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## E-COMMERCE LAWS AND CONSUMER LAWS

### INTRODUCTION

The purchase and sale of products and services is not an exception to how the introduction of "Information and Communication Technology" has affected practically every aspect of human life. Electronic data interchange and electronic cash transfers are examples of innovations that information technology gave rise to, and their facilitation through the "Internet" led to the development of information technology-enabled business transactions, or "e-commerce." As a result, the world now enjoys a varied and improved experience for their commercial and business activities due to the swift adoption of internet enabled facilities and the commercialization of activities over the internet. E-commerce is the conduct of commercial activity via electronic media within the internet domain.

### MEANING OF CONSUMER PROTECTION

Consumer protection, as used generally, refers to shielding customers from various unfair business activities. In the case of *Raghubir Singh Thakur v. Court of Wards*<sup>1</sup> in *Sukhraj Kuar*, the Court elucidated that the purpose of this protection is to prevent customers from being taken advantage of by the business community and to prevent different forms of business malpractice. Commercial organisations typically possess superior organisation, knowledge, and market dominance. These elements all make it easier for businesses to take advantage of customers. customer protection safeguards the customer as well as the most vulnerable victims of these business enterprises.

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<sup>1</sup> *Raghubir Singh Thakur v. Court of Wards*, 1953 AIR 373, 1953 SCR 1049, AIR 1953 SUPREME COURT 373

## **NEED AND SIGNIFICANCE OF CONSUMER PROTECTION**

Consumer protection refers to safeguarding customers from a range of unfair corporate activities that could jeopardise their rights and interests in markets that are highly competitive. It also involves monitoring and preventing various forms of exploitation. It goes without saying that while conducting business, commercial organisations are more knowledgeable, well-organized, and in a better position to dominate consumers. Their favourable position makes it easy for them to take advantage of the customers. According to the Court of Special Appeal of Maryland in *Consumer Protection Division v. Luskin's Inc.*<sup>2</sup>, "the consumers need to be protected through adequate consumer protection mechanism to uphold their rights in commercial transactions and save them from commercial exploitation at end of business organisations." The worst-affected victims of these commercial organisations need to be protected.

## **E-COMMERCE AND CONSUMER PROTECTION: A TIGHT SPOT**

The way society, and business houses in particular, interact with businesses has been profoundly altered by information and communication technology. With the emergence of e-commerce, technology has also revolutionised business transactions. Nowadays, the usage of computers and the Internet for e-commerce has raised the bar for international business operations. Individual consumers, corporate enterprises, governments, and international organisations have taken notice of the impact of recent technological advancements and the massive convergence of e-commerce transactions. While these developments have facilitated the growth of business endeavours, they have also presented a variety of challenges and confronted various segments of social and individual interests, such as data protection, consumer protection, privacy violations, etc.

## **THREATS TO CONSUMER PROTECTION IN E-COMMERCE**

Undoubtedly, e-commerce has made it easier and more affordable for customers to buy and sell products and services, but it has also put them at risk of having their fundamental rights and interests flagrantly violated at e-commerce portals. a) global access and greater choice; b) improved competitiveness and quality of service; c) mass customisation and personalised

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<sup>2</sup> *Consumer Protection Division v. Luskin's Inc.*, 100 Md. App. 104

products and services; d) elimination of intermediaries and product availability; e) greater efficiency and lower costs; f) new business opportunities and new products and services, etc. are the main advantages and opportunities that e-commerce offers to businesses and consumers.

## **NEED OF LEGAL DEFENSE TO CONSUMER PROTECTION IN E-COMMERCE TRANSACTIONS: A PERFUNCTORY ANALYSIS**

In the previous discussion, we addressed the fact that while e-commerce undoubtedly helps consumers tremendously in conducting commercial transactions, it also has a negative impact on consumer protection policy. The negative response that e-commerce has received from consumer protection could hurt consumers' interest in and willingness to make e-commerce purchases, which could hinder e-commerce's ability to expand. Consequently, in order to address the issues surrounding consumer protection in e-commerce, a clear and sufficient set of laws and regulations is needed. These laws and regulations will not only support the cause of consumer protection in e-commerce but also increase consumer trust in these transactions. The implementation of suitable and effective regulatory frameworks and legal principles addressing the issue of consumer protection in e-commerce will safeguard internationally acknowledged consumer protection laws pertaining to electronically enabled commercial transactions.

## **CONCLUSION**

By giving customers the best protection against unfair trade practices and by lending their strength and enthusiasm to the expansion of the e-commerce market, it is possible to create a fair, robust, competitive, expanding, and developed market. It is true that having sufficient legal safeguards for consumers would give rise to new consumer rights and a developed market that firms can rely on. Therefore, incorporating the aforementioned consumer protection principles into legal and regulatory frameworks to strengthen consumer rights in online transactions will both guarantee the preservation of fundamental consumer rights in online transactions and accelerate the expansion of the online retail industry. Specifically, it is suggested that in order to support consumer protection in e-commerce transactions with a certain level of trust and confidence in e-commerce, a specific and suitable set of well defined and adequately addressed legal framework should be implemented. In light of consumer protection and the expansion of

e-commerce, this will help the general public, particularly customers, relate to and correlate with appropriate consumer protection laws.