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CONSUMER PROTECTION IN INDIA: THE ROLE OF CCPA

WHY IN THE NEWS?

World Consumer Rights Day 2025, observed on March 15, emphasizes the theme “A Just Transition to Sustainable Lifestyles.” This theme highlights the need for accessible, affordable, and sustainable lifestyle choices while safeguarding consumer rights. The **Central Consumer Protection Authority (CCPA)** plays a key role in protecting consumer interests by tackling unfair trade practices and ensuring consumer safety. On this day, the Ministry of Consumer Affairs advocates for stronger consumer protection policies and empowers consumers to make informed choices, aligning with global initiatives for consumer rights and sustainable living.

WHY 2025 IS A LANDMARK YEAR

This year's World Consumer Rights Day coincides with pivotal global events:

At the sixth session of the United Nations Environment Assembly (UNEA-6) in March 2024, a historic resolution on Promoting Sustainable Lifestyles was passed. UNEA-7 in December 2025 will evaluate progress and strengthen further commitments.	Sustainable living will be a key focus at COP30 in Brazil in November 2025, building on the momentum from COP29, where Consumers International called for sustainable lifestyles to be included in national climate commitments.	With just five years remaining to achieve the Sustainable Development Goals, urgent action is needed to bring many off-track goals back on course.
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WHAT IS CENTRAL CONSUMER PROTECTION AUTHORITY ?

The Central Consumer Protection Authority (CCPA) is a regulatory body established under the Consumer Protection Act, 2019, which was enacted to promote and protect consumer rights in India. The CCPA was created to ensure that consumers are protected from unfair trade practices, false advertisements, and exploitation in the marketplace. The authority is empowered to take proactive measures against unfair trade

practices and fraudulent practices that exploit the common man. The CCPA acts as an enforcement agency for consumer protection laws in India. In addition to its enforcement role, CCPA also serves as a guiding body to ensure that businesses and organizations align with fair practices and take measures to address consumer grievances. It functions to protect consumers in various sectors, including health, education, and online shopping, by addressing disputes and violations that impact consumer interests. The CCPA is crucial in a country like India, where consumer rights are often overlooked in the face of rapid industrial growth and technological advancements. The CCPA's role becomes especially important in a rapidly growing economy like India, where consumer interests need to be safeguarded from unscrupulous businesses, especially with the increasing online market presence and consumer digitalization. The introduction of CCPA also helps in building consumer confidence in the market by providing a platform for complaints and claims to be addressed fairly.

COMPILATION OF CCPA

The establishment of the CCPA was a significant move in the direction of consumer protection in India. The body was officially created through the **Consumer Protection Act, 2019**. This act replaced the older Consumer Protection Act of 1986, which had become outdated due to changing market dynamics, new technology, and modern forms of consumer exploitation. The CCPA functions as a national body under the Ministry of Consumer Affairs, Food, and Public Distribution.

In the wake of its formation, the CCPA has set out various frameworks, policies, and regulations to handle cases of consumer grievances. Its primary objectives include ensuring fair trade practices and timely redressal of complaints, and it actively participates in the dissemination of consumer awareness across the country. By replacing outdated regulations, the Consumer Protection Act 2019 and the establishment of CCPA provide a modern approach to tackling emerging issues in consumer protection, especially in e-commerce and digital spaces.

The authority is headed by a chairperson who is typically a retired officer from the judicial or administrative sector, appointed by the government. Along with the chairperson, the CCPA also has members with expertise in consumer affairs, legal matters, and trade regulations. The CCPA is empowered to handle cases related to unfair trade practices, misleading advertisements, counterfeit goods, and defective products, making it a comprehensive agency for consumer protection.

COMPOSITION OF CCPA (CENTRAL CONSUMER PROTECTION AUTHORITY)

The **Central Consumer Protection Authority (CCPA)** was established under the **Consumer Protection Act, 2019**, to address issues related to consumer rights and protect their interests. It acts as a national body for the enforcement of consumer rights across India.

Key Components of CCPA:

- 1. Chairperson:** The CCPA is headed by a **Chairperson** who is a senior bureaucrat, typically with experience in consumer affairs or related fields. The Chairperson plays a pivotal role in guiding the functions and operations of the authority.
- 2. Members:** Along with the Chairperson, the CCPA includes a team of **other members** who are appointed by the government. These members have expertise in consumer protection, law, and relevant sectors. Their responsibility is to ensure effective functioning, decision-making, and oversight of consumer protection laws and issues.

3. Director General (DG): The **Director General** is the head of the investigative arm of the CCPA. The DG is responsible for overseeing investigations into violations of consumer rights and enforcing penalties against unfair trade practices and misleading advertisements. The DG also reports to the authority about any violations of consumer laws.

4. Investigative Units: The CCPA has several **investigative units** responsible for monitoring markets, collecting evidence of violations, and taking necessary actions, including recommending penalties and other remedies for consumers. These units help implement the authority's mandate effectively.

5. Consumer Rights Group Collaboration: The CCPA works in conjunction with various **consumer rights organizations** and stakeholders, including state consumer protection bodies, non-governmental organizations (NGOs), and industry bodies, to foster awareness and enforcement of consumer rights.

POWERS OF THE CCPA

The CCPA is endowed with broad powers to regulate and ensure consumer protection. These powers include:

1. Investigating Unfair Trade Practices: The CCPA has the authority to take suo motu action or act on consumer complaints to investigate unfair trade practices. The body can monitor and regulate misleading advertisements, deceptive sales tactics, or goods that fail to meet safety standards. It has the power to take immediate actions against businesses found violating consumer rights and can impose penalties to deter malpractice.

2. Issue Directions: The CCPA can issue directions to various stakeholders, such as manufacturers, traders, or service providers, to cease any deceptive practices. It can direct them to modify misleading advertisements or stop selling unsafe products. This ensures that companies adhere to ethical business practices, contributing to a safer market for consumers.

3. Take Legal Action: The authority is empowered to initiate legal proceedings on behalf of consumers, particularly when large-scale exploitation is involved. CCPA can impose penalties or seek redressal in consumer courts if necessary. The body also collaborates with state agencies to enhance consumer protection efforts at local levels.

4. Consumer Education: One of the key functions of the CCPA is consumer education. It plays a critical role in spreading awareness regarding consumer rights and responsibilities and informs consumers about their rights under various laws. Through campaigns and outreach programs, the CCPA helps create an informed consumer base that can take action when they face exploitation.

5. Forming Regulatory Bodies: The CCPA can set up regulatory bodies in various sectors to address grievances in specific industries. This is a measure to ensure sector-specific consumer protections, like in the telecom or e-commerce industries. By focusing on individual sectors, CCPA ensures that each industry adheres to the specific guidelines that safeguard consumer rights.

6. Collecting Data and Reports: The CCPA is authorized to collect data, conduct research, and prepare reports related to consumer issues and violations. These reports provide insight into ongoing trends of exploitation and highlight areas for improvement. CCPA's data collection also helps policymakers develop targeted strategies to address consumer-related issues.

7. Power to Regulate E-Commerce: As part of its efforts to regulate modern industries, the CCPA has been empowered to control e-commerce platforms. This is especially significant as e-commerce platforms have seen exponential growth and many are not compliant with consumer protection norms. The CCPA ensures that e-commerce companies adhere to fair trade practices and do not mislead consumers through deceptive product listings or poor customer service.

RESPONSIBILITIES OF CCPA

The core responsibility of CCPA lies in safeguarding consumer interests across the country. Some of its primary responsibilities include:

1. Prevention of Unfair Trade Practices: CCPA's primary goal is to protect consumers from unfair trade practices, including false advertising, deceptive pricing, and unethical product safety standards. The body actively investigates cases and issues notices or orders to businesses found to be violating these laws. This helps to create a fairer marketplace for consumers and reduces the potential for exploitation.

2. Consumer Grievance Redressal: The CCPA plays a central role in ensuring that consumer complaints are addressed. It ensures that affected consumers receive prompt and fair redressal for their grievances. The authority acts as a central body to manage consumer complaints and often coordinates with state-level agencies for faster resolution. This results in a more effective and accessible consumer dispute resolution system.

3. Regulating Misleading Advertisements: One of the most critical functions of CCPA is the regulation of misleading advertisements. This includes taking action against companies and individuals involved in promoting products through false or exaggerated claims. The CCPA's intervention is crucial in preventing deceptive marketing tactics in India, particularly in the digital space, where advertising can easily mislead consumers.

4. Consumer Awareness Programs: CCPA runs various campaigns and initiatives to educate consumers about their rights and how they can assert them. This education also helps consumers differentiate between quality products and fraudulence in the market. The authority's outreach programs, especially in rural areas, ensure that more consumers are aware of their legal rights.

5. Formulation of Guidelines and Policies: CCPA is responsible for setting up guidelines for businesses to follow to ensure fair consumer practices. These guidelines include product labeling standards, advertisements, and guidelines for e-commerce operations. It also plays a vital role in drafting policies to improve consumer protection measures in India. This ensures that businesses maintain high standards of honesty and transparency in their operations.

6. Supporting Consumer Advocacy Groups: The CCPA collaborates with consumer advocacy groups and non-governmental organizations to build a stronger consumer protection ecosystem. These groups often have a better understanding of local issues, and through their collaboration with CCPA, they help promote consumer rights at the grassroots level.

POLICIES AND MEASURES OF CCPA TO PROTECT CONSUMERS

1. Consumer Protection from False Advertisements: The Consumer Protection Act, 2019, under which CCPA functions, provides strict guidelines for advertisers. False or misleading advertisements can lead to heavy fines or even jail time for the perpetrators. The act also ensures that consumers are protected from products or services that do not meet the declared standards. CCPA enforces compliance with these provisions through penalties and awareness campaigns.

2. Digital Consumer Protection: Given the rise of e-commerce, digital consumer protection has become a major focus of CCPA. With the proliferation of online shopping platforms, consumers are often faced with issues like counterfeit products, delayed deliveries, or poor customer service. The CCPA works with e-commerce companies to ensure that they adhere to consumer protection standards, especially regarding refunds, returns, and product safety. The authority has issued guidelines for e-commerce companies to maintain transparency in product information, return policies, and pricing.

3. Consumer Protection in the Food Industry: The CCPA plays an important role in ensuring the safety of food products. It ensures that food items are correctly labeled, contain only safe ingredients, and do not mislead consumers in terms of quantity or quality. The CCPA has also intervened in cases of food

adulteration, where manufacturers have been fined for selling products that do not meet the specified standards. This includes food products that are falsely labeled as organic or claiming to have health benefits that are not backed by evidence.

4. Consumer Redressal Mechanisms: One of the most significant aspects of CCPA's measures is its consumer redressal mechanisms. The Consumer Protection Act mandates the creation of consumer courts at various levels, including District Consumer Forums, State Commissions, and the National Commission. These courts help consumers settle disputes with businesses in a timely and cost-effective manner. The creation of an online complaint system further facilitates a smooth grievance redressal process, allowing consumers to file complaints from anywhere.

5. Regulation of E-Commerce Platforms: With the rise of online shopping in India, the CCPA has also focused on regulating e-commerce platforms to ensure that they adhere to proper consumer protection guidelines. This includes ensuring transparency in product listings, accurate descriptions, customer reviews, and fair return policies. The CCPA has also developed rules that mandate e-commerce platforms to ensure that sellers are compliant with consumer rights regulations.

6. Product Safety Standards: The CCPA has pushed for higher safety standards for consumer products, especially in sectors like electronics and toys. The authority works with other agencies, like the Bureau of Indian Standards (BIS), to ensure that products available in the market meet the necessary safety and quality standards. This includes taking action against products that pose a risk to consumer health and safety.

ISSUES FACED BY CCPA

Despite its considerable powers, the CCPA faces several challenges:

1. Enforcement of Regulations: One of the main hurdles is the enforcement of consumer protection regulations. While the CCPA has the authority to take actions, it often faces delays in executing those actions due to bureaucratic processes or the involvement of multiple stakeholders. The slow pace of legal proceedings in some cases can delay justice for consumers.

2. Awareness and Access to Redressal: Many consumers, especially in rural areas, are not aware of the rights afforded to them under consumer protection laws. This lack of awareness makes it difficult for CCPA to ensure widespread compliance with its orders. Consumer education campaigns need to be more widespread, especially in rural and underserved areas.

3. Increasing Complexity of E-Commerce: With e-commerce growing at a rapid pace, the challenge of regulating online platforms effectively is becoming more complex. Issues like fake reviews, non-compliance with return policies, and product safety concerns remain rampant in online shopping. As a result, regulating the rapidly expanding digital economy presents new hurdles for the CCPA.

4. Lack of Adequate Infrastructure: The infrastructure for consumer grievance redressal mechanisms remains inadequate in many parts of the country. A lack of sufficient consumer courts and forums in remote areas makes it harder for consumers to resolve disputes efficiently. The lack of digital infrastructure in some regions further complicates the issue.

WAY FORWARD

To improve the effectiveness of CCPA, certain steps need to be taken:

1. Increase Consumer Awareness: The government and CCPA must launch awareness campaigns to educate consumers about their rights, grievance redressal mechanisms, and how they can report violations. Engaging with schools, universities, and local community groups can help spread awareness.

2. Strengthening Redressal Mechanisms: More consumer forums and courts should be established to handle the rising volume of complaints, especially in rural areas where access to such forums is limited. The development of a strong digital infrastructure can also aid in faster resolutions.

3. Effective Monitoring of E-Commerce: As e-commerce grows, stricter monitoring, and regulation should be applied to online platforms to prevent deceptive practices, especially related to misleading product descriptions and fake reviews. Regular audits and collaboration with e-commerce giants will be essential in enforcing compliance.

4. Empowering CCPA: Empowering CCPA with more resources, both in terms of manpower and technological tools, will help in ensuring better enforcement of consumer protection laws. This will ensure that businesses adhere to standards while providing consumers with a fairer marketplace.

CONCLUSION

The Consumer Protection Act of 2019, along with the establishment of the CCPA, marks a significant step forward in consumer protection in India. By addressing issues related to false advertising, unfair trade practices, and exploitation, CCPA plays a critical role in ensuring that consumers are safeguarded in an ever-evolving marketplace. However, challenges such as enforcement, consumer awareness, and the rapid growth of digital platforms remain. A more robust infrastructure, alongside better monitoring and awareness campaigns, will be essential in helping CCPA fulfill its objectives and protect the interests of Indian consumers. As India continues to grow as a global economic player, the role of the CCPA will become increasingly crucial in safeguarding the rights of consumers.

PRELIMS QUESTIONS:

Q. Which of the following is/are the key functions of the Central Consumer Protection Authority (CCPA)?

1. Protecting consumers' rights against unfair trade practices.
2. Implementing and monitoring consumer protection laws at the grassroots level.
3. Conducting research and developing educational programs to enhance consumer awareness.

Select the correct answer using the code given below:

- (a) 1 only
- (b) 1 and 2 only
- (c) 1, 2, and 3
- (d) 2 and 3 only

ANSWER: C

MAINS QUESTIONS:

Q. Evaluate the powers and responsibilities of the CCPA and suggest ways to enhance its effectiveness.?
(250 words, 15 marks)

ROLE OF ASSEMBLY SPEAKER

WHY IN THE NEWS?

Tamil Nadu Assembly Speaker M Appavu was at the centre of a political storm after the AIADMK moved a no-confidence motion against him, accusing him of bias and favouring the ruling DMK. However, the motion was defeated in a voice vote, with 154 MLAs from DMK and its allies rejecting it. AIADMK's 63 MLAs supported the motion, while the BJP and PMK abstained. Leader of Opposition Edappadi K Palaniswami (EPS)

alleged that the Speaker was obstructing opposition voices and suppressing protests. Chief Minister M K Stalin dismissed the claims, saying people would “laugh” at the accusations. Adding to the political intrigue, expelled AIADMK leaders O Panneerselvam (OPS) and his associates backed the motion, highlighting ongoing factional tensions within the party. The controversy has intensified debates on legislative fairness in Tamil Nadu.

OFFICE OF STATE LEGISLATIVE ASSEMBLY SPEAKER

Constitutional Provisions

Article 178: Provides for the appointment of the Speaker and Deputy Speaker of the Legislative Assembly.

Article 179: Deals with vacation, resignation, and removal of the Speaker and Deputy Speaker.

Article 180: Lays down provisions for the Deputy Speaker or any other member to act as the Speaker when required.

Article 181: States that the Speaker or Deputy Speaker shall not preside while a resolution for their removal is under consideration.

Article 186: Deals with the salaries and allowances of the Speaker and Deputy Speaker.

Appointment of the Speaker

The Speaker is elected by the members of the Legislative Assembly by a simple majority.

Usually, a member from the ruling party is chosen for the position.

The election takes place after the first meeting of the newly elected Assembly.

Removal of the Speaker

The Speaker can be removed by the Assembly through a resolution passed by an effective majority (more than 50% of the total effective strength of the House). The

14-day notice must be given before moving the resolution, as per Article 179(c) of the Constitution.

The Speaker cannot preside over the House while their removal motion is under discussion (Article 181).

The Speaker can also resign voluntarily by submitting their resignation to the Deputy Speaker.

POWERS AND RESPONSIBILITIES OF ASSEMBLY SPEAKER

Powers

- 1. Presiding & Administrative:** Conducts sessions, regulates debates, and adjourns/suspends proceedings.
- 2. Legislative & Procedural:** Decides agenda, allows motions, refers bills to committees.
- 3. Disciplinary:** Enforces rules, suspends/disqualifies members, and ensures quorum.
- 4. Anti-Defection (Tenth Schedule):** Decides MLA disqualification for defection.
- 5. Financial:** Certifies Money Bills and manages budget discussions.
- 6. Casting Vote:** Breaks ties in case of deadlock.

Responsibilities

- 1. Maintains Order & Neutrality:** Ensures disciplined debates and impartial proceedings.
- 2. Safeguards Legislative Privileges:** Protects the rights of MLAs and the Assembly's autonomy.
- 3. Manages Assembly Committees:** Oversees committee functioning and enforces decisions.
- 4. Represents the Assembly:** Acts as the official spokesperson in external and inter-parliamentary affairs.
- 5. Ensures Legislative Efficiency:** Sets the agenda, prioritizes discussions, and facilitates smooth lawmaking.
- 6. Handles Disciplinary Actions:** Takes action against unruly behaviour and ensures adherence to rules.
- 7. Decides on Anti-Defection Cases:** Determines disqualification of MLAs under the Tenth Schedule.

INDEPENDENCE OF OFFICE OF SPEAKER

- 1. Security of Tenure:** Holds office until the first meeting of the new Lok Sabha, ensuring stability and continuity.
- 2. Difficult Removal Process:** Can only be removed by a resolution with a majority of all members, preventing arbitrary dismissal.
- 3. Financial Independence:** Salaries and allowances are charged to the Consolidated Fund of India, shielding from political influence.
- 4. Protection from Criticism:** Work and conduct cannot be discussed in Lok Sabha except through a substantive motion.
- 5. Impartiality & Judicial Oversight:** Must remain neutral; decisions can be reviewed by courts (e.g., *Kihoto Hollohan v. Zachilhu*, 1992).
- 6. Casting Vote Authority:** Can cast a vote in case of a tie, reinforcing impartial decision-making.
- 7. Symbol of Authority:** Represents the dignity and power of the House, upholding parliamentary democracy.

WHAT IS THE ISSUE WITH THE OFFICE OF THE SPEAKER?

- 1. Partisanship & Political Bias:** Often affiliated with the ruling party, leading to allegations of favouritism in decision-making.
- 2. Misuse of Anti-Defection Powers:** Delay or selective action on disqualification petitions under the Tenth Schedule to benefit the ruling party.
- 3. Lack of Fixed Timelines:** No strict deadline for ruling on important matters, causing delays in crucial decisions.
- 4. Bypassing Parliamentary Committees:** Increasing trend of passing bills without adequate scrutiny, weakening legislative oversight.
- 5. Disruptions & Loss of Authority:** Frequent protests and disorder reduce the Speaker's effectiveness in maintaining decorum.
- 6. Influence of Executive:** Despite being a neutral authority, the Speaker often faces pressure from the ruling government.
- 7. Absence of Resignation Norms:** Unlike in the UK, where Speakers resign from their political party upon election, Indian Speakers continue party affiliations, raising doubts about neutrality.

WAYS TO REFORM THE OFFICE OF STATE SPEAKER

- 1. Ensure Political Neutrality:** Like in the UK, mandate that the Speaker resign from their political party upon election to ensure impartiality.
- 2. Time-Bound Decisions:** Set strict deadlines for rulings on anti-defection cases and disqualification petitions to prevent delays and manipulation.
- 3. Independent Selection Process:** Introduce a consensus-based election process involving both ruling and opposition parties to ensure fairness.
- 4. Limit Executive Influence:** Establish clear guidelines to prevent undue pressure from the ruling government, ensuring independent decision-making.
- 5. Strengthen Committee Oversight:** Make it mandatory to refer key bills to legislative committees for proper scrutiny before passing them.
- 6. Increase Judicial Accountability:** Allow judicial review of the Speaker's decisions, especially in disqualification cases, to prevent bias and misuse of power.
- 7. Define Powers Clearly:** Amend rules to clearly define the Speaker's discretionary powers, reducing the scope for arbitrary decisions.
- 8. Training & Code of Conduct:** Provide formal training to newly elected Speakers and enforce a code of conduct to uphold neutrality and discipline.

CONCLUSION

The Speaker of the State Legislative Assembly plays a crucial role in ensuring the smooth functioning of the legislature, upholding democratic principles, and maintaining neutrality. However, issues like political bias, misuse of anti-defection powers, and executive influence undermine the credibility of the office. Implementing reforms such as mandating political neutrality, ensuring time-bound decisions, strengthening committee oversight, and increasing judicial accountability can enhance the independence and effectiveness of the Speaker's office. These measures will help restore public confidence in legislative processes and reinforce the democratic framework.

PRELIMS QUESTIONS

Q. With reference to the Speaker of the State Legislative Assembly, consider the following statements:

1. The Speaker is elected by a simple majority of the members of the Legislative Assembly.
2. The Speaker can be removed by a resolution passed by a special majority in the Assembly.
3. The Speaker's salary and allowances are subject to the annual vote of the Assembly.

How many of the above-given statements are correct?

- A. Only one
- B. Only two
- C. All three
- D. None

Answer: B

MAINS QUESTIONS

Q. The office of the Speaker in State Legislative Assemblies has been criticized for lacking neutrality and being influenced by political considerations. Discuss the challenges associated with the role of the Speaker and suggest reforms to enhance the independence and impartiality of the office. (250 words, 15 marks)

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