

**E-COMMERCE LAW**

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**Pari Chauhan\*****ABSTRACT**

*This is a brief report about the development of e-commerce laws in India to maintain the good faith of consumers in the online market. The E-commerce market has seen a steep upward slope for over a decade and it even experienced a boom due to the recent COVID-19 pandemic that caused people to switch to online shopping means and methods. India as a country has been a part of the fastest-growing e-commerce market in the world. The commerce sector has been a great enabler of economic growth and development in the country. The UN commission adopted many policies regarding the e-commerce sector as well. E-contracts are another major aspect of this sector as well. These contracts are formed as if it was formed on paper and formed abiding by the Indian Contract Act, of 1872. The benefits of digital trade to business events consist of ease of access, nameless surfing of products, large choice, ease of buying from the pc, and extensive efficiencies. The risks consist of the capacity for invasion of privacy and safety risks. There also are questions concerning jurisdiction, standards, the safety of highbrow property, taxation, change regulation, and plenty of different issues. Nevertheless, the recognition of digital services and products has grown substantially. Some issues or challenges that still arise after having the above laws in place, as disputes between two parties involved in such trade are mainly:-*

- *The issue of whether e-contracts are validity*
- *The issue of jurisdiction*
- *The issue relating to privacy*
- *The issue relating to IPR*

*FDI policy in place in India focuses on e-commerce and governs it based on the following two models:-*

*Model-based on the marketplace:- In this, the platform online acts as a link between the buyer and seller. They help the seller in broadcasting and advertisement as well as sale and they help the buyer to understand the product like Naaptop, etc;*

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1. *The other model is an inventory model which basically means an online store that serves as an inventory for various brands to put their products there for sale. Which are then compared, chosen, and bought by customers like Myntraa or Aajio, etc;*

*The other law linked to e-commerce is the law of torts. Claims of defamation and forgery to cause harm through online platforms are filed under torts as a civil suit by the aggrieved party. There has been an increase in the number of fraudsters and frauds nowadays, which is also the next topic of focus in this report. And there are many types of fraud:-*

- *Telecommunication*
- *Debt elimination*
- *Nigerian*
- *Identity Theft*
- *Phishing, etc;*

*The cyber cell of Delhi police also produced some guidelines to follow precautions or safety measures. Recently there a new legal system of the ODR (Online Dispute Resolution) body has been made as an online or digital extension of ADR (Alternate Dispute Resolution). The three main functions of the ODR center are arbitration, mediation, and conciliation. And this is a faster, more efficient system that saves time and money and unnecessary rounds of the courthouse. Thus, we end this brief report by stating that the consumer is the king or the one who holds the superior authority, this statement in itself is a great reflection of how far the e-commerce laws have evolved and developed to make the consumer feel protected.*

## **INTRODUCTION**

The Internet has become an integral part of our lives, this right now is the era of the internet, data, and information. Whether it's to connect to someone or to order food or any item of necessity. And thus the various business practices were also not far from being influenced by the spell that the internet has cast. With this came the term we all have heard of, "e-commerce." E-commerce is the exchange of commodities and services. And in this report, we will focus on the legal aspect of it known as e-commerce law. E-commerce has been in the highlights for over a decade now yet it is still a sector that has yet to see much more development and progress. India has seen the fastest growth in the e-commerce sector and which in turn has led to the economic growth and development of the nation as a whole as well. The trade and commerce sector has been a major source of economic growth from ancient times and with the

development of e-commerce it has now become possible to broaden our horizon into the world of digital and electronic mediums as well. Online shopping, trade practices, and nowadays even education and jobs have become prevalent, and with this, the importance of having a set of rules or guidelines with regard to the aforementioned is much needed. The organization for economic cooperation and development (OECD) has also stated that this is a new era for trade and business practices which have evolved from on paper to digital platforms. From a small safety pin to a refrigerator or food or medicine, everything is now available to us at the top of our fingers due to the evolution of e-commerce. Sensing this rapid growth the next thing in order was to develop regulations, cyber laws, IT laws, etc. In the year 2000, the United Nations Commission on International Trade and Laws enacted the Information Technology act. Following this India also enacted the Information Technology (amendment) act in the year 2008. And the much needed user-friendly or consumer-friendly regulations were needed to make it at par with the offline trades. The consumer protection act was enacted in 1986 and was replaced by the 2019 amendment of the act. These acts provide or lay down the guidelines for the transaction of goods and services and different trade purposes. This is done to give legal recognition to all electronic and digital transactions and to act as a safeguard against unfair and fraudulent practices.

E-commerce has more than one definition given by various acts such as the Consumer Protection Act, 2019 which states that it is the buying and selling of goods and services over online platforms. Another definition given by the World Trade Organization (WTO) states that e-commerce is the development and sale of goods and services over digital and electronic means (Work Programme on Electronic Commerce, 1998).

Many recent studies have shown that the recent COVID-19 epidemic that we faced has increased the number of people using online platforms by double digits and it is still increasing per minute. The pandemic has changed the marketplace and the way people shop.<sup>1</sup> The main categories e-commerce can be divided into are:- consumers and business or business and business or business and government or consumer to consumer. And it has the potential to boost economic growth and development as well as increase quality of life.<sup>2</sup> Though at times it appears as though the rules and regulations serve as a barrier or hindrance to the business.

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<sup>1</sup> Tucay, K., 2021. E-Commerce amidst Covid-19. Available at SSRN 3823164.

<sup>2</sup> Marc Wilikens, Arnold Vahrenwald, Philip Morris, Out-of-court dispute settlement systems for e-commerce, JOINT RESEARCH CENTRE, 2, (2000)

But due to the principle of caveat emptor or buyers beware people are hesitant to trust online services and these regulations serve as a caveat venditor for the consumers.

The national e-commerce policy of 2019 laid down guidelines regarding digital transactions and to make equal opportunity for all MSMEs, businesses, start-ups, etc.

E-contracts are another important aspect of e-commerce only. These are contracts formed over emails or other apps or websites which sell products serving as an offer to the buyers. The supreme court in the case of Trimex International FZE vs. Vedanta Aluminium Limited<sup>3</sup> established the enforceability of e-contracts. They can be of click type or even shrink type or browse the type of contracts.

The IPR sector has also developed regulations such the section 23 of the Copyright Act, of 1957.<sup>4</sup> And other provisions under the World Intellectual Property Organization (WIPO), and other international agreements and conventions such as the Berne Convention, Paris convention, etc. With the rise in online businesses people are making websites for said businesses and making sales. But this profit also brings unwanted attention and harm to such businesses due to the copying of the website format, features, content, etc.

The Competition Commission of India (CCI) released a Report titled 'Market Study on E-commerce in India: Key Findings and Observations' on 8<sup>th</sup> January 2020.<sup>5</sup> This practice was initially started in the year 2019 to gauge the market and get a better as well as a deeper understanding of the emerging trends in the digital sector. Since they were in direct relation to the economy of the nation. Though this report is about the e-commerce law and the different frauds under it we will also briefly discuss e-commerce as a whole. The applicability of torts law will also be seen in the subject of e-commerce.

## **E-COMMERCE LAW**

E-commerce is the electronic transmission of any kind of data and information whether it be videos, images, funds transfer, or EDI (electronic data interchange). The development or evolution of e-commerce began around the 1800-the 1900s approx. it was also at that time when for the first time a contract was entered into through the use of the telephone. Though

<sup>3</sup> <https://indiankanoon.org/doc/658803/>

<sup>4</sup> [https://www.google.com/url?sa=t&source=web&rct=j&url=https://indiankanoon.org/doc/1008980/%23:~:text=%3D\(1\)%2520In%2520the%2520case%2520of.the%2520case%2520of%2520a%2520literary%252C&ved=2ahUKEwiM1OG22937AhXK8HMBHStzA3QQFnoECBAQBQ&usg=AOvVaw3yh7-mxEq6xzC4YymB-3ri](https://www.google.com/url?sa=t&source=web&rct=j&url=https://indiankanoon.org/doc/1008980/%23:~:text=%3D(1)%2520In%2520the%2520case%2520of.the%2520case%2520of%2520a%2520literary%252C&ved=2ahUKEwiM1OG22937AhXK8HMBHStzA3QQFnoECBAQBQ&usg=AOvVaw3yh7-mxEq6xzC4YymB-3ri)

<sup>5</sup> [https://www.cci.gov.in/sites/default/files/whats\\_newdocument/Market-study-on-e-Commerce-in-India.pdf](https://www.cci.gov.in/sites/default/files/whats_newdocument/Market-study-on-e-Commerce-in-India.pdf)

this word is widely used to define business or trade practices across the globe with the use of the internet, phone calls, cyberspace, etc. But just as the laws grew with civilization similar protocols for protection grew hand in hand with the development of e-commerce. The benefits of digital trade to business events consist of ease of access, nameless surfing of products, large choice, ease of buying from the pc, and extensive efficiencies. The risks consist of the capacity for invasion of privacy and safety risks. There also are questions concerning jurisdiction, standards, the safety of highbrow property, taxation, change regulation, and plenty of different issues. Nevertheless, the recognition of digital services and products has grown substantially.

Security is of paramount significance in digital trade. Public key cryptology become invented in reaction to protection issues and has revolutionized digital trade. Communications are actually surprisingly secure: virtual signatures or certificates allow the authentication of the sender of a message or of a digital trade product.

To begin this topic of e-commerce 'law' the first thing to discuss of course is all the government policies and regulations regarding it which are:- The income Tax Act, 1961, Consumer Protection Act, 1986/2019, Information Technology Act, 2000, Foreign Exchange Management Act, 1999, Payment and Settlement Systems Act 2007, Companies Act, 2013 and laws related to Goods and Services Tax.<sup>6</sup> And many other different provisions in international treaties and agreements as well.

Some issues or challenges that still arise after having the above laws in place, as a dispute between two parties involved in such trade are mainly:-

- The issue of whether e-contracts are valid or not:- These contracts are governed under the Indian Contract Act, of 1872 but there are still many loopholes present that might cause the dispute to become more heated instead of cooling it down. Some contracts are declared void -ab-initio in case they are against the IT or Consumer Protection Act but some issues aren't covered by it.
- The issue of jurisdiction:- This is another very serious issue that has been plaguing the whole sector. The U.S. court stated in this matter that the orders of a foreign nation won't automatically be applied to the home country but would have to be put under the

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<sup>6</sup> [https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.icsi.edu/media/webmodules/E-Commerce\\_LegalPerspective.pdf&ved=2ahUKEwiN\\_9TGmt37AhW0aGwGHRm3Dv4QFnoECCoQAQ&usq=AOvVaw26D10XCSAkv-3uFENSECYw](https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.icsi.edu/media/webmodules/E-Commerce_LegalPerspective.pdf&ved=2ahUKEwiN_9TGmt37AhW0aGwGHRm3Dv4QFnoECCoQAQ&usq=AOvVaw26D10XCSAkv-3uFENSECYw)

scrutinizing gaze of the home country and its laws and regulations first.<sup>7</sup> Websites are divided into three sub-categories based upon the level of activities and interactiveness to decide the jurisdiction, they are:-

1. Active interaction.
2. Passive interaction.
3. Sites with a mid-level interaction between the above two.

Section 73 of the IT Act,2000 also states the jurisdiction and so does section 3 of IPC,1860.

- The issue relating to privacy:- This is another major concern with our personal information available online. The IT act gives a punishment for this of up to 3 years with a fine of around 2 lakh Indian rupees.
- The issue relating to IPR:- This is a major issue since the same domain names can't be used but similar domain names are allowed so cybersquatting has become more prevalent as well.

E-commerce law in laymen's language is the exchange or trade of goods and services over the internet or through digital/electronic means. And this is something that covers a major aspect of our daily lives. Because each and every piece of information like our biometrics of the thumb and eyes are connected to aadhar which is uploaded online. Each and every piece of information about a person from their preference for clothes to food is online and can be guessed through an algorithm. Recently a lot of government initiatives have been implemented to promote the "cashless economy" and even RBI introduced the unified payment interfaces to promote this step. And the FDI policy in place in India focuses on e-commerce and governs it based on the following two models:-

1. Model-based on the marketplace:- In this, the platform online acts as a link between the buyer and seller. They help the seller in broadcasting and advertisement as well as sale and they help the buyer to understand the product like Naaptop, etc;
2. The other model is an inventory model which basically means an online store that serves as an inventory for various brands to put their products there for sale. Which are then compared, chosen, and bought by customers like Myntraa or Aajio, etc;

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<sup>7</sup> Abha Chauhan, "Evolution and Development of Cyber Law – A Study with Special Reference to India," available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2195557](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2195557) (Visited on June 6, 2016).



Many surveys and interviews as well as research studies have shown that there has been an increase in e-commerce which in turn means an increase in cybercrime and cyber law violations. And to keep this in check the RBI has introduced a “payment system “ under the payments and settlements system act,2007 which should be adhered to by a company if they want to carry on digital transactions. Now, let’s talk about the connection or link between e-commerce and torts law. Tort or torts law was derived from the Latin word “tortum” which means twisted, or a bit crooked. It was defined by many including Salmond and Winfield’s theories about the concept and what all cases can be dealt with under this. This occurs when a breach of duty takes place which causes legal injury and damages are unliquidated in nature in such scenarios. So, with the increase in digital transactions, civil suits, and liabilities are sometimes dealt with under torts.

Claims of defamation and forgery to cause harm through online platforms are filed under torts as a civil suit by the aggrieved party. Section 503 of IPC,1860 also is associated with criminal intimidation through email, etc. In India, such crimes go unnoticed at times, and thus there is a lack of awareness of them. Another major concern is the privacy of the consumers, nowadays every website asks for personal information and access to media, galleries, etc on mobile phones, and denying access is not an option if one wants to use the site. The information that is taken here is out there to be tampered with and at times people are defrauded by it. This has caused people to hesitate from buying items online. All these things are now dealt with as civil liabilities. Section 72 of the IT Act,2000, and section 67 of the amended act of 2008 also deal with provisions related to privacy.

In the case of People’s Union of Civil Liberties Vs. Union of India (1997)<sup>8</sup>, the supreme court decided that the right to privacy and personal liberty are constitutional and fundamental rights of every citizen and these websites of e-commerce are infringing upon said rights through their various practices. India is a very diverse nation but it still holds its traditional beliefs very tightly and without any space for change. These regulations just instill a fear of punishment but not an understanding or awareness of why such laws are in place.

There was a case law of Super Cassettes Industries Ltd. Vs. Myspace Inc. and Anr.<sup>9</sup>, in this case, the plaintiff filed a case against mspace because they were allowing the uploading of music produced by T-Series on their website without any prior permission for the same. The

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<sup>8</sup> <https://indiankanoon.org/doc/31276692/>

<sup>9</sup> <https://indiankanoon.org/doc/216257/>

defendant's website had a feature that granted everyone access to upload stuff (like Wikipedia website allows anyone to edit material on its page). This was a direct violation of the copyright of the plaintiff and thus they filed a suit of infringement. This case of e-commerce was concerned with the issue:-

- Whether Myspace is liable for the content posted by a third party on its website.

The initial decision held by the Delhi High Court was that Myspace is responsible and liable for all damages and they have to delete all of T-Series content within a week's time after receiving the notice.

But recently after witnessing the huge impact it had on the market space online and the intermediary type of businesses the Delhi High court reversed its decision and then came into place section 79 of the IT act that clearly states that intermediaries would not be responsible for the actions of any third party on their website.

But due to the recent rise in the e-commerce industry due to the Covid -19 pandemic, businesses have been negligent and have not been giving due care and attention to their customer service, delivery of products, customer satisfaction, or knowledge. This is what caused the amendment of the Consumer Protection Act in the year 2019.

Another such case was the case of *Shreya Singhal Vs. Union Of India*<sup>10</sup>, in this case, the two females namely, Shaheen Dhada and Rinu Srinivasan were apprehended by the police in Bombay. They had shared posts related to the bandh which was being led due to Shiv Sena's chief Bal Thackeray's death. So, the petitioner filed a writ in the supreme court under Article 32 of the Constitution of India in promotion of public interest. According to the petitioner, section 66(A) of the IT Act was in violation of the basic right to privacy of all citizens. The two main issues were:-

- Whether section 66(A) of the IT act was an infringement of constitutional rights.
- Whether sections 66 (A),69(A), and 79 of the act are infringing upon the fundamental rights of freedom of speech and expression.

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<sup>10</sup> <https://indiankanoon.org/doc/110813550/>



Thus, 66(A) after this case was struck down hence prohibiting the arrest of any person under it. This was initially an interim judgment where the arrest was allowed by a senior officer, which was then later on finalized.

## **FRAUDS**

Fraud is any act that causes a wrongful loss or gain (IPC,1860 s23) to any person not having the right over that property, or item. The victims believe that they are entrusting their information to a legal and actual platform and are involved in a real business transaction but they end up suffering huge financial losses due to the false promises of these websites or people. Victims at times even try to take their lives out of frustration or due to complete bankruptcy. E-commerce frauds have been the latest 'modus operandi' of people committing fraud. There have been many variants of fraud such as the create a quite genuine copy of the original website made of famous brands and products which causes the buyer or customer to be confused taking advantage of this confusion these people deceive them into giving their personal details and account number, etc. They either only allow payment to be done online or make lucrative schemes so the person opts for the online payment mode and then the item is never delivered. And if they do choose cash on delivery they are giving the parcel but are not allowed to open it before payment and by the time they open it to find some low quality or no product they have been deceived already. At times some variants of these frauds have been seen such as the one where they provide products at a cheaper rate than the original or create fake customer service to ask for bank details or create offers of high-price purchases for a chance to win huge gifts which people fall for and end up losing thousands of rupees.

And e-commerce has just made it easier for fraudsters to carry out their schemes. Let's review a few types of frauds that are done through the use of e-commerce as a mask such as:-

- Telecommunication fraud:- This is the kind of fraud in which the telecom services are the main culprits sitting behind the scene and manipulating people. And anyone can fall prey to their schemes be it a huge organization or a normal customer or even a service provider.
- Intrusion through computers:- This is another major kind of fraud which is sort of like a bug or a Trojan horse that intrudes upon one's personal information by secretly accessing their information through their computers.

- Theft fraud:- This fraud has been happening quite often recently, with people being Uber busy in their lives it sometimes happens that one might misplace their card. The use of a stolen card is theft fraud or identity theft. As soon as the customer contacts the bank regarding it, strict action is taken.<sup>11</sup>
- Credit card fraud:- This commonplace fraud can be divided into two types:-
  1. Offline fraud:- In this case, an actual physical card is stolen and used at another place by the culprit.
  2. Online fraud:- This is committed through the internet without any physical presence of the card owner.
- Spoofing:- In this fraud criminals pretend to be legitimate and trusted businesses and defraud people.
- Nigerian fraud:- This fraud has recently come to light, in this, the victim is convinced to give their bank statement and account number by giving empty promises. They promise to provide a huge bulk sum of money at once in exchange for a little amount given in advance.
- Debt elimination:- Here they promise to as the name suggests 'eliminate' your debts in exchange for a small amount of money. But instead, they disappear with the money increasing the already existing debts.
- Fake charities or the Covid -19 vaccine scams were other such online scams that caused great loss to people.
- Phishing:- One of the most widely spread kinds of fraud is this only. In this the person sends a link via email, message, website, etc; this link upon being clicked grants those people access to the victim's every detail. There have been many such scams like the jamtada the freedom 251 or the Nidhi Razdan case and the famous speak Asia case.

So, let's now take a look at the case laws regarding such e-commerce frauds:-

1. CBI Vs. Asif Azim (Sony Sambandh case)<sup>12</sup> :- Sony Sambandh website was a famous one that had an online service where people living in foreign could send gifts to their Indian relatives and vice-versa. In May of 2002 a purchase was made in the name of Barbara Campa and to be sent to Asif Azim in Noida. Barbara contacted the bank about the unauthorized purchase which contacted here. The case was given to CBI which then

<sup>11</sup> Khyati Chaudhary, Jyoti Yadav, Bhawna Mallick, A review of Fraud Detection Techniques: Credit Card, 45(1), INTERNATIONAL JOURNAL OF COMPUTER APPLICATIONS,39,39-40, (2012)

<sup>12</sup> <https://indiankanoon.org/doc/77757520/>

found out that Asif Azim lived in Noida and worked there at a call service center I energizer from where he got Barbara's bank account details and used them. The case was run under sections 418, 419, and 420 of IPC,1860. But since he was young and the first time convict leniency was shown and he was put on one year probation only.

2. A. Shanker Vs. State rep.<sup>13</sup> :- In this case, the petitioner had illegal or unauthorized access to the protected files of the directorate of vigilance and anti-corruption (DVAC). The court rejected the petitioner's appeal to quash the charges against him.
3. Ram Sumerian pal Vs. State<sup>14</sup> or the Speak Asia Case:- This was one of the major frauds or scams of the century. It had an official website where people were given money on doing surveys. And they could become subscribers by just giving a minimal amount of fee. People were cheated out of crores.

Some safety precautions that can be taken are:-

- If the prices seem too genuine or unreal then it might be a fraud.
- Website background and reviews should be checked and read to see if others had faced a delivery issue or something else.
- Always opt for the cash-in delivery option over online payment.
- Avoid the use of debit or credit cards on new websites as it may cause your information to be leaked.

The main reason for such frauds is also cause there is no specific mention of e-commerce cyber crimes in the IT Act, of 2000. And the IPC,1860 does not define fraud though it at the very least does contain the definition of the word fraudulently in section 25 of IPC,1860.

Online dispute resolution (ODR):-

Online dispute resolution is a way to resolve disputes arising due to e-commerce frauds online only. This is a much more efficient practice as offline practices are costly, time-consuming, and often would lead to court which will just prolong the process for the aggrieved parties. It is an extension of ADR (Alternate Dispute Resolution) only, ADR is the fastest and most efficient form of dispute resolution, arbitration, and conciliation which was introduced online. This also served as a huge step for the e-commerce sector as well.

<sup>13</sup> <https://indiankanoon.org/doc/1131053/>

<sup>14</sup> <https://indiankanoon.org/doc/127867542/>

The three functions of ODR are:-

- Arbitration:- This is done where all the facts and arguments of both parties are brought in front of an unbiased tribunal to be decided. It is a quasi-judicial judgment that can be accepted or an appeal can be filed in an actual court as well.
- Negotiation:- It is done by listening to both sides to reach a conclusion acceptable to both parties. This with ODR helps in dispute resolution across the globe since e-commerce is global, it is fast and has easier access, and the technological development provides tools for negotiation.
- Mediation:- It's a peer-to-peer consultation that takes place over the Internet with the assistance of a human mediator. Online mediation is distinguished by the absence of face-to-face interaction, and technical innovations play such a major role that they are referred to as a "fourth party." Online mediation facilities are provided by Juripax, Modria, and The Mediation Space, among others.<sup>15</sup>

The advantages of ODR are:-

- Avoidance of jurisdiction issues can be done.
- It is a cost-efficient system.
- Accessibility is of global nature.
- Time is saved in this method
- The e-commerce sector has seen growth through this development.

## CONCLUSION

Thus, I would like to conclude this topic by saying that e-commerce is an ever-growing sector and the laws in place will have to match its pace with its growth. Since Indian laws still have loopholes we have to still strive towards a better result to make India not only the fastest growing but also the safest market for e-commerce. The COVID-19 pandemic showed signs of disaster in the online market which had now become a hub of fraudsters but this also became the turning point that brought about new reforms in the laws which proved as a great barrier against the increased cybercrimes. The 2019 amendment of the consumer protection act included the definition of a consumer, any person that buys products or services through online portals is a consumer protected under the act. The producer or manufacturers were defined as

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<sup>15</sup> Albornoz and Martín, *supra* note 13, at 47

well. And the reforms included that any disclosure of personal information of the customer will be treated as an unfair trade practice. The jurisdiction of the complainant to be filed is the consumer's home or workplace so that it's more convenient for the consumer to communicate his/her issues. And a notice is considered the same as if given offline when sent online to the online address provided by the website.

The draft rule was also introduced which was based on the inventory model and marketplace model. As per the reforms, every e-commerce business entity must provide the details of the seller, be it his/her contact information, email, the identity of their business, geographic address, business location, the product sold, and how consumers can contact them. The e-commerce website owners are liable to look after if the people aren't posting misrepresenting comments or if the seller themselves are not posting reviews etc. Transparency and lack of conformity are important for such businesses. And any kind of nuisance is punishable under IPC here nuisance is caused due to spamming through calls and emails or late deliveries of orders or putting promotional mail with the product, etc. The IT Act, of 2008 does not directly address the issue but talks of it indirectly in section 66 (A). The lack of trust of the consumers in the sellers has always been a widespread difficulty. The sudden extensive growth of the use of computers, phones, tabs, etc; has led to the parallel growth of the e-commerce market.

The fast e-trade growth has brought to light new distribution methods. It has supplied new challenges for clients, forcing clients to risk new problems of unfair practices and unethical enterprise. Further, the authorities' measures to shield client rights, especially online clients, are inadequate. Hence, the authorities enacted the Consumer Protection Act, 2019, and the Consumer Protection (E-commerce) Rules, 2020, and made them enforceable from July 2020. The new Act and Rules have much less than 6 months of operational practice, implying doubts about their effectiveness in imparting protection and safety to online purchasers. However, online purchasers' superb responses endorse that people feel self-confident in online purchasing/shopping with protection and safety. Because client rights safety is paramount to the increase in e-commerce, the brand new policies made the complaint redressal mechanism stronger for online purchasers, in order to develop their trust-constructing ability, protection, dependability, and safety. The "Consumer is the King with power" now. The new reform, i.e., enactment of the 2 laws, also states as such.





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- <https://indiankanoon.org/doc/31276692/>
- <https://indiankanoon.org/doc/216257/>
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