



# Comparative Analysis of Consumer Protection Laws: Lessons for India from the United States and United Kingdom

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## ABSTRACT

Laws protecting consumers are essential for maintaining consumer interests, ensuring ethical business activities, and promoting acceptance within market systems. The consumer safety regimes of India, the United States, and the United Kingdom are thoroughly compared in this article. The analysis highlights important weaknesses in India's regulatory system by concentrating on enforcement methods, institutional capabilities, and virtual customer rights. The study draws attention to shortcomings in India's do-not-forget procedures, product responsibility laws, and the effectiveness of dispute settlement procedures. The study suggests strategic reforms to enhance India's customer protection system, drawing inspiration from excellent worldwide practices.

**Keywords:** Consumer Protection, Product Liability, Digital Consumer Rights, Recall Mechanisms, Comparative Legal Analysis, India, U.S., U.K. Regulatory Frameworks

## Introduction

Consumer protection refers to a strict set of laws, regulations, and institutions created to safeguard customers of goods and services from deceptive business tactics. It includes consumer rights related to facts, protection, representation, remedy, training, and desire. Although such rights are widely recognised, the United States and the United Kingdom have different approaches to and levels of success in enforcing them.

With the passage of the Consumer Protection Act, 2019, which updated consumer regulations and brought in new concepts, including product legal responsibility, e-commerce regulation, and the Central Consumer Protection Authority's (CCPA) current state, India has achieved significant strides. Despite these developments, India continues to encounter obstacles in the areas of virtual consumer protection, institutional integration, and enforcement.

This paper examines how the United States and the United Kingdom, as developed consumer jurisdictions, have developed strong institutions to handle those challenging circumstances, and what India might learn from their experience. The three main foundations of cognisance are digital customer rights, liability enforcement, and recall procedures. The goal of this assessment is to find practical advice that could improve and strengthen India's penal system.

## Comparative Legal Frameworks

### 1. India's Consumer Protection Act, 2019

The Consumer Protection Act, 2019 replaced the earlier 1986 Act, recognizing the need to address contemporary consumer issues, particularly in the digital age. Key features include:

- **Central Consumer Protection Authority (CCPA):** The Act introduced the CCPA to promote, protect, and put in force the rights of consumers through investigations, enforcement moves, and consequences.
- **Product Liability:** A new legal street permitting clients to say reimbursement for harm because of defective products or services. However, the implementation lacks clarity on punitive damages and producer duty.
- **Three-tier Grievance Redressal:** District, State, and National Commissions shape a decentralized structure for client dispute decision.
- **E-trade Oversight:** The Act mandates honest exchange practices for on line transactions and disclosures by way of virtual dealers. Nonetheless, go-border enforcement mechanisms remain underdeveloped.

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**Limitations:**

- Lack of a centralized bear in mind protocol.
- Inadequate technological integration for dispute monitoring.
- Limited consequences in instances of egregious damage.
- Overlapping jurisdictions with different sectoral regulators, which include BIS and FSSAI, resulting in coordination demanding situations.

**2. United States – Consumer Protection Laws**

The U.S. Customer safety landscape is decentralized but strongly institutionalized. The regulatory framework consists of numerous statutes and businesses, with extensive focus on product protection, advertising requirements, and patron privacy.

- **Consumer Product Safety Commission (CPSC):** Responsible for monitoring product safety, issuing recalls, and conducting public training campaigns. Recalls are proactive and obligatory in many instances.
- **Federal Trade Commission (FTC):** Regulates misleading and unfair business practices, which include digital fraud, advertising and marketing misrepresentation, and telemarketing abuse.
- **Magnuson-Moss Warranty Act (1975):** Enhances purchaser capability to enforce product warranties, introducing strict manufacturer legal responsibility.
- **Class Action Mechanism:** An effective litigation device allowing agencies of clients to collectively sue for damages.

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**Strengths:**

- Proactive recall notifications and open databases, such as saferproducts.gov.
- The Department of Justice (DOJ), CPSC, and FTC coordinate among agencies.
- Acts such as the Children's Online Privacy Protection Act (COPPA) enforce the right to privacy.

**3. United Kingdom – Consumer Protection Laws**

Following Brexit, the United Kingdom modified its consumer rules while keeping them in line with European norms. The cornerstone is still the Consumer Rights Act of 2015.

- **The 2015 Consumer Rights Act:** The act unifies rights to digital material, commodities, and services.
- **Office for Product Safety and Standards (OPSS):** Provides strong enforcement, safety evaluations, and surveillance.
- **UKCA Marking:** This safety conformance standard, which takes the place of the EU's CE mark, guarantees adherence to national requirements.
- **Alternative Dispute Resolution (ADR):** The Financial Ombudsman Service and industry-specific redress platforms are two ADR procedures that the UK supports.

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**Strengths:**

- Transparent consumer safety reports.
- A strong emphasis on digital rights and accessibility.
- Institutional clarity and regulatory independence.

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**Key Differences and Lessons for India**

A comparative table highlights the critical differences:

Feature	India	United States	United Kingdom
Product Recalls	Reactive, weak enforcement	Mandatory, proactive recall	Centralized enforcement
Liability Enforcement	Limited product liability	Strict liability via warranty law	Consumer-friendly interpretation
Digital Consumer Rights	Basic e-commerce regulation	FTC oversight, digital privacy	ADR for digital transactions
Enforcement Transparency	No unified recall database	Public recall alerts	Periodic safety reports

Though ambitious, India's structure is not well-executed in practice. Important insights can be gained from the U.S. system's emphasis on recall and class actions and the U.K. system's emphasis on ADR and transparency.

## Recommendations for India

### 1. Strengthen Recall Mechanisms:

- Establish a single nationwide recall website based on saferproducts.gov in the United States.
- Require public disclosure and manufacturer reporting within predetermined deadlines.
- Integrate BIS and CCPA initiatives to avoid misunderstandings over jurisdiction.

### 2. Enhance Digital Consumer Protection:

- Add duties for foreign sellers to the Consumer Protection (E-commerce) Rules.
- Present a Digital Consumer Rights Charter that details grievance procedures, privacy, and openness.
- Work together with CERT-In to address consumer-facing cyber scams.

### 3. Institutional Coordination:

- Improve cooperation between the CCPA, voluntary consumer organisations, and sector regulators (such as the FSSAI and IRDAI).
- To address gaps and overlaps, create an Inter-Regulatory Consumer Forum.

### 4. Expand Product Liability Framework:

- In the event of wilful or careless manufacturer misbehaviour, codify punitive damages.
- Expand culpability to importers and middlemen, following US practices.

### 5. Consumer Awareness Campaigns:

- To educate customers, implement tailored advertising based on complaint data.
- To increase outreach, make use of digital channels, public-private partnerships, and mass media.

## Conclusion

The 2019 Consumer Protection Act in India marks a significant change in the focus of modern buyer welfare. But enforcement tools continue to be underdeveloped, especially in areas like product consideration, dispute resolution, and virtual commerce. India should embrace international good practices as international trade becomes more digitalised and integrated in order to guarantee strong consumer confidence.

The importance of proactive institutional processes, coordinated regulation, and accessible redress platforms is underscored by the lessons learnt from the United States and the United Kingdom. To ensure that its buyer safety device is responsive, transparent, and globally coordinated, India needs invest in technology infrastructure, inter-enterprise cooperation, and criminal reforms.

The ability of customer rights in India to translate legal commitments into practical safeguards will determine their future. India has the potential to lead the developing world in client jurisprudence with the correct reforms.

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