



## A Study on Consumer Protection in E-Commerce with Reference to Nagpur City (2020)

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**Abstract:**

*In this current era of technological advancement and upgradation, the modes of carrying out business have also moved a step ahead in with regards to technological utilisation. With the help of latest gizmos, people are learning and adapting to highly competitive business environment. The world has shrunk with the availability of internet and digitalization. The traditional trading has been replaced with electronic business which has been coined as e-commerce. It has given way for revolution in the traditional business models making the business work in a paperfree manner, use of electronic fund transfers, electronic data interchange and so on.*

*Now a days more and more consumers are preferring online shopping over traditional shopping. But there are a large number of malpractices emerging related to E- business. In order to protect consumers from the purview of risk, government has taken various initiatives in this direction.*

*The paper mainly focuses on Consumer Protection with regards to E-commerce in India and Consumer Grievance Redressal Procedure. This paper also highlights on the E- commerce in Indian scenario with focus on Nagpur city and further on challenges faced in E-commerce.*

**Key words:** *technological utilisation, digitalization, online shopping*

### 1. INTRODUCTION

**E-COMMERCE:** Electronic commerce or commonly known as E-commerce is a term for any type of business or commercial transaction that involves the transfer of information and data across the Internet. The concept of e-commerce includes various activities such as the electronic exchange of goods and services, instant delivery of digital content, business plans, collaborative design and engineering, electronic stock exchanges, direct marketing, services after the sales and more through various sites varying from consumer based retail sites. E-commerce draws on technologies such as mobile commerce, Internet marketing, supply chain management, online transaction processing, electronic funds transfer, electronic data interchange (EDI), inventory management systems, and automated data collection systems. The terms e-commerce and e-business are often used interchangeably. In simple



words E-commerce denotes to the method of conducting business through electronic means rather through conventional physical means.

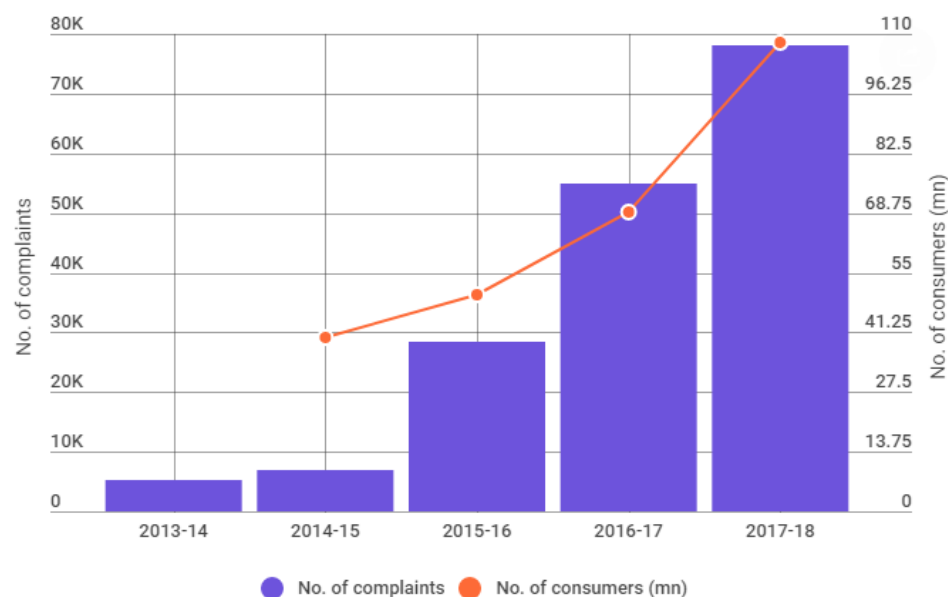
**INDIAN SCENARIO:**In the present Indian business environment, e-commerce occupies a significant position after passing through the various stages, which may be understood from the different phases of the evolution of e-commerce. Indian business sector has embraced the concept of E-commerce with open arms. This has benefitted the stakeholders in many ways by allowing people to work with convenience and ease. It has also allowed the users to save time in carrying out various activities of trade like banking and finance, supply chain management and inventory management. The marketing, selling and purchasing pattern of Indians is changing on a very fast pace with the coming of E-commerce.

The e-commerce industry in India has been on an upward growth trajectory and is expected to surpass the USA to become the second largest e-Commerce market in the world by year 2034. (Source: [https:// www.ibef.org](https://www.ibef.org)).

Indian consumers are increasingly moving away from cash and credit cards to e-wallets. e-Wallets are now widely used for day-to-day transactions at supermarkets, grocery stores, street vendors, tea stalls, petrol pumps, and even for taxis and auto-rickshaws. Consumers have benefited from convenient payment options and pricing benefits like cash-backs and discounts. Introduction of Unified Payments Interface (UPI) has created competition for mobile wallets. The Aadhar linking of wallets have tightened security issues.

The booming sector of e-commerce has also come across various malpractices leading to complaints from consumers. E-commerce has registered the highest number of grievances at NCH, totalling 76,615 dockets for the fiscal year 2017-18.

Number of complaints against e-commerce companies and the growth of online consumers:



<https://infogram.com/ecomindia2-1h9j6q8kmq9e6gz>



### **Complaints of the e-commerce industry in India:**

Most complaints against e-commerce companies pertained to spurious products, problems in exchange and delayed delivery, while grievances against telecom companies were related to overbilling, data deduction and connectivity problems.

The ministry of consumer affairs has registered one in every five complaints against an e-commerce company, with the highest number of complaints on its national helpline against home grown e-commerce giant Flipkart in the financial year 2020. The helpline also noted a high number of complaints against another home grown brand Reliance Jio and global e-commerce giant Amazon.

Apart from e-commerce, banking and telecom involved large numbers of grievances. More than half a million complaints filed so far in 2020, more than 100,000 were against e-commerce companies. While 41,600 complaints against banks, followed by telecom with 29,400 complaints. In 2019, e-commerce companies accounted for over 100,000 of the 565,000 complaints filed.

## **2. RESEARCH METHODOLOGY:**

### **Research Design: Type of Study**

This research tries to study Consumer Protection with regards to E-commerce in India and describe the opinion of the respondents on the selected topic. Although the design is called as descriptive, the part of the study is also related to collection of secondary data; the study does include exploration which has helped in formulating the hypothesis and objectives of this research.

### **Objectives of the Study**

1. To study Consumer Protection with regards to E-commerce in India.
2. To study the Consumer Grievance Redressal Procedure.
3. To study the scenario of Consumer Grievance related to E-commerce in Nagpur city.
4. To study Challenges faced by consumers in E-commerce.

### **Hypothesis of the Study**

1. H1: There is a significant difference between the age of the consumer and fraud cases.
2. H2: There is a significant difference between the gender of the consumer and fraud cases.
3. H3: There is a significant difference between the age of consumer and complaint registered.
4. H4: There is a significant difference between the gender of consumer and complaint registered.

### **Scope of the Study**



The suggestion of the study is based on the responses given by the consumers in a specific region. This study will be helpful in getting an insight into the consumer protection scenario in consumers of Nagpur city.

### **Limitation of the study**

This study is undertaken in particular region and accurate results on the variables could not be obtained. There exists a scope to analyse the consumer protection on fraud cases for a wider geographic area and large sample size to obtain more accurate results.

### **Methods & Sources of Data Collection/Methods of Investigations:**

The present study is exploratory as well as diagnostic. The study is empirical in nature as it tries to collect the first hand information from the universe and analyze the same in the later stage.

For the purpose of the study both primary and secondary data have been used.

**Primary data:** Primary data is collected with the help of a structured questionnaire the same is finalized after conducting a pilot study.

1. Questionnaire Technique.
2. Personal interview.

**Secondary data:** The secondary data is collected from various published sources such as books, journals, newspapers, websites etc.

### **Sampling Technique –**

**Sampling Design:** Data is collected from both primary and secondary data through Questionnaire method, interviews. The Primary data is collected as already pre-tested schedules keeping in mind the objectives of the study. Total 100 customers are covered demographically.

**Sampling frame:** Individuals between below 20 years age to above 50 years.

**Sampling unit:** Individuals falling into class of student, service, business, housewife and retired in Nagpur city

**Sample area:** The venue of the present study was conducted in Nagpur city

**Sample size:** 100 respondents.

**Sampling method:** Simple random method

**Respondents:** Consumers buying through electronic medium

### **Tool of Data Analysis**

Data was collected through structured questionnaire by using non comparative scaling technique. Likert scaling is used in the questionnaire.

The data analysis and processing is analyzed on the basis of objectives by applying chi-square statistical techniques.

## **3. CONSUMER PROTECTION WITH REGARDS TO E-COMMERCE IN INDIA:**

### **CONSUMER PROTECTION RIGHTS:**



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*ISSN: 0474-9030, Vol-68, Special Issue-9*  
**International Conference On E-Business, E-Management,  
E-Education and E-Governance (ICE4-2020)**  
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In India, there are strong and clear laws to defend consumer rights but in reality the plight of consumers in India can be said as mostly dismissal. There are various laws that protect the consumer interest but the most important is Consumer Protection Act, 2019.

All the consumers that include individuals, firms, companies and Hindu undivided family according to the law have the right to exercise their rights. The consumer rights as per Consumer Protection Act, 2019 are listed below:

1. Right to be protected against the marketing of goods, products or services which are hazardous to life and property;
2. Right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, as the case may be, so as to protect the consumer against unfair trade practices;
3. Right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices;
4. Right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora;
5. Right to seek redressal against unfair trade practice or restrictive trade practices or unscrupulous exploitation of consumers; and
6. Right to consumer awareness.

**CONSUMER PROTECTION LAWS:**

1. **Indian Information Technology Act and E-Commerce:** Information Technology Act, 2000 is another functional and comprehensive legislation which provides a legal framework for e-commerce which gives legal recognition to electronic records and electronic signature. These are the foremost steps to facilitate paper less trading. Under this Act Ministry of Electronics & Information Technology also has Information Technology Rule, 2000 for Reasonable security practices and procedures and sensitive personal data or information.
2. **Consumer Protection Act, 2019:** Consumer Protection Act, 2019 has recently replaced the three decade old Consumer Protection Act, 1986. The new Act proposes a slew of measures and tightens the existing rules to further safeguard consumer rights. Some of the key highlights are introduction of a central regulator, strict penalties for misleading advertisements and guidelines for e-commerce and electronic service providers.

Few amendments in the act since its formulation in 1986 until 2019:





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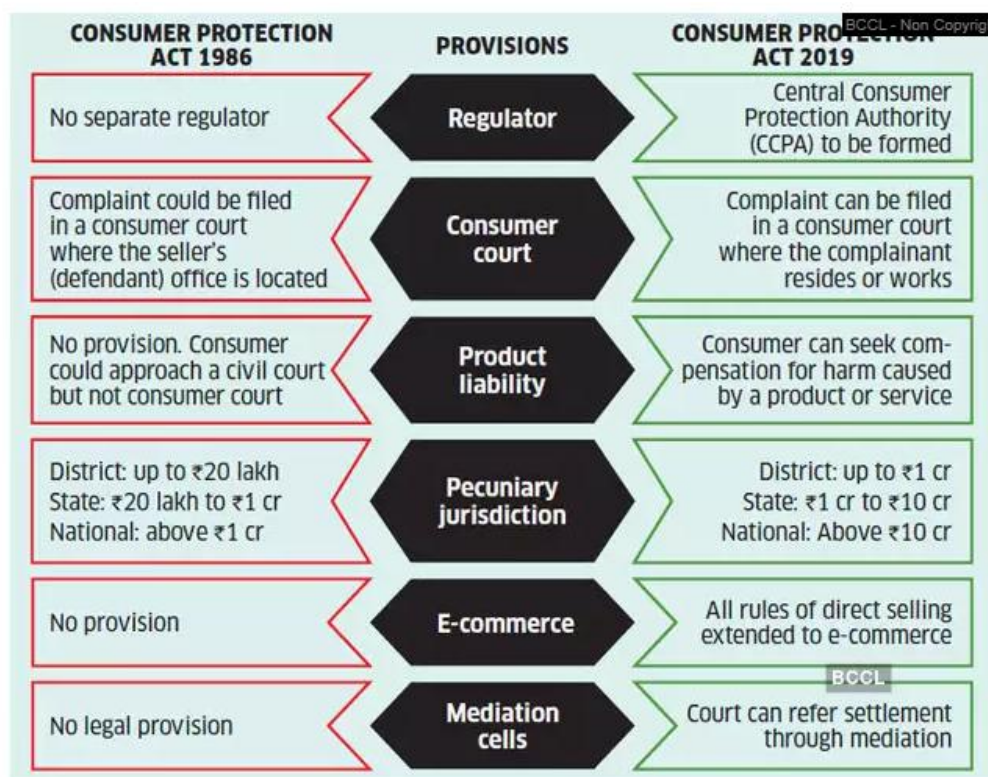
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3. **THE OCMC:** The Online Consumer Mediation Centre (OCMC) (2016-17) aims to provide a state-of-the-art infrastructure for resolving consumer disputes both through physical and online mediation through its platform. One can create an account and file a complaint in OCMC. The mediators appointed by OCMC address the issue and try to settle the matter amicably.

The Department of Consumer Affairs issued guidelines on E-commerce on August 02, 2019. The guidelines have been floated by the Department for the sake of frequent use of E-commerce websites in our day-to-day lives and subsequent vulnerability of consumer interests. The government is taking various steps to safeguard the rights of the consumers and the e-retailers by various means:

1. **Integrated Consumer Grievance Resolution System (ICGRS) through National Consumer Helpline (NCH):** The National Consumer Helpline (NCH) is the grievance redressal mechanism of the Department of Consumer Affairs, Govt. of India, New Delhi. NCH receives enquiries and grievances from consumers across the country who are facing problems in their day-to-day dealings with business and service providers. It is a project under the Jago Grahak Jago campaign, and has been in existence for the last 14 years.
2. **Integrated Grievance Redressal Mechanism (INGRAM):** In August 2016, the Department of Consumer Affairs, Govt. of India increased the capacity to 60 telephone lines, and launched a web based portal - Integrated Grievance Redressal



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ISSN: 0474-9030, Vol-68, Special Issue-9

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mechanism (INGRAM - [www.consumerhelpline.gov.in](http://www.consumerhelpline.gov.in)) for consumer grievances and enquires - be it defective products, deficiency in service or unfair trade practices, and includes queries of the vast array of consumer sectors. Since January 2019, the Project has been re-named 'Integrated Consumer Grievance Resolution System through National Consumer Helpline (ICGRS).'

3. **NCH App:** Department of Consumer Affairs launched the NCH App on 22nd January 2019 for Consumers in India to provide a facility to file their grievance against defaulting Service Providers.
4. **SMS:** This facility is essentially for consumers who are not able to connect to the NCH toll free number (1800114000 or 14404) during working hours or for any other reason. They can send an SMS on 8130009809 mentioning their name and city. NCH calls them the next working day and registers their grievance on the INGRAM portal.
5. **Web Chat:** This facility has been provided since 2017, and is a system that allows users to communicate in real time using easily accessible web interfaces. The objective of having a Web chat is to facilitate consumers to get answers to enquiries for consumer issues, as well as related information.
6. **Zonal Consumer Helplines:** In October 2017, The Department of Consumer Affairs took the initiative and set up Six Zonal Consumer Helplines to deal with consumer issues in local languages across India in the following zones. In 2018-19, in totality 1,57,361 dockets were registered through Zonal Consumer Helpline.
7. **Centralized Public Grievance Redress and Monitoring System (PG Portal):** Centralized Public Grievance Redress and Monitoring System is a web based grievance handling system in which aggrieved citizens can register their grievances from anywhere and anytime.
8. **UMANG App (Unified Mobile Application for New-age Governance):** On 15th November 2018, Department of Consumer Affairs launched Umang App to register consumer grievances. UMANG is a Government of India Initiative, developed by the Ministry of Electronics and Information Technology (MeitY) and National e-Governance Division (NeGD).
9. **Convergence / ADR:** 'Convergence Program' is a flagship programme of NCH – the unique Alternate Dispute Resolution (ADR) system adopted at the Pre-litigation level itself. This ADR Process is between the Company – in the private or public sector and NCH.

Number of complaints registered in India in October-2019:

### SECTOR-WISE DOCKETS:

Type-Queries/Grievances	No. of Registered Dockets	%
<b>Grievances</b>	<b>61,662</b>	<b>87</b>
<b>General Enquiries</b>	<b>9,404</b>	<b>13</b>
<b>Total</b>	<b>71,066</b>	<b>100</b>



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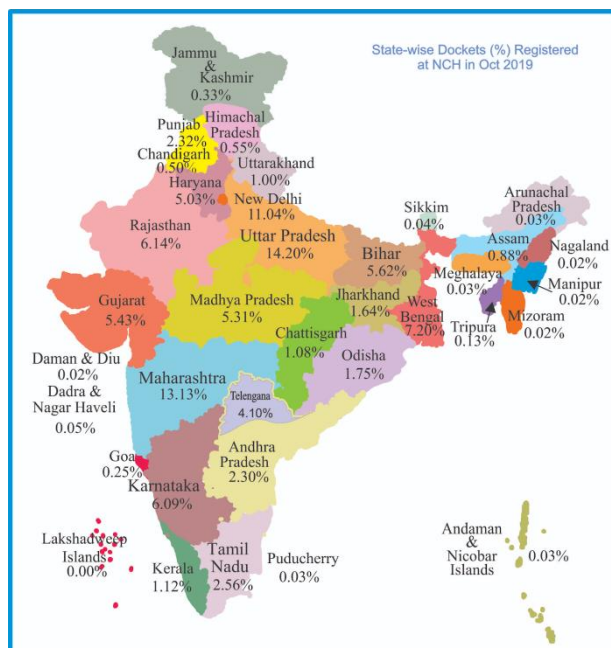
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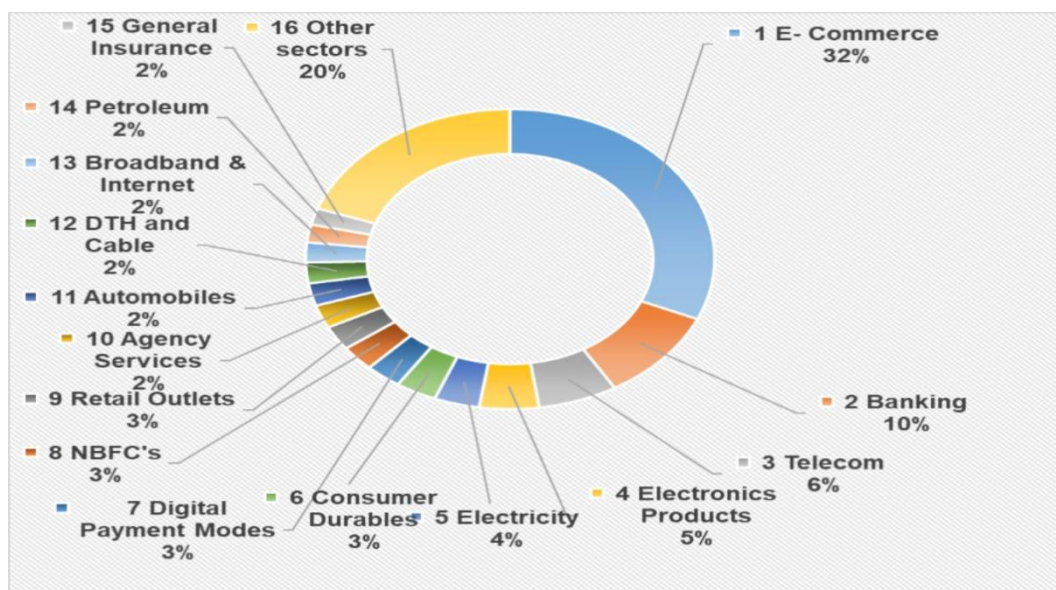
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### Sector Wise consumer complaints registered in India:

Majority of the grievances are received from the sectors of E-commerce, Banking, Telecom, and Electronic products, DTH & Cable, Consumer Durables, Electricity and Digital Payment Modes. The top 15 sectors for which grievances are received for Oct-2019 is given below:



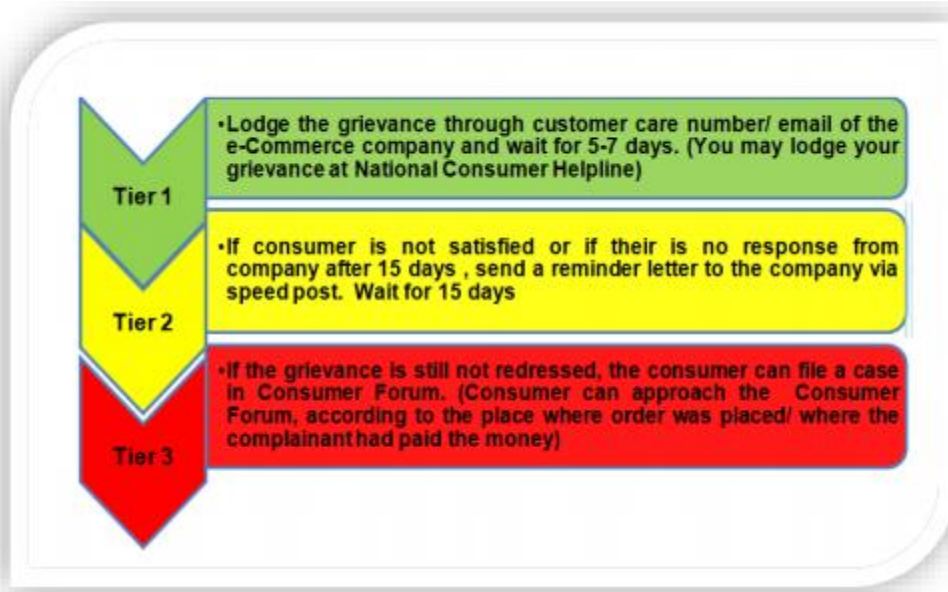
Source: National Consumer Helpline

### CONSUMER GRIEVANCE REDRESSAL MECHANISM OF E – COMMERCE SITES





NCH Three Tier Approach advises, guides and handholds consumers to get their grievance redressed. NCH advise depends on the stage exhausted by complainant and the resolution expected by the consumer. NCH follows a 3 step approach.



### GROUND FOR FILING A COMPLAINT:

One can file a complaint against the e-commerce websites, if it fails to

- Remove the defective good.
- Replacement of the defective good.
- Return of price in case of discrepancy.
- Discontinue any form of restrictive trade practice.

**PROCEDURE FOR COMPLAINT:** One can file a complaint in any one of the consumer forums, under the Consumer Protection Act, 1986 (unfair trade practices). The consumers can also approach the OCMC, in order to get speedy relief for their grievances.

**Online Consumer Mediation Centre (OCMC):** The OCMC abides to the Online Consumer Mediation Centre Mediation Rules, 2016. It mentions the protocol to be followed in a proceeding by both the mediator and the participants with confidentiality which will be maintained. Rule 15 of the OCMC Rules states in detail about the privacy to be maintained.

STEP 1- Complainant has to do Registration with OCMC/Sign in

STEP 2 – Then select E-commerce Company against whom he wants to file a complaint from amongst the list of e-commerce companies provided by OCMC.

STEP 3 – Payment-The registration fee shall be applicable to ONE CASE only.

STEP 4 – Complaint Intake 1. On successful payment, the complaint intake form requires the following details to be filled



STEP 5 –Negotiation with the E-commerce Company

STEP 6 – Mediation 1. On choosing to settle the matter through mediation, OCMC appoints a third- party or mediator appointed by OCMC.

Complainants can also register their complaints through online line-

<https://consumerhelpline.gov.in/index.php>

#### **CHALLENGES FACED IN E- COMMERCE:**

The various challenges faced in the field of e-commerce are as follows:

1. **Authentication and Identification:** Different authentication technologies have come up over a period of time for verifying, authenticating documents and to ensure the identity of the parties entering into online transactions. This raises concerns of the person's identity and authenticity with respect to issues of the person's capacity, authority and legitimacy to enter the contract. Electronic signatures may be considered as one of the methods used to determine the authority and legitimacy of the person to authenticate an electronic record. Not only customers but even the retailers' identity is questionable.
2. **Security:** Security is another major issue related to e - commerce, consumers face a threat of phishing, where their personal information becomes easily accessible and is at a high risk of being used for unfair practices.
3. **Financial frauds:** Financial fraud has afflicted online businesses since their inception. Hackers make unauthorized transactions and wipe out the traces leading significant amounts of losses to businesses. Some fraudsters also file requests for fake refunds or returns which is a common financial fraud where businesses refund illegally acquired products or damaged goods.
4. **Bots:** Bots are the programmes that crawl the web and help the consumers rank the website in Search Engine Result Pages. However, there are exclusive bots developed to scrape websites for their pricing and inventory information. The hackers use such information to change the pricing of online store, or to garner the best-selling inventory in shopping carts, resulting in a decline in sales and revenue.
5. **Jurisdiction:** Jurisdiction plays an important role in safeguarding the interest of the consumers, the e- retailers and intermediaries many a times fails to provide security to the consumers as well as the company websites. As a result, the company websites and the consumers fall prey to malpractices like data pilferation.

#### **4. DATA ANALYSIS & FINDINGS**

##### **Hypothesis Testing:**

1. H1: There is a significant difference between the age of the consumer and fraud cases.

#### **Results**



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Frauds	Age					Row Totals
	below 20	20-30	30-40	40-50	50 & above	
Paid amount not refunded	4	6	4	5	6	25
Delivery of wrong/ defective product	3	3	6	4	4	20
Deficiency in Services/ unsatisfactory redressal	3	4	4	3	3	17
No delivery of product/ late delivery	2	3	3	3	4	15
Sale of poor quality/ fake products	0	1	1	0	1	3
Wrong promises	1	1	0	1	1	4
Not returning/refunding under replacement warranty	1	1	1	0	1	4
Promised offers/ not given	1	1	0	0	1	3
Product / product accessories missing	1	1	0	0	1	3
Miscellaneous	1	2	1	1	1	6
<b>Column Totals</b>	17	23	20	17	23	<b>100(Grand Total)</b>

Source: Primary Data

### Interpretation:

The chi-square statistic is 10.53984003. The p-value is 0.9999891645. The result is *not significant* at  $p < .05$ . Since the P-value (0.9999891645) is more than the significance level (0.05), we fail to reject the null hypothesis. P-value (0.9999891645) > significance level (0.05)

Thus, we conclude that there is no significant difference between the age of the consumer and fraud cases.

H2: There is a significant difference between the gender of the consumer and fraud cases.

Results			
Frauds	Gender		Row Totals
	Male	Female	
Paid amount not refunded	11	14	25
Delivery of wrong/ defective product	8	12	20



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Deficiency in Services/ unsatisfactory redressal	9	8	17
No delivery of product/ late delivery	9	6	15
Sale of poor quality/ fake products	1	2	3
Wrong promises	2	2	4
Not returning/refunding under replacement warranty	2	2	4
Promised offers/ not given	1	2	3
Product / product accessories missing	1	2	3
Miscellaneous	2	4	6
<b>Column Totals</b>	46	54	<b>100(Grand Total)</b>

Source: Primary Data

### Interpretation:

The chi-square statistic is 2.863818635345. The p-value is 0.96945003811. The result is *not significant* at  $p < .05$ . Since the P-value (0.96945003811) is more than the significance level (0.05), we fail to reject the null hypothesis. P-value (0.96945003811) > significance level (0.05)

Thus, we conclude that there is no significant difference between the gender of the consumer and fraud cases.

H3: There is a significant difference between the age of consumer and complaint registered.

Results						
Complaint	Age					Row Totals
	below 20	20-30	30-40	40-50	50 & above	
Registered	0	0	2	0	1	3
Not Registered	17	23	18	17	22	97
<b>Column Totals</b>	17	23	20	17	23	<b>100(Grand Total)</b>

Source: Primary Data

### Interpretation:

The chi-square statistic is 5.274167040191. The p-value is 0.260304965695. The result is *not significant* at  $p < .05$ . Since the P-value (0.260304965695) is more than the significance level (0.05), we fail to reject the null hypothesis. P-value (0.260304965695) > significance level (0.05)





Thus, we conclude that there is no significant difference between the age of consumer and complaint registered.

H4: There is a significant difference between the gender of consumer and complaint registered.

Results			
Complaint	Gender		Row Totals
	Male	Female	
Registered	2	1	25
Not Registered	44	53	6
Column Totals	46	54	100(Grand Total)

Source: Primary Data

### Interpretation:

The chi-square statistic is 0.531788325005. The p-value is 0.465855979443. The result is not significant at  $p < .05$ .

Since the P-value (0.465855979443) is more than the significance level (0.05), we fail to reject null hypothesis. P-value (0.465855979443) > significance level (0.05)

Thus, we conclude that there is no significant difference between the gender of consumer and complaint registered.

### Findings of the Study

- Analysis of data on the basis of Chi-square test shows that there is no difference between the age of customer and fraud cases.
- The study also reveals that there is no significant difference of fraud cases of e-shopping on males and females.
- By analyzing the collected data from the respondent using Chi-square test it is found that there is no difference between the age of consumer and complaint registered
- The study reveals that the occupation of the people is not associated with the kind of products they wish to buy through e-shopping.
- Finally, the present study shows that there is no significant difference between the gender of consumer and complaint registered.



## 5. CONCLUSION

The study concludes that E-Commerce is making a huge impact and has paved its way into most of the industries in India - travel, telecom, Direct selling and in Online Rentals, Home durables, Food and Pharmacy. Traditional markets have somewhere been replaced with online shopping; traditional banking has been replaced by internet banking to a very large extent and the traditional communication has been taken over by internet and mobile communication.

The study is made in a particular region of Nagpur city to understand the frauds encountered and complaints registered. The results of the study reveal that people use electronic medium to buy majorly electronic goods, consumer goods and various services. The study concludes that there is no significant difference between the age of customer and fraud cases. While there is no significant difference of fraud cases on males and females, both genders are more or less equally affected. The study shows that there is no significant difference between the age as well as gender of consumer and complaint registered.

There are various laws that protect the interest of the consumers but the most important is Consumer Protection Act, 2019 and Information Technology Act, 2000.

National Consumer Helpline (NCH) is the grievance redressal mechanism of the Department of Consumer Affairs with Jago Grahak Jago campaign. Majority of the grievances are received from the sectors of E-commerce, Banking, Telecom, and Electronic products, DTH & Cable, Consumer Durables, Electricity and Digital Payment Modes. Department of Consumer Affairs launched Umang App to register consumer grievances.

There exists various barriers in the field of e-commerce depending on the developmental stage of that particular economy like Authentication and Identification, Security, Financial frauds, Bots, Jurisdiction. Government needs to more meticulously exercise the consumer protection and judiciously execute the redressal mechanism procedure. More importantly, the consumers should be updated about their rights and get alert about electronic frauds to safeguard themselves. Thus, we can say that there is still a long way ahead for the future in the purview to protect consumers from perils of e-commerce and prove that the consumer is the king.

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ISSN: 0474-9030, Vol-68, Special Issue-9

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