

Examining the Perception of Defending Parties for the Settlement of Complaints with reference to Consumer Protection Act

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Abstract

Like consumers, the defendants are one of the key stakeholders involved in the Consumer Grievances Redressal Machinery. These opposite/defending parties are in the business of offering consumers goods and services in exchange for money or other consideration. The purpose of the Consumer Protection Act 2019 (CPA) is to safeguard consumers' interests while also making sure that the defending parties are treated fairly. It is crucial that opposing parties are aware of the CPA's provisions in order to protect their own interest and that of their consumers. The Consumer Protection Act, 2019 brings greater accountability to defending parties in consumer disputes. It has expanded the scope of consumer rights, introduced new liabilities, and created regulatory mechanisms like the CCPA to enforce compliance. As a result, businesses must adopt better compliance measures, ensure the accuracy of their product information, improve customer service, and prepare for potentially higher legal risks when defending consumer complaints. A sample size of 100 defendants from Delhi NCR were examined for the defence parties' perspectives through convenience cum purposive sampling. The investigation clearly shows that the Redressal agency's complex procedure was thought to be the primary cause for delayed resolution of cases. Given that many defendants reported delays in justice, the perception about Redressal agency duration of time it takes to get justice appears to be unfavourable. The overabundance of complaints with Redressal agencies appears to be another factor that contributes significantly to the delay in justice. The study concluded that the defendant's incomplete knowledge led to a very different impression of the processes followed by the Redressal agency. The process may be straightforward, but majority of the defendants expressed dissatisfaction finding it either time taking or difficult.

Keywords: Consumer Grievances Redressal, Consumer Protection Act 2019, Defending Parties, Settlement of Complaints

Introduction

The Consumer Protection Act (CPA), 2019 has brought about several changes that significantly impact the way defending parties (opposite parties) must handle consumer disputes. These changes increase the responsibilities, risks, and compliance requirements for businesses, service providers, and manufacturers when facing consumer complaints. The party that a customer has lodged a complaint against is referred to as the "opposite party" or defending party. Usually, this party is involved in the provision of goods or services that have harmed or disappointed the customer. The phrase "opposite party" aids in distinguishing between the party being accused of violating consumer rights and the complainant, who is the consumer.

A business entity that has been accused of causing a service deficiency or a defect in goods, such as a seller, manufacturer, or service provider, is typically the defendant. One can file a complaint against a manufacturer, dealer, or insurance company, depending on who was involved in the transaction. The party in question is entitled to notification and a chance

to present their defence after a complaint is filed. They must reply to the accusations and provide proof of the sufficiency or legality of their service or product. It is responsible for paying damages or making things right if the

court determines that the consumer's complaint has merit. They have to provide all pertinent records, guarantees, and case-related data. They are expected to cooperate with the legal system and abide by the final ruling of the consumer forum, which may include penalties for unfair trade practices, the replacement of goods, or compensation. If the judgment is not favorable to the opposite party, they can appeal the decision at higher forums, such as the State Consumer Disputes Redressal Commission or the National Consumer Disputes Redressal Commission, within a specified period.

Defendants encounter challenges while dealing with redressal agencies for a variety of reasons. These agencies aim to offer easy, quick, and affordable redressal. CPA offers the facility to directly defend the complaint on oneself or through advocates. Court procedure does not impose any restrictions on the CPA mechanism. The process is streamlined by eliminating the need for advocate representation and stamp paper. According to the Consumer Protection Act, 2019 the authorities should decide the complaint within 3 months as laid down under *Sec 38 (7)*. If the complaint requires analysis or testing of commodities, the aim is to decide the complaint within five months. An adjournment request must be made with sufficient cause, and the forum must document its reasoning in writing. Most of the time, redressal agencies delay justice for a variety of reasons. Advocates for their own advantages complicated the process.

According to CPA it is not mandatory to hire an advocate to defend complaints at the redressal agency, as previously mentioned. Defendants, however, generally employ advocates to obtain favourable verdicts. Section 38(7)(a) of CPA states that upon receiving a complaint, the Commission will forward a copy of the admitted complaint to the defending party within twenty-one days of the complaint's admission date. This will instruct the defendants to provide their view of the story within thirty days, or within an extension of up to fifteen days that the Commission may grant.

The Government of Delhi-NCR has established various consumer grievance redressal commission i.e. one in each district. In order to ensure easy access to justice, the state government may, if it sees fit, establish more than one at the district, or sub-division, level. The Redressal Agency offers compensation in the form of reimbursement for incurred costs, causes, mental distress, etc. Before contacting a redressal agency, consumers or any person acting on their behalf may choose to address the party in question to settle their complaints in order to avoid legal complications. With an emphasis on the current objective of the study, the data was gathered and examined to analyse defendants (business organisations, service providers, and government sector) view in Delhi-NCR felt about the consumer grievance redressal machinery under CPA. Thus, the defending party plays a crucial role in consumer disputes as they represent the entity that the consumer alleges has wronged them. The new Act seeks to create a balanced framework where both consumers and opposite parties have fair chances to present their cases.

Defending parties under Consumer Protection Act 2019

The Consumer Protection Act, 2019 (CPA 2019) has brought about several challenges that significantly impact the way defending parties (opposite parties) must handle consumer disputes. These are inclined towards consumer empowerment under CPA 2019.

1. CPA 2019 expands the definition of "consumer" to include online transactions, e-commerce platforms, and digital goods and services. As a result, businesses operating in these sectors can now be held accountable for consumer complaints more easily (Pandey, 2022 and Raj, 2017).
2. Defending parties could face regulatory scrutiny not only from consumer courts but also from the CCPA. The CCPA's ability to investigate and take action on its own means businesses may face enforcement actions without a consumer complaint being filed.
3. Manufacturers and sellers face a greater risk of lawsuits, as consumers can now claim compensation for injury or loss directly linked to product defects. Defending parties need to ensure thorough quality checks and maintain records of warranties and compliance to avoid liability.
4. Defending parties may face an increase in the number of complaints due to the simplified filing process and expanded jurisdiction i.e., provision of E- filing facility.
5. Defending parties under CPA 2019 may face criminal sanctions in cases involving misleading advertisements, failure to comply with court orders, hazardous or defective products, unfair trade practices, and spurious goods. These sanctions include imprisonment, hefty fines, or both, making it crucial for businesses to adhere to consumer protection laws and ensure compliance at all levels of their operations.

Literature Review

Literature review becomes imperative to go through the relevant literature on the subject to understand all the dimensions of the objectives of study. This helps in getting the insights of defendants on Consumer Protection Act 2019 and also to understand the methodology followed to realize the objectives. Review of literature consisted of various studies

undertaken at national and international levels and articles in various newspapers. Kakkar, Aggarwal & Gupta (2019) and Goel, Vashisht & Gupta (2020) reviewed various studies relating to Consumer Protection and identified

various areas for proposed research studies those may be undertaken in the areas of Consumer Awareness, Protection and Redressal of Grievances Settlement Mechanism.

Khatri (2009) conducted broad-based research on deceptive trade practices. The study revealed that majority of consumers and consumer organizations felt that they are the victim of unfair trade practices pertaining to product quality. Majority of sellers did not provide quick and speedy redressal of consumer grievances. Unfair pricing, false and deceptive advertisements were prevalent in the market. Consumers and consumer organizations made the use of provision under MRTP and CPA but lastly resorted that it was very time and money consuming. Procedural complexities and unawareness stopped the consumers to file maximum cases to these agencies. The problem of delayed justice was also observed in the study. Consumer organizations tried to help the consumers with out of court settlement of consumer grievances.

Murthy, Narasaish & Mohan (2013) emphasized that most Indian consumers, whether wealthy or impoverished, literate or not, urban or rural, frequently fall prey to tainted, fraudulent, dangerous, and subpar products, as well as inaccurate measurements and exorbitant costs. Several commodities are in short supply, and dishonest and misleading advertising allow traders and businesspeople to profit quickly at the expense of customers. Even state-owned enterprises' products and services, nationalised banks, electricity, and telecommunications, among others, are not exempt. Even though there are several laws protecting consumers' interests, most Indian consumers are not aware of their rights. Because of this, the authors wanted to assess how well the District Consumer Forum (DCF), Kadapa, was protecting consumers' interests from dishonest business practices.

Gupta & Kashyap (2016) aimed to determine how well-informed consumers are about the process for submitting and following up on complaints at the district consumer redressal forum. Stratified random sampling and the survey method were used to gather data for this study. From the Diwani Civil Court in Agra, Uttar Pradesh, India, 104 respondents samples were chosen. Utilising a self-structured questionnaire, data was gathered. Twenty questions about awareness of the formalities involved in filing and pursuing complaints in a consumer forum made up the questionnaire. The respondents' scores on the procedural awareness of filing and pursuing complaints as well as the type of complaints filed using consumer forms were compared across socio demographic variables in order to accomplish the goals. The data was analysed using the student t-test, mean, percentage, and standard deviation methods. Significant differences across age, sex, education level, occupation, and annual income were found by statistical analysis of the study. The study came to the conclusion that in order to safeguard the interests of consumers by making effective use of the established consumer protection mechanisms, consumer organisations and the government should educate and inform consumers more about the process of filing complaints and seeking redress.

Vibhuti & Yemmi (2018) emphasized that in order to safeguard the interests of consumers who have complaints, disputes, or lawsuits related to trading activities without imposing any financial burden, the Government of India established the Consumer Dispute Redressal Forum under the Consumer Protection Act of 1986. Given this context, the current article focuses on the general performance of consumer dispute resolution forums in India. Based on the quantity of cases filed, the number of cases resolved since the forum's founding, and the quantity of cases still pending at the national, state, and district forums, the effectiveness of the forum is evaluated. Finally, the study compares state and national commissions with the district forum. The relationship between cases that are pending and those that are disposed of has been examined using the ANOVA statistical tool for performance analysis.

Kapoor (2019) The Consumer Protection Act, 1986 whose sole purpose was to protect the rights of the consumers and to provide speedy redressal to them has become archaic and does not consider modern day consumer market challenges, especially those dealing with online, teleshopping, product recall, unsafe contracts and misleading advertisements. Further consumer courts in India, are burdened with more than 4.3 lakh pending cases and for petty amounts consumers have to wait for years to get justice. In order to strengthen and empower consumer rights in India. The Consumer Protection Bill, 2019 which is considered as a milestone in protecting the rights of the consumers has been passed by the parliament. The New Consumer Protection law repeals and replaces the CPA, 1986 and seeks establishment of Central Consumer Protection Authority, mediation, product liability, and faster redressal by the consumer commissions. The author identifies important questions stemming from the discontinuities in the Consumer Protection Act, 1986, the backlog and pendency of consumer cases and discusses how mediation as proposed in the new law can be a game changer in consumer protection.

Nagarathna (2020) in his paper discussed about CPA, 1986 was enacted with the aim to provide timely compensation to the consumers suffering from defective products and deficiency in services, apart from imparting legal framework for

protecting consumer rights was subject to criticism on various fronts for being inefficient. Moreover, a remarkable increase of cases of unfair trade practices and deceptive advertisements was observed which calls for modification in the law. Hence the new Consumer Protection Act 2019 was enacted with the aim to bring in stringent rules so as to effectively provide protection to the consumers. It for the first time that the law is providing justice by way of criminalizing few wrong acts. This paper made an attempt to examine the scope of these criminalizing provisions and its related procedural aspects.

Balachandran & Arunima (2021) highlighted the implication of consumer protection Act 2019 was enacted by the Government to provide more security to the consumers considering the boom in e-commerce industry and the present-day methods of delivering goods and services such as online sales, tele-shopping, direct selling and multi-level marketing apart from the traditional methods. Consumer Protection Councils at the Central, State and District levels and the inception of a new consumer redressal machinery- Central Consumer Protection Authority (CCPA) was the landmark. This move is quite beneficial from consumers point of view but have important implications on the pillars of integrated communication channels. The objective of this paper is to study the effect of CPA 2019 on the Manufacturers, Service Providers, Advertisers, Sellers (both Offline and Online) Celebrity Endorsers and E-commerce entities based on the terms and conditions of the new Act which are collected from secondary data sources. This is because the Act is capable to bring basic changes in the approach of marketing in India, where unrestrained promotion and advertisement were considered to be crucial strategies for attracting customers.

Parimala & Ramachandran (2022) has used the term e-commerce referring to the new consumer group which has emerged due to rapid growth of e-commerce in India. As the large number of consumers are involved in online purchasing of goods/services, it become mandatory to provide them protection against online fraud. The objective of the study is to know about the consciousness level of the e-consumer about the guidelines of e-commerce consumer protection Act 2019, and provisions under it to safeguard the interest of e shoppers involved in digital transactions against online fraud. This primary data collected from 98 e consumer respondents using Simple random sampling was studied using Percentage analysis and chi-square test. The results revealed that e-Commerce portal is mainly used by male falling in the age group of 20-40 years. Those who have been using for more than 3 years for their online shopping so are aware about e-Commerce protection act 2019 and their guidelines, but the new users or who are using for less than 3 years they are unaware about this. The Government initiative to bring out such kind of Act will help users to develop trust in carrying out E transactions and will increase E consumer users in the market.

Reddy & Pahuja (2022) stressed that consumer Protection is the act of protecting consumers from various restrictive and unfair trade practices that manufacturer resort to. The protection is provided in order to prevent consumers from being exploited by scrupulous traders and keep a check on their associated malpractices. This new act will replace the old Consumer Protection Act, 1986. The new Act brings about fundamental changes in the legislation passed in 1986. Central Consumer Protection Authority was set up under CPA 2019 and bestowed with too many powers and authority without ensuring sufficient administrative protections. The Consumer Protection Act was passed with the aim to protect consumers against shortfalls and defects found in purchased goods and services. It also tries to shield consumers from unscrupulous or preventive trade practices. The author of this paper has included the salient elements of the CPA 2019, consumer rights, a comparison of the two pieces of legislation, and potential obstacles in the effective implementation of the Act.

Didwal & Negi (2022) highlighted the role of global trade and commerce have undergone an industrial revolution that has resulted in a boom in the corporate sector, leading to a variety of consumer goods to meet consumer needs, and a wide range of services that are now available to consumers. However, as industrial revolution affected the autonomy of businesses, which leads to certain negative effects on customers. Many laws were passed in India after the country attained independence to protect innocent consumers from unfair and monopolistic trade practices that could be interpreted as a deceptive and dishonorable representation of the nature and quality of the products. The Consumer Protection Act was passed in 1986, marking a significant milestone in the history of consumerism. The first piece of legislation ever is passed in India which focuses only on the misery of customers who are the targets of deceptive business practices and inadequate services. By establishing quasi-judicial mechanisms for the resolution of consumer complaints, the Consumer Protection Act seeks to facilitate the prompt and easy resolution of cases. Additional consumer rights are now granted under clause (9) of section 2 of the Consumer Protection Act, 2019 following the reorganization of the previous Act. With the technological development, it is evident that electronic media plays a significant role in the business world. After the Consumer Protection Act was reframed, the provision pertaining to e-commerce was also added to the Act. The recently added chapters serve as appropriate guidelines for determining the offences and associated punishments under this legislation. To further protect consumer rights, the new Act tightens the current regulations and suggests practical measures. Among the major highlights are the establishment of a central regulator, severe penalties for deceptive advertising, and regulations for electronic service providers and e-commerce.

Goel, Gupta & Vashisht (2024) conducted study in order to determine, assess, and interpret the extent to which people are using provisions of Consumer grievance redressal machinery available under CPA 2019. Two groups of respondents were segregated. Some consumers found fault in product purchased / deficiency in services but not conscious about

making complaint. Another group of consumers who took a further course of action to resolve their complaint. Consumers were also enquired about the extent to which they exercise their rights.

Goel, Vashisht & Gupta (2024a) analyzed customer expectations for easier accessibility, greater options, simple payment methods, better services, and convenient shopping increase, poses more challenges on the issue related to consumer protection. The Government responded by enacting the historic Consumer Protection Act, 2019 and replaced the Consumer Protection Act, 1986 intending to enable quick and effective administration and settlement of consumer complaints, in order to solve the new set of difficulties faced by consumers in this digital era. The New Act advanced the online submission of complaints and arbitration proceedings for the quick and efficient resolution of consumer problems. Central Protection Councils, which are created at the district, state, and central levels, are the advisory bodies under the New Act held responsible for protecting and upholding consumer rights. The New Act also establishes the "Central Consumer Protection Authority (CCPA)" to advance, defend, and uphold consumer rights. According to the Act, CCPA has the authority to approve decrees, prohibit unfair commercial practices, and impose fines where product endorers are misleading.

Goel, Vashisht & Gupta (2024b) investigated various dynamics that are at play when a consumer purchases goods and services. The motives for his purchase might be rational or irrational depending upon his desires. Consumers' Irrational decision making and lack of awareness are the root cause of the consumer exploitation. Consumers are less likely to be cheated if they follow the purchasing process logically. Consumers who are educated and informed renders benefit to the society. To safeguard consumers' interests in the past, the government, corporate organizations, consumer clubs, and consumers themselves took a variety of legal, regulatory, and non-legislative actions. Efforts were made to empower consumers by granting them six basic rights. It includes Right to Basic Needs; Right to Safety; Right to Choice; Right to Information; Right to Consumer Education; Right to Redressal; Right to Representation; and Right to Healthy Environment. It is extremely difficult for any firm to exploit a consumer who is aware of his rights and exercises them when necessary. The present study was conducted in order to test consumer knowledge of "Consumer Rights" and consumer complaints redressal under CPA in Delhi-NCR.

Research Methodology

The data was gathered and examined to analyse defendants i.e. business organisations, service providers, and government sector etc. view in Delhi-NCR felt about the grievance redressal machinery under CPA 2019. A structured Questionnaire was instrumented upon the respondents. The Questionnaire was prepared from the Questionnaire used by Mittal (2015) in his study and it was modified in accordance with the objective and requirement of the study. Sinha, Gupta & Mittal (2015) conducted study with similar objective; analysed the attitude and perception of opposite parties towards consumer grievances redressal under Consumer Protection Act (1986) in Haryana. The study concluded that the opposite parties were found satisfied with the procedure adopted for settling complaints at Consumer Forums and favoured the establishment of the Forums at Sub-Divisional Level also. A sample size of 100 defendants was examined for the defence parties' perspectives through convenience cum purposive sampling. Objectives of the study were conceptualized as:

1. To analyze the perception of defending parties on time taken by redressal agencies in settlement of cases
2. To examine the opinion of defending parties on procedure followed for the settlement of complaints at Redressal Agency Rights under Consumer Protection Act 2019.

Sampling design consisted of:

- Population Area: - The population area is confined to Delhi-NCR for this study.
- Sample Units: - Defending parties served as the sample unit for this goal.
- Sample Size: - It was decided to limit the sample of defendants to 100 respondents after considering the resources available and consulting with specialists in related fields.
- Sampling Technique: - Random sampling was used and data was gathered by contacting the respondents personally and conducting interviews using convenience cum purposive sampling etc.

The data were coded, tabulated, and transformed into a meaningful format with the aid of Microsoft Excel. Several statistical tools and techniques, including average, standard deviation, percentage, Pearson Chi Square test, one and two sample t-test, Karl Pearson Co-efficient of Correlation, Chi Square Goodness of Fit were used to analyse the

data with the assistance of the statistical package SPSS

Data Analysis & Interpretation

Profile of the Respondents

Among the 100 respondents taken, 62 (62 percent) were the good dealers/ traders and 38 (38 percent) were the

service providers. Their characteristics were summarized as per Table below.

Goods Dealer: Today's markets are overflowing with a wide range of products under numerous brands. Good dealers made up 62% of the study's respondents. After speaking with the defendants in person, it was discovered that the majority of them were vendors of cars, mobile phones, electronics, and online sellers of household goods.

Service Provider: In India, the economy's service sector is expanding rapidly. A significant aspect is that there is no gap between consumption and production of services and it is not possible to store services. Service providers made up 38% of the study's respondents. The respondents were prominently from the Electricity Department, Delhi Jal Board, Housing Board, Irrigation department. These were government-owned departments, and while there were numerous complaints against them, for the purposes of this study, one department is considered to be one respondent. Other well-known private sector service providers included in this study were the banking and insurance sectors.

Table 1: Profile of Respondents

Type of Dealer	Frequency	Proportion of Sample (%)
Goods Dealer	62	62.0
Service Provider	38	38.0
Total	100	100.0

Respondents were questioned if they were familiar with CPA, 2019 before the complaint was lodged against them. After analysis, the defending parties' responses were compiled into Table 2.

Table 2: Awareness about Consumer Protection Act, 2019

Response	Frequency	Percent
Fully Aware	19	20.0
Partially Aware	64	64.0
Not Aware	17	16.0
Total	100	100.0

Table 2 explains that only 19.0 percent were fully aware about CPA. Majority of the respondents (64.0 percent) were partially aware and only 17.0 percent were not found aware about CPA.

The chi-square test was used to determine whether there was a significant association exist between the type of respondents and their knowledge of CPA 2019, as per Table 3.

Table 3: Awareness about Consumer Protection Act 2019 across Type of Respondents

Type of Business	Fully Aware	Partially Aware	Not Aware	Total	Pearson Chi-Square Value= 20.639; df= 2; p-value= .000
Goods Dealer	17	42	3	62	
Service Provider	2	22	14	38	
Total	19	64	17	100	

Following null hypothesis was tested from above statistics:

H₀= there is no significant association between different type of respondents and their awareness level about Consumer Protection Act, 2019.

When the chi square test was used at the 5 percent significance level, the null hypothesis was rejected. It is worth mentioning that chi-square significance i. e. p-value is less than .05 for above hypothesized variables, indicating that there is statistical association between awareness about CPA, 2019 and type of respondents. The Consumer Protection Act (CPA) 2019 introduced several alternative dispute resolution processes into consumer grievance redressal machinery which includes facility of filing the complaint at national consumer helpline website/ app, E- filing facility which allows consumers to file complaints electronically with district, state and national commission without the need to visit consumer courts physically. The CPA 2019 aims to make the consumer dispute resolution process more efficient, transparent and time-bound, thereby ensuring speedy justice for consumers, by incorporating these provisions,

The Consumer Protection Act (CPA) 2019, enacted in India, has provisions for imposing criminal sanctions for

certain violations. These provisions are designed to protect consumer rights and ensure fair trade practices by holding violators accountable through stringent penalties. Respondents were questioned if they were aware about the provision of criminal sanction under CPA 2019 before the complaint was lodged against them. After analysis, the defending parties' responses were compiled into Table 4.

Table 4: Awareness about Provision of Criminal Sanction

Response	Frequency	Percent
Yes	58	58.0
No	42	42.0
Total	100	100.0

Table 4 explains that only 58.0 percent were aware about provision of criminal sanction under CPA 2019. Less than half of the respondents (42.0 percent) were not aware about it.

The chi-square test was used to determine whether there was a significant association exist between the type of respondents and them know how about provision of criminal sanction under CPA 2019 and Table 5 is the result.

Table 5: Awareness about Provision of Criminal Sanction across type of Respondents

Type of Business	Yes	No	Total	Pearson Chi-Square Value= 11.263; df= 1; p-value= .001
Goods supplier	44	18	62	
Service Provider	14	24	38	
Total	58	42	100	

Following null hypothesis was tested from above statistics:

H_0 = there is no significant association between different type of respondents and their awareness level about existence of provision of Criminal sanction under CPA, 2019.

When the chi square test was used at the 5 percent significance level, the null hypothesis was rejected. It is worth mentioning that chi-square significance i. e p-value is less than .05 for above hypothesized variables, indicating that there is statistical association between awareness about existence of provision of criminal sanction CPA, 2019 and type of respondents. The Consumer Protection Act (CPA) 2019 mandates the establishment of Mediation Cells attached to the District, State, and National Consumer Disputes Redressal Commissions to provide a faster and amicable resolution of consumer disputes. Mediation is a voluntary process which requires consent of both the parties involved. The parties can opt for mediation either before the filing of a complaint or at any stage during the proceedings.

A Consumer Disputes Redressal Commission can refer a matter to mediation if it is considered appropriate for resolution through mediation. If the mediation is successful, a settlement agreement is drafted, signed by both parties, and submitted to the Consumer Disputes Redressal Commission to make it a binding enforcement. If mediation fails, the matter is referred back to the respective Consumer Disputes Redressal Commission for adjudication. Respondents were questioned if they were aware about the existence of mediation cell under CPA 2019 before the complaint was lodged against them. After analysis, the defending parties' responses were compiled into Table 6.

Table 6: Awareness about Existence of Mediation Cell

Response	Frequency	Percent
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Yes	68	68.0
No	32	32.0
Total	100	100.0

Table 6 explains that majority of respondents i. e 68.0 percent were aware about existence of mediation cell under CPA 2019. While 32% of the respondents were not aware about it.

To determine whether there was a significant association exist between the type of respondents and their knowledge about existence of mediation cell under CPA 2019, the chi-square test was used, and Table 7 is the result.

Table 7: Awareness about Existence of Mediation Cell across type of Respondents

Type of Business	Yes	No	Total	Pearson Chi-Square Value= 15.243; df= 1; p-value= .000
Goods supplier	51	11	62	
Service Provider	17	21	38	
Total	68	32	100	

Following null hypothesis was tested from above statistics:

H₀= there is no significant association between different type of respondents and their awareness about existence of mediation cell under CPA, 2019.

When the chi square test was used at the 5 percent significance level, the null hypothesis was rejected. It is worth mentioning that chi-square significance i. e p-value is less than .05 for above hypothesized variables, indicating that there is statistical association between awareness about existence of mediation cell CPA, 2019 and type of respondents. The Consumer Protection Act (CPA) 2019 introduced several alternative dispute resolution processes into consumer grievance redressal machinery which includes facility of filing the complaint at national consumer helpline website/ app, E- filing facility which allows consumers to file complaints electronically with district, state and national commission without the need to visit consumer courts physically. By incorporating these provisions, the CPA 2019 aims to make the consumer dispute resolution process more efficient, transparent and time-bound, thereby ensuring speedy justice for consumers.

Participants were questioned regarding the duration of time these redressal agencies took to resolve complaints.

Table 8: Outlook regarding the Time Taken by Redressal Agency

Opinion	Frequency	Percent
On Time Justice	20	20.0
Delayed Justice	72	72.0
Can't Say	8	8.0
Total	100	100.0

According to Table 8, a mere 20.0% of the participants believed that the redressal agency provides prompt justice. 72.0 percent of respondents believed that the Redressal agency's justice system always delays cases (Hiremath & Maley, 2018). 8.0% of respondents were undecided about the time these redressal agencies took to resolve cases. In addition, those who felt that there is delay in delivery of justice were asked to list their reasons, which are examined in the tables that follow. Six reasons were listed, and respondents were asked to rank them in order of preference in order to analyse the reasons for the delayed justice at Redressal Agency. The most significant reason received a rank of 1, while the least significant reason received a rank of 5.

Table 9 indicates that the respondents cited "Procedural Complexities" at the Redressal Agency as the most prominent reason (Kaur, 2021).

Table 9: Reasons for the Delayed Justice

Reason	Rank 1	Rank 2	Rank 3	Rank 4	Rank 5	Total	Mean
A. Overburden of complaints	14(19.4)	28(38.8)	10(13.8)	14(19.4)	6(8.3)	72(100.0)	2.58
B. Procedural complexities	28(38.8)	14(19.4)	12(16.6)	10(13.8)	8(11.1)	72(100.0)	2.38

C. Regular adjournments of Legal proceedings	16(22.2)	6(8.3)	14(19.4)	20(27.7)	16(22.2)	72(100.0)	3.19
D. Unavoidable advocacy intervention	8(11.1)	20(27.7)	18(25)	14(19.4)	12(16.6)	72(100.0)	3.02
E. Sluggish work place environment at Redressal agency	4(5.5)	22(30.5)	14(19.4)	12(16.6)	20(27.7)	72(100.0)	3.30
F. Insufficient oversight of case disposition by the state govt.	20(27.7)	4(5.5)	18(25)	10(13.8)	20(27.7)	72(100.0)	3.08

Rank 1: Most Important; Rank 5: Least Important Figures in parentheses indicates

percentage

Table 10: Descriptive Statistics of Reasons for the Delayed Justice

Descriptive Statistics			One-Sample Test (95% Confidence level)	
	Mean	Std. Dev.	t- value	Sig. (2-tailed)
E. Sluggish work place environment at Redressal agency	3.30	1.318	5.187	.000
C. Regular adjournments of Legal proceedings	3.19	1.460	4.037	.000
F. Insufficient oversight of case disposition by the state govt.	3.08	1.563	3.166	.002
D. Unavoidable advocacy intervention	3.02	1.267	3.535	.001
A. Overburden of complaints	2.58	1.24	.569	.571
B. Procedural complexities	2.38	1.410	-.669	.506

Mean <2.5 indicates highly ranked reason

The average values of the statements that were asked to be analysed in order to determine the causes of the Redressal Agency's delayed justice are shown in Table 10. According to respondents, the top five reasons with mean values greater than 2.5 were deemed less significant, while the final reason with a mean score of less than 2.5 indicates that it was a significant reason.

'Procedural complexities' was found to be the most important reason while 'Sluggish work place environment at Redressal agency' was observed as least significant reason by the respondents.

One sample t-test was used to determine the statements' statistical significance. At the 5% level of significance, the decision rule is $t \geq 1.960$ or $t \leq -1.960$ to determine whether the reasons were statistically significant. According to Table 11, it was inferred that 2 reasons i.e. 'Overburden of complaints' and 'Procedural complexities' with t-values .569 and -.669 respectively were statistically insignificant and remaining other reasons were found to be statistically significant. The respondents' attitudes towards these reasons appear to be neutral, based on the mean values (2.58 and 2.38) of these reasons.

Table 11: Chi Square Goodness of Fit Test for Reasons for the Delayed Justice

	Reasons for the Delayed Justice	Observed Weights
A	Overburden of complaints	246
B	Procedural complexities	260
C	Regular adjournments of Legal proceedings	202

D	Unavoidable advocacy intervention	214
E	Sluggish work place environment at Redressal agency	194
F	Insufficient oversight of case disposition by the state govt.	210
Calculated Chi Square Value=1.333; Table value= 9.488; df= 4; p-value=.856		

The Chi Square Goodness of Fit Test was used to determine whether each of the six explanations for the delayed justice was equally significant.

The respondents ranked each of the six reasons on a scale of 1 to 5.

These rankings were given weights in the following way for analysis.

Rank 1: Weight 5; Rank 2: Weight 4; Rank 3: Weight 3; Rank 4: Weight 2 and Rank 5: Weight 1

The results are displayed in Table 11 after the weights for each of the six reasons have been assigned.

H_0 = there is no significant difference in all the five factors responsible for delayed justice

Chi square has a computed value of 1.333 and a tabulated value of 9.488 at a 5% level of significance and five degrees of freedom. Since the calculated value of chi square is less than the table value, it lies in the acceptance region. Thus, H_0 is not rejected and we conclude there was no significant differences in six reasons and these were equally important in causing delay in delivery of justice. However from the analysis, it can be concluded that defendants felt that ‘Procedural Complexities’ was the most important reason and ‘Sluggish work place environment at Redressal agency’ as least important reason responsible for causing delay in delivery of justice (Konattu & Sudhakaran 2018). The law states that consumer grievance redressal agencies have less complicated procedures than civil courts. It was discovered through verbal discussions that the advocates had complicated the process, and the defendants would like to hire advocates to get the judgement in their favour. Respondents were questioned about the procedures used by the Redressal agency in order to confirm this goal. Respondents were questioned about the procedures used by the Redressal agency in order to achieve this objective.

Table 12: Opinion on Procedure Followed for Settlement of Complaints at Redressal Agency

Opinion	Frequency	Percent
Time taking	44	44.0
Difficult	36	36.0
Easy and straightforward	20	20.0
Total	100	100.0

According to Table 12, 44.0% of respondents felt that the process used to settle complaints at the redressal agency takes time taking (Krishna & Suganya, 2011). 36.0 percent thought the procedure was challenging. However, just 20 percent of respondents claimed that the redressal agency's complaint settlement process is simple and uncomplicated.

Karl Pearson's coefficient of correlation was computed to determine the degree of linear association between defendants' knowledge of the CPA, 2019 and their opinions regarding the process used by the Redressal agency to settle complaints. Table 13 displays the outcomes that were thus obtained.

Table 13: Association between Awareness about Consumer Protection Act, 2019 and Procedure Adopted for Settlement of Complaints at Redressal Agency

		Dependent Variable: Opinion on Procedure Followed for Settlement of Complaints at Redressal Agency			
Independent Variable: Familiarity about Consumer Protection Act, 2019		Time taking	Difficult	Easy and straightforward	Total
	Fully Aware	17	0	2	19
	Partially Aware	24	36	4	64
	Not Aware	3	0	14	17

	Total	44	36	20	100
Pearson Co-efficient of Correlation 'R' = .558, p-value = .000*					

*= Not-significant at 95% level of confidence ($p > 0.05$)

Table 13 showed a significant relationship between the dependent variable, "Procedure Adopted for Settlement of Complaints at Redressal Agency," and the independent variable, "familiarity about CPA, 2019."

Interviews with consumers, business organizations, and defending parties revealed that the defendants typically employ advocates to defend themselves. Respondents of this study were requested to give their opinion on whether appointment of advocates is recommended or discouraged.

Table 14: Opinion on Whether Involvement of Advocates is Recommended or Discouraged

Opinion	Frequency	Percent
Recommended	70	70.0
Discouraged	30	30.0
Total	100	100.0

According to Table 14, the appointment of advocates for the defending of consumer complaints was recommended by 70.0 percent of respondents.

According to 30.0% of respondents, appointing advocates is not desirable or warranted.

Additional questions about the reasons supporting the appointment of advocates were asked of the respondents who supported it; the results are examined in the Table 14 that follow.

Table 15: Reasons Favoring Appointment of Advocates

Reasons	Rank 1	Rank 2	Rank 3	Rank 4	Total
Cases are presented by advocates more effectively	22(31.4)	20(28.57)	16(22.85)	12(17.14)	70(100.0)
In order to facilitate the redressal agency in prompt resolution of cases	6(8.5)	24(34.28)	28(40)	12(17.14)	70(100.0)
It is difficult to spare time	20(28.5)	14(20)	18(25.71)	18(25.71)	70(100.0)
Technical and procedural complexities	24(34.28)	12(17.14)	16(22.85)	18(25.71)	70(100.0)

Rank 1: Most Important; Rank 4: Least Important Figures in parentheses indicates percentage

Four reasons were presented, and respondents were asked to rank them in order of preference in order to analyse the reasons behind desirability to appointment of advocates to carry out proceedings. The most significant factor was assigned a rank of 1, and the least significant factor was assigned a rank of 4.

A weighted mean score for each of the four reasons was computed and results are shown in Table 16 along with a sample t-test and standard deviation.

Table 16: Descriptive Statistics of Reasons Favoring Appointing of Advocates

Descriptive Statistics			One-Sample Test (95% Confidence level)	
	Mean	Std. Dev.	t-value	Sig. (2-tailed)
Cases are presented by advocates more effectively	2.26	1.086	1.981	.052
Technical and procedural complexities	2.40	1.209	2.769	.007
It is difficult to spare time	2.49	1.164	3.491	.001

In order to facilitate the redressal agency in prompt resolution of cases	2.66	.866	6.347	.000
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It can be inferred that the primary reason defendants find it desirable to appoint advocates is that "Cases are presented by advocates more effectively" at the redressal agency while 'to facilitate the redressal agency in prompt resolution of cases' was least significant reason for recommended for appointment of advocates. A t-test with one sample was used to determine the statements' statistical significance. The decision rule at the 5% level of significance is $t \geq 1.960$ or $t \leq -1.960$ to determine whether the reasons were statistically significant.

From the Table 16, it was concluded that one reasons i.e. 'Cases are presented by advocates more effectively' having t-value 1.981 were not statistically significant and remaining three reasons were statistically significant. It suggests that the respondents have casual attitude towards these reasons. The Chi Square Goodness of Fit Test was used to determine whether each of the four factors supporting the appointment of advocates was equally significant. The respondents ranked each of the four reasons on a scale of 1 to 4. These options were assigned weights in the way given below for analysis:
Rank 1: Weight 4; Rank 2: Weight 3; Rank 3: Weight 2; and Rank 4: Weight 1;

Table 17: Chi Square Goodness of Fit Test for Reasons Favoring Appointment of Advocates

	Reasons Favoring Appointment of Advocates	Observed Weights
A	Cases are presented by advocates more effectively	192
B	Technical and procedural complexities	164
C	It is difficult to spare time	176
D	In order to facilitate the redressal agency in prompt resolution of cases	182
<i>Calculated Chi Square Value=.629; Table value= 7.82; df= 3; p-value=.890</i>		

Results are obtained by allocating weights to each of the four reasons, as per Table 17.

H_0 = there is no significant difference in all four factors favouring appointment of advocates.

The computed value of chi square is.629, while the tabulated value is 7.82 at 3 degrees of freedom and a 5% level of significance. Since the calculated value of chi square is less than the table value, it lies in the acceptance region. Thus, we do not reject H_0 and conclude that the four reasons listed above were not differ significantly and that they were not equally significant factors supporting the appointment of advocates. It can be concluded from the analysis that first reason (Cases are presented by advocates more effectively) was considered most important reason and second reason (Technical and procedural complexities) were considered least important reason in favor of appointing advocates. Not every defending party defends themselves at the redressal agency due to perceived legal complexity of the judicial system, time constraints, and other uncontrollable factors.

Respondents were questioned regarding the strategy they used to defend a complainant at a redressal agency.

Table 18: Strategy for Defending a Complainant at Redressal Agency

Response	Frequency	Percent
Self	42	42.0
Through lawyer	58	58.0
Total	100	100.0

According to Table 18, 42% of respondents defended themselves against the complaints made against them at the redressal agency. For their defence against the complainants at the redressal agency, 58% of the respondents used advocates.

Table 19 was created using the chi-square test to determine whether there is a significant association exist between the respondents' types and the strategy used to defend complainants at redressal agencies.

Table 19: Strategy to Defend Complainant at Redressal Agency across Type of Respondents

Type of Business	Self	Through Lawyer	Total	Pearson Chi-Square Value= 20.930;
Goods Dealer	37	25	62	

Service Provider	5	33	38	<i>df= 1;</i> <i>p-value= .000</i>
Total	42	58	100	

Following null hypothesis was tested from above statistics:

H_0 = there is no significant association between type of respondents and the strategy of defending a complainant at Redressal agency.

When the chi square test is used at the five percent significance level, the null hypothesis is rejected. It should be noted that for the variables mentioned above, the chi-square significance (p-value) is less than 0.05, so there exist significant association between the strategy to defend a complainant at redressal agency and type of respondents. Karl Pearson Coefficient of Correlation was computed to determine the degree of linear relationship between defendants' knowledge of CPA, 2019 and the strategy employed to defend a complainant at redressal agency. The results are provided in Table 20.

Table 20: Correlation between Awareness about Consumer Protection Act, 2019 and Strategy to Defend a Complainant at Redressal Agency

		Dependent Variable: strategy to defend a complainant at redressal agency		
Independent Variable: Awareness about Consumer Protection Act, 2019		Self	Through Lawyer	Total
	Fully Aware	16	3	19
	Partially Aware	22	42	64
	Not Aware	4	13	17
	Total	42	58	50
Pearson Co-efficient of Correlation 'r'= 17.805, p- value= .000*				

*= Significant at 95% level of confidence ($p \leq 0.05$)

Table 20 shows a direct and significant relationship between the independent variable "awareness about CPA, 2019" and the dependent variable "Strategy to Defend a Complainant at Redressal Agency." According to Section 38(7) of CPA 2019, the District Commission is required to send a copy of the admitted complaint to each defendant named in the complaint within twenty-one days of the complaint's admission date. The defendants are then given thirty days to provide their version of events, or the District Commission may extend that time by no more than fifteen days. Respondents were asked to give their opinion on allowed 30-45 days to represent the case at District before Redressal Agency.

Table 21: Opinion on Allowed 30-45 days to Represent the Case

Response	Frequency	Percent
Yes	62	62.0
No	38	38.0
Total	100	100.0

Table 21 shows that 62.0% of respondents thought that the allotted 30-45 days would be adequate to submit the response before the redressal agency. According to 38.0 percent of respondents, the allotted 30-45 days is insufficient to submit the response before the Redressal Agency (Monga, 2014). It is customary for consumers, or any individual or organisation acting on their behalf, to first attempt to resolve their complaints with the defending parties before contacting a redressal agency. When asked which of the following had approached them, the defendants' answers were examined as follows:

Table 22: Person Approached on Behalf of Complainants

Response	Frequency	Percent
Complainant Himself	62	62.0
Through lawyer	24	24.0
Through Bhartiya Vyapar Mandal	4	4.0
Not approached at all	6	6.0
Any other (like VCO etc.)	4	4.0
Total	100	100.0

Table 22 makes evident that the majority of complaints were addressed by the complainant (62 percent) directly in order to have their complaints resolved. The notices were sent by the advocates hired by the complainants in 24% of the cases. The percentage of complainants who were contacted by local Bhartiya Vyapar Mandal (4%) or Voluntary Consumer Organisations (4%) was quite low. The defendants disclosed that six percent of the complainants never contacted them and instead filed the case with the Redressal agency directly.

Legal recourse is avoided as a first step in resolving consumer complaints. To begin with, when customers have complaints, they usually go to the product vendor or service provider. This fact is further supported by the results of this

inquiry, as the majority of consumers go straight to them with their complaints. When they are unable to find a satisfactory solution, customers turn to advocates, Bhartiya Vyapar Mandals, and VCOs, among other resources. Sections 38, 49, and 59 of the CPA 2019 made clear the process the consumer commission used to resolve the cases. Questions concerning respondents' opinions of the steps taken at the Consumer Commission were posed to them. Table 23 shows that the procedure used to settle complaints at the consumer commission was deemed satisfactory by 56.0% of respondents. Of those surveyed, 44.0% expressed dissatisfaction with the process (Minhas, 2019).

Table 23: Satisfaction with the Procedure at Redressal Agency

Satisfied	Frequency	Percent
Yes	56	56.0
No	44	44.0
Total	100	100.0

When a consumer is cheated, he moves to consumer commission for redressal of his grievances. Defending parties in the redressal agency must defend themselves by asserting that the consumer is lying and that they have done nothing wrong. It was observed that the majority of judgements rendered by the redressal agency are favourable to the consumer, at which defendants respond adversely to the consumer commission and argue that their rulings are biased in favour of the consumer. The respondents were questioned about whether decisions were made with the interests of consumers rather than impartial justice in order to ascertain the defence parties' perceptions of the quality of justice rendered at the redressal agency.

Table 24: Opinion on Redressal Agency Inclination towards Consumers rather than providing Unbiased Justice

Response	Frequency	Percent
Yes	60	60.0
No	40	40.0
Total	100	100.0

Table 24 revealed that sixty percent of the participants believed that redressal agencies were more focused on empowering consumers with their decisions than on delivering natural justice. (Kumar & Dahiya, 2013) Forty percent of those surveyed admitted that they offer natural justice.

Conclusion

It was found that the majority of defendants in this study had inadequate knowledge about Consumer Protection Act (CPA) 2019. Maximum defendants in this study were aware about provision of criminal sanction and mediation cell under CPA 2019. Given that many defendants reported delays in justice, the perception about redressal agency's duration of time it takes to get justice appears to be unfavourable. The process may be straightforward, but majority of the defendants expressed dissatisfaction finding it either time taking or difficult. It was noted that majority of defendants were in favour of designating advocates. Maximum defendants under study hired advocates to represent them in consumer redressal agencies. The majority of the opposing parties felt that 30-45 days allotted to them are sufficient to reply before the redressal agency. Legal recourse is avoided as a first step in resolving consumer complaints. In the majority of the cases, the defendants were found to be content with the process used at the redressal agency for resolving complaints. It was discovered that the majority of the defendants were dissatisfied with the standard of judgement displayed in consumer dispute redressal agency. The study conducted by Sinha, Gupta & Mittal (2015) supports the also contradicts the results of the present study. The study concluded that the defendants were not fully aware about the provisions of the Act and were divided about the procedure adopted for settling complaints at Consumer Forums. They justified it as advocated can represent the cases in more efficient and effective manner. On the other hand, the study concluded that the opposite parties were found satisfied with the procedure adopted for settling complaints at Consumer Forums and favoured the establishment of the Forums at Sub-Divisional Level also.

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