

1. **Introduction:** Dear learners in this unit we are going to introduce certain important concepts which a student of consumer law in particular and a learner of law in general must be aware of.

2. **Learning Outcome:** After going through this chapter you must be able to:

I. To explain the need of consumer protection laws and concepts thereof.

II. Know in brief the historical roots of consumer laws.

III. Understand the various consumer laws prevailing in other jurisdictions.

IV. Appreciate the role of courts in dealing with the consumer Disputes.

3. **Need for Consumer Protection:** Promotion of consumer welfare is the common goal for consumer protection and competition policy. At the roots of Consumer Protection Laws lies the objective of protecting the interests & rights of consumer. The Consumer Protection law is social welfare legislation enacted to provide for better protection of the interest of the consumers and provide the Redressal to the aggrieved consumer by invoking the mechanism and the provisions provided under the law. The consumer constitutes the starting point of economic activities and its role has always been valued by the development of the market. In effect, an adequate consumer protection allows the economic systems to work through the consolidation of the rights of the citizens.

Until the 18th century, the consumers had to verify themselves the quality of the goods they purchased and only in presence of gross negligence the seller could have been hold liable. The struggle against capitalism and food fraud started the first phase of consumerism but it wasn't until the third phase, in the 1950s, that we saw the involvement of the European countries. The first consumer's organizations were born in Denmark in 1947 and in Great Britain in 1955 where the Government created the Consumer Council in order to enable consumers to express themselves on issues reserved to producers and traders.ⁱ But the real normative breakthrough came with the Single European Act; it modified the Treaty of Rome by strengthening the role of the Economic and Social Committee, to whom were attributed powers to protect the consumers. Over the years, some important changes were made to the above mentioned legislation that

paved the way for a wider consumer policy. But despite these additions, it still lacked a solid foundation that allowed getting a real consumer protection.

Consumer Protection is a one of the major subjects of discussion across the world because many consumers are not aware about their rights. This fact favors sellers as they misuse the ignorance of the consumers. Sellers want consumers as buyers and not as a complainant. So, the position of the consumer is weak. There is imbalance between the powers of sellers and buyers. Many times the consumer does not get complete and genuine information about the product he wishes to buy. Manufacturers, dealers and traders earn a good margin of profit by deliberately downgrading the quality of the product or by giving misleading information. This has a harmful effect on consumers. A consumer must be aware of his rights, raise his voice against exploitation and seek Redressal of his grievances. Due to this, the movement of consumerism is gaining momentum.

Now my dear students a question may arise in your mind as to what Consumerism is all about?

Consumerism is a social force to make business more honest and responsible towards consumers. Consumerism is also a term used to make consumers aware about their rights, and demands the government to adopt necessary measures in order to protect consumer interest.

In India the law on Consumer Protection is embodied in the Consumer Protection Act, 1986. Recently in 2019, the Consumer Protection Act, 2019 has replaced the three decade old Consumer Protection Act, 1986. The new Consumer Protection Act, 2019 proposes a slew of measures and tightens the existing rules to further safeguard consumer rights including the following:

- Introduction of a Central regulator, strict penalties for misleading advertisement
- Guidelines for e-commerce and electronic service providers are some of the key highlights.
- The Act has revised the definition of "Consumer" to include those who make purchases online. This is a major aspect that has been incorporated to bring the e-commerce market within the ambit of the Act and ensure Consumer protection therein.