

Section 90 in Consumer Protection Act, 2019

90. Punishment for manufacturing for sale or storing, selling or distributing or importing products containing adulterant.

(1)Whoever, by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any product containing an adulterant shall be punished, if such act-(a)does not result in any injury to the consumer, with imprisonment for a term which may extend to six months and with fine which may extend to one lakh rupees;(b)causing injury not amounting to grievous hurt to the consumer, with imprisonment for a term which may extend to one year and with fine which may extend to three lakh rupees;(c)causing injury resulting in grievous hurt to the consumer, with imprisonment for a term which may extend to seven years and with fine which may extend to five lakh rupees; and(d)results in the death of a consumer, with imprisonment for a term which shall not be less than seven years, but which may extend to imprisonment for life and with fine which shall not be less than ten lakh rupees.(2)The offences under clauses (c) and (d) of sub-section (1) shall be cognizable and non-bailable.(3)Notwithstanding the punishment under sub-section (1), the court may, in case of first conviction, suspend any licence issued to the person referred to in that sub-section, under any law for the time being in force, for a period up to two years, and in case of second or subsequent conviction, cancel the licence.Explanation. - For the purposes of this section,-(a)"adulterant" means any material including extraneous matter which is employed or used for making a product unsafe;(b)"grievous hurt" shall have the same meaning as assigned to it in section 320 of the Indian Penal Code.