

Consumer Protection and Cyber Law – An Analysis

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“Anger, Sex and Greed are three gates leading into hell. Three demons spoiled the soul of man and they should be, therefore denounced and renounced.”

The Shreemad Bhagvat Geeta

Abstract: After globalization, there is rapid growth of borderless marketing and the technology has grown to a good height. Manufacturers and consumers got wide opportunity for online shopping. Multinational companies and small enterprises are engaged in e-commerce and attracting consumers across the globe. Many consumers go for online shopping, became victim of misleading advertisement of goods and services, unilateral contract and market monopoly. There are many laws, but those are not properly implemented due to the jurisdictional issues. There is high need for appropriate action at international forum.

Key words: Consumer protection, consumerism, misleading advertisement, e-commerce, e-governance, online shopping, cyberspace, cyber law

Introduction:

The Consumer Protection issues have originated and developed as a natural response to the recognition of the consumer rights. An alert consumer is protected consumer. Every consumer to be protected against exploitation and abuse by any manufacturer or suppliers of goods or service providers, “Traced with care, the idea of consumer protection can be found to have existed in every kind of social order and judicial mechanism, where primitive or modern¹. However, the protection of consumer became a continuous process to fight out the exploitative condition of life. The modern legislation initiated with its clear term to strengthen the consumer movement both at national and international levels. The movement of consumer protection was strengthened by the guidelines laid down by the UN General Assembly. Accordingly, the signatories of the United Nation tried to bring out the pro-consumer legislation. The basic objective of such legislation was to establish a separate adjudicatory mechanism for the redressal of consumer right.

Liberalization of economy has brought sea change in the life style of the world citizen. All most all countries have tried to develop a new mechanism for the protection of the consumer interest. The recent development of cyberspace gave birth to new types of consumer behavior. The definition of consumer assumed new character. Business group, consumer group, adjudicating authorities, and academicians have developed their own definition of the term. These definitions are coming up to protect the social value against the challenge of materialistic world. The materialistic trend has removed the fear of God by impelling force of

acquiring more wealth. The moral value of the society is decayed and the winds of fraud and misrepresentation dismantled the social order. Corruption eroded the social life. Non-ethical practice and techniques are adopted in trade, commerce and profession. It is the avariceness, which propel traders, sellers, manufacturers, service providers and professional to cheat their fellow beings². They often charge higher price for goods and services, but provide defective goods and deficient services, beyond the norms of ethics.

Modern technology and cyberspace became a boon to the human civilization, yet it has some negative imprints too. One way technological development has made ‘communication possible across the globe’ and on the other way it posed major challenge for consumer protection. In the traditional way, nations have been exercising authority and jurisdiction over individuals on the basis of territorial nexus. Since cyberspace is a borderless environment, it has brought many legal issues as to the implementation of consumer law. Both developed and developing countries have made several legislations to deal with the issues relating to cyberspace and e-governance. This article seeks to enquire the issues relating consumer right and issues related with cyber law. The article is to focus some light on the issues like Jurisdiction, e-governance and e-consumer justice.

Concept of consumer and consumerism:

The words “Consumer” and “Consumerism” have wide connotation. Thus the definition of consumer varies according to perceptual attitude of a person or an organization. In general, a ‘consumer’ is a person who consumes goods and seeks services.

Consumerism is concerned with protecting consumers for all organizations with which there exist an exchange relation. One succinct definition of ‘consumerism’ is a social movement of citizens and government to enhance the rights and powers of buyers in relation to sellers³. The movement is strongly associated with enduring problems of the buyer and the govt. stand between buyer and seller to ensure justice and protection.

The consumer protection Act, 1986 defines ‘consumer’. The word ‘consumer’ means any person who buys goods for consideration and who uses the goods with the approval of original buyer, but does not include a person who obtains such goods for resale or any commercial purpose. Commercial purpose does not mean use of goods for self-employment and it includes the person who hires services for a consideration and the beneficiaries of such services, but does not include person availing such services for commercial purpose. The definition further suggests that the purchase of goods and hiring of services include the instances part of payment, payment promised or include deferred payment⁴.

This definition has been widened after the Amendment of 2002. Earlier a consumer of services did not include a person who availed of such services for any commercial purpose. It is a provision facilitating a service or sale of goods e.g. electricity service which provides services as well as sale of goods. Previously, electric services were actionable, now sale of electricity goods is also made actionable under the statute⁵. The statute has widened the definition of services i.e. service rendered by Advocates, Airlines, Banks, Educational institutions, Housing construction, Electricity, Financial and Insurance companies, Investment related institutions, Medical services, Railway services Postal and Telephone services, Transport Services and Similar kind of other services are recognized as “services” by the courts⁶.

Regarding internet services and e-consumer, unlike the law of other countries, the act has not made clear expression. But website and internet services are included within the definition of consumer. In e-commerce, if the consumer buys or avails services he can get relief under consumer protection guidelines⁷. But in certain cases, it may be difficult to sue the internet service provider, if it is stationed beyond India.

However, the concern of consumer has been well expanded, which requires legal recognition. It is a fact that, consumerism brought new issues more recently. Technological revolution was so abrupt that the legal step remained far behind to solve the consumer related problems. Before taking note of the consumer in Cyberspace, one should have a glance on evolution of consumer protection law elsewhere in the world.

Development of Consumer Protection Laws at a Glance:

The Consumer protection Laws have emerged to check the scrupulous attitude of the trader, manufacturer and supplier of goods and service providers. Therefore, the concept of consumer protection can be found all most in all part of the globe. The consumer protection issues became more complex due to advancement of information technology and changing behavior of the consumer. The laws which were in vogue, seems to be obsolete. Before discussing the present issues, it became imperative to have a glance on the evolution of Consumer Protection movement at international level.

To start with England, it can be observed that, consumer protection laws were in existence even during 13th and 14th centuries. The official dignitaries and sheriffs were discharging both judicial and administrative function. During 16th century, when duties of such officer were increased, the technical aspects of consumer protection were regulated by the crown through judicial institution. However, the state of affairs of the consumer was not satisfactory. The activity of the consumer protection was most ardent in relation to fixation of commodity price as per its’ quality and quantity. In the early eighteenth century, the problem of consumer was also not satisfactory. The consumer remained in the oppressive condition. Subsequently the law provided punishment in case of contravention of provision. This state of affairs continued till 1836, when the principle of competition propounded by Adam Smith was adopted. It was realized that in the free market economy the producer should adjust themselves to consumer preferences. It marks the bottom line of the concept that consumers being generally the weaker party, laws cannot be kept out of the consumer protection process. Thereafter it was observed that there were several enactments passed to protect consumer. In the later part of the 20th century, there was high need to have special law to protect consumer. Royal Commission report in 1962, Lord Pearson Commission in 1973 etc, recommended strict application of Consumer Protection Law. The EC Directive of 1985, made the product liability in England. According to the directives the producer will be jointly and severally liable to consumers. In 1987 a separate Act was passed for consumer protection. It can be observed that, several laws have been passed including Food and Safety Act, 1990 to ensure consumer safety and protection⁸.

In United States of America, Consumer Protection Laws have been evolved after 1961. US President, John F. Kennedy issued message for Pro-Consumer Legislation. Uniform Commercial Code, 1962, Restatement of Torts, 1986, and Consumer Product Safety Commission made a manifest shift in favor of consumers by recognizing strict liability in the

sale of defective product. The US Government is very much careful to conduct research, investigation and testing of consumer goods and on improving their safety. One may find the US Govt. has enacted several legislations to protect the interest of consumer during later part of the 20th century⁹. It may be observed that no specific law relating cyberspace has been passed by that time.

There is substantial development in the consumer protection laws in European Countries. The very basic purpose of such legislations is to prevent abuses of trade practices and to save consumers from the long arm of the manufacturers and service providers. European Countries have adopted Consumer Protection and Information Policy in 1975. The main objectives of this policy were to provide effective protection against health hazards and safety, protect economic interest of consumers, adequate facility for advice and redress, consumer information and education. Similarly, European community Product Liability Directive of 1985 is not important, which afforded varied levels of protection to consumers¹⁰.

So far as India is concerned, one may find enormous laws on consumer protection. The Constitution of India though does not contain any special provision relating to consumer protection, but there are many provisions that have direct bearing on consumer protection¹¹. Directive Principles of State Policy and Article 19 (1) (g) put responsibility on the State to make legislation for the cause consumer welfare. Accordingly, it may be observed that a maze of legislations are prevailing to protect the consumer interest¹². Article 21 of the Constitution guarantees Right to life and personal liberty for every person. In a Catena of cases the Supreme Court of India has expressed its verdict in favour of the consumer protection and social justice¹³. The Court expressed that¹⁴ “Social Justice is a device to ensure life to be meaningful and liveable with human dignity required the state to provide facilities and opportunity to reach minimum standard of economic security and civilized living. The Constitution envisaged for the establishment of a welfare State. The Court expressed that it is the primary duty of the Govt. to secure the welfare of the people.

“The trend of enacting consumer protection laws spread over to others countries like Thailand, Sri Lanka, Korea, Mangolia, Philippines, Mauritius, China, Taiwan, Nepal, Indonesia, Malaysia and others countries”¹⁵. Japan Govt. also adopted pro-consumer legislation. Japan government has established a consumer affairs division in the ministries of agriculture and forests and the International trade and industry. The objective of the legislation constitutes the main base to protect the consumer. The enactments of the above nations direct to establish redressal mechanism, prohibition of misleading advertisement, right to get

information as to quality of goods and services, freedom of choice, compensatory provision and provide adequate funds to support consumer education and consumer movement.

As already discussed above, the legislation relating to consumer protection became an imperative to protect the interest of consumer. Most of the countries have framed special consumer protection laws in the tune with the UN Guidelines for consumer protection. Thus the movement on consumer protection at international level needs a special mention.

Evolution of Consumer Movement at UN Level:

Due to the emergence of international trade and commerce, consumer protection issue remained as major challenge in the international level. In the liberalized economic era, production, distribution and promotion of goods and services were controlled by multinational companies. These raised major issues which call for inter-governmental co-operation. Thereafter, the international co-operation and co-ordination was felt urgent. Emphasizing the need of International co-operation Secretary General of United Nation stated that “International co-operation with regard to consumer protection is needed because the development of consumer protection policies no longer require that, measures be taken only at the national level”¹⁶. The comment was having much importance as to following two facts. First, the globalized marked assumed inter-dependence among different nations. Without co-operation between member states, consumers elsewhere in the world, suffer at the hand of market monopoly. Secondly, there was a substantial difference between the consumer group in developed and developing countries. Major consumer population representing the low-income group, required necessary protection. Thus the developing countries need to have vibrant consumer movement with international outlook. It is noted that many international organizations have been actively contributed towards developing global consumer protection¹⁷. These organizations coordinated and inspired inter-governmental participation to search avenue for the protection of consumers in different area. International Chambers of Commerce deliberated the issues of consumer protection in 1997. The leadership shown by the UN General Assembly with the co-operation of United National Economic and Social Council (ECOSOC) adopted by consumers a set of guidelines on consumer protection¹⁸. The guidelines are noteworthy.

- a. Physical safety of consumer.
- b. Protection of economic interests of consumer.
- c. Consumer’s access to information needed to make informed choices.
- d. Measures enabling consumers to obtain proper redress and,

- e. International co-operation in the field of consumer protection.

UN Guidelines identified the basic concern in consumer protection with reference to information, consumer education, right to choice and safety, right to proper representation, healthy environment and right to speedy redressal. These guidelines have very strong bearing on the e-commerce consumerism. Accordingly, most of civilized nations have made pro-consumer legislation. Such legislations have great importance in the era of E-commerce.

E-Commerce and Consumerism:

E-commerce is nothing but a new way of conducting business transaction using modern information technology. It is a “business methodology that addresses the needs of organization, traders and consumers to reduce costs while improving quality of goods and services and increasing the speed of service delivery”¹⁹. It is a paperless exchange of business information using Electronic Data Interchange, Electronic Fund Transfer etc. It is a simple method by which the production, marketing, sales and delivery of goods and services is accomplished through electronics means. The World Trade Organization (WTO) have recognized following six main instruments of E-Commerce²⁰. These are T.V., Fax, Telephone, Internet, Electronic payment and Money transfer systems, Electronic Data Interchange (EDI). When commercial transaction between individual and commercial enterprises take place over the above electronic medium, e-commerce is deemed accomplished. There are certain E-Commerce models like Business to Business (B2B), Business to Consumer (B2C), Consumer to Business (C2B) and Consumer to Consumer (C2C). These models of business refer to types of business platforms.

These business platforms provide many options for buyer and seller and commercial enterprises as well as retailer. It is new shopping experience, where one can shop at his convenience as to the place and time. Now various companies have their own websites. Through website, they give details about their profile, products and services now enterprises are using their websites in E-Commerce practices like electronic catalogs, online advertising and wider acceptance of online payment system etc. Various business models are articulating some form of “Business process Re-engineering (BPR) i.e. transforming a business process into small but efficient business steps. The idea is that business process re-engineering is to create effective, efficient and low cost business process for better quality. Such business process requires proper infrastructures in terms of information technology and statutory regulation. Proper infrastructure and capability provide better services, without which the enterprises cannot attract customers. Online shopping or business is much easier shopping than physical shopping. It is a boon for the consumer. In

another sense it may be a curse, as there are chances of fraud and dissatisfaction and to quality of goods and services in online market.

E-Commerce and its Avenues:

E-commerce is still at a developing stage. During late 90's there was heavy demand to occupy the internet space for e-commerce²¹. But such estimation failed due to the small size e-commerce markets and its potential²². It requires more computer beneficiation, more internet users and high-speed connectivity. E-commerce needs more e-consumer. At present technology has not well grown to attract e-consumer. A study reveals that²³ the number of subscribers is expected to grow at a compounded annual growth rate of 27% to reach 82 lakh by 2006. To expand the internet subscriber, private entrepreneurs like Reliance Infocom, Spectra net etc, trying to lay down optical fibre cable across the length and breadth in India. They are developing their own internet gateway, building submarine links and developing information technology infrastructure to facilitate e-commerce. Government is trying to open websites for facilitating better e-governance. E-governance models that have developed so far, not up to the mark. Nevertheless, the core concept behind such models is to provide efficient and effective services to the community. But the desired result is not achieved. In the developed countries e-commerce and e-governance have been grown well in comparison to developing nations. E-commerce may flourish if there are good numbers of avenues to facilitate the consumer.

Avenues for consumer service and support.

Following avenues are most helpful to e-commerce:

- i. E-mail: E-mail is best means of communication between the consumer and internet business. If the consumer handles it effectively, he can get satisfactory services with low cost and with less consumption of time. It can convey its difficulties in relation to the products and services.
- ii. Help Desk: It is a support system in a form of toll free number, which provides timely help to the consumer. It works for 24 hours. In the system centre executives listen complaints and grievances and render valuable suggestions to solve the problem of e-consumer.
- iii. Consumer Service Information: It provides relevant information to the consumer. The information includes product specification, pricing, safety, security, warranty and compatibility of charts to take appropriate decision in e-shopping. It is helping the e-commerce against any artificial price hike by the intermediaries.
- iv. Blogs and Chat Rooms: Blogs are personalized diaries. These kinds of internet services provide avenues for easy communication with one and other. “These are used to share

information and develop knowledge. In the way self-help groups are created. Such services creating awareness and develop sense of self-security.

v. Feedback Forms: These are the forms through which customers can obtain valuable suggestion from the enterprises and send their critical or creative comments about the products and services. In the way mutual trust between the organization and consumer can be developed.

vi. Other Electronic Devices: Electronic devices like ATM, Fax, Wi-Fi etc. help the consumer to adjust time and accord better facility at his own choice. In 90's internet media was a dream for the general public but now a day in smart cities government is going to provide free Wi-Fi facility to the general public.

vii. Websites: There are kinds of websites, those create awareness and provide information to the consumers. Some websites create awareness concerning privacy i.e. whether, what, whom the information to be given or not and when or where the information to be collected, whether the site can be independently verified to ensure security or not.

viii. Shopping Bots: It display price and product comparisons charts to enable buyer to take decision for buying i.e. the website e-bay provides a platform for buyers to rank sellers on the basis of their business dealing.

Despite all these advantages, it has many lapses. Those lapses need effective solution within national boundary and beyond.

Challenges of consumerism:

Technologies advancement increased human demands for high quality life. New types of products are demanded by the consumers. These products have grown enormously in quantity, quality and complexity. It became a difficult job for an ordinary man to keep pace with widening information about various products. New modes of marketing viz. shopping by online, sky-shop etc. required technical knowledge. It became a difficult task for a consumer to adjust with such changing environment. In the traditional market consumer was able to compete well in relation to his buying decision. His friends, relatives and other members of the society use to add -knowledge as to the quality, quantity and price. He was having the chance to choose through physical supervision. Now the scenario has been changed enormously. The consumer mainly relies on commercial source of information like advertisement. Such advertisements are misleading consumer and there is no guarantee of the product advertised by media or the enterprises. Barring certain articles in the market, there is no mechanism to regulate the fixation of prices of the consumable goods. The producers and merchants earn huge profits at the cost of consumers, by keeping the demand of the commodities high through tactical distribution 24.

In the process, the consumer who is illiterate and below the poverty line, seldom gets any opportunity to choose. They are always victimized in the environment of fraudulent merchandize. It became constitutional mandate to protect their interest with some social responsibility.

E-Commerce brought some other problems for the consumer. Shopping online is not so easy for the e-consumer, if he is poor and less informative. Government fails to stop the misleading advertisements of goods and services²⁵. Such goods may be hazardous to health, compromising as to price and quality. Multinational companies are toppling the authorities by "tactical means"²⁶. They do not have any strong platform to express and redress their critical condition. On the other end, there is strong argument in favour of commercial enterprises. These conditions lead to dissatisfaction. Faulty policy, performance gap, information gap and ever increasing complexity of legislative control cover defective goods and deficiency in service brought insecurity. The public institution became impersonal and unresponsive to the concern of the consumer without strong and effective Cyber Law, consumer in the Cyberspace remains lonely and in elusion. At present following major challenge needs priority treatment. The issue relating to jurisdiction (redressal of E-consumer disputes), restriction on price fixation for goods and service, regulation for avoiding liability by unilateral contract, stop monopoly on higher purchase and credit lending, creating confidence building mechanism for safety and security of consumer, information strategy for consumer and enterprise. In certain cases there is demand for exemption of liability of ISP, if content provided by the third party. In some cases it is deemed necessary to fix absolute liability clause on ISP. These issues need effective solution.

Impact assessment of cyber law on consumerism:

It is rightly said "Internet is like bye lanes leading to lanes which in turn lead to streets then to roads and then ultimately into highways sprawling across the globe. It emphasizes that internet is a borderless environment, where a consumer and enterprises dwell. It creates avenues for exercising freedoms, which compounds anonymity and pseudonymity. It "gives ample opportunity for the people to indulge in conduct which is not strictly ethical or moral and renders the task of fixing criminal and civil liability in Cyberspace difficult"²⁷. 'Nations have been trying to make law to meet the challenge of cyberspace. Many people in the world are yet to learn the boon of cyberspace. At the same time many people cast fear on the abuse of Cyberspace. Internet provides information by a click on the hyperlink of a computer. Communication facilities are made very easy. But problem is that neither the consumer nor the controlling authorities are confident enough to meet contingency of the

internet. Most challenging thing is right to safety, security and right to easy redressal.

Now countries are exercising authority and jurisdiction over individuals on the basis of territorial nexus²⁸. As Cyberspace is a no man's land or a borderless territory, States failed to exercise authority and jurisdiction to fix the liability. It is an open challenge to identify the users of internet. In internet, one may try to acquire more possible, users without revealing their identity. Secondly, electronics means of record and electronics medium of communication does not have authenticity. It also creates a lot of legal and practical problems. Parties who want to use e-commerce need temper-proof electric or digital signature to avoid fraud in Cyberspace. To combat the evil, nations are trying to revise their law hurriedly. The guidelines issued by the organization of Europe council is followed by the European countries including U.S.A. India also tried to make the law to wipe out problems in terms of OCED and UNCITRAL model. (United Nations Commission on International Trade Law).

The best initiative of India can be marked from the recent legislation i.e. Information and Technology Act 2000 and Competition Act 2002. Both the enactments have taken care to protect the interest consumer in many directions. The objectives of such legislations are to make the law meaningful by way of providing information and security, to ensure efficient allocation of resources. It will afford consumers best possible means as to quality goods, adequate supply of goods with lowest possible price and create an effective mechanism for e-commerce. Competition Act is designed to prevent anti-competitive business and smooth e-governance. This may prevent the deceptions, misleading advertisement and claims. Without doubt, these laws have become an imperative to buttress e-commerce and curb corruption, arbitrariness and unhealthy competition. Despite the fact, consumers' protection became a difficult task. Because there much gap between theory and practice. Mostly people failed to keep confidence on Government officials.

There is high need to adopt socio-legal policy to uproot corrupt practices in Government administration. Most of the State Governments appoint retired Dist. Judge as the President of District Consumer Forum, with some negligible service condition. Other members do not have technical or legal knowledge to deal the consumer cases. In the case of e-commerce pursuits E-Governance should be mandatory. E-governance in India is still lagging behind that of the other countries²⁹. Yet, some activities of the e-governance is quite promising³⁰. As this branch of law is in growing stage, one may find a better environment, which intent to create a regime of

“caveat emptor to caveat venditor. The object of the doctrine is to fix the responsibility on companies to create consumer relationship management for better growth³¹.

USA Experience:

The legislative and administrative setup in USA, UK and Other European Countries are much more effective. A study reveals that, Internet fraud and misleading advertisements are well dealt in USA³². The report reveals that, there are 8,000 internet related complaints were entered into consumer sentinel administered by FTC (Federal Trade Commission) and placed 220 law enforcement agencies across the United States and Canada in 1998. In 1999, Consumer Sentinel received over 18,600 Internet-related complaints. FTC brought enforcement action Fortuna Alliance (a multinational insurance company) who made some mis-leading advertisement on the Internet. The company was enforced close and returned \$ 5.5 million to 15,625 victims in 71 countries. Such incidences are quit eye-catching. Similarly America Online (ALO) and FTC issued guideline notes to guid the online consumer.

Conclusion:

From the above discussion it can be noted that consumer protection and cyber law are progressive in nature. Legislative measures always lagged behind the consumer problem. E-Commerce has brought new problem in its different dimension required effective strategy, both at national and international level. In certain cases there is demand for exemption of liability of ISP, if content provided by the third party³³. In some cases it is deemed necessary to fix absolute liability clause on ISP. These issues need effective solution.

Information technology has brought sea change and changed the way of our life. It has tremendous potential to affect the functioning of e-commerce, e-governance and e-consumerism too. Thus it must be utilized as a driving force to make the consumer conscious. A conscious consumer can be protected from bad effects of internet culture. In the age of internet, computer education should be mandatory. Social activist, media and philanthropist must unit together for better protection. Truth has its own beauty. Let we realize the beauty of life. Mahatma Gandhi viewed that world is enough to mitigate the need of all, not to mitigate the greed of any one. To conclude with the following words:

You can cheat the world, You can cheat your friends, You can cheat your king, But you can't cheat the God. Thus never make others to believe that, world is flat and God is dead and men are free to do what so ever they can.

Foot Note:

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2. P.K.Majumder, Law or Consumer Protection in India page P.V.Fifth ed. 2004
3. Philip Kotler, Marketing Management (1984) 5th ed Englewood cliff at P.85
4. Sec.2(i)(d) of Consumer Protection Act 1986
5. N.K. Rohatgi "consumer protection law, recent amendments", CPR 2004 (3) at P. 176 (Vinod Publication)
6. See nicmkel@rediffmail.com, Salient Features of Consumer Protection Act.
7. People V Lipsitz, Supreme Court of the State of New York, New York country, Index No. 400945/9Mot. Seq.No.001.
8. Ibid at PP 4-5. See Consumer Safety Act 1978, Unfair Contract Terms Act 1977, Personal Injury or Death, 1977 etc.
9. Food Drugs Amendment Act 1972, Consumer credit protection Act – 1968, Consumer product safety Act, 1972 etc.
10. The Directives were issued in July 25, 1985 to protect the various interest of Consumer, upon which they can get minimum right and producer could be made liable.
11. Art. 39, Art.19 and some Directive Principles of State Policy directs State to pass law for consumer welfare, safety and security.
12. Adulteration Act 1954, Essential Commodities Act 1955, Weight and Measure Act 1976, The Consumer Protection Act 1986, Information Technology Act 2000, The Completion Act 2002, Electricity Act 2003 etc.
13. (i) ONGC and others and Assn. on Natural Gas Consuming Industries of Gujrat and Others, (1990) Suppl. SCC at 397. (ii) Lucknow Development Authority vs M.K.Gupta, AIR (1994) SC. 787, (iii) P.B.Khet Mazdoor Samity vs State of W.B. AIR 1996 SC. At 2426 etc.
14. Consumer education and Research Centre vs Union of India, AIR 1995 SC 922,
15. Ibid – 1 at PP 6-7
16. Report of the Secretary General "International Activities for Consumer Protection" in IOCU Hong Kong, January 6-10, 1980.
17. The steps taken by Food and Agriculture organization (FAO), International Labour Organization (ILO), The World Intellectual Property Organization (WIPO), The World health organization (WHO), and the International Organization of Consumer's Union (IOCU) may be worth remembering.
18. UN Guidelines for Consumer protection, Resolution No. 39/348 dated April 9, 1985.
19. See-Vakul Sharma-E-Commerce: A New Business Paradigm at P. 10 ILI, 2002
20. www.wto.org.
21. Ibid at p.57
22. Rahul Matthan, the law relating to computer and the internet 2004 Butterworth at P.
23. IDC survey report, The Economics Times, (12.1.2003)
24. Dr.N.KJndravan "Control of Poverty through price Regulation Law", ITIS, 10,1978.
25. Mostly Art. 19 (i) (a) (Freedom of speech and Expansion of Constitution of pleaded and consumer fails to get any remedy
26. Sometimes through allurements or sometimes by strong argument, multinational companies are handling the circumstances to their end. Those are so difficult to be proved in the court of law. It can be marked that State Govt, approve licenses, to such corporate at the cost of public welfare. For example -State Government of Orissa leased 10 thousand acres of land to Vedanta Company near the capital for opening university. In India no university required such size of land. Such reservation of land creates environmental issues.
27. T.K.Vishwanathan, "Cyberspace and cyber Laws", CLA -BL (Supp) Jan. 2001 at P-17.
28. Teleco Communication vs. An Apple A Day - Civ. Act N0.97-542-ACED. Va. 1997, 24 Sep. 1997, District Court ED of Virginia had Jurisdiction to decide matter relating to deformation in internet press release.
29. Brazil government has created centralized IT Infrastructure to provide over 500 services which includes small claim courts. For detail please visit <<http://www/worldbank.org/publicset.17 egov/bahiasac.htm>>
30. Govt, of Orissa planning to establish web-enabled Services, please visit <<http://www.egov4dev.org/orissa.htm>>
31. R.Seyon, CRM and Consumerism: Changing scenario from caveat emptor to caveat venditor, 2007 (2) CPU, PP-261-262
32. The Electronic Frontier, March 2000 Appendix - B. Also see - "Protecting the consumer on the Internet at PP 33-39
33. Judit Bayer, Liability of Internet Service Providers for third party contents, at page 46 Victoria university or Wellington . 681.3.34 Bay ILI, 3.4.08.