareness on competition issues. The Commission has been aggressively and proactively pursuing its agenda. It has conducted raids on the premises of different organizations and associations suspected of alleged use of dominant position; it has published reports of enquiry and studies on different sectors of the economy; it has taken bold decisions to eliminate cartelisation in the cement and sugar industries; and it has formulated voluntary standards and codes for the industry. However, these are early days for the Commission, and it will take quite some time before a culture of competition will take root in the country.

### **The Network for Consumer Protection**

The Network for Consumer Protection, a not-for-profit, public interest and independent non-government organization has been working since 1992. It works for the protection of consumer rights as given in the United Nations Guidelines for consumer protection, 1985 and charter of Consumers International. For this purpose, the Network educates consumers about their rights; provides them research-based information on products and services; as well as updates them about government polices and performance in consumer protection.

## **Consumer Rights Commission of Pakistan (CRCP)**

CRCP was set up in 1998 to demonstrate a free, non-benefit, and non-administrative association to approach the issue of shopper insurance in an all-encompassing way. Its vision and procedures have noteworthy cross-linkages with both business practices and issues of administration. It mediates for the shoppers to secure their rights through exploration and productions and additionally promotion, preparing and gathering assembly. Moreover, the Commission underscores straightforwardness, flexibility of data and natives' interest and voice amid administration conveyance through its promotion and mindfulness-raising battles. It likewise investigates existing laws with the point of making approach info for their change. It surveys business sector procedures and corporate practices from a purchaser viewpoint. It goes about as a business guard dog and spotlights on perspectives, for example, availability, moderateness, quality and measures, market morals, restraining infrastructures and unjustifiable exchange practices to verify that market gets to be receptive to shopper premiums. Despite their vicinity, these purchaser backing associations have neglected to make an effect. As a matter of first importance, they just exist in huge urban communities; however, the greater part of the populace lives in residential areas and towns. What's more, even where they work, their vicinity has not been felt.

# Conclusion

According to Khan and Hafeez (1999), absence of an entry on “consumer” in the indices of law books in Pakistan indicates lack of consumer concern in the legal debate and statutes of Pakistan. Despite significant developments and an increasingly aware consumer base, the state has generally shied away from providing compensation and damages to consumers as statutory remedies. Due to this factor, consumers have recourse to lengthy and circuitous procedures under civil jurisdiction, contract or tort principles of law, which they normally avoid. The same is true of proactive consumer protection councils, which have not found a place on the agenda of civil society. In the case of extant laws, their proper enforcement and implementation in letter and spirit needs to be ensured. It is high time that the consumers assert themselves and have their say in the quality of products or services they pay for.

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