

Research Paper on Mandatory display of Country of Origin and Manufacturer, Seller Details on products sold on E-Commerce Portal of Amazon, Flipkart and other e-commerce portals.

Legal Metrology (Packaged Commodities) Rules,2011 and Consumer Protection (E-Commerce) Rules,2020 specifically provided that the name of Manufacturer and Country of Origin should be displayed mandatorily with each products that are being sold on E Commerce Portals.

It has been observed that E-commerce entities conducting business in India including Amazon, Flipkart and many other such portals are highly violating the mandatory conditions spelled out in above Acts. It is a pity that particularly in e-commerce every guidelines, Rules & Regulations, Laws and policies are being flouted openly and no Department has so far take any cognisance of compliance issues resulting in to a highly vitiated and mess like e-commerce trade of India.

Rule 10 of Legal Metrology (Packaged Commodities) Rules,2011 clearly states that e-commerce entities should display Name & Address of the Manufacturer, Name of the Country of Origin, common/generic name of the product, net quantity, best before/use by date (if applicable), maximum retail price, dimensions of the commodity etc. This Rule was introduced in June 2017 and provided a transition period of 6 months i.e Rules were implemented from 1st January,2018 but even after a lapse of three years, the above rules are not being enforced by e-commerce companies prominently by Amazon, Flipkart etc. Failure to make declarations as above will amount to selling non-standard packages and will invite penalty under the above said Act including fine or imprisonment or both.

It is to be noted that similar obligations were imposed on e-commerce food business operators vide guidelines issued by the Food Safety & Standards Authority (FSSAI) on 2 February,2017. But such FBOs like Zomato, Swiggy etc. are not complying with the above rules.

It is further to be noted that under Rule 4(2) of the Consumer Protection (E Commerce) Rules,2020 provided that every e-commerce entity shall provide the following information in a clear and accessible manner on its platform, displayed prominently to its users, namely, legal name of the e-commerce entity, principal geographic address of its headquarters and all branches, name and details of its website, and contact details like email address, fax, landline and mobile numbers of customer care as well as of grievance office .

It is highly regretted that to the best of our knowledge, no e-commerce entity has appointed a Nodal Officer as also complying with above provisions. Important rights of the consumers are being violated as they are not aware of the seller or description of the product at the time of purchase of products.

There cannot be two opinions that each law must be complied with both in letter and spirit . The respective Departments are required to ensure compliance of such rules but so far every department has utterly failed in its responsibility to keep a check and initiate action, in case of any violation.