

A Comparative Study of Consumer Protection Legislations of India, China and United States of America in context of e-Commerce

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Abstract

With the advancement of internet and technology, buying trends have shifted from the brick-and-mortar market to the online marketplace. It's the convenience of shopping and the kind of offers by the sellers online, increasing the growth of consumers in online shopping. The recent trends reveal that the consumers are more inclined towards online shopping than conventional shopping in spite of the anonymity of the seller. The recent trends of Compound Annual Growth Rate (CAGR) in e-commerce shows that the retailers prefer to sell their products through online markets. The wholesalers are also moving to online business to expand their business. With this, the cross-border market is expanding, making the consumer protection more alarming. The third-party sellers on online marketplaces, many of whom are based abroad and operating on a large scale, who too often don't comply with product safety regulations and are almost impossible to contact when things go wrong. Stringent legislations to protect the consumers shall be made and implemented. It is important for the countries to make strong personal legislations and build international collaboration to protect the consumers from E-commerce frauds. A comparative study with respect to the consumer protection legislations with the top E-commerce market countries like China and USA, helps in understanding the kind of protection being given to the online shopping consumers and can aid in developing a powerful legislation for the same in India.

Keywords: online shopping, E-commerce, consumer protection, legislations, online market, retailers, whole-sellers, product liability

INTRODUCTION

The trend in marketing products has changed with the advancement of technology. Almost all the manufacturers are preferring online to sell their products. This led to an exponential growth in the E-commerce business worldwide. E-Commerce stands for electronic commerce. It is a business model that allows companies and individuals to buy and sell goods and services over the Internet. Customers, these days, are choosing online shopping for purchasing almost all types of household products. E-commerce basically operates at two levels: domestic and inter-national. Domestic e-commerce involves within border transactions through the internet, while international e-commerce relates to cross-border transactions. These transactions may refer to selling or buying goods and/or services which are then delivered online or physically. According to the guidelines-1999 of the Organization for Economic Cooperation and Development (OECD)¹, e-commerce is online business activities-both communications, including advertising and marketing, and transactions comprising ordering, invoicing and payments. The reasons for growth in the e-commerce business can be attributed to various reasons like flexible

¹ An intergovernmental economic organization with 38 member countries, founded in 1961 to stimulate economic progress and world trade.

free returns policy, attractive discounts, hassle free transactions, privacy of the consumer, shopping at the fingertips etc. The biggest jump for e-shoppers can be seen in 2020, in part because of the COVID-19 pandemic that is inducing consumers to shop online. It is observed that there is a dramatic rise in the e-commerce business, with an increased share of online retail sales from 16% to 19% in 2020². The UNCTAD report released on 3rd May-2021, revealed that global e-commerce sales jumped to \$26.7 trillion globally in 2019, up 4% from 2018, according to the latest available estimates. In 2023, global retail e-commerce sales were estimated at 5.8 trillion U.S. dollars. Projections suggest a 39% increase in this amount in the forthcoming years, with expectations to exceed eight trillion dollars by 2027.³ These statistics shows that there is a potential growth of E-commerce business worldwide in the coming years. E-commerce is usually classified based on numerous business models, which include Business to Business (B2B), Business to Customer (B2C), Customer to Business (C2B) and Customer to Customer (C2C). Business to Business (B2B) is a form of transaction that takes place between businesses such as manufacturer and wholesaler or wholesaler and retailer. Business to Customer (B2C) is a form of transaction that happens between the business establishments and the consumer. Customer to Business (C2B) is a business model where the customer provides services to the business establishments unlike the regular business to customer model. Examples of C2B models include referral programs, paid testimonials, or data sharing. Customer to Customer (C2C) is a new form of business model emerged with the e-commerce business in the past decade. In this business model the customers directly trade with each other, frequently in an online environment. While assessing the growth of e-commerce business, the survey agencies try to find out these types of business forms in e-commerce.

POSITION OF INDIA IN GLOBAL E-COMMERCE BUSINESS

Various survey agencies have come up with results relating to the status of e-commerce business globally. 123 billion U.S. dollars was the market value of the e-commerce industry in India in 2024, and it is projected to reach 300 billion U.S. dollars by 2030, as it is expanding at an exponential rate.⁴ Much of the growth in online marketing can be attributed to high mobile usage and internet penetration. The increase in internet users could also be the prime reason for such growth. In 2023, India boasted more than 1.2 billion internet users nationwide. The amount is anticipated to exceed 1.6 billion users by 2050, signifying substantial market potential for internet services in the South Asian nation.⁵ India was ranked as the second largest online market worldwide in 2022, second only to China.⁶ After Turkey and Brazil, India is at the third place as the fastest-growing e-commerce markets globally, with a CAGR of over 11 percent.⁷

² According to an United Nation Conference on Trade and Development (UNCTAD) report released on 3 May, UNCTAD/PRESS/PR/2021/009.

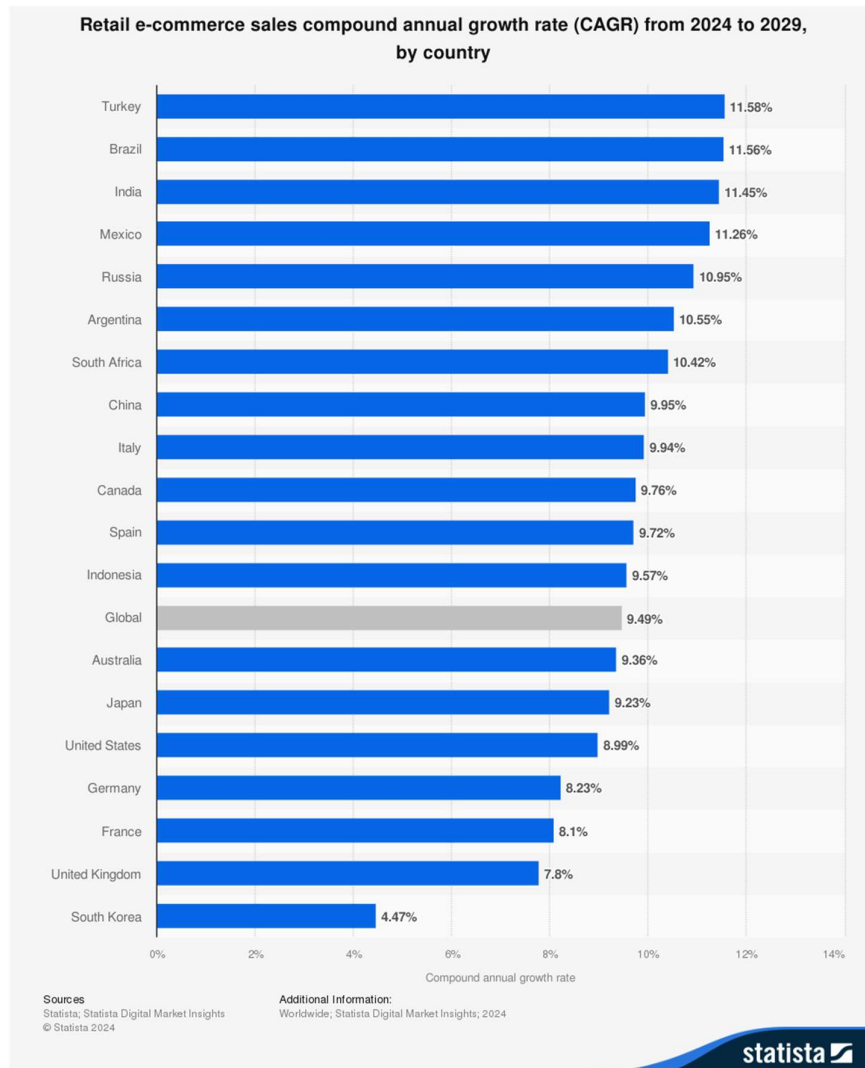
³ <https://www.statista.com/statistics/379046/worldwide-retail-e-commerce-sales/#statisticContainer> (Accessed on 10/10/2024)

⁴ <https://www.statista.com/statistics/792047/india-e-commerce-market-size/> (accessed on October 10, 2024)

⁵ <https://www.statista.com/statistics/255146/number-of-internet-users-in-india/> (accessed on October 10, 2024)

⁶ <https://www.statista.com/statistics/255146/number-of-internet-users-in-india/> (accessed on October 10, 2024)

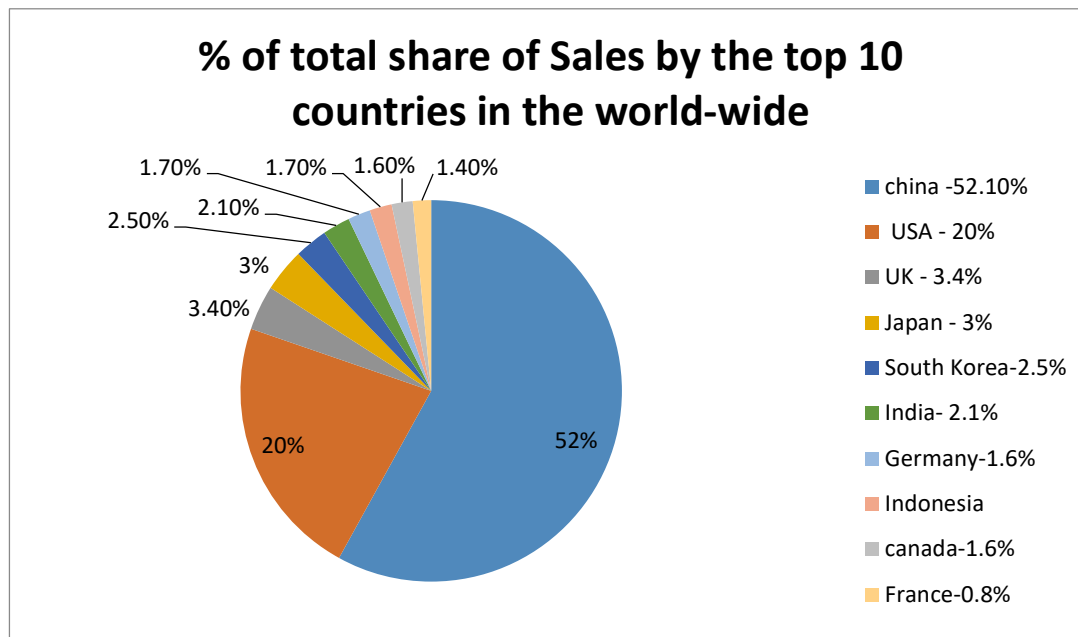
⁷ Statista. (June 10, 2024). Retail e-commerce sales compound annual growth rate (CAGR) from 2024 to 2029, by country [Graph]. In *Statista*. Retrieved October 12, 2024, from <https://www-statista-com.xlrj.remotexs.in/forecasts/220177/b2c-e-commerce-sales-cagr-forecast-for-selected-countries>.



LARGEST E-COMMERCE MARKETS WORLDWIDE

E-commerce is a global phenomenon, growing rapidly in almost all the countries worldwide. It is providing a greater share in a country's economy. China has become the world's biggest e-commerce market with a 52.1% share of all e-commerce sales worldwide. It is followed by United States of America with a 20.1% share and United Kingdom with 3.5% share of all e-commerce retail sales worldwide. With a projected digital sales growth, India is at 6th place with 2.1% share.⁸

⁸ <https://www.business.com/articles/10-of-the-largest-ecommerce-markets-in-the-world-b/> (Accessed on October 10, 2024)



source: *business.com*, May 2024⁹

CONSUMER PROTECTION IN THE CONTEXT OF ELECTRONIC COMMERCE

Consumer protection is a burning issue in e-commerce throughout the globe. Various aspects like intermediary liability, product liability insurance, privacy, warranty, customer service etc., need to be dealt in protecting the interests of the customer. Laws governing consumer rights protection plays a major role in trusting the e-commerce business.

Organization for Economic Cooperation and Development (OECD) and The United Nations Conference on Trade and Development (UNCTAD) are two global consumer protection agencies that promote healthy and competitive international trade. They have pressed the importance of consumer protection in relation to e-commerce transactions. They have taken certain measures in assisting the member governments and policymakers to develop and implement online consumer protection mechanisms. OECD has framed certain guidelines to help ensure that consumers are no less protected when shopping on line. The two important, among other, guidelines by OECD are to build consumer trust/confidence in e-commerce, the continued development of transparent and effective consumer protection mechanisms is required to check fraudulent, misleading, and unfair practices online and all stakeholders-government, businesses, consumers, and their representatives must pay close attention to creating effective redress systems¹⁰. UNCTAD is focusing on building the capacity of the lawmakers and policymakers at international and regional levels in understanding the underlying principles of e-commerce and improving E-commerce legislations by conducting workshops and training programs. UNCTAD 'E-commerce and Law Reform Programme' has supported developing countries in Africa, Asia and Latin America in their efforts to establish legal regimes and offer legal protection for users and providers of e-commerce and e-government services. UNCTAD also developed a cyberlaw tracker which is regularly updated and maintained. Launched in March 2015, the Global Cyber-law Tracker is the first online tool that maps cyber laws globally, focusing on e-transaction laws, cybercrime laws, data protection laws and the protection of consumers online¹¹.

A recent detailed information related to international fraud report revealed that there is a \$227.4 Million USD losses due to the online fraud in 2021. 84% of the cases reported have faced losses and the losses majorly happened

⁹ <https://www.business.com/articles/10-of-the-largest-ecommerce-markets-in-the-world-b/> (Accessed on October 10, 2024)

¹⁰ Guidelines for consumer protection in the context of electronic commerce. <https://www.oecd.org/sti/consumer/34023811.pdf> (Accessed on October 10, 2024).

¹¹ <https://unctad.org/topic/ecommerce-and-digital-economy/ecommerce-law-reform/summary-adoption-e-commerce-legislation-worldwide> (Accessed on October 10, 2024)

on online shopping.¹²

International online fraud report:

Year	Total reports	Total loss (US\$ Million)	Reported loss (%)
2024 (Quarter-II as updated on June 30, 2024.)	6436	37.67M	76%
2023	26178	172.8M	82%
2022	26079	194.8M	83%
2021	36,771	227.4M	84%
2020	60,835	211.6M	85%
2019	37,,115	149.2M	77%

Data compiled from: <https://public.tableau.com/app/profile/federal.trade.commission/viz/eConsumer/Infographic>
(Accessed on October 10, 2024)

This gradual increase in number of frauds worldwide, call attention to a global cooperation in curtailing online frauds by joint initiatives at the international level among businesses, consumer representatives and governments. Organizations like Consumer International (CI) and International Consumer Protection and Enforcement Network (ICPEN) are taking initiatives to educate the consumers in relation to online product safety, consumer rights, e-commerce legislations etc.

A survey of Consumers International members in 2019 across 89 countries, revealed that - in 40% of countries there is no product safety agreement between national authorities and online market places and only 12% of online platforms have provided a dedicated contact point for authorities to report unsafe products. Only 8% have standardized forms for sharing information about unsafe products.¹³

The International Consumer Protection Enforcement Network (ICPEN) is a membership organization consisting of consumer protection law enforcement authorities from across the globe. ICPEN shares information about cross-border commercial activities that may affect consumer interests and to encourage international cooperation and collaboration among consumer law enforcement agencies in this scope. By encouraging cooperation between agencies ICPEN aims to enable its members to have a greater impact with their consumer laws and regulations. India's consumer protection authority is a partner in this organization since 2019. The course of action of ICPEN to achieve their objective¹⁴ is through:

1. Generating and sharing information and intelligence on consumer protection issues.
2. Sharing best practice in legislative and enforcement approaches to consumer protection.
3. Taking action to combat cross-border breaches of consumer protection laws.
4. Identifying and promoting measures for effective consumer protection enforcement.
5. Promoting and encouraging wider participation, coordinated work, communication and cooperation with other consumer protection enforcement organizations or agencies.
6. Facilitate cross-border remedies.

CONSUMER PROTECTION LEGISLATIONS

India is one of the fastest growing countries in the field of e-commerce business. With this rapid growth, as a part of BRICS¹⁵ countries, India has focused on the protection of customers in respect to online shopping. In the context of accelerated development of the ecommerce sector and increased volume of online transactions worldwide, the BRICS nations resolved to enhance cooperation through the BRICS E-commerce Working Group.¹⁶

The level of consumer protection varies depending on country specific circumstances and legislations,

¹² <https://public.tableau.com/app/profile/federal.trade.commission/viz/eConsumer/Infographic> (Accessed on October 10, 2024)

¹³ Consumers International Guidelines for Online Product Safety, 2021

¹⁴ <https://icpen.org/initiatives> (Accessed on October 10, 2024)

¹⁵ Brazil, Russia, India, China and South-Africa

¹⁶ <https://brics2021.gov.in/brics/public/uploads/docpdf/getdocu-44.pdf>

but a minimum level of consumer protection addressing the specificities of e-commerce transactions could increase the confidence of consumers in e-commerce and promote its increased acceptance. The Consumer Protection Act, 2019 was amended in this regard and included provisions related to the product liability, e-commerce rules & regulations-2020, Central Consumer Protection Council Rules, Alternate Dispute Resolution mechanism of Mediation for early settlement etc.,.

Being on the top with highest retail e-commerce sales worldwide in 2021, China has enacted legislation – ‘E-Commerce Law of the People’s Republic of China’ which came into effect from January 1, 2019. With a total no. of 89 Articles, the legislation has provisions related to issues of counterfeit goods, consumer fraud, privacy, intellectual property (IP) theft, tax evasion and promotion of competition and consumer protection. ‘Law of the People’s Republic of China on Protecting Consumers’ Rights and Interests’ is a 2013 enactment formulated ‘to protect the legitimate rights and interests of consumers, maintain socioeconomic order and promote the healthy development of the socialist market economy’.¹⁷

The second on the chart with 19% share of total retail e-commerce sales worldwide¹⁸, the United States of America has a comprehensive legislation ‘Federal Trade Commission Act, 1914’. The Federal Trade Commission Act works in conjunction with the Sherman Act and the Clayton Act. The Sherman Act, 1890 and the Clayton Act, 1914 are Anti-trust laws, which were enacted with a primary object of ‘protecting the process of competition for the benefit of consumers, making sure there are strong incentives for businesses to operate efficiently, keep prices down, and keep quality up.’ Any contract, combination, or conspiracy in restraint of trade will be declared illegal or banned under Sherman Act and also monopolization or any attempted monopolization, or conspiracy or combination to monopolize is declared illegal by the Sherman Act. Unfair methods of competition and unfair or deceptive acts or practices are dealt under Federal Trade Commission Act. The Supreme Court of USA said that all violations of the Sherman Act also violate the Federal Trade Commission Act. The Clayton Act addresses mergers and interlocking directorates (that is, the same person making business decisions for competing companies) which are not clearly dealt or prohibited under Sherman Act.

According to the Clayton Act mergers and acquisitions where the effect ‘may be substantially to lessen competition, or to tend to create a monopoly’ are prohibited.¹⁹

MEASURES TAKEN FOR CONSUMER PROTECTION

- *Provisions related to Product Liability as part of Consumer Protection:*

"Product liability" means the responsibility of a product manufacturer or product seller, of any product or service, to compensate for any harm caused to a consumer by such defective product manufactured or sold or by deficiency in services relating thereto.²⁰ India, for the first time, has introduced the concept of ‘product liability’²¹ in the Consumer Protection Act in 2019 legislation and a claim for product liability action lies against the product manufacturer, product seller or product service provider, as the case may be.²² India has also under Consumer Protection (E-Commerce) Rules, 2020, expressly made ‘inventory e-commerce entities’ liable²³ in case the authenticity of the goods or services vouched is not met or unfulfilled.

Further, inventory e-commerce entity shall take back the goods or refund consideration, if paid, if such goods or services are defective or doesn’t meet the quality or characteristics or features as advertised or as agreed to.²⁴

China has taken extensive measures in related to product liability. It has enacted ‘Product Quality Law’ in the year 1993. *This Law is enacted to strengthen the supervision and control over product quality, to improve product quality, to define the liability relating thereto, to protect the legitimate rights and interests of consumers*

¹⁷ Article 1 of Law of the People's Republic of China on Protecting Consumers' Rights and Interests, 1993

¹⁸ <https://www.emarketer.com/content/top-global-ecommerce-markets> (Accessed on October 10, 2024)

¹⁹ Section 7 of The Clayton Act.

²⁰ Sec.2(34) of The Consumer Protection Act, 2019.

²¹ Sec.2(34) of The Consumer Protection Act, 2019.

²² Sec.2(6) clause vii of The Consumer Protection Act, 2019.

²³ Rule 7(5) Consumer Protection (E-Commerce) Rules, 2020

²⁴ Rule 7(4) Consumer Protection (E-Commerce) Rules, 2020

*and to safeguard the social and economic order.*²⁵ Under this enactment, the state officials, appointed for this purpose, has the authority to supervise and inspect the quality of the products.

The producers²⁶ and sellers²⁷ have an obligation to check the quality of the product before they release into the market and they are made liable for product quality in accordance with the Product Quality Law.²⁸ The seller has to pay compensation if the consumer faces any loss and in other cases, he is made responsible for repair, or change, or refund.²⁹ If the consumer faces any damage to human life or property due to the defective product, then the producer of such defective product is made liable to pay compensation.³⁰ E-Commerce Law of the People's Republic of China states that the e-commerce operators shall assume liability for the product and service quality and directs that they shall accept supervision by governments and society.³¹

There are provisions in relation to the product liability under 'Law of the People's Republic of China on Protecting Consumers' Rights and Interests'. Consumers have the right to quality assurance under the right of fair trade.³² This Act has put an obligation on the business operators to abide to the provisions of 'Product Quality Law of the People's Republic of China-1993', while providing commodities or service to consumers.³³

In case the business operators commit any act mentioned under Art.50³⁴ 'Law on Protecting Consumers' Rights and Interests', they will be punished under 'Law of the People's Republic of China on Qualities of Domestically Produced Products' and other relevant laws and regulations concerning the organs and methods of punishment shall apply. Foreign Trade Law,1994 of the People's Republic of China has imposed an obligation on the foreign trade operators to ensure the quality of commodities, and perfect the service after selling.³⁵ This measure of making foreign trade operators liable for the product quality is one prime inclusion by china related to the product quality.

The United States of America has established Consumer Protection Safety Commission under the Consumer Protection Safety Act, 1972 and has empowered the commission to make rules related to the consumer product safety.³⁶ The main objectives of the Consumer Protection Safety Act, 1972 are:

1. To protect the public against unreasonable risks of injury due to consumer products;
2. To assist consumers in evaluating the comparative safety of consumer products;
3. To develop uniform safety standards for consumer products and to minimize conflicting State and local regulations; and

²⁵ Article 1 of Product Quality Law of the People's Republic of China, 1993.

²⁶ Sec(1)Art.14 of Product Quality Law of the People's Republic of China, 1993.

²⁷ Sec(2) of Product Quality Law of the People's Republic of China, 1993.

²⁸ Article 3 of Product Quality Law of the People's Republic of China, 1993.

²⁹ Article 28 of Product Quality Law of the People's Republic of China, 1993.

³⁰ Article 29 of Product Quality Law of the People's Republic of China, 1993.

³¹ Article 5 of E-Commerce Law of the People's Republic of China.

³² Article 10 of Law on Protecting Consumers' Rights and Interests, 1993.

³³ Article 16 of Law on Protecting Consumers' Rights and Interests, 1993.

³⁴ (1) Producing or selling commodities not in conformity with the personal and property safety requirements;
(2) Putting impure or fake materials in the commodities, selling fake and inferior goods as genuine and quality goods, or passing substandard commodities as qualified ones;
(3) Producing commodities which have been ordered stopped by the state, or selling commodities that have expired and deteriorated in quality;
(4) Falsifying place of production; falsifying or using other's factory name and address; or falsifying or using certification, brand name, and other quality marks;
(5) Selling products that fail to go through necessary inspection and vaccination or falsifying the result of inspection and vaccination;
(6) Making misleading, false propaganda on commodities or service;
(7) Deliberately procrastinate or reject without reason consumers' request for repair, reprocessing, replacing, returning, replenishing the commodities; their request for refund; and their request for compensation;
(8) Infringing on consumers' personal dignity or encroaching on their personal freedom;
(9) Other acts that infringe on consumers' rights and interests punishable under the provisions of laws and regulations.

³⁵Article.12 of Foreign Trade Law,1994

³⁶ 15 U.S.C. §§ 2051-2089 of chapter 47- Consumer Product Safety.

4. To promote research and investigation into the causes and prevention of product-related deaths, illnesses, and injuries.³⁷

To meet the above-mentioned objectives, the Consumer Protection Safety Commission can make mandatory consumer product safety rules. In spite of the authority of the Consumer Protection Safety Commission to make the rules, the Consumer Protection Safety Act requires the commission to carry over with the voluntary consumer product safety standards rules, made by the private entities, as long as they meet the requirement of eliminating or reducing the risk of injury and comply with the standards. The major legislative amendment to the Consumer Protection Safety Act occurred in 2008, with the enactment of the Consumer Product Safety Improvement Act of 2008 (CPSIA).³⁸ The major change that brought forward was that the requirement of making mandatory consumer safety rules by the Consumer Product Safety Commission in respect to certain products. Commission passed mandatory consumer safety rules for “durable infant or toddler product(s),”³⁹ certain kids’ toys,⁴⁰ and all terrain vehicles.⁴¹

The Federal Trade Commission is an independent federal agency established under Federal Trade Commission Act, 1914.⁴² The primary goal is to afford consumers a deception-free marketplace and provide the highest quality products at competitive prices.

- *Provisions related to curtailment of unfair and deceptive trade practices as part of Consumer Protection*

Under Section 5(a) of the Federal Trade Commission Act⁴³, prohibits “unfair or deceptive acts or practices in or affecting commerce.” Federal Trade Commission has authority to declare prohibition against all persons engaged in commerce, including banks. Federal Trade Commission Act has not defined the ‘unfair or deceptive acts or practices’ but authorized Federal Trade Commission⁴⁴ to define the term. Federal Trade Commission keeping in view of the primary objective of Federal Trade Commission Act i.e., prevention of unjustified consumer injury, explained an act or practice is unfair where it (1) causes or is likely to cause substantial injury to consumers; (2) cannot be reasonably avoided by consumers; and (3) is not outweighed by countervailing benefits to consumers or to competition. Restore Online Shoppers’ Confidence Act, 2010 lays down prohibition against certain unfair and deceptive Internet sales practices.⁴⁵ Restore Online Shoppers’ Confidence Act, 2010 is enacted to protect the online customers from the aggressive tactics played by the online marketers or companies. According to this Act, the marketers shall disclose the material terms of the transaction clearly and conspicuously, before obtaining billing information. They shall also obtain express informed consent before charging the consumer and provide a simple mechanism for the consumer to stop recurring charges. These kind of regulations helps in restricting the deceptive practices of the sellers.

China has legislation related Unfair Competition- ‘Law Against Unfair Competition-1993’, enacted in a view to safeguard the lawful rights and interests of business operators and consumers, encourage and protect fair competition, and repress unfair competition acts. According to this Act, ‘A business operator may not, against the will of purchasers, conduct tie-in sale of commodities or attach any other unreasonable conditions to the sale of their commodities.’⁴⁶ This provision facilitates in the protecting the interests of the consumers by restricting the business operator from attaching any unreasonable conditions to the sale without the purchasers will our consent. It curtails the unjust behavior or practices of the sellers or business operators, allowing the customers to enjoy their right of free trade.

³⁷ 15 U.S.C. § 2051(b) of chapter 47- Consumer Product Safety.

³⁸ Pub. L. No. 110-314, 122 Stat. 3016 (2008) (codified as amended in scattered sections of 15 U.S.C.)

³⁹ 15 U.S.C. § 2056a of chapter 47- Consumer Product Safety.

⁴⁰ 15 U.S.C. § 2056b of chapter 47- Consumer Product Safety.

⁴¹ 15 U.S.C. § 2089 of chapter 47- Consumer Product Safety.

⁴² 15 U.S. Code §41 of Chapter 2 - Federal Trade Commission; Promotion Of Export Trade And Prevention Of Unfair Methods Of Competition

⁴³ 15 U.S.C. §45

⁴⁵ 15 U.S.C. § 8402 Of Chapter 110 - Online Shopper Protection.

⁴⁶ Article 12 of Law of the People's Republic of China Against Unfair Competition, 1993.

In context to Indian legislation, the rules relating to unfair trade practices are considered and incorporated in the year 2020.⁴⁷ According to Consumer Protection Act,2020, 'Unfair trade practice' means a trade practice which, for the purpose of promoting the sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice.⁴⁸ This enactment has laid down provision⁴⁹ for the establishment of Central Consumer Protection Authority to regulate matters relating to violation of rights of consumers, unfair trade practices etc.,. The Consumer Protection Act,2020, has taken into consideration of the statistics relating to cyber-crimes or unfair practices in the e-commerce and added a provision⁵⁰ in order to prevent unfair trade practices in e-commerce, direct selling, etc. Sec .94 enables the central government to take appropriate measures for preventing unfair trade practices in e-commerce, direct selling and also to protect the interest and rights of consumers.

Under Consumer Protection (E-Commerce) Rules, 2020, it is declared that any e-commerce entity shall not adopt any unfair trade practice, whether in the course of business on its platform or otherwise.⁵¹

CONCLUSION:

The consumer satisfaction and trust can be considered as prime factors in relation to the online shopping. Stringent legislations in punishing the wrongdoers and simplified grievance redressal mechanisms can help the consumers to shop more through online. In addition to the offers given by the e-commerce marketers, it is the effective legislations that can help in the growth of e-commerce business. Governments shall commit themselves to enact comprehensive legislations for the support of the e-commerce business. When compared with the China and USA, it can be concluded that India is less advanced in considering the aspects related to the consumer protection and e-commerce business. For example, the concept related to product liability was included by China in 1993 and USA in 1972, but India has incorporated in 2020. China has a comprehensive legislation related to the consumer protection. It has considered the concept of consumer protection in almost all the trade related legislations. On the other side, USA too has very strict legislations for the protection of consumer rights and interests. It has various enactments like Consumer Credit Protection, Consumer Product Safety, Consumer Product Warranties Children's Bicycle Helmet Safety, Children's Online Privacy Protection, Promoting a Safe Internet for Children etc.,. China and USA have enactments and incorporated provisions related to Intellectual Property Rights in trade. To encourage e-commerce growth in these days of digitalization, it is very important for India to have better legislations against the online frauds.

⁴⁷ Consumer Protection Act,2020 and Consumer Protection (E-Commerce) Rules, 2020.

⁴⁸ Sec2(47) of Consumer Protection Act,2020

⁴⁹ Sec10 of Consumer Protection Act,2020.

⁵⁰ Sec 94 of Consumer Protection Act,2020.

⁵¹ Rule 4(3) of Consumer Protection (E-Commerce) Rules, 2020.