



राष्ट्रिय मानव अधिकार आयोग

National Human Rights Commission, Nepal

केन्द्रिय कार्यालय Central Office

हरिहर भवन, पुलचोक, ललितपुर, HariharBhawan, Pulchowk, Lalitpur, Nepal



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Ensure rights of the Consumers

The Constitution of Nepal (2015) provides the right to the consumers as fundamental rights and for the effective implementation of this right the Consumer Protection Act, 2018 has been enacted. National Human Rights Commission is also regularly monitoring the rights of the consumer and also conducting monitoring and investigation upon the complaints launched at the Commission incorporating the issues of consumers' rights protection and implementation in the Strategic Plan and the annual plan. Through monitoring, the Commission has been drawing its attention towards the deprivation of consumers rights.

The Commission received the information through monitoring that the consumers are unable to fully enjoy their rights. There is lack of effective monitoring from those agencies which have the responsibility to monitor and regulate the consumers rights. Though controlling, monitoring and the regulating is said to be conducted on the selling and consumption of the goods having adverse impact on public health and the date expired consumable goods, control of environmental pollution and harmful substances, the effective result is not seen. The action taken by the monitoring agencies in the lack of the technician and technology to check the quality and poison in the consumable goods the rights of the consumer is not protected as well as there is not proper use of the available technology. The situation of producers not getting the appropriate price and the consumers paying expensive price is still existed due to lack of effective import, export and the determination of price of the agricultural and consumable goods in timely manner.

The lack of doctors, health workers, essential equipment, drugs including the physical infrastructure in the health institutions is remain unchanged. There is not effective access to the health facilities of the economically deprived class. The concerned agencies are not showing their concerns and making effort to make the health facility of the private health institutions accountable monitoring them. The concerned agencies did not make an effort accountably to regulate the supply of these commodities even in the blockage in supply of the health service and cooking gas that are most essential things. The trend of unhealthy foods and cheating the passengers in the hotels of highways is not broken. There is no regulation in the misleading



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advertisements and syndicate and cartelling are not fully controlled. In the banking sector prescribing the interest in the debt by the bank's own decision which is against consumer rights is still in practice. Bringing the violators to book is also seen ineffective due to lack of effective access of the consumers in the prosecution process and the further legal action on the complaints of violation of consumers rights made by the consumers in the concerned agencies. The federal, provincial and local level institutions who have market monitoring authority, they do not have coordination, collaboration and uniformity. Though the local level is also prescribed the responsibility for the protection of consumers rights there is not the effective implementation. The situation of non-accessibility of the consumers in consumer education is still rampant.

Thus, the Commission makes special request to the Government of Nepal, Business Sector and the Concerned all for the protection and promotion of the rights of the consumers implementing effectively the Constitution of Nepal, Consumer Protection Act including the other consumer protection related existing laws and the UN Guidelines for Consumer Protection.

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Bed Bhattarai

Secretary