

# **Evolution of Consumer Protection Law in India**

“Consumer protection has been an integral part of governance for ages in India. It was enshrined in the Vedas. The sacred text in the Atharvaveda said that nobody should be involved in malpractices or quality and measurement” – **PM Narendra Modi**

## **Introduction:**

In the field of commerce and business management, consumer satisfaction and protection are highly significant. Providing quality goods and services at the right time, place, and quantity is crucial for the growth and prosperity of industries (Prathibha Goyal, 2021). India has a long history of prioritizing consumer protection, dating back to 3200 B.C. Ancient Indian rulers were keen on regulating not just social conditions, but also the economic well-being of their people by establishing trade restrictions to safeguard the interests of buyers (Dr.Rajendra Prasad, n.d.). These rules were formulated by the Dharmashastras or Smritis, which provided a comprehensive code to govern human behavior (Prathibha Goyal, 2021). The most authoritative texts among the Smritis were Manu Smriti, Yajnavalkya Smriti, Narada Smriti, Bruhaspathi Smriti, and Katyayana Smriti, with Manu Smriti being the most influential (Aditi Vishnoi, 2020). The provisions of Arthshastra written by Vishnugupta, Kautilya, or Chanakya of the Mauryan period are similar to those of the Smritis, implying that Kautilya turned the metrical rules of Dharmashastras into prose and transformed the tenets of Dharma into administrative law through Arthshastra. While Dharmashastras promote dharma and view deviation as sin, the Arthshastra establishes rules and considers law-breaking as a crime punishable by the government (Prathibha Goyal, 2021).

## **This article aims to:**

1. Examine the historical perspective of consumer protection in India from the Vedic age by taking references from Manu Smrithi, Narada Smrithi and Kautilya’s Arthashasta (ancient period) to the modern period.
2. Briefly analyze the development of Consumer Law in India.
3. Discuss the Consumer Protection Act of 1986 and Legal framework of the Indian Consumer Protection Act 2019.

### **Consumer Protection in Vedic Period:**

Ancient Indian economic philosophy was closely linked to a social code known as "dharma," which had a broad range of meanings including law, duty, and religion. This social code not only influenced spiritual and social aspects of life but also had an impact on political and economic aspects. The society was centered around fulfilling one's duties and abiding by dharma, which instilled high moral values in people's behavior. These values helped to ensure fairness and justice in economic activities and governance. (Mehta, 2018)

Dharma was based on the principle of mutual benefit and responsibility, where one party's rights were the responsibility of the other. Violation of the rules of fair conduct meant deviating from the path of Dharma. The Dharmashastras or Smritis were responsible for formulating rules that regulated human conduct in a comprehensive manner. (Goyal et.al, 2013) The Manusmriti and the Arthashastra are two ancient Indian texts that provided regulations, including economic regulations. The Manusmriti, written by Manu, is considered the first law book in India and is known as the Code or Laws of Manu. It is also the foundation of present-day Hindu Law. (Mehta, 2018)

In addition to the Manusmriti, other Smriti literature such as Narada Smriti and Brihaspati Smriti provided codes that guided rulers, officers, businessmen, and consumers on how to conduct economic activity. (Goyal et.al, 2013)

Vishnugupta, also known as Kautilya or Chanakya, wrote the Arthashastra while serving as the prime minister of Chandragupta Maurya. This text can be considered as a practical guide to the socio-economic welfare of people living in the world. (Mehta, 2018)

### **Consumer Protection and the Manusmriti:**

Manu-smriti or Manu-dharma-shastra (or Manava-dharma-shastra), also known as the Code of Manu, is a significant sourcebook of Hinduism that deals with the practical aspects of the religion. It is the oldest known systematic treatise on the ethics of community living and the science of social organization, making it an authoritative source for Hindus.

Manu is recognized as the first great elaborator and codifier of rules and usages that had developed during the Vedic era. The Manusmriti, which contains 2,684 verses organized into twelve chapters, is a comprehensive guide to living. It includes a code of conduct for traders, and Manu also stipulated punishments for individuals who committed specific offenses against buyers.

An interesting fact is that Manu was the first to write about the eighteen heads or titles of litigation, including matters related to buyers and consumers such as money lending, deposits and pledges, sale without ownership of property, non-performance of contracts, and breach of contract of sale.

The longest chapter of Manusmriti, the eighth chapter, primarily focuses on legal principles and judicial administration. It covers a wide range of topics such as the structure of the court, eligibility criteria for judges, the eighteen different types of litigation including both civil and criminal cases, and the examination of witnesses and evidences. Additionally, the chapter outlines detailed procedures for fixing boundaries of land and estates based on each case. The chapter covers various civil matters including disputes over property ownership, interest on loans, inheritance, partition, and rights related to the sale or gifting of property. The chapter also addresses criminal matters such as defamation, theft, assault, adultery, and gambling.

Those who commit punishable offenses include cart-drivers who cause harm to others due to their reckless or negligent behavior, as well as the owners of such carts, and those who are cruel to animals.

The eleventh chapter of the text describes different types of wrongdoing and the corresponding punishments and penances for them. (www.dharmadispatch.in, n.d.)

### **Manusmriti stresses on the following aspects relating to consumer protection:**

1. Manusmriti emphasizes on a charter of ethics for sellers regarding consumer product sales.
2. It specifies penalties for sellers who act unethically.
3. Weights and measures must be inspected every six months, and the results should be made public.
4. Proper disclosure of product quality and quantity is mandatory, and the concealment of any aspects is prohibited.

(www.businessmanagementideas.com)

### **Some of the sample verses are presented below:**

तेषामाद्यं ऋणादानं निक्षेपोऽस्वामिविक्रयः ।  
सम्भूय च समुत्थानं दत्तस्यानपकर्म च ॥ ४ ॥  
वेतनस्यैव चादानं संविदश्च व्यतिक्रमः ।  
क्रयविक्रयानुशयो विवादः स्वामिपालयोः ॥ ५ ॥  
सीमाविवादधर्मश्च पारुष्ये दण्डवाचिके ।

स्तेयं च साहसं चैव स्त्रीसङ्ग्रहणमेव च ॥ ६ ॥  
स्त्रीपुन्धर्मो विभागश्च द्यूतमाह्वय एव च ।  
पदान्यष्टादशैतानि व्यवहारस्थिताविह ॥ ७ ॥

Of these the first is (1) Non-payment of Debt; (then) (2) Deposits, (3) Selling without ownership, (4) Joint concerns, (5) Non-delivery of what has been given away,—[4]—(6) Non-payment of wages, (7) Breach of Contract, (8) Recision of Sale and Purchase, (9) Dispute between the Owner and the Keeper,—[5]—(10) Disputes regarding Boundaries, (11) and (12) Assault, physical and verbal, (13) Theft, (14) Violence, (15) Adultery,—[6]—(16) Duties of man and wife, (17) Partition, and (18) Gambling and Betting;—these are the eighteen topics that form the basis of law-suits - (4-7)

नान्यदन्येन संसृष्टरूपं विक्रयमर्हति ।  
न चासारं न च न्यूनं न दूरेण तिरोहितम् ॥ २०३ ॥

Any commodity that is mixed up with another should not be sold; nor what is without substance, nor what is deficient, nor what is at a distance, nor what is concealed - (203).

शुल्कस्थानं परिहरन्नकाले क्रयविक्रयी ।  
मिथ्यावादी च सङ्ख्याने दाप्योऽष्टगुणमत्ययम् ॥ ४०० ॥

If one who buys and sells avoids a custom-house, and at the improper time, or makes a wrong statement in counting, he shall be made to pay a fine eight times the amount evaded - (400)

**Source: All the above verses and translations are taken from [www.wisdomlib.org](http://www.wisdomlib.org)**

### **Consumer Protection and Naradasmṛiti:**

Naradasmṛiti is a systematic ancient law book that mainly focuses on the Vyavahara section of Dharmasastra. Its first three chapters provide an introduction to the principles of judicial procedure (व्यहारमातृका). The way Narada classifies and sub-classifies legal topics demonstrates his analytical approach to the subject. ([www.exoticindiaart.com](http://www.exoticindiaart.com))

Narada condensed the ninth chapter of Manu's Code into what is called "matrika" or "vyavahara-matrika," which refers to a summary of legal proceedings or general procedural rules.

Naradasmṛiti's influence has spread beyond the Indian Subcontinent and into Southeast Asia. The Champa Empire, under Jaya Harivarman in the 12th century (now known as Vietnam),

claimed that its court officials had gained expertise in all of the Dharmasastras, including Naradasmriti's summary of proceedings at law or general rules of procedure.

The principles of Narada Smriti were applied in the Champa Empire of Jaya Harivarman during the 12th century. Jaya Harvarman granted the following health and safety Rights and Responsibilities to the citizens of his kingdom:

**Rights:**

- Right to safety
- Right to personal health information
- Right to basic health education
- Right to seek medical redressal
- Right to be heard/right to representation.

**Responsibilities:**

- Be health conscious
- Beware of misleading health remedies
- Responsibility to check or inspect the health remedy
- Responsibility to keep proof of medical treatment
- People should be aware of their medical and health rights in using public health facilities
- Complaint for genuine grievances for ill-treatment
- Proper use of medicine as per doctor's prescription. (Dr. Ravindhar Vadapalli, 2021)

**Some of the aspects relating to consumer protection dealt in Narada Smriti is discussed below:**

**Rescission of Purchase:**

According to Narada Smriti, if a buyer purchases an item for a certain price and then realizes that it was a foolish bargain, they can return it undamaged to the seller on the same day. If the return is made on the second day, the buyer must pay a penalty of one-thirtieth of the price. On the third day, the penalty increases to twice the amount of the price paid. If the buyer does not return the item within three days, they must keep it.

**Non-Delivery of Goods:**

Narada Smriti states that if a person sells property for a certain price but fails to hand it over to the purchaser, he must pay the produce or profits arising from it, depending on whether it is

immovable or movable property. If the market value of the property falls in the meantime, the purchaser is entitled to receive both the property and the difference in value. This law applies to those living in the same place, but in the case of those who travel abroad, profits from foreign countries are also included. If the property is damaged, destroyed by fire, or stolen, the seller is responsible for the loss as he did not deliver it after selling it. Similarly, if a person sells something to one individual and delivers it to another, he must pay twice its value as compensation and the same amount as a fine to the king.

### **Regulation of Price:**

According to Narada, merchants engage in buying and selling various kinds of merchandise for profit. To ensure that business is conducted honestly, merchants must determine a fair price for their goods based on the location and time of the year, and refrain from fraudulent practices. It was important to set fair prices to protect consumers. The government had a role in regulating prices and profits, as evidenced by administrative systems in place for this purpose. By adhering to these principles, commerce could become a fair and ethical profession. (Goyal et.al, 2013)

### **Consumer Protection and Kautilya's Arthashastra:**

Kautilya, also known as Chanakya, was the prime minister of Chandragupta Maurya during 313-289 BC, and is the author of the Arthashastra, (Mehta, 2018) which is considered to be a significant source of theories on statecraft and the rights and obligations of ancient society. Although the primary focus of the treatise is on practical administration, it also addresses consumer protection and the State's responsibility to regulate trade and prevent crimes against consumers. (Dr.Rajendra Prasad, n.d.).

According to Mehta (2018), Kautilya's Arthashastra does not include any aspect of dharma or spirituality, in contrast to Manu's work. This absence of religious considerations is seen as laying the groundwork for the development of modern secular welfare states.

### **Some of the key features relating to consumer protection as stated in Arthashastra are listed below:**

1. A Director of trade monitored market situations and fair trade practices.
2. Standards of weights and measures were maintained.
3. Factories were set up for the manufacture of standard weights and measures.
4. Penalty for unstamped weights was 27 panas and a quarter.

5. Traders paid a stamping fee of one kakani every day to the superintendent of standardization.
6. Trade guilds were prohibited from engaging in black marketing and unfair trade practices.
7. Severe punishments were prescribed for different types of cheating.
8. Fixed rules were established for returning purchased items or payment of price.
9. Every trader was required to obtain a license to sell.
10. Traders from outside had to obtain permission to sell.
11. Speculation and cornering to influence prices were prohibited.
12. The State was responsible for protecting the public against unfair prices and fraudulent transactions.
13. Punishments were severe for smuggling and adulteration of goods.
14. Goods with inherent defects or those devoid of quality could be returned by purchaser, with a fine of 12 panas for wrongful return.

**Table showing the fines on Merchants in Case of Malpractices (as prescribed by Arthshastra)**

<b>Malpractice</b>	<b>Fine</b>
Selling underweight commodities	3–12 panas
Fraud in articles sold by counting	96 panas
Misrepresenting quality of article	54–200 panas
Charging higher than authorized price	54–200 panas
Higher than authorized profit margin	200 panas for every 5 per cent higher profit than the authorized one
Adulteration of grains, fats, sugars, salts, perfumes and medicines with similar articles of no quality	12 panas
Cartelization for lowering quality, increasing profit or obstructing sale/purchase	1000 panas
Hoarding with aim of selling at higher price	1000 panas

**Source: Rangarajan 1992**

**Table showing the Time Period for Rescission of Sale or Purchase (as prescribed by Arthshashtra)**

<b>Purchase from</b>	<b>Time period for rescission of purchase</b>
Merchants	One night
Cultivators	Three nights
Herdsmen	Five nights
Goldsmiths	Seven nights

**Source: Rangarajan 1992**

Kautilya further gives an exhaustive description of Consumer Protection which was believed to be an essential aspect of the welfare of the population. All verses relating to control over artisans, craftsmen, entertainers, etc. are brought under this section.

The section starts with a verse the meaning of which goes like this:

Merchants, artisans, craftsmen, nomadic mendicants, entertainers and similar persons are all thieves, in effect, if not in name; they shall be prevented from harassing the people. {4.1.65}

### **Gold and Silver Smiths:**

- Returning the work entrusted:

The smiths shall return to the customer the same quantity of [precious] metal, of identical quality, as was entrusted to him, even if the customer claims it after a lapse of time. Allowance is to be made for loss in manufacture and normal wear and tear. {2.14.5,6}

- Weights and Balances:

All balances and weights shall be bought from the Chief Superintendent of Weights and Measures. {2.14.15}

### **Artisans and Craftsmen:**

- All goods entrusted to repairers of articles, employers of [groups of] artisans, middlemen who undertake to get work done as well as self-employed artisans and craftsmen shall be covered by a guarantee from the appropriate guild. The guild shall be responsible for compensating [the owner] in case of death of the person to whom the article was entrusted. {4.1.2-3}

- Every artisan or craftsman shall be responsible [for compensating the owner] if the entrusted article is lost or destroyed, unless it is due to sudden calamity; normal wear and tear is excepted. {4.1.6}

### **Weavers:**

- For every ten palas of yarn supplied weavers shall return eleven palas of cloth [the excess being accounted for by the sizing material or starch used]. The cloth shall be woven with the right yarn and be of the correct length and weight. {4.1.8,10}



**Washermen and Tailors:**

- Washermen and tailors shall not wear, sell, hire out, mortgage, lose or change a customer's garment. They shall return the garments within the time prescribed. {4.1.16,25}
- Disputes about dyeing shall be adjudicated by experts. {from 4.1.21}
- Loss due to washing [shrinkage, loss of colour, etc.] shall be allowed at the rates of one-fourth of the value for the first wash and one-fifth for the second and subsequent washes. {4.1.23,24}
- Washermen shall wash the garments only on wooden boards or smooth stone slabs [so as not to damage them]. If they damage the clothes by washing them on rough surfaces, they shall pay compensation and a fine. {4.1.14,15}

**Doctors:**

- Physicians shall inform the authorities before undertaking any treatment which may involve danger to the life of the patient. If, as a result of the treatment, the patient dies or is physically deformed, the doctor shall be punished. {from 4.1.56,57}

**Entertainers:**

- Entertainers shall not move from place to place during the rainy season [so as not to hamper agricultural activities]. {4.1.58}
- In their performances, they may, if they so wish, make fun of the customs of regions, castes or families and the practices or love affairs [of individuals]. [However,] they shall neither praise anyone excessively nor receive excessive presents. {4.1.59,61}
- Payment for work done by artists and artisans not specifically mentioned in this text shall be determined in accordance with the work done. {4.1.64}

**Beggars and nomadic mendicants:**

- Like entertainers, these shall also not move about during the rainy season. The punishment for transgression shall be whipping with an iron rod. {4.1.62,63}

(Rangarajan,1992)

## **Consumer Protection in Medieval Period**

During the transition from ancient to medieval times in India, there was a shift towards a focus on Islam as a religion and its laws. The Holy Quran, which is the primary text for Muslims, also emphasized the importance of protecting consumers. There are verses in the Quran that specifically prohibit the use of unfair weights and measures. (www.iilsindia.com, n.d.) Shopkeepers who were caught under-weighting their goods were punished during the Sultanate period. Under the rule of Alauddin Khalji, strict controls were enforced in the marketplace, with a mechanism for price enforcement. (Dr.Rajendraprasad, n.d.) The king set the prices for grains, and different shopping areas were established for different goods, such as grains, cloth, sugar, butter, oil, horses, slaves, cattle, and miscellaneous commodities. (www.iilsindia.com, n.d.) The Quran, like Hindu texts, contained rules and regulations to protect consumers from unfair practices of sellers. (www.iilsindia.com, n.d.) It emphasized the importance of honesty in business dealings and warned that those who engage in dishonest practices would be deprived of God's blessing. It is said: "A perfect and just weight shall then have, a perfect and just measure shall those have; that they days may be long upon the land which the cord by God give the thee" (www.lawyersgyan.com, 2018)

## **Consumer Protection in Pre-Independence Period:**

The British leaders amalgamated the traditional customs and culture (dharma) with a uniform legal system that incorporated contemporary aspects of British regionalism. (Rajanikanth, 2017) During the 17th, 18th, and first part of the 19th centuries, the common law system of administering justice was also installed on Indian soil. The rights and interests of consumers were primarily controlled and protected (www. blog.ipleaders.in, 2016) by the introduction of numerous legislation such as:

1. The Indian Penal Code, 1860
2. Carriers Act, 1865 Law of Tort
3. The Indian Contract Act, 1872
4. The Agricultural Produce (Grading & Marking) Act, 1937
5. The Drugs and Cosmetics Act, 1940 (Rajanikanth, 2017)

Despite the existence of these laws, there was no change in the economic and social standing of Indian consumers, and they continued to suffer as a result of unfair trade tactics used by foreigners and other market malpractices. (www.blog.ipleaders.in, 2016)

The orthodox legal requirements under the law of torts and contracts forced the policy makers to craft specific legislation to protect consumers. As a result, the Consumer Protection Act of 1986 was enacted with the objective of providing “cheap, simple and quick” justice to Indian consumers.

### **Development of Consumer Protection Law in India:**

The consumer movement emerged as a social force after India gained independence, with the aim of safeguarding consumers' interests against unethical and unjust trade practices. The first legislative measure to protect consumers after independence was the Drug Control Act of 1950. Subsequently, other laws were enacted, such as the Industries (Development and Regulation) Act of 1951, the Indian Standards Institution (Certificate Marks) Act of 1952, and the Drugs and Magic Remedies (Objectionable Advertisements) Act of 1954. Despite their intended purpose of protecting consumers, these laws failed to produce the desired outcomes. The organized consumer movement began in the 1960s due to widespread food shortages, hoarding, black marketing, and adulteration of food and edible oil. Consumer organizations at that time primarily wrote articles, held exhibitions, and formed groups to investigate malpractices. This trend continued until the 1970s.

The consumer movement emerged because consumers were dissatisfied with the absence of legal protection against exploitation in the marketplace. For a considerable period, consumers were expected to exercise caution while purchasing goods or services. It took many years for organizations in India and across the globe to generate awareness among people. As a result of these efforts, the movement successfully applied pressure on both business firms and governments to rectify unfair business practices that were not in the best interests of consumers. A significant milestone was achieved in 1986 when the Indian government passed the Consumer Protection Act, which was a major step towards safeguarding consumers' rights. (Goga, n.d.).

Following list provides us inputs on the acts that were passed in independent India till the enactment of Consumer Protection Act:

- The Drug (Control) Act, 1950
- The Industries (Development and Regulation) Act, 1951
- The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954
- The Prevention of Food Adulteration Act, 1954

- The Essential Commodities Act, 1955
- The Trade and Merchandise Marks Act, 1958
- The Monopolies and Restrictive Trade Practices Act, 1969
- The Cigarettes (Regulation of Production, Distribution, and Supply) Act, 1975
- The Standards of Weights and Measures Act, 1976
- The Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980
- The Standards of Weights and Measures (Enforcement) Act, 1985
- The Bureau of Indian Standards Act, 1986

## **Consumer Protection Act of 1986 and Legal framework of the Indian Consumer Protection Act 2019:**

### **Consumer Protection Act of 1986**

The rapid expansion of trade and commerce gave traders an unfair advantage over consumers, which was a direct consequence of industrialization. Consumers lacked knowledge about their rights, leaving them at a disadvantage. It wasn't until 1986 that lawmakers in India decided to organize and consolidate efforts to protect consumers' interests and recognized the need for a welfare legislation in the form of the Consumer Protection Act (COPRA) of 1986. The introduction of COPRA aimed to safeguard consumers' rights and interests by providing a multi-dimensional approach, including awareness campaigns and the establishment of consumer councils. This enabled consumers to resolve disputes through an efficient and speedy redressal mechanism. ([www.finology.in](http://www.finology.in), 2019)

The Indian parliament passed the Consumer Protection Bill in 1986, and it was later signed into law by the President on December 24th of that year. This law is now known as the Consumer Protection Act of 1986, which is recorded as statute number 68 of 1986.

The Act aimed to promote and protect the rights of consumers such as-

- (a) the right to be protected against marketing of goods which are hazardous to life and property
- (b) the right to be informed about the quality, quantity, potency, purity, standard and price of goods to protect the consumer against unfair trade practices
- (c) the right to be assured, wherever possible, access to an authority of goods at competitive prices
- (d) the right to be heard and to be assured that consumers interests will receive due consideration at appropriate forums
- (e) the right to seek redressal against unfair trade practices or unscrupulous exploitation of consumers; and

(f) right to consumer education.

**List of Amending Acts were as follows:**

1. The Consumer Protection (Amendment) Act, 1991 (34 of 1991) (w.r.e.f. 15-6-1991).
2. The Consumer Protection (Amendment) Act, 1993 (50 of 1993) (w.r.e.f. 18-6-1993).
3. The Consumer Protection (Amendment) Act, 2002 (62 of 2002) (w.r.e.f. 15-3-2003).  
(www.ncdrc.nic.in, n.d.)

There were lot of questions which were unanswered when it came to consumer protection. Hence, a need was felt to carry out a holistic review of the legislative framework for consumer protection and introduce a comprehensive law which would simplify the dispute resolution framework and mechanism. In order to, facilitate easy filing of consumer complaints and speedy disposal CPA 2019 was passed which came into force from 20<sup>th</sup> July 2020.

**Consumer Protection Act 2019:**

The Consumer Protection Act, 2019 (In short, 'The Act') is a benevolent social legislation that lays down the rights of the consumers and provides there for promotion and protection of the rights of the consumers. The first and the only Act of its kind in India, it has enabled ordinary consumers to secure less expensive and often speedy redressal of their grievances. By spelling out the rights and remedies of the consumers in a market so far dominated by organized manufacturers and traders of goods and providers of various types of services, the Act makes the dictum, caveat emptor ('Buyer Beware') a thing of the past.

The Act mandates establishment of Consumer Protection Councils at the Centre as well as in each State and District, with a view to promoting consumer awareness. The Central Council is headed by Minister In-charge of the Department of Consumer Affairs in the Central Government and the State Councils by the Minister In-charge of the Consumer Affairs in the State Governments. It

also provides for a 3-tier structure of the National and State Commissions and District Commissions for speedy resolution of consumer disputes.

To provide inexpensive, speedy and summary redressal of consumer disputes, quasi-judicial bodies have been set up in each District and State and at the National level, called the District Commissions, the State Consumer Disputes Redressal Commissions and the National Consumer Disputes Redressal Commission respectively. At present, there are 678 District

Commissions and 35 State Commissions with the National Consumer Disputes Redressal Commission (NCDRC) at the apex. NCDRC has its office at Upbhokta Naya Bhawan, 'F' Block, GPO Complex, INA, New Delhi-110 023.

Each District Commission is headed by a person who is or has been or is eligible to be appointed as a District Judge and each State Commission is headed by a person who is or has been a Judge of High Court.

The provisions of this Act cover 'goods' as well as 'services'. The goods are those which are manufactured or produced and sold to consumers through wholesalers and retailers. The services are in the nature of transport, telephone, electricity, housing, banking, insurance, medical treatment, etc.

A written complaint can be filed before the District Consumer Commission for pecuniary value of up to rupees Fifty Lakh, State Commission for value up to rupees Two Crore and the National Commission for value above Rupees Two Crore, in respect of defects in goods and deficiency in service. The service can be of any description and the illustrations given above are only indicative. However, no complaint can be filed for alleged deficiency in any service that is rendered free of charge or under a contract of personal service.

The remedy under the Consumer Protection Act is an alternative in addition to that already available to the aggrieved persons/consumers by way of civil suit. In the complaint/appeal/petition submitted under the Act, a consumer is not required to pay any court fees but only a nominal fee.

Consumer Commission proceedings are summary in nature. The endeavour is made to grant relief to the aggrieved consumer as quickly as in the quickest possible, keeping in mind the provisions of the Act which lay down time schedule for disposal of cases.

If a consumer is not satisfied by the decision of a District Commission, he can appeal to the State Commission. Against the order of the State Commission a consumer can come to the National Commission.

In order to help achieve the objects of the Consumer Protection Act, the National Commission has also been conferred with the powers of administrative control over all the State Commissions by calling for periodical returns regarding the institution, disposal and pendency of cases. The National Commission is empowered to issue instructions regarding:

- (1) adoption of uniform procedure in the hearing of the matters,
- (2) prior service of copies of documents produced by one party to the opposite parties,
- (3) speedy grant of copies of documents, &

(4) generally over-seeing the functioning of the State Commissions and the District Commissions to ensure that the objects and purposes of the Act are best served, without interfering with their quasi-judicial freedom. ([www.ncdrc.nic.in](http://www.ncdrc.nic.in), n.d.)

### **Conclusion:**

In ancient India, effective measures were initiated to protect consumers from crimes in the marketplace. Ancient law makers ably described various kinds of unfair trade practices and also prescribed severe punishments for wrong doers. Manu Smriti, Narada Smriti, Arthashastra and to some extent Quran laid out a charter of ethics for sellers on how to sell products to consumers. They also specified the penalties that must be imposed on sellers who are unethical in their actions. Mainly, acts of adulteration and false weights and measures were seriously dealt with. During the British period, the modern legal system was introduced in India and many laws were enacted to protect the interests of consumers generally. The Consumer Protection Act of 1986 provided easy access to justice, and brought a legal revolution to India as a result of its cost-effective mechanisms and popular support. With the introduction of CPA 2019 there has been a structural shift from buyers beware to sellers beware. Thus, the regime of Indian consumer law will undoubtedly rule Indian markets and bestow a new phase on the existing Indian legal structure with its strong ancient legal foundations.

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<https://journals.sagepub.com/doi/full/10.1177/0972262912460184>

## **Comprehensive overview of the literature that is referred and cited in the study:**

Dr. A. Rajendra Prasad, n.d., Historical Evolution of Consumer Protection and Law in India A Bird's Eye View, Journal of Texas Consumer Law, pp. 132-136

**About the reference:** This research article aims to understand Consumer Protection in ancient India from a historical perspective. It discusses how our ancient texts Manu smriti and Arthashastra of Kautilya has dealt with consumer protection. It has also dealt with Consumer Protection in Medieval and Modern Periods and The Indian Consumer Protection Act of 1986 and the Evolution of a New Legal Culture

<https://udayindia.in/national-pride-consumer-protection-in-ancient-india/>

By Dr Pratibha Goyal, UDAYINDIA Updated: September 2, 2021 3:25 pm, National Pride : Consumer Protection in Ancient India

**About the reference:** An article on National Pride: Consumer Protection in Ancient India is written by Dr.Prathibha Goyal in Udayindia.in. The article focuses on ancient history of consumer protection in India and lays special emphasis on how in ancient Indian society business was based on Dharma or moral values where Failure to render a promised service was termed as breach of contract. It further discusses on what our ancient texts such as Manu Smriti, Narada Smriti and Arthashastra has in store for consumer protection.

<https://indianlawportal.co.in/consumer-protection-tracing-history-recent-developments/>

Aditi Vishnoi, 2020, October 16<sup>th</sup> Consumer Protection: Tracing History & Recent Developments in India Law Portal

**About the reference:** An article on Tracing History & Recent Developments in Consumer Protection is authored by Aditi Vishnoi in the India Law Portal. The article focuses on tracing the evolution of consumer protection in India and how in the current consumer era, the Indian consumer law regime will undoubtedly dominate the Indian markets and provide a new phase in the existing Indian legal structure with its strong ancient legal foundations.

Rangarajan, L.N. (1992). Kautilya—the Arthashastra. New Delhi: Penguin Books

**About the reference:** Kautilya: The Arthashastra, is the English edition of the classic treatise on classical economics and political science by the ancient Indian philosopher Kautilya. The

books include topics like the law, the king, foreign policy, discipline, capturing a fortress, and the duties of the government rulers. The descriptions include a break up of what the ideal king should do during the course of the day and how the king should behave in typical situations. The other important sections of the book include maintenance of law and order in the state, forests and wildlife, and economic ideas. The book discusses how the Mauryans protected forest wealth, including trees and animals. The importance of maintaining law and order for smooth functioning of the state is also given importance.

Mehta, P. S. (2018). Economic Regulations, Competition, and Consumer Protection in Ancient India. *The Antitrust Bulletin*, 63(3), 316–329. <https://doi.org/10.1177/0003603X18780557>

**About the reference:** This article is divided into four parts. The first part introduces the audience to the ancient Indian ethos, where dharma (duty) was the backbone of the civilisation that made the society righteous and duty-centred. The second part gives an overview of ancient India's economic activities along with a short account of sectoral regulations. The covered sectors are: mines and minerals, agriculture, industry, forest produce, liquor, trade and commerce, transport and communication, finance, and justice administration. The third part presents a competition analysis of the then regulations. It analysed the state monopolies, state as regulator and competitor, the prevalence of the guild system, differential regulatory treatments, price control, treatment of cartels and consumer protection. The fourth part is the conclusion.

<https://www.dharmadispatch.in/>

**About the reference:** This is a digest of Stories and essays from Indian civilisation, history and culture. Narratives from Sanatana Dharma. It provides original and insightful narratives on Indian culture and History. In the episode Svadharma, Rajadharma, Jurisprudence and the Philosophy of Life in the Manusmriti- DVG presents eye-opening summaries of the chapters dealing with Svadharma, Rajadharma, Jurisprudence and the Philosophy of Life in the Manusmriti.

The Exalted Life of Manu and a Chapter-wise Synopsis of the Manusmriti-In this episode, DVG provides a brief sketch of the life of Rishi Manu along with a brief, chapter-wise synopsis of the Manusmriti.

[www.exoticindiaart.com](http://www.exoticindiaart.com)

**About the reference:** Exotic India offers a unique selection of products that reflect the cultural traditions and lifestyle of India. It brings the best of India to enhance the living by touching every space and corner of one's life. They have a range of handpicked products that are created and acquired, adhering strictly to the policy of Fair Trade, and celebrate India's famed arts, crafts, and spiritual depth with the aim to make India's culture and art accessible to all.

Dr. Ravindhar Vadapalli, (September 2021), A Reassessment of the Narada Smriti with Reference to the Lack of Ascertainment of the Optimum Scale of Judicial Machinery, PRERANA: Journal of Management Thought and Practice.

**About the reference:** This article has made an attempt of Reassessment of the Narada Smriti with reference to the lack of ascertainment of optimum scale of Judicial Machinery. It highlights that there is a fundamental flaw in Naradasmriti as it does not suggest or provide any formula to ascertain optimum level of legal infrastructure for a given population which shows an adverse impact on the next generation legal infrastructure system of Hindu countries such as India or in countries wherever Narada Smriti was followed.

<https://www.businessmanagementideas.com/consumer-protection/consumer-protection-in-india/20676>, Namrata S

**About the reference:** This is a weblink which hosts essays on Business Management, Articles on Business Development, List of Definitions, Research Papers, Project Reports on Business Studies, Latest Techniques used for Improving Business, Acts, Biographies of Eminent Business Entrepreneurs of India and the World, and more. This article is authored by Namrata S with a focus on understanding the Historical Prospective of Consumer Protection in India, the need for Consumer Protection in India, ways and means that helps in achieving the objectives, methods of redressal of grievances of consumer and their protection and redressal forums.

<https://blog.iplayers.in/analysis-consumer-protection-laws-india/>

All you need to know about Consumer Protection Laws in India, 2016

**About the reference:** iPleaders consists of a team of lawyers hell-bent on figuring out ways to make law more accessible. While the lack of access to affordable and timely legal support cuts across all sectors, classes and people in India, where it is missed most, surprisingly, are business situations. iPleaders began in 2010 to address this market with the help of technology and

education. A major focus area of iPleaders has been researching and developing resources through blogging, educational resources, workshops, and interactive software that entrepreneurs can use themselves as aid during decision making. The current article focuses on giving a complete overview of consumer protection laws in India covering from its origin to the contemporary legal practices.

Mekala, Rajanikanth. (2017). A Study on Evolution of Consumer Protection Act in India – CPA1986.

**About the reference:** This article focuses on the evolution of consumer protection in India, formulation of CPA 1986 and its implementation. It also discusses on the amendments made to the act.

**Consumer Protection Law in India, Manishkumar Goga,** [www.legalservicesindia.com](http://www.legalservicesindia.com)  
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[www.legalservicesindia.com](http://www.legalservicesindia.com):

**About the reference:** Legal Service India is the premier and leading Indian Legal portal focused on law and government. It provides access to an extensive and fast-growing online library of free legal resources for use by Legal Professionals, Students, Consumers and Businesses. Legal Service India was Setup in 2000. The material posted received such positive response that it continues to grow in scope as well as in popularity - locally and worldwide.

**The current article focuses on providing a detailed information about the development of consumer protection law in India. The article is authored by Manishkumar Goga.**

[https://ncdr.nic.in/bare\\_acts/Consumer%20Protection%20Act-1986.html#:~:text=The%20Consumer%20Protection%20Bill%2C%201986%20seeks%20to%20provide%20for%20better,and%20for%20matter%20connected%20therewith.&text=\(f\)%20right%20to%20consumer%20education,3.](https://ncdr.nic.in/bare_acts/Consumer%20Protection%20Act-1986.html#:~:text=The%20Consumer%20Protection%20Bill%2C%201986%20seeks%20to%20provide%20for%20better,and%20for%20matter%20connected%20therewith.&text=(f)%20right%20to%20consumer%20education,3)

[www.ncdr.nic.in](http://www.ncdr.nic.in)

**About the reference:** The National Consumer Disputes Redressal Commission (NCDRC), India is a quasi-judicial commission in India which was set up in 1988 under the Consumer

Protection Act of 1986. Its head office is in New Delhi. This weblink provides a detailed information about Consumer Protection Act 1986.

<https://blog.finology.in/Legal-news/Overview-of-Consumer-Protection-Act-1986>

13<sup>th</sup> September 2019, An Overview of the Consumer Protection Act ,1986

**About the reference:** Finology is a new-age fintech company, established to empower the common investors which provides an unbiased and in-depth approach and work towards making investing simple and rewarding for everyone. Finology is a Personal Finance Coach that helps investors Save More, Earn More and Invest Intelligently. This article provides a complete overview of Consumer Protection Act, 1986.

Historical Evolution of Consumer Protection and Law in India Prasad, A. R. (2008)

[http://www.jtexconsumerlaw.com/V11N3/JCCL\\_India.pdf](http://www.jtexconsumerlaw.com/V11N3/JCCL_India.pdf)

**About the reference:** this article explains about the ancient consumer protection, the root of which dates back to 3200 B.C. This article examines the historical perspective of consumer protection in India from the Vedic age (ancient period) to the modern period. It also briefly analyzes the development of consumer law in India.

Economic regulations, competition, and consumer protection in ancient India. The Antitrust Bulletin, 63(3), 316-329. <https://journals.sagepub.com/doi/10.1177/0003603X18780557>

**About the reference:** This article aims to provide the introduction of the audience to the ancient Indian ethos, where dharma (duty) was the backbone of the civilization that made the society righteous and duty centered, an overview of ancient India's economic activities along with a short account of sectorial regulations and provides competition analysis of the early days(then) regulations. It analyses the state monopolies, state as regulator and competitor, the prevalence of the guild system, differential regulatory treatments, price control, treatment of cartels and consumer protection.

<https://www.wisdomlib.org/hinduism/book/manusmriti-with-the-commentary-of-medhatithi/d/doc201127.html>

**About the reference:** The commentaries not only explain the Smritis but also considerably modify their doctrines in order to bring them in line with the changed conditions of society. Arthashastra written by Vishnugupta or Kautilya was the work of Maurya period during fourth

century BC. The ancient Indian jurists regarded law as a branch of Dharma whereby law and Dharma were not differentiated.

Consumer Attitudes towards Business Firms' Marketing Philosophy, Consumerism and Government Regulations in India: A Cross-sectional Analysis  
<https://journals.sagepub.com/doi/full/10.1177/0972262912460184>

**About the reference:** Consumerism is on the rise as is the case with the government interventions in the marketplace. Consumerism life cycle theory predicts consumers at more advanced stages of market development to be holding a positive view of the business firms' marketing philosophy, reduced need for consumerism and government regulations with developments in the marketplace.