

## **REPORT ON ONE DAY NATIONAL LEVEL WORKSHOP ON CONSUMER PROTECTION**

On 21<sup>st</sup> May 2022, at 10:00am “The NEETI FORUM” and “MYCAB” (part of JSSLC, IQAC wing) had organized a “National level workshop on Consumer Protection”. The chief guest of the day was Hon’ble Mr. Justice R.K Agrawal, President, NCDRC and former judge of Supreme Court of India.

The program began by 10:10 AM and Smt. Asmathunnisa G., Assistant Professor, JSSLC was the host of the day and invocation song was sung by Ms. Krithi Kailar.

Principal Dr. S. Nataraju welcomed the gathering, chief guest and guest of honour with a token of respect. Mr. Pranav Kumar Nair, introduced the chief guest of the day followed by all the dignitaries on the dais. Justice R.K. Agrawal, Mr. Ashok Patil, Prof K.S. Suresh and Dr. S. Nataraju inaugurated the workshop by watering the plant.



## **Inaugural speech by Justice R.K. Agrawal**

At the outset his Hon'ble Lordship, Justice R.K Agrawal thanked the JSSLC for the invite and began his speech by stating that, *“In free market environment, consumers are sovereign but in reality, the consumers are at the mercy of the sellers.”*

His Lordship gave a brief history of the Consumer Protection Act. The consumer protection in India has evolved from centuries. He highlighted the provisions mentioned in Manusmriti, which focused on prevention of adulteration is a key consumer protection issue even in those days and ages. Kautilya's Arthashastra, clearly defined laws relating to weights and measures. Post independence, following the mandate of constitution, the Union and State Governments have framed many legislations with respect to Consumer Protection.

John F. Kennedy, in his speech in 1962 declared the basic rights of consumers and that paved the way for the Consumer Protection Act, 1986 and his Lordship emphasized the objectives of 1986 Act which again gone through various amendments as there was huge pendency of cases, as 1986 Act was not mitigating the problems or issues of consumers. Hence, on 20<sup>th</sup> July 2020, COPRA 2019 came into existence and widened the scope and includes class actions.



Further his lordship highlighted many inclusive definitions that widened the scope of Consumer Protection Act. He further touched upon the various provisions that had enhanced the jurisdiction of district, state and national commissions. He also highlighted certain case laws supporting his speech.

His lordship emphasised that the 2019 Act went step forward and defined product liability also which bought even the online products within COPRA. The 2019 Act also to establish the authority to protect and promote the consumers from unfair trade practices and the service provided by medical professionals falls under the ambit of COPRA and the same was held by the Supreme Court of India in the '*Indian Medical Association v. V.P Shantha and Others*' case.

His lordship remarked that, the dimensions of consumer protection in India has been changed from 1986 Act, it bought in *caveat emptor* and over a period it was realised that *caveat emptor* was violating the consumers right. Measures need to be taken to furtherance the 2019 Act focused on consumer rights and it is in tune with consumer protection. His lordship, concluded his remark by stating that changes made in 2019 act has paved the way for fair market but to what extent, the time has to say.

Sri. Jagdish A.T, Assistant Professor, JSSLC, thanked the His lordship and other dignitaries. Mr. Pranav Kumar Nair, Assistant Professor, JSSLC, verbalised his gratitude to the lordship for spending his precious time.

The report was published in the Indian Express news paper on 22<sup>nd</sup> May 2022.

***“Consumer are the king and hence they have to be served best”.***

Justice R.K. Agrawal

## **TECHNICAL SESSION – I**

**Resource Person: Prof. Dr. Ashok R. Patil, Chairman of Consumer Chair, NLSIU, Bengaluru.**

After his lordship concluded his address, a small interval was given to the participants and the technical session started at 11.30 AM.

The resource person **Prof. Ashok R. Patil**, Chairman of Consumer Chair, NLSIU, Bengaluru, began his special address by giving a brief introduction about the Consumer Protection Act, 2019 and a website (<https://clap.nls.ac.in/>) by NLSIU, which has all the consumer law related publications such as Landmark Judgements, Consumer Law Journals and E-books on consumer protection since 2007 and application of Consumer Protection Act in various other sections of that website.

Professor emphasized that, India is the first country to establish an independent consumer redressal system after the recognition of Consumer Protection Rights by United Nations. He differentiated the present Consumer Protection Act from the previous one by highlighting the changes such as provisions for product liability, e-commerce and direct selling, alternative dispute resolution system and how the CCPA (Central Consumer Protection Authority), introduced in the new Act, aims to protect the rights of the consumer by cracking down on unfair trade practices, and false and misleading advertisements that are detrimental to the interests of the public and consumers.

He drew the attention of audience by giving some of his real-life experiences where he was one among the members of the standing committee and what were his recommendations to make the entire Consumer Protection Act of 2019's legislation come into force all over India from July 24th 2020. He made it clear

that even a first-year law student can draft a notice and file a complaint before any consumer redressal commission as these laws are made for the protection of laymen and the audience mostly being law students, should take the initiative and learn the practical aspects of this mechanism. He further explained the reasons why judiciary has to interfere and has to direct the authorities to perform their duties by discussing a few cases such as the JJ Merchant Case and UP Bar Council case which were decided in the Supreme Court. He concluded his talk by sharing few instances where he included the students of NLSIU to conduct a research on effective implementation of the new Act and how successfully it is being followed in the State of Karnataka.

Finally, Sri. Jagadish A.T, Assistant Professor, JSSLC, rendered the vote of thanks.



## TECHNICAL SESSION – II

**Resource Person: Sri. Y.G Muralidharan, Founder and Trustee of CREAT, Bengaluru.**

Technical Session II was handled by **Sri. Y.G Muralidharan**, founder and trustee of The Consumer Rights Education and Awareness Trust [CREAT], Bengaluru on GRIEVANCE REDRESSAL MECHANISM IN CPA, 2019. Sir gave a comparative analysis of the CPA 1986 and CPA 2019. He put a question to the audience whether the 2019 act has been liberalized or have they made it more complicated? Sir believes that the act has been made complicated.

He had a good opening with one of his life experiences to get the audience attention. During his speech he expressed his ideas in a clear and comprehensible language. Moreover, he was strong minded and had a fluent speech. He supported his ideas by giving live, day to day examples.

Sir brought to light a new word which has been introduced in the Act 2019 “unfair contract”. And questioned if it was consumer friendly. Moreover, talked about how people do not take up the initiative or why general public do not come forward to file a complaint. He guessed few reasons as to why people hesitate to file a complaint. Firstly, people do not have time and they are not well informed about the problem. Secondly, public think filing complaint is a waste of time and it is not worth it. They usually neglect believing that it is not their job. Thirdly, most of the people blame it on their fate, they omit thinking that the problem will solve on its own.

He made us understand where consumers trip. He pointed out that consumers generally keep quiet after their problem is addressed and further, they do not demand for elimination of product or service from the market. He also

briefed about e-filing of complaint and also criticised how difficult it is to file one. He supported his ideas by giving examples and using some statistics. He directly said his ideas without transitions. He simplified some of the important sections and provisions of the act.

Besides, he tipped us as to how, as sprouting lawyers we should be addressing the problems faced as consumers. He said, initially, the problem has to be identified and evidence should be collected. Relevant decisions have to be referred. Manufacturer has to be approached before the commission. Complaint has to be filed, case has to be argued and must get the order. Finally, the order has to be disseminated.

He concluded with the speech by quoting “people of my age are called downloading generation and young people are uploading generation” with respect to dissemination of order. His physical delivery was effective, he was seen peaceful and calm. He pointed the significance of the act and was dissatisfied with the fact that people are not aware of the act and their rights. Sir spoke for about 45 minutes. He thanked the audience. Vote of thanks was delivered by Sir. Jagadish A.T.

