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Title: State Regulation of Electronic Commerce in the Era of Digital Transformation: A Case of Consumer Protection in India

FINDINGS

“State Regulation of e-commerce in the era of Digital Transformation” encapsulates the researcher's exploration of fresh insights gleaned from analyzing a plethora of national and international laws, judicial rulings, and consumer websites. These findings are aligned with the pre-established research objectives and hypotheses. Through rigorous testing of these objectives using variables outlined in the third chapter, which focuses on safeguarding e-consumer interests and standardizing them for legal implementation, the researcher proposes recommendations for legislative amendments. Suggestions include revising consumer definitions, identifying pertinent variables to gauge electronic consumer interests, and refining dispute resolution mechanisms. Moreover, the researcher advocates for the creation of a new law specifically tailored to safeguarding electronic consumers, emphasizing the necessity of legislation adaptable to emerging technologies while prioritizing consumer protection. This chapter consolidates the findings across the preceding four chapters, validating the study's objectives and hypotheses with newfound insights.

The research presents empirical analysis of the decided cases and findings on consumer confidence in state regulation of e-commerce, focusing on chapters 5 and 6. Several key recommendations are proposed in the following section.

Standardization of Online Contracts: Advocates for the development of a standardized pattern for the formation and performance of online contracts to address existing anomalies and enhance clarity in e-commerce transactions.

Adoption of International Guidelines: Recommends the strict adoption of OECD and other international guidelines in India, emphasizing the need for global standards to be made mandatory for all e-commerce players.

Changing Negative Consumer Perceptions: Highlights negative consumer perceptions and suggests the incorporation of a specific definition for online consumers in the Consumer Act, 1986, to address unique challenges in online transactions.

Definition of Unfair Trade Practices and Unfair Terms: Calls for the incorporation of elaborate definitions for unfair trade practices and the recognition of a broader list of unfair terms in consumer legislation, drawing inspiration from the Consumer Rights Act, 2015 of the United Kingdom.

Incorporation of Trading Standards: Proposes the development and incorporation of specific trading standards to facilitate understanding of mutual rights and obligations between traders and consumers in the evolving landscape of e-commerce.

Enhanced Flexibility for Consumer Redressal Agencies: Recommends granting greater flexibility and authority to consumer redressal agencies, urging the development of online dispute resolution systems to align with modern technological advancements.

Obligations on Educational Institutions: Suggests placing statutory obligations on educational institutions and universities to conduct consumer awareness programs, emphasizing the role of education in creating awareness of consumer rights.

Development of Online Redressal Mechanisms: Advocates for the development of online redressal mechanisms, enabling consumers to resolve online transactions without resorting to traditional consumer courts, thereby enhancing the security of online trading.

Control Over Pricing in Online Shopping: Recommends that the Competition Commission should have direct authority over online shopping websites, specifically their pricing schemes, to ensure fair and transparent pricing practices.

Development of Website Privacy Policy Standards: Proposes the imposition of minimum standards for website privacy policies on all online trading platforms to protect consumer data and privacy.

Improvisation in Enforcement of Consumer Forum Orders: Calls for the development of an effective mechanism within the Consumer Act to enforce consumer forum orders, addressing current reliance on civil courts and revenue departments.

Need for Judicial Activism: Emphasizes the need for judicial activism, especially in relation to Section 10A of the Information Technology Act, 2000, to ensure adequate interpretation and application of laws concerning consumer interests in the digital realm.

Standards to Determine Jurisdiction of Consumer Courts: Identifies the need for the development of standards to determine the jurisdiction of consumer courts in online transactions, considering the inadequacies of existing legal provisions.