

Mediation of Consumer Cases under Consumer Protection Act 2019



The of the Consumer Protection Act 2019 revolutionized the way consumer cases are handled and resolved. One of the key highlights of this act is the inclusion of mediation as an alternative dispute resolution mechanism. In this article, we will explore the importance of mediation in consumer cases and how it empowers both consumers and businesses alike.

Understanding Mediation

Mediation is a process of resolving disputes through the intervention of a neutral third party called a mediator. The mediator facilitates communication and negotiation between the parties involved, allowing them to reach a mutually acceptable solution. Unlike traditional court trials, mediation encourages the

active participation of consumers and businesses, giving them more control over the outcome of the case.



Mediation of Consumer Cases: Consumer Protection Act 2019

by Ransom Riggs (Kindle Edition)

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Mediation provides a confidential and informal setting where both parties can express their concerns and interests openly. This process fosters a collaborative environment, promoting better communication and understanding between the disputing parties. The mediator assists in identifying common ground and exploring possible solutions, ensuring that the final agreement satisfies the interests of all involved.

Benefits of Mediation in Consumer Cases

The Consumer Protection Act 2019 recognizes the efficiency and effectiveness of mediation as an alternative dispute resolution mechanism. Hence, it mandates consumer cases to undergo mediation before proceeding to litigation. Let's explore some of the key benefits of mediation:

1. **Cost-effective:** Mediation is considerably more cost-effective compared to court trials. It eliminates the need for extensive legal procedures, reducing legal fees and saving both consumers and businesses valuable resources.
2. **Time-saving:** Resolving consumer cases through mediation is generally faster than going through the traditional court system. Parties can schedule mediation sessions at their convenience, eliminating the long waiting periods associated with court hearings.
3. **Preservation of relationships:** Unlike adversarial court battles, mediation promotes a cooperative atmosphere. This approach allows businesses to maintain their reputation and relationships with consumers, mitigating potential damages caused by publicized conflicts.
4. **Flexible solutions:** Mediation encourages creative problem-solving. Parties involved can devise tailor-made solutions that meet their specific needs, providing more satisfactory outcomes compared to rigid court decisions.
5. **Empowering consumers:** Mediation empowers consumers by giving them a platform to voice their concerns directly to businesses and find mutually beneficial resolutions. It allows consumers to have a more active role in the resolution process, promoting fairness and consumer rights.

Implementing Mediation under Consumer Protection Act 2019

The Consumer Protection Act 2019 makes mediation a mandatory step in resolving consumer disputes. The act establishes Consumer Mediation Cells (CMCs) at the district, state, and national levels to facilitate the mediation process. These cells comprise trained mediators who possess the necessary knowledge and expertise in consumer protection laws.

Consumers can file a complaint with the relevant CMC, which will then appoint a mediator to assist in the resolution. The mediator will conduct mediation sessions where both parties can present their arguments, discuss possible solutions, and negotiate a settlement. If an agreement is reached, it will be recorded, signed by both parties, and legally binding.

Mediation plays a vital role in enhancing consumer protection and improving access to justice. The inclusion of mediation in the Consumer Protection Act 2019 ensures that consumer cases are resolved efficiently, cost-effectively, and in a manner that preserves important business-consumer relationships. It empowers consumers and businesses to actively participate in the resolution process, fostering fairness and mutual understanding. Through the effective implementation of mediation, the Consumer Protection Act 2019 aims to create a consumer-friendly environment where individuals can seek swift and satisfactory redress for their grievances.



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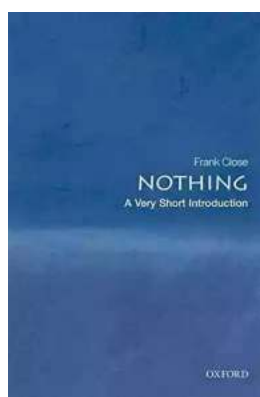
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Mediation is the Best alternate to a negotiated ,Self determined amicable settlement which is a win win situation for both the parties. Cheap and less time consuming.Finality as no appeal lies when settled with consent.Fair Chances of improvement in relations.Parties in dispute are the real participants in reaching to an agreement ,self acquired result. Absence of lengthy and strenuous court proceedings. Absence of uncertainty of the outcome . In our older scriptures, footprints of mediation are seen as back as in Mahabharata time when Lord Krishna tried to mediate and negotiate between Kourvas and Pandvas though could not succeed and it led to a big war.This scripture is a big message with the idea that such great war could be avoided if mediation and negotiation initiated by Lord Krishna could take a shape. Nearly every community, country, and culture has a lengthy history of using various methods of informal dispute resolution.In our villages even as today Panchayat system is the most effective mode of settlement.

“Judiciary has to device new methods,new tools and new stratagem for the purpose of providing social justice to the common man which can respond to the urges of the large masses of people for social justice by adopting creative and active approach “

Justice Tan Hun Hoe



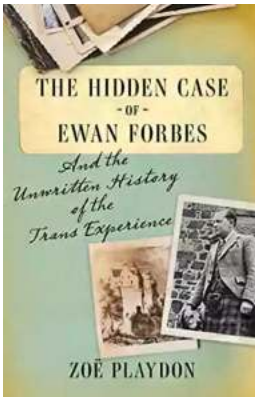
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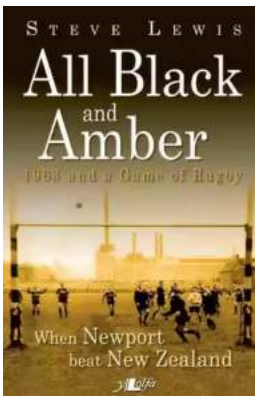
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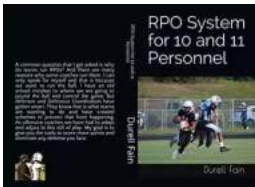
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