

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA

STARRED QUESTION NO. *250
TO BE ANSWERED ON 15.12.2021

E-COMMERCE COMPANIES

*250. SHRI RAVNEET SINGH BITTU: SHRI KIRTI VARDHAN SINGH:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether recently notices have been issued to some e-commerce companies for sale of non-Bureau of Indian Standards (BIS) quality pressure cookers, helmets, etc., and for declaring incorrect information about products on their platforms like country of origin, expiry date, etc., thereby deceiving the common man;
- (b) if so, the details thereof and the number of such violations that came to light during the last three years, year-wise;
- (c) whether the Government is taking any measures to prevent such violation of rules by the e-commerce companies operating in the country, if so, the details thereof and if not, the reasons therefor;
- (d) the details of the cases of damages caused to life and property because of the use of these articles, State-wise and the punitive action taken against the erring companies; and
- (e) the steps taken by the Government to safeguard the interests of the consumers while dealing with e-retailers?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री
(श्री पीयूष गोयल)

THE MINISTER OF
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI PIYUSH GOYAL)

(a) to (e) : A Statement is laid on the Table of the House.

STATEMENT REFERRED IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.*250 FOR 15.12.2021 REGARDING E-COMMERCE COMPANIES.

(a) & (b): In order to protect the rights of consumers as a class, the Central Consumer Protection Authority (CCPA) has issued Notices to such e-commerce entities which were found to be selling pressure cookers in violation to Domestic Pressure Cooker (Quality Control) Order, 2020, under which Central Government has directed conformity to standard and compulsory use of standard mark to prevent risk of injury or harm to consumers. So far, 15 notices have been sent to e-commerce entities and sellers found to be selling non-standard pressure cookers online.

To ensure conformity to standard and protect consumers from sub-standard goods, Central Government is empowered to direct compulsory use of standard mark under Section 16(1) of BIS Act, 2016. The directions are generally published in form of Quality Control Orders (QCOs). The QCO for Domestic Pressure Cooker came into force on 1st February, 2021 and QCO for Helmets came into force on 1st June, 2021.

BIS has also issued 3 notices for violation of Quality Control Order for Pressure Cookers and 2 notices for violation of Quality Control Order for Helmets.

As against violations of mandatory declarations under the Legal Metrology Act like country of origin, expiry date etc., 255 total cases have been booked for various violations from 16.10.20 to 09.12.2021, which are tabulated below :-

Category of grievance	Number of cases
Country of origin	233
Expiry Date/Best Before	7
Manufacturer/Importer's Complete Address details	7
Charged More than MRP (Non-Standard Units)	5
No declaration of MRP	1
Net Quantity	1
Total	255

So far, 80 companies have compounded their offences, and the total amount collected from compounding is Rs. 43,55,500.

During 2019 and 2020, 4716 and 3713 cases were respectively booked for violations related to declaration, including the Country of Origin by the State Governments.

(c) to (e) : For the purpose of preventing unfair trade practices in e-commerce, the Central Government notified the Consumer Protection (E-Commerce) Rules on 23rd July, 2020. The rules cover all models of e-commerce including inventory and marketplace e-commerce entities. The rules stipulate duties of e-commerce entities including establishment of adequate grievance redressal mechanism and appointing a grievance officer. The rules further specify liabilities of marketplace e-commerce entities, duties of sellers on marketplace and duties and liabilities of inventory e-commerce entities.

Also, the Government has amended the Legal Metrology (Packaged Commodities) Rules 2011 vide GSR No 629 (E) dated 23.06.2017 wherein Rule 6 (10) of the Legal Metrology (Packaged Commodities), Rules, 2011 states that: "An E-Commerce entity shall ensure that the mandatory declarations as specified in sub-rule (1), except the month and year in which the commodity is manufactured or packed, shall be displayed on the digital and electronic network used for e-commerce transactions". The mandatory declarations include name & address of the manufacturer, name of the country of origin, best before or use by date etc.

As part of celebrations of 75 years of Independence - 'Azadi ka Amrit Mahotsav', CCPA has initiated a country-wide campaign to prevent sale of spurious and counterfeit goods that violate Quality Control Orders (QCOs) published by the Central Government and raise awareness and consciousness among consumers to purchase goods that conform to BIS Standards. Daily use goods, which are commonly available in most households have been identified as part of the campaign. The identified goods are Helmets, Pressure Cookers and Cooking Gas Cylinders. Under the Consumer Protection Act, 2019, District Collectors are mandated to inquire into or investigate complaints regarding violations of rights of consumers as class. Accordingly, Central Consumer Protection Authority (CCPA) has written to District Collectors across the country to investigate unfair trade practices and violation of consumer rights concerning manufacture and sale of helmets, pressure cookers and cooking gas cylinders which do not conform to compulsory standards.

CCPA has also issued Safety Notice under the Section 18(2)(j) of the Consumer Protection Act cautioning consumers against purchasing Helmets, Pressure Cooker and Cooking Gas Cylinder without valid ISI mark, which has been widely circulated among Industry associations, consumer organizations and legal service authorities.

All State Governments/Union Territory Administrations have been requested to undertake enforcement drives to prevent the manufacture, distribution, sale, storage, etc. of any such goods and articles, for which directions of compulsory use of Standard Mark have been published by the Central Government.
