

**FIVE (5) DAYS ONLINE CERTIFICATE COURSE
ON
CONSUMER LAW & PRACTICE
(August 02-06, 2021)**



Organized by:

Chair on Consumer Law
National Law University Delhi
New Delhi

Established by:

Department of Consumer Affairs
Ministry of Consumer Affairs, Food & Public Distribution
Government of India
New Delhi

INTRODUCTION

The Consumer Protection Act, 1986 was enacted to provide for better protection of the interests of consumers and for the purpose of making provision for establishment of consumer protection councils and other authorities for the settlement of consumer disputes, *etc.* Although, the working of the consumer dispute redressal agencies has served the purpose to a considerable extent under the said Act, the disposal of cases was not found to be fast due to various constraints. Several shortcomings were noticed while administering the various provisions of the said Act.

Consumer markets for goods and services have undergone drastic transformation since the enactment of the Consumer Protection Act in 1986. The modern marketplace contains a plethora of products and services. The emergence of global supply chains, rise in international trade and the rapid development of e-commerce have led to new delivery systems for goods and services and have provided new options and opportunities for consumers. Equally, this has rendered consumers vulnerable to new forms of unfair trade and unethical business practices. Misleading advertisements, tele-marketing, multi-level marketing, direct selling and e-commerce pose new challenges to consumer protection, requiring appropriate and swift executive interventions to prevent consumer detriment. Therefore, it became inevitable to amend the Act to address the myriad and constantly emerging vulnerabilities of the consumers.

In view of the above, it was deemed expedient to repeal the *extant* law and a new law, namely, the Consumer Protection Act, 2019 was enacted, which was eventually notified on 20th July 2020.

The new law *inter alia* provides for the establishment of an executive agency to be known as the Central Consumer Protection Authority (CCPA) to promote, protect and enforce the rights of consumers; make interventions when necessary to prevent consumer detriment arising from unfair trade practices and to initiate class actions including enforcing recall, refund and return of products, *etc.* This fills an institutional void in the *extant* regulatory regime. Earlier, the task of *prevention* of or acting against unfair trade practices was not vested in any authority. This has been provided for in a manner under the new law that the role envisaged for the CCPA complements that of the sector regulators and duplication, overlap or potential conflict has been avoided.

The new law also envisages provisions for product liability action on account of harm caused to consumers due to a defective product or by deficiency in services. Further, provision of "Mediation" as an Alternate Dispute Resolution Mechanism has also been provided.

Lastly, the 2019 Act provides for several provisions aimed at simplifying the consumer dispute adjudication process of the Consumer Disputes Redressal Agencies, *inter alia*, relating to enhancing the pecuniary jurisdiction of the Consumer Disputes Redressal Agencies; increasing minimum number of Members in the State Consumer Disputes Redressal Commissions and provisions for consumers to file complaints electronically, *etc.*

It is also pertinent to mention that pursuant to the enactment of the new Act, the Central Government had notified the Consumer Protection (E-Commerce) Rules, 2020 with effect from 23rd July 2020 for the purposes of preventing unfair trade practices in e-commerce. However, since the notification of these rules, the Government received several representations from aggrieved consumers, traders and associations complaining against widespread cheating and unfair trade practices being observed in the e-commerce ecosystem. Accordingly, the Department of Consumer Affairs, Government of India on June 22, 2021 proposed amendments to Consumer Protection (E-Commerce) Rules, 2020 and a draft of the proposals has been put in the public domain for consultations with stakeholders.

It is, therefore, necessary for the academia to deliberate upon the various provisions and new concepts introduced in the new law critically. This will help in modulating pedagogy of consumer law research and teaching. This will also help build capacities of the students, researchers and faculty alike. The new age challenges arising out of new age economy are required to be examined critically so as to apply the consumer law to the e-commerce in an effective way.

It is also imperative to have synergy between consumer law teaching and its actual application before consumer fora. Keeping this in mind, one of the themes of the course has been designed to impart actual working and practice of consumer law.

Last, but not the least, there is an increasing need to align the domestic consumer law framework with the best global templates and practices in this branch of law and to suitably adapt the same within the domestic statutory architecture.

OBJECTIVES

The Certificate Course is aimed at building capacities of the participants by offering them a sound theoretical grounding of consumer law as well as exposing them to the actual application of the law before Consumer Fora. This would bring coherence and synergy between pedagogy and practice. Exercise Sessions on different aspects of the course are expected to further hone the skills of the participants. With this vision in mind, the course is structured envisioning the following objectives:

- To build capacities about the new consumer protection legislation.
- To enhance capacity about the role of alternative dispute resolution mechanism with special focus on mediation in redressal mechanism.
- To build capacities about the concept of product liability and role of CCPA in preventing unfair trade practices & protecting consumer interests and rights.
- To impart sound practical grounding about the practice of consumer law and the procedure followed.
- To build capacity about the best global practices in consumer protection regime.
- To conduct Case Studies of landmark decisions.
- To build capacity of the participants in dealing with the new age challenges such as e-commerce under the consumer law regime.

PROGRAMME DETAILS

- The Certificate Course is a 5-day long programme comprising of various Sessions on diverse topics.
- Every Session will be of two hours duration. This will provide adequate time for engaging with advanced questions on the themes of discussion. It will also offer adequate time for discussions and deliberations by the participants over and above the general participatory nature of the Sessions.
- Study material will be shared with the participants, before and during the programme.
- Apart from enlarging the knowledge base of the participants, this Course is also envisioned as an exercise in ‘learning by doing.’ Accordingly, exercise/ reflection Sessions have been included, wherein the participants would be expected to engage in interactive exercises as a group besides being encouraged to draft consumer complaints.
- The resource persons for the Certificate Course would comprise of renowned academics and professionals from leading Universities, policy makers, regulators, practioners of consumer law besides representatives of think-tanks & VCOs working in this branch of law.

THEMES OF THE CERTIFICATE COURSE

- Consumer Movement in India: Issues, Approaches and Achievements
- An overview of the Consumer Protection Act, 2019 *vis-a- vis* the previous legislation *i.e.* Act of 1986
- Alternative Dispute Resolution (ADR) mechanism with special focus on Mediation under the Consumer Protection Act, 2019
- E-Commerce: Issues and Challenges
- Product Liability under Consumer Protection Act, 2019
- Role of Central Consumer Protection Authority
- Consumer Protection under Sectoral Laws
- Consumer Law: Practice and Procedure
- Landmark Decisions: Case Studies
- Consumer Protection: Way Forward

Duration of the Programme:

05 Days (August 02-06, 2021)

Who Can Apply:

- Faculty Members;
- Research Scholars;
- Advocates;
- Graduate/ Under Graduate Students;
- Consumer Rights Activists/ NGOs/ VCOs

Registration Fee:

INR 1,000/-

Application Process:

Fill the Registration Form available here (Payment link is given inside the Google Form):

(<https://docs.google.com/forms/d/1XeudkuTv7SgA2i2TTVKeR9CSrA4GhZ7Fsu-3zMCnghE/edit?usp=sharing>)

Limited Seats

Registration on “first come first served” basis

Contact us:**Course Co-ordinator:**

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