# CONSUMER PROTECTION LAW

## Course Outline

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**Total Class Hours** 42

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1 Course Teacher: Anirban Chakraborty, Assistant Professor
COURSE OBJECTIVE

Consumer considerations and their protection are very old concepts, but in the last decade there has been a significant development in this branch of law. Globalization of trade, market-dominated economy, information revolution and emergence of e-commerce has further enhanced this process. A greater importance has been assigned to consumer law at a global basis. All these factors have increased more scope for research and advocacy for creating a consumer friendly regulatory framework. The Indian legal framework has also undergone a substantial change to comply with the international norms. The subject has received tremendous importance among the contemporary legal fraternity in India. The legal experts are emphasizing on the need for teaching consumer law very seriously to present generation law students for making them equipped to handle issues relating to this branch of law. In this background the present course will aim to introduce the students to the existing law and practice relating to consumer protection.

Learning Outcome
1. Students will have a comprehensive understanding about the existing law on consumer protection in India.
2. Students will be conversant with major international instruments on consumer protection
3. Students will be aware of the basic procedures for handling consumer dispute.
4. Students will be able to appreciate the emerging questions and policy issues in consumer law for future research.

Teaching Methodology
The teaching of the course will be conducted by using a combination of methods including
- Short lectures
- Guided reading
- Experiential Learning
Detailed Course Structure

Module – I: AN INTRODUCTION TO CONSUMER PROTECTION LAW AND POLICIES.

- Development of market and consumer relations
- Globalization and consumerism
- Consumer movement in the global context
- Legal framework and policy challenges

Module – II: CONSUMER RIGHTS

- Genesis of the consumer rights – UN role
- Right to safety
- Right to be informed
- Right to choose
- Right to be heard and assured.
- Right to redressal
- Right to consumer education

Module–III: LEGISLATIVE FRAMEWORK ON CONSUMER PROTECTION IN INDIA

- Evolutionary steps of Consumer Protection Laws in India- a historical perspective
- Some Consumer friendly Legislations
  - Prevention of Food Adulteration Act, 1954
  - Standards of Weights and Measures Act, 1976
  - The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954
  - MRTP Act
  - Sale of Goods Act, 1930
- Consumer Protection Act, 1986-the vision of the legislation

Module – IV: SALIENT FEATURES OF CONSUMER PROTECTION ACT

- Objective of the legislation
Definitions
Three tire system of grievance redressal system
Jurisdiction of the Consumer Fora’s
Complainants that can be made under the C.P. Act.
Relief available to consumer
Appeals, limitations, adjournments and other procedures
Amendments to C.P. Act
An Appraisal of C.P. Act with all its amendments
Advisory Councils

Module – V: CASE LAW IN CONSUMER PROTECTION
Goods – Case laws on manufacturing defects
Service Sector – Airlines, Banking, Insurance, Housing
Medical negligence
Lawyers negligence

Module – VI: EMERGING ISSUES IN CONSUMER PROTECTION AND LAW
WTO and Consumer Protection
E-Commerce and Consumer Rights
Role of Civil Society in Consumer Protection
Access to justice and Consumer Laws
ADR in resolution of Consumer disputes
Data protection

Basic Readings

Suggested Text Book (Every student must buy this text)
Eradi, Consumer protection jurisprudence, (Butterworths, 2005)

Module – I
- Law regarding sale of defective goods – a journey from caveat emptor to caveat venditor, J.K. Yadav.

Module – II
- An integrated consumer policy, CUTS (Briefing Paper), 1996 (CD).
- Consumer welfare and development are inseparable, Bhanoji Rao, Business Line, Sept 18, 2007 (CD).

Module – III

Module – IV
- Consumer Protection Act - the road map ahead, Rajender Chaudhry, Press Information Bureau, Govt. of India, 2006 (CD).

Module – V
- Consumer protection law, V. Sudesh, Annual Survey of Indian Law, 2005 (Vol. XLII), ILI Publication.

Module – IV
- Consumer interest and sustainable development in international trade law, Prepared by Institute of International and European Environment Policy, 2003 (CD).
- Access to justice for consumer – an EC prespective, Geraint Howells, University of Sheffield.(CD)

Statutory and Case Materials
- Consumer Protection Act, 1986
- National Consumer Policy (Draft), 1998 (CD)
- United Nations Guidelines for Consumer Protection. (as expanded in 1999) (CD)
- Consumer Protection Act and the Supreme Court, Published by CUTS, 2007 (CD).

**Other Reading Materials**

**Books**


**Articles**