

Effectiveness of Consumer Protection Laws In, India

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Abstract: *This study presents a theoretical analysis of consumerism. It gives a quick overview of consumer movement, consumer protection Act different consumer-damaging market practices, problems, and corrective actions. It makes the case for a powerful and coordinated consumer movement to establish conditions that will protect consumers' interests. In the case of India, at the very least, the myth of consumer sovereignty in the market has been proven false. The customer has no authority, privileges, or rights—they are only kings in name only. In the Indian market, the seller does not hold himself accountable for the quality of the goods he offers, and the adage "Caveat emptor" (let the buyer beware) is prevalent. This is essentially the situation facing both ignorant and knowledgeable consumers. It appears that a lot of other emerging and underdeveloped nations throughout the world share similar characteristics with India. Customers get caught up in a web of unethical company activities. Despite having every right to defend themselves against the perils of the market environment, consumers are quietly enduring all of this without raising an objection. Many factors, including poverty, a lack of organized attempts to prevent market ills, widespread illiteracy, and ignorance of consumers' legal rights, leave individuals open to exploitation by manufacturers, traders, and middlemen. The system in place to safeguard consumers' interests isn't perfect just now. In addition to raising people's incomes and levels of literacy, it is crucial that we also educate them about the reasons behind their current situation, inform them of their legal rights and privileges as consumers, and instruct them on the steps that need to be taken to actually make these goals a reality.*

Keywords: consumerism, caveat emptor, market milieu, exploitation, consumer plight, legitimate consumer rights, consumer activism (Mutyala)

1. Introduction

The fundamental causes of consumerism's rise in India diverge significantly from those in the West. The most prominent problems are a lack of basic consumer products and services, inflation that is still present, low technological proficiency, poor product quality, unethical business activities, deceptive advertising, and similar problems. The primary goals of the consumer movement in our nation should be to protect the interests of consumers, raise consumer awareness, build and strengthen positive buyer-seller relationships, stop consumer exploitation, advance consumer education, provide pertinent consumer information, offer facilities for quality testing, etc. However, the movement's development in India has been comparatively slow and sluggish compared to its counterparts in the West. This can be attributed to a number of factors, including poverty, illiteracy, ignorance, a lack of adequate market information, a lack of consumer involvement and interest in issues pertaining to the market, etc. In this aspect, the government has also failed to deliver results. Nonetheless, it is important to recognize that government efforts to safeguard consumers should not be undervalued. It has implemented a number of legal safeguards in order to protect customers' interests, enforce consumer protection laws, and monitor and regulate market misconduct. To a large degree, the problem appears to be with how they were implemented. In the marketplace, the consumer is the one who requires special consideration. "The consumer is the sole end-purpose of all production and the interest of the producer ought to be attended to only so far as it may be necessary for promoting that of the consumer," stated more than two centuries ago by Adam Smith¹. Finding a customer for his good or service is a salesman's main responsibility during a campaign. The source of all sales is him. "Marketing is the analysis,

organization, planning, and control of the firms as well as consumer impinging resources, policies, and activities with a view to satisfying the needs," as Philip Kotler² succinctly states."

Consumerism: Conceptual Consideration

Consumerism is concerned with protecting consumers from all organizations with which there is an exchanged relationship," according to McMillan Dictionary (1985). It includes all of the actions taken by the government, corporations, independent groups, and concerned citizens with the goal of defending their rights. The old-fashioned idea of "Caveat emptor," or "buyer beware," dictated the dynamic between the seller and the customer. When there were open marketplaces, buyers and sellers interacted directly, the merchant displayed his wares, the buyer carefully considered them, and then the buyer made a purchase. It was expected that he would conduct the transaction with the utmost caution and expertise. According to the maxim, the seller was released from the duty to disclose the product's quality. Furthermore, a significant element in the buyer-seller relationship was their personal relationship. However, since trade has increased and become more globalized, this rule is no longer valid. The buyer may no longer inspect the products in person, and the majority of transactions are completed by letters. Furthermore, due to the intricate structure of contemporary items, only the manufacturer or seller can guarantee the goods' quality. The producers and sellers are growing stronger and more organized as a result of the increased organization of manufacturing activity, while the customers remain unorganized and weak. In the age of revolutionized information technology and with the emergence of e-commerce related innovations the consumers are further deprived to a great extent. As a result, buyer is being misled, duped and deceived day in and day out. Mahatma Gandhi,

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the father of nation, attached great importance to what he described as the "poor consumer", who according to him should be the principal beneficiary of the consumer movement. He said: "A Consumer is the most important visitor on our premises. He is not dependent on us we are on him. He is not an interruption to our work; he is the purpose of it.

Consumer Protection Laws in India

The globalization of corporate operations and the increasing interconnectedness of the global economy have led to the widespread recognition of the importance of safeguarding and advancing consumer rights. Globally, consumers, clients, and customers are requesting better services and higher-quality items in exchange for a fair price. There is no denying that the availability, safety, and quality of goods and services have all been significantly impacted by modern technology advancements. However, the reality remains that dishonest and unethical business practices continue to harm consumers. Customer exploitation can take many different forms, including adulterating food, falsifying medications, questionable hire purchase agreements, exorbitant costs, subpar products, inadequate services, misleading advertising, dangerous goods, black marketing, and many more. Furthermore, since information technology has advanced, consumers now face a wider range of issues, such as cybercrimes and plastic money, which have a greater impact on them. The current situation, especially in developing nations, has rendered the phrases "customer is sovereign" and "customer is the king" into little more than myths. Nonetheless, it has been recognized—and rightfully so—that consumer protection is a socioeconomic initiative that businesses and the government should work together to implement as both have a stake in the happiness of their customers. However, in this situation, it is the government's primary duty to safeguard the rights and interests of the consumer through the appropriate legal framework, administrative procedures, and policy initiatives.

Customers use a specific product to engage in the marketplace. Without customers, a company would not exist. In terms of consumer rights, the situation of the customer is very dismal. You can cite instances of retailers underweighing themselves and companies misrepresenting their pack sizes. Then there are those that sell sweetmeat locally and tamper with the ingredients to make ladoos or barfis. You may remember the dropsy case that resulted from tainted mustard oil. If you dare to complain to the shopkeeper, you probably will receive an impolite answer from her, regardless of how poor the quality is.

The Consumer Protection Act, 1986

A wide range of consumer goods have entered the market to meet consumer needs, and a number of services, including banking, insurance, transportation, electricity, housing, entertainment, and finance, have become accessible to consumers as a result of the industrial revolution and the growth of international trade and commerce. The development of a well-organized industry of producers and dealers with superior market knowledge has altered the dynamic between dealers and buyers, rendering the notion of consumer sovereignty essentially meaningless. Advertisements of products and services on television, in

newspapers, and in magazines affect consumer demand even when there may be manufacturing flaws, shortcomings, or inadequacies in the quantity, quality, and purity of the goods or services provided. Furthermore, because multiple companies are producing the same goods, buyers are forced to consider their options before making the best purchase because they don't have much time to do so. The abundance of tainted and subpar products on the market needs to be checked for the public's welfare. Very little progress was made in the area of consumer protection, despite a number of laws that offered protection to consumers and mandated strict penalties for adulterated and subpar goods. These laws included the Indian Contract Act of 1872, the Sale of Goods Act of 1930, the Indian Penal Code of 1860, the Standards of Weights and Measures Act of 1976, and the Motor Vehicles Act of 1988. Despite the Prevention of Food Adulteration Act of 1954 and the Monopolies and Restrictive Trade Practices Act of 1969, Although, 1969 has given customers respite, it has become important to safeguard the interests of the consumers by shielding them from exploitation, contaminated and subpar goods and services, and consumer. On December 5, 1986, the Consumer Protection Bill, 1986 was introduced in the Lok Sabha with the goal of improving consumer interest protection.

In India

The need to defend and advance consumer interests against unethical and unfair trade practices gave rise to the consumer movement in India as a "social force." Intense food scarcities, hoarding, illegal marketing, adulteration of food, and edible oil gave rise to the organized consumer movement in the 1960s. Consumer organizations mostly wrote articles and organized exhibitions until the 1970s. To investigate the wrongdoings in ration stores and the congestion in the road passenger transportation system, they established consumer groups. India has seen an increase in the number of consumer groups in recent times.

The consumer movement started as a result of the buyers' discontent with the sellers' numerous unfair business practices. Customers had no legal safeguards in place to keep them safe from being taken advantage of in the marketplace. For a very long time, customers would often avoid buying a certain brand of product or cease doing business with that shop if they were unhappy with it. It was assumed that customers should use caution when making a purchase of a good or service. It took several years for global and Indian organizations to raise public awareness. As a result of these efforts, the movement was successful in putting pressure on governments and corporations to stop engaging in commercial practices that could be unjust and detrimental to the interests of all customers. The Consumer Protection Act of 1986 was a significant move implemented by the Indian government in 1986.

It should be noted right away that anyone interested in working for the consumer protection movement needs to be knowledgeable about a variety of legislation, not just the Consumer Protection Act of 1986. Contract, tort, railroads, telegraphs, telephones, post, air travel, insurance, electricity, water, housing, medicine, banking, finance, engineering, motor vehicles, hotel industry, entertainment, cooperative

societies, tourism agencies, sales tax, central excise, limitation, and transportation laws are just a few of the legal topics he should be familiar with. The topics that can be brought before a Consumer Forum or Commission for consideration are unlimited. The rules pertaining to restrictive trade practices and unfair trade practices should also be thoroughly understood. It is what it is. India has a number of Acts designed to safeguard consumers against different forms of exploitation were enacted.

The Objectives of Consumer Protection Act, 1986 in India

The purpose of the Act is to provide for the establishment of the Commission:

- Prevent practices that have a negative impact on competition;
- Encourage and maintain competition in market
- Safeguard the interests of consumers
- Ensure the freedom of trade practiced by other market participants in India.

The Act primarily addresses the following issues:

- Forbidding anticompetitive agreements
- Prohibiting the misuse of dominant position
- Regulating combination agreements
- Promoting competition policy.

This Act's legislative goal is to remove all barriers to increased competition between domestic and international business units. The Consumer Protection Act of 1986 was passed with the intention of better safeguarding consumer interests and establishing mechanisms for the resolution of consumer disputes, such as consumer councils and other bodies. Indeed, this is a truly special and forward-thinking piece of social welfare legislation. The goals of this Act's provisions are to effectively and efficiently protect consumers from different kinds of unfair business practices and exploitation. The Act's provisions are compensating in character, in contrast to other laws that are primarily punitive or preventive in nature. We are extremely happy to be able to state that we now have a statute in our nation that effectively protects consumers better than any comparable laws that are in place other nations that are thought to be far more developed and industrialized. The Consumer Protection Act has been in force for almost eighteen years. There is still need for development since several flaws and shortcomings regarding its functioning have been discovered and necessitated three revisions. In spite of this, consumers can use it as a useful tool to hold service and product providers and manufacturers accountable. The Indian Consumer Protection Act was hailed as one "which has set in motion a revolution in the field of consumer rights, the parallel of which has not been seen anywhere else in the world" during the 1997 International Conference on Consumer Protection, which was held in Malaysia. Key Elements of the C.P. Act This can be summarized as follows:

The Act applies to all goods and services unless specifically exempted by the Central Government.

- It covers all the sectors – private, public and cooperative.
- The provisions of the Act are compensatory in nature.

- It provides adjudicatory authorities, which are simple, speedy and less expensive.
- It also provides for Consumer Protection Councils at the National, State and District levels.

The provisions of this Act supplement and do not diminish the provisions of any other currently enacted legislation. These councils' goals are to support the relevant governments in establishing and evaluating laws that advance and safeguard consumers' rights. These consumer councils are made up of a wide range of people. Members of these councils include individuals and groups representing various interest groups that have an impact on the protection of consumer rights. It is also necessary for Consumer Councils to be established through public-private partnerships in order to provide greater feedback and, consequently, enable policy reviews pertaining to the protection of consumers' rights. Promoting and defending the rights and interests of consumers in society is these councils' primary goal. Additionally, it establishes three tiers of adjudicatory organizations for consumer disputes—district, state, and national. District Forums, State Commissions, and National Commissions are the names given to them. The president of the District Forum is joined by two members, one of whom is a woman. Each District Forum member may be reappointed after serving in office for a further five years or until they turn sixty-five, whichever comes first. The current minimal educational requirement for membership is graduation. The State Commission is headed by a retired judge from the High Court. The retired Supreme Court judge serves as the National Commission's chair. District Forum decisions may be made up to Rs. 20 lakhs, State Commission decisions up to Rs. 1 crore, and National Commission decisions over Rs. 1 crore. The principles of natural justice govern the procedures that these adjudicatory bodies follow. The National Commission and State Commissions are now seated in Circuit Benches. Nonetheless, it should be noted that there are a few openings for Presidents and Forum Members across the nation. Filed complaints must now include the appropriate charge, which must be paid in the way that may be specified. The Ministry of Consumer Affairs, Food, and Public Distribution has established the following fee schedule for cases submitted in the District Forums pursuant to Rule 9A of the Consumer Protection (Amendment) Rules, 2004: Product or service value Amount of compensation sought and due.

Value of goods or services and compensation claimed
Amount of fee payable

- 1) Up to one lakh rupee Rs. 100
- 2) One lakh and above but less than five lakh rupees Rs. 200
- 3) Rs. 5 lakh and above but less than Rs.10 lakh Rs. 400
- 4) Rs. 10 lakh and above but not exceeding Rs. 20 lakh Rs. 500

Appeal procedure

The National Commission, State Commissions and District Forums are required to decide complaint, as far as possible, within a period of three months from the date of notice received by the opposite party where complaint does not require analysis or testing of commodities and within five

months if it requires analysis or testing of commodities. The Appeals are allowed within 30 days against the order of the District Forum to the State Commission and against the order of the State Commission, to the National Commission. The National Commission, State Commissions and District Forums are required to decide complaint, as far as possible, within a period of three months from the date of notice received by the opposite party where complaint does not require analysis or testing of commodities and within five months if it requires analysis or testing of commodities. The Appeals are allowed within 30 days against the order of the District Forum to the State Commission and against the order of the State Commission, to the National Commission. In many State Commissions and District Forums, vacancies of Presidents/Members have not been filled up which adversely affects the disposal of cases. It is important to keep in mind that consumer confidence is ultimately dependent on the Consumer Commissions' and Forums' ability to operate effectively. As such, it is imperative that these agencies continue to operate in an uninterrupted, effective, and efficient manner. State governments must play a specific role for this to occur.

Remedies available under the Act

- 1) There are several remedies available to consumers under the Consumer Protection Act. The acts provide the following remedies:
 - Removing faults: The authority may issue an order to remove product faults if the customer discovers the product to be defective after using it properly and completing a test.
- 2) Replacing merchandise
 - A reimbursement of the amount the customer spent to purchase the item.
 - Award of Consumption: Should the trader or service provider's negligence result in any physical or other losses for the consumer, the consumer may claim compensation from him.
- 3) Removal of Deficiency in Service– If there is a deficiency in the service delivery, the authority may issue orders to remove it. For example, if a customer has applied for a loan and completed all the requirements but the bank is taking undue time to approve the loan, the court may issue orders to approve the loan.
- 4) Discontinuance of Unfair/ Restrictive Trade Practice–The authority may order the immediate cessation of any unfair trade practices in the market upon receipt of a complaint from a consumer, as well as the imposition of a trade practice ban.
 - Ceasing the selling of dangerous products
 - Elimination of dangerous products from circulation.
- 5) Covering the necessary expensesⁱ

Advantages of the Consumer Protection Act

The Consumer Protection Act, 1986 (“CPA”) is a statute that prohibits unfair trade practices in the marketplace. It also provides assistance to consumers who have been wronged by such violations. The CPA covers both goods and services.

Some of the most important advantages of the consumer protection act include:

- 1) If an individual or firm has engaged in unfair business activities that have caused them to incur loss or damage,

they have the right to file a claim for damages or compensation.

- 2) It allows customers the right to a return for any item that does not live up to their expectations.
- 3) It prevents businesses from taking advantage of customers during negotiations by making them reveal all fees and charges up front.

Disadvantages of the Consumer Protection Act

This page lists the various limitations and shortcomings of the Indian Consumer Protection Act. The Consumer Protection Act only applies to services for which a specific payment has been made. On the other hand, it addresses situations in which this legislation does not apply to free medical care and does not safeguard hospitals or medical staff.

- 1) Water supply is one example of a mandatory service that is not covered by this act and is supplied by governmental entities.
- 2) This statute covers only two sections pertaining to the supply of hazardous materials. The Consumer Protection Act does not grant any authority for consumer remedies.
- 3) The provision of inefficient items is the main target of the consumer protection legislation however producers are not subject to stringent rules.

Consumer Protection Amendment Bill of 2018

The Consumer Protection Act of 1986 has been amended thrice but the act is still not sufficient to deal with challenges such as online transactions, multi-level and digital marketing. The Bill has proposed to make various changes in the ancient act in order to provide better protection to the rights and interests of the consumer. Following are the changes which the Bill proposes:

- 1) Central Protection Council(CPCs)– in the act of 1986 CPCs just has the authority to promote and protect the rights of consumers but as proposed in the Bill CPCs will be advisory bodies for promotion and protection of consumer rights.
- 2) The ambit of law– the 2018 Bill includes all goods and services, telecom and housing construction and all modes of transactions for consideration while excludes free and personal services.
- 3) Unfair trade practice– this Bill proposes the addition of three more types to the list of unfair trade practices as given in the act of 1986 i.e.
 - Failure to issue a bill or receipt
 - Refusal to accept a good returned within 30 days
 - Disclosure of personal information given in confidence, unless required by law or in public interest.
- 4) Product liability– earlier there was no provision of product liability in the act of 1986 but now this Bill proposes that claim for product liability can be made against the manufacturer, service provider and seller. Moreover, compensation can be obtained by just proving one of the various conditions mentioned in the Bill.
- 5) The pecuniary jurisdiction of the Commissions– this Bill proposes to change the pecuniary jurisdiction of the commissions to Rs 1 crore for District Forum; between

Rs 1 crore and 10 crores for State Commission; and above Rs 10 crores for National Commission.

- 6) Alternate dispute redressal mechanism— there was no such provision in the original act but now the Bill proposes to attach Mediation cells to the District, State and National Commissions.
- 7) E-commerce— the Bill mentions and defines direct selling, e-commerce and electronic service provider which were not there in the act of 1986. Moreover, The central government may prescribe rules for preventing unfair trade practices in e-commerce and direct selling.
- 8) Penalties— the Bill proposes a change in the penalty i.e. imprisonment up to three years or fine not less than Rs 25,000 which can be extended to Rs one lakh.

Major Amendments to the Consumer Protection Act of 2019
The long-standing Consumer Protection Act, 1986 was replaced with the recently passed Consumer Protection Bill, 2019, which was announced by the Ministry of Consumer Affairs, Food, and Public Distribution on July 15, 2020. The majority of this act's provisions went into effect on July 20, 2020.

- 1) The first and most important change is the evolution of what constitutes a consumer. A person is defined as a consumer under this statute "if they purchase any goods or hire or use any services for a valuable consideration." This definition expressly excludes anyone who gets the good for resale or commercial purposes. The primary objective of this definition is to incorporate all offline and online transactions by expanding the concept of a consumer.
- 2) In addition, the Act specifies the notion of "product liability," which requires the product seller and maker to pay the customer's damages resulting from a product that was created, sold, or provided with inadequate services.
- 3) The act in section 2(9)(1) especially defines the rights of consumer which includes.

Consumer Rights and Responsibilities in India

The government enacted the Consumer Protection Act, 2019 ('Act') to protect consumer rights and interests. The Consumer Protection Act, 2019 replaced by letting customers engage directly in the market, the Act seeks to promote public welfare. It includes everything produced by the public and private sectors. In the hands of consumers, it is a tool for protecting their rights as buyers and combating abuse by producers, distributors, vendors, and service providers.

Consumer Rights: What Is It?

Every nation offers a set of consumer rights to give its people the best possible protection. Customers can obtain the necessary information about goods and services while making a purchase thanks to consumer rights. Despite being aware of their social obligations, producers, distributors, retailers, and merchants may take advantage of customers by deception, unfair business tactics, etc.

Consumer rights protect consumers against such unfair practices and enable them to enforce these rights. In India, the government provides consumer rights under the Consumer Protection Act, 2019 to protect their interests.

Types of Consumer Rights

The Consumer Protection Act provides six consumer rights to people, which are as follows:

1) Right to be Protected

The entitlement to protection shields customers from advertisements for goods or services that pose a risk to their safety or property. Products such as gas cylinders, electrical appliances, and other items might have production flaws that endanger the consumer's life, health, and property. Customers have the right to demand the guarantee and quality of the items before making a purchase since they have the right to be protected. AGMARK or ISI-approved goods or products should be their selections.

2) Right to be Informed

The right to be informed provides that the customers must be informed about the quantity, quality, standard, purity, potency and price of products, goods or services to protect the consumers against unfair trade practices. Sellers or manufacturers should provide all the required product details to the buyers or consumers so they can act wisely while purchasing goods. The manufacturers must give all the relevant information on the label and package of the product.

3) Right to Choose

Customers have the freedom to select from a wide range of goods and services at reasonable costs. A reasonable price is one that is competitive. Customers cannot be pressured by vendors, retailers, or traders to buy products under a certain brand. Customers are free to select the brand that best suits their needs. In the event of a monopoly, the freedom to choose guarantees that customers will receive high-quality goods and services at fair costs. It also covers the right to the most basic products and service.

4) Right to be Heard

The consumer's interests will be heard and taken into consideration at the proper forum, thanks to the right to be heard. Customers will have the means to voice their concerns in the appropriate place, and their interests will be taken into account. If a seller engages in unfair trade practices, customers may report this to the relevant authorities. Customers will have a fair opportunity to express their complaints in the relevant forums. In order to enforce this right, they might enlist the aid of consumer advocacy group.

5) Right to Redressal

Customers are entitled to file complaints about unfair trade practices, restricting trade practices, and dishonestly exploiting them. It also covers the entitlement to a just settlement of a customer's complaints. When they have a valid problem, customers can file a complaint. With the assistance of several consumer organizations, they can also look for solutions to their issues. Payment, the repair of faulty items, or a replacement of goods based on the customer's complaint can all be considered forms of compensation.

6) Right to Consumer Education

In order to protect themselves against exploitation, consumers have the right to consumer education. The

consumer has the right to obtain the abilities and information necessary to make an informed purchase under this right. When customers are aware of their rights, current actions and agencies set up for their protection; they can take action. The government has also introduced consumer education to the school curriculum and university courses.

The act has been amended many times over the years to keep up with the changing needs of consumers. The most recent amendment was in 2016 when it was made illegal for businesses to charge customers for services they didn't ask for.ⁱⁱ

Protection of Consumer laws in India

It is imperative that Parliament passes the long-term Consumer Protection Amendment Bill. Customers are still the ones who receive things.

For example, it has come as a rude shock to learn that the Reserve Bank of India cannot be held accountable for the loss of valuables left in bank lockers, as disclosed in a recent response to an RTI query. This has raised serious concerns about the security of goods and papers kept in bank lockers for safekeeping.

The most important point, though, is that additional measures must be included in the proposed Bill to address the rapidly evolving market and technical landscape, with e-commerce being the most recent example.

The Act's drafters did not anticipate many of the innovations that have dramatically changed the retail and technology landscapes of the industry. The Consumer Protection Act of 1986 underwent three modifications in 1991, 1993, and 2002, but the issues persisted and new ones kept popping up.

The Act is an ineffective piece of legislation in its current form, failing to keep up with the ever-evolving market dynamics, complex supply networks, and creative but frequently deceptive advertising and marketing tactics.

The implementation process is the primary source of the issue. The Act does not give the government the power to prosecute anyone found guilty of breaking the law, to take action against unfair trade practices, or to take other actions that compromise someone's rights of consumer. Only through a legal procedure before the State or District Consumer Redressal Forums are criminal actions possible.

Regretfully, administrative problems haunt these forums just as they do our court system.

For instance, the National Consumer Disputes Redressal Commission is now handling appeals and initial complaints from the 2008–2010 period. This implies that consumers must endure suffering for an average of five years until their concerns are resolved.

Recently, cases that had been placed on the sine-die list for the years 1998–2004 were made available by the Maharashtra State Consumer Disputes Redressal Commission. This is merely an example of the situation on the ground in one State.

Therefore, in an attempt to replace a law that was passed 29 years ago, In July 2015, the Centre adopted the updated Consumer Protection Bill 2015. The goal of the new law is to offer a thorough framework that safeguards consumer interests; it would eventually supersede the Consumer Protection Act of 1986.

Minister of Consumer Affairs, Food, and Public Distribution Ram Vilas Paswan introduced the Consumer Protection Bill 2015 in the Lok Sabha on August 10, 2015. The public and stakeholders were invited to comment on the bill, and those comments were included in the Parliamentary Standing Committee on Consumer Affairs report that was released in April 2016. The Central Consumer Protection Authority (CCPA), to be established by the new bill, is an executive body tasked with safeguarding and upholding consumer rights.

When required, the authority will step in to defend consumers against deceptive business practices and launch a class action lawsuit, which may involve requiring product recalls, refunds, and returns. This organization will function similarly to law enforcement organizations in other jurisdictions, such the US Federal Trade Commission (FTC). In modernizing the implementation system to meet international standards, this will be a significant step.

Additionally, the Bill includes a provision for product responsibility and gives the regulatory body sufficient jurisdiction to recall products and revoke licenses in order to guarantee safe products for customers. The allegation has an impact on multiple people.

This is the first time that a consumer protection framework has included the ability to take legal action for harm caused by a product. Given the rise in the liability quotient, manufacturers will be discouraged by this action.

A number of provisions in the Bill are also intended to streamline the process of resolving consumer disputes. They include giving State and District Commissions the authority to review the rulings of the Consumer Grievance Redress Agencies, expanding the financial jurisdiction of these agencies, and creating a "circuit bench" to expedite the processing of complaints. In order to help further reduce the backlog of cases and ease the burden on redressal forums, the Bill also proposes the establishment of Consumer Mediation Cells, which will be connected to the redressal commissioners at the district, state, and federal levels.

With any luck, these recommendations will greatly reduce the enormous backlog of cases and stop more disagreements from being postponed. The new bill is designed to follow US and European institutions that stipulate that contract law and the law of sales of goods should serve as the foundation for consumer protection laws, as without them, such laws tend to be unclear and contradictory.

To encourage greater investments, the Centre has been implementing a number of policy initiatives aimed at enhancing the nation's economic environment. The most recent of these initiatives is the implementation of the GST.

However, legislators and policymakers must realize that these efforts will be like watering a dead plant if there isn't an efficient, current, and updated consumer protection framework. Since consumers are the foundation of the economy, their interests must be protected if real progress is to be made.

2. Suggestions

The complaint filing and resolution process needs to be drastically improved in order to defend consumer rights.

Strict criteria should be created to settle disputes in the shortest amount of time possible. A distinct department is required that can assist consumers in filing complaints and act upon their grievances within 24 hours. Reviews from customers about these departments ought to be considered as well. Governmental organizations should also pursue suo moto investigations to assist consumers in seeking remedies, even in intricate circumstances.

In order to protect consumer rights, the procedure for filing complaints and getting them resolved needs to be significantly improved.

To resolve disagreements as quickly as feasible, strict standards ought to be developed. It is necessary to establish a separate department that can help customers file complaints and respond to their concerns within a day. Customer reviews of these departments should also be taken into account. Even in complex situations, government agencies ought to conduct suo moto investigations to help customers find solutions.ⁱⁱⁱ

ⁱ<https://www.legalserviceindia.com/>

ⁱⁱ<https://cleartax.in/>

ⁱⁱⁱ<https://ijcrt.org/>