



Protection of Online Shoppers: A Socio-legal Study with Special Reference to J&K

ABSTRACT
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Abstract

Technology has fundamentally changed the way the businesses were handled by society today. The global presence of internet has enabled businesses to reach new markets and millions of new potential customers. By this, electronic commerce has developed and is one of the wildest developing region around the world and India's greatest increasing and mainly electrifying means for business communications. Following the economic perspectives of the internet, they are regarded as one of the core drivers in the globalized world economy and it is claimed that rejecting electronic commerce may have noticeable competitive disadvantages. While being able to access global markets, e-commerce has enabled businesses to bypass the traditional intermediaries in domestic jurisdictions. Besides, owing to its lower transaction costs, e-commerce has caused a steady increase in the number of sellers and suppliers in the market, thus increasing diversity and competition in the market. Numerous electronic retailers have made accessible an altruistic display of merchandises at a click. Shoppers have progressively occupied to this inclination as is manifest from the progression of this sector.

At the same time, online commerce, certainly, affords us transactions that otherwise would not have been possible. However, as experience shows, it is not immune to consumer harm either. It is evident that much progress has been made in jurisdictions like United Kingdom and USA with respect to the protection of shoppers on the Internet. Very little attention, however, has been paid to the online shoppers in India. According to survey conducted by Local circles claims that on e-commerce sites out of 6923 respondents, 38% shoppers received counterfeited products over the one year from the site like Amazon it is 11% Snapdeal 12% and Flipkart 6%. Another survey, conducted by Velocity MR claimed that one customer out of three received fake products in last six months. Moreover, according to market research statistics firm REdseer, there was loss of around \$ 3.4 billion in e-commerce in the year 2017. On the other hand, there is a rise of digital buyers in India which in 2014 was 54.1 million which has grown to 329.1 million in 2020. However very less protection have been provided for online shoppers and result is regular fraud, deceit, misrepresentation undue influence, coercion etc. Based on

all these things research was carried on the topic to highlight the challenges shoppers face.

The research is based on both doctrinal and non-doctrinal research. The non-doctrinal study was conducted in the J&K. Stratified sampling method was used across Kashmir University, Central University of Kashmir and Jammu University with a total sample size of 600 respondents. Interview method was used to collect data from six e-commerce platforms. The research was carried out keeping in view five objectives with the hypothesis that existing laws are not potent enough to protect online shopper in India. The research is based on seven chapters.

The research has taken into consideration psychological and sociological perspectives of an shopper which can change his perception, belief, thought and eventually led him to change his behaviour therefore perform actual act. Different theories laid down by psychologists and sociologists have been explained in the context of online shopping. In this research various contemporary challenges online shoppers face have been discussed like invasion of privacy, jurisdictional issues, weak feedback, delayed delivery etc. Also different laws relating to online shopping have been evaluated whether they are potent enough to protect shopper with special reference to Information Technology Act, 2000, Indian Contract Act, 1872 and other miscellaneous laws. Special attention have been paid on recently passed the Consumer Protection Act, 2019.

Further comparative analysis of India have been made with European Union, USA and UK and highlight how far their laws and regulation are much ahead of India. Moreover, data have been analysed based on empirical study carried. Lastly the findings of all chapters have been formulated and it has been proved that the hypothesis of the researcher proved true. Based on all the findings researcher has come up with certain suggestions to be incorporated in different areas and highlight the area where future research is required to be conducted.