
Kiran Gupta, Prakash Sharma, P.P. Mitra, *The Emerging Trends in the Consumer Law*, First Edition, Thomson Reuters, 2024.

The Emerging Trends in the Consumer Law is a timely and intellectually rich contribution to Indian legal literature, comprising twenty-two chapters, each addressing a specific dimension of consumer protection. The book opens with a conceptual framework that examines the evolution of the citizen into a ‘consumer-citizen’, as an individual who is a political and legal actor operating within an increasingly global and corporatised society. By positioning the consumer as a socio-political agent, the book transcends traditional doctrinal boundaries and presents a more nuanced understanding of consumer law. This is particularly relevant in the contemporary context, where digital consumption, ethical consumerism, and platform-based grievances are becoming central to legal discourse.

Chapter One elaborates on the new institutional and procedural tools introduced by the 2019 Act, for instance, the CCPA, product liability, e-commerce regulation, and enhancement of pecuniary jurisdiction aimed at tackling globalisation-induced challenges. Chapter Two delves into the notion of ‘political consumerism,’ highlighting how consumer citizenship is shaping contemporary political reforms, ethical consumption, and activism. Based on the Indian context, Chapter Three explains the interpretation of ‘consumer interest’ under the Competition Act, detailing both ex-post and ex-ante enforcement mechanisms used by the Competition Commission of India, and elaborates on how consumer welfare is increasingly becoming a guiding principle, merging economic theory with consumer protection. Chapter Four highlights a major concern regarding certification trademarks, to assure consumers of product quality and safety, as increasing cases of fraud and misuse have surfaced in India, calling for a strong oversight of certification bodies through enhanced monitoring and enforcement measures. Chapter Five critically examines punitive regulation as a deterrent tool, while Chapter Six explores the intersection of the Consumer Protection Act, 2019, with tobacco control regulations. This analysis is particularly illuminating as it bridges public health policy with consumer law, assessing India’s compliance with the Cigarettes and Other Tobacco Products Act (COTPA), 2003, and the WHO Framework Convention on Tobacco Control (FCTC), further exploring endorser liability for misleading advertisements involving tobacco products, especially under the CCPA guidelines, 2022, which is a significant development in India’s consumer law jurisprudence.

Chapter Seven elaborates on the concept of product liability, further enriching the doctrinal analysis. By citing landmark judgments such as *Maruti Udyog Ltd. v. Susheel Kumar Gabgotra* and *M.C. Mehta v. Union of India*, the discussion covers concepts like breach of warranty and no-fault liability, enhancing the reader’s understanding of how consumer safety is adjudicated in Indian courts. Chapter Eight examines whether consumer homebuyers should approach RERA or consumer commissions, further investigating how the Consumer Protection Act, the Insolvency and Bankruptcy Code, 2016 (IBC, 2016), and RERA interact, often producing regulatory overlaps and ambiguities. By situating these legislative interactions in real-world scenarios, the contributors offer grounded critiques and pragmatic suggestions for reform. Chapter Nine talks about the Consumer rights discourse, increasingly incorporating animal welfare, reflecting a

broader understanding of how the treatment of animals influences human well-being and informed consumer choices.

Chapter Fifteen elaborates on e-commerce and social media, examining the Consumer Protection (E-Commerce) Rules, 2020, and the urgent need to regulate commercial transactions on social networking sites, highlighting the increasing vulnerability of digital consumers or ‘e-consumers’ in the absence of clear regulatory oversight and enforcement mechanisms. Chapter Seventeen critically analyses the Real Estate (Regulation and Development) Act, 2016 (RERA), noting its potential for consumer empowerment in urban housing markets, highlighting systemic issues such as a lack of transparency, procedural delays, and ineffective grievance redressal mechanisms, thereby proposing several reforms, including stronger adjudicatory bodies and better enforcement of builders’ obligations under RERA. Chapter Twenty explains the shift from the principle of ‘caveat emptor’ (let the buyer beware) to ‘caveat venditor’ (let the seller beware), and undertakes a critical analysis of the redressal mechanisms provided under the Act, further identifying key legislative and policy gaps, offering constructive recommendations for their resolution. Chapter Twenty-One provides a critical overview of the development of the Indian power sector, exploring the reasons behind the persistent financial distress of DISCOMs in light of successive reform measures, exploring the intended reforms under the Electricity Amendment Bill, 2022, and their potential to revitalise the sector. Another interesting dimension is explored in Chapter Twenty-Two, which focuses on the legality of service charges in restaurants. The author clarifies the legal distinction between service charges and taxes, examining how the CCPA’s recent guidelines aim to prevent exploitative practices in the hospitality sector and brings to light how consumer rights intersect with everyday transactions, making the law more tangible and relevant to the general public.

The book’s depth is further demonstrated through its treatment of sector-specific and emerging international issues. For instance, the work includes the idea of ‘platform justice’, especially pertinent in an age where online consumer grievances are mediated through algorithms, anonymous sellers, and cross-border transactions, thus delving into the ethical, procedural, and security challenges that arise from this digital marketplace and evaluating how the 2019 Act attempts to resolve them. However, it also questions whether the current legal framework is adequate for addressing evolving concerns such as data misuse, algorithmic manipulation, and deepfake endorsements. The work also engages with one of the most pressing procedural questions in contemporary consumer law- the choice of forums. The review acknowledges the Mediation Act, 2023, particularly Section 65, revising the legal framework laid out in Section 37 of the Consumer Protection Act, 2019, enabling the referral of consumer disputes to mediation by the relevant commission. One of the book’s strengths is its comprehensive coverage of legislative developments through landmark cases such as *Carlill v. Carbolic Smoke Ball Company* and *Donoghue v. Stevenson*. and their socio-legal implications. The work also traces the journey from the Consumer Protection Act of 1986, hailed by the then Food Minister H.K.L. Bhagat as the ‘Magna Carta of Consumers’, to the far more expansive Consumer Protection Act of 2019, reflecting a paradigmatic shift in consumer rights and redressal frameworks. In addition to its national focus, the book includes comparative insights that broaden its scope. It refers to international legal instruments such as the WHO FCTC and the UN’s 2030 Agenda for Sustainable Development. India’s ratification of these instruments is framed as part of a global movement toward responsible consumption, sustainability, and ethical governance. These



references provide a broader normative context for understanding India's domestic legal reforms. The book maintains an academic tone, with well-organised chapters and logical progression. While the volume is commendable for its multi-sectoral approach, there were certain thematic overlaps, such as those concerning regulatory mechanisms and institutional challenges, which may lead to minor redundancies, but the inclusion of emerging issues such as online grievance redressal mechanisms, misleading digital advertisements, and consumer activism ensures the book's relevance in today's legal discourse. This is a thoughtfully curated and intellectually robust work that critically evaluates the transformation of consumer rights in India. Its emphasis on interdisciplinary insights, legislative updates, and comparative frameworks makes it an indispensable resource for legal scholars, practitioners, students, policymakers, and activists. The volume succeeds in its central aim to illuminate the changing contours of consumer jurisprudence in a society marked by digital transformation, global interdependence and corporate dominance.

Reviewed by Nandana S Menon^{*}

^{*} LLB, II Year Student, Law Centre-II, Faculty of Law, University of Delhi, New Delhi, India, menonnandana16@gmail.com.