

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

UNSTARRED QUESTION NO:821
ANSWERED ON:14.08.2012
OVERCHARGING OF MINERAL WATER
Bhadana Shri Avtar Singh

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether the Government is aware that hotels/restaurants in the National Capital Territory (NCT) of Delhi are resorting to unfair trade practices by overcharging mineral water served there;
- (b) if so, the details in this regard;
- (c) the details of cases of overcharging of mineral water and other carbonated drinks reported during the last one year along with the action taken against the restaurant owners;
- (d) whether the Government has taken steps to create awareness amongst consumers against paying extra amount on Maximum Retail Price; and
- (e) if so, the details thereof and if not, the reasons therefor?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS)

(a) to (c): Yes Madam. However, it is submitted that in the Civil Writ Petition No.6517/03 of the Federation of Hotels and Restaurants Association of India & others Vs Union of India and others the Hon'ble High Court of Delhi hold that "charging prices for mineral water in excess of MRP printed on the packaging, during the service of customers in hotels and restaurants does not violate any of the provisions of the Standards of Weights and Measures Act as this does not constitute a sale or transfer of these commodities by the hotelier or restaurateur to its customers". Hence, scope for legal action against such practice is limited.

(d) & (e): The Government runs several media campaigns to make consumers aware about their rights and also about the MRP and its implications through Press, T.V., Radio and other platforms.