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Protection of Consumers' Rights in Bangladesh: Law and Reality

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ABSTRACT

Consumer rights protection is the practice of protecting buyers of goods and services, as well as the general public, from discriminatory business practices. Consumer protection methods are often recognized by law. Such laws are envisioned to preclude businesses from engaging in fraud or specified discriminating rehearses in order to gain an advantage over competitors or to mislead consumers. Consumer protection is related to the concept of consumer rights and the creation of consumer associations, which assist consumers in making better market decisions and pursuing business grievances. In Bangladesh, consumer protection law is described as a body of law that governs private law relationships between individuals and the businesses that sell them goods and services. Consumers in Bangladesh are severely underserved in terms of their rights. As a result, safeguarding consumer rights in Bangladesh is critical, as consumer demands and preferences have shifted as a result of globalization and increased awareness. This study looks at the process of consumer protection in Bangladesh and investigates the various consumer protection acts and laws in the country, as well as the gap between law and reality in this area. It also outlines the different steps that can be taken to educate customers about their rights and policies. Furthermore, this study suggests that government agencies and other bodies work hard to implement some mechanism to raise consumer consciousness about the Consumer Protection Act as a right and to assist them in avoiding being victims of many of society's evils.

Keywords: *Consumer, Consumers' Rights, Protection, Consumerism, Consumer Education, Challenges, and Legal Regime.*

I. INTRODUCTION

In this age of consumerism the free market economy postulates that, the “consumers are the king” but in realism they are the silent victims of manipulated market forces in a country. In developed economies the consumers are protected to a little extent (Rahman & Zannat, 2009).

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However, in an economy like Bangladesh where quality fails to recreation the key role, it is the consumer who suffers the most. Long-drawn non-existence of an identifiable consumer protection law in this country has triggered the sufferings more (Solaiman & Belal, 1997). Independence has fallen in 50 years, but consumer rights are still expressed in Bangladesh in a special way (Wijesinghe, 2002). The issue of consumer protection in Bangladesh has been broadly came in the discussion in the recent past and as a result of that, the Consumers' Rights Protection Act (CRPA), 2009 was enacted. Although the government and different other stakeholders acknowledges that the issue is of critical importance, but like lots of other developing countries the benefits of the consumers in this country are chiefly ignored. There is only one major consumer advocacy organization in Bangladesh called the CAB (Consumer Association of Bangladesh). Many developed countries around the world value consumer rights and therefore respect the situation described above in Bangladesh as a child. The global business environment is changing and growing rapidly. The current business climate has been changed by interest groups through various negotiations and treaties, in particular from the General Agreement on Tariffs and Trade (GATT) to the World Trade Organization (WTO) system (Nasrin, 2006). An evolving global business environment is changing not only systems and processes, but the way we conduct business and transactions, causing deprivation and confusion among consumers. In an ever-evolving sense, consumers are highly respected. But in Bangladesh, we see consumers being ignored. Consumers' rights are violated in almost all sectors of Bangladesh (Hossain, 2017).

(A) Objectives of the Study

The main objective of the study is to identify the consumers' rights protection in Bangladesh. More specifically, the objectives of the study are as follows:

- i) To identify legal issues related to consumers' rights protection;
- ii) To explore the current legal regime for consumers' rights protection in Bangladesh;
- iii) To evaluate of consumers' rights protection actions in the current situation in Bangladesh;
- iv) To reveal the gap between law and reality regarding the issue;
- v) To make some recommendations for ensuring consumers' rights in Bangladesh.

(B) Methodology of the Study

Generally, the study would be conducted on exploratory method. The study will analyze and evaluate the present state of the laws and practices in this respect. In order to give complete

shape to the study, a variety of research methods would be used:

- a) Secondary literature review on consumers' rights protection;
- b) Examination of the constitutional guarantees regarding right to protection of law and other relevant provisions in the Constitution of the People's Republic of Bangladesh;
- c) Analysis of statutory law and case law connecting to consumers' rights protection in Bangladesh;
- d) Review of relevant public records, available statistical data and annual reports of various NGOs;

Discussion on the conceptual issues will be based on the secondary literature together with books, journals, electronic materials, constitutional law, statutory law and case law.

II. WHO IS A CONSUMER?

Consumer” means any individual who in relation to a commercial practice is acting for purposes which are outside his business. According to section-2 (19) of the *Consumers' Rights Protection Act (2009)* in Bangladesh states the definition of consumer as follows.

“Consumer” means such type of person:

- (a) Who, without resale or commercial purpose-
 - (i) Buys any goods for a consideration which has been paid or promised to be paid;
 - (ii) Buys any goods for a consideration which has been partly paid and partly promised; or
 - (iii) Buys any goods for a consideration under any system of deferred payment or installment basis;
- (b) Who uses any goods bought under clause (a) with the consent of the buyer;
- (c) Who buys any goods and uses it commercially for the purpose of earning his livelihood by means of self-employment;
- (d) Who-
 - (i) Hires or in any other means avails of any service for a consideration which has been paid or promised to be paid; or
 - (ii) Hires or in any other means avails of any service for a consideration which has been partly paid and partly promised; or
 - (iii) Hires or in any other means avails of any service for a consideration under any system of deferred payment or installment basis; or
- (e) Who enjoys any service under clause (d), with the consent of the person who hires or avails it,”

Although it may be difficult for a seller to decide whether a purchaser is a consumer or not-it depends on the purchaser's intention in buying the goods for him. It is said that consumer protection is the achieved or intended result of consumer policy.

III. CONSUMERS' RIGHTS?

Though not generally recognized because of the openly attitudes of the traders, every consumer, which generally means every person in the society and the citizens who buy products not for any promote commercial use but for ultimate consumption, have some rights of their own (Tami, 2016). Those rights are protected by the state through some specific laws, rules and regulations and are called *Consumer Rights* (Tami, 2016). To be more specific, there are eight consumer rights which are defined by the UN Consumer Bill of Right (United Nations Guidelines for Consumer Protection, 1985):

- a) Right to Safety- safeguarding against the goods that are hazardous to life and property.
- b) Right to Information- consumers have the right to be informed regarding the price, quality, quantity, etc., of the products they buy.
- c) Right to Choice- consumers should be provided with a wide variety of good to choose from.
- d) Right to be Heard- right of consumers to have their complaints heard.
- e) Right to Satisfaction of Basic Needs- this right demands that people have access to basic, essential goods and services: adequate food, clothing, shelter, health care, education, public utilities, water and sanitation.
- f) Right to Redress- consumers have the right to seek redress regarding their complaints.
- g) Right to Consumer Education- the right of consumers to be educated about their rights.
- h) Right to Healthy Environment- this is the right to live and work in an environment that is non-threatening to the well-being of present and future generations.

IV. WHAT IS CONSUMERS' RIGHTS PROTECTION?

In a welfare state, some laws, rules and regulations are enacted to protect the people from *anti-consumer rights practices*. Those laws, rules and regulations are collectively called as *Consumer Rights Protection*. This definition is quite simple, but it also creates another question in our minds, what kind of activities can be called the *anti-consumer rights practices* exactly?

For that, it has been clarified in *the section 2(20) of the Consumers' Rights Protection Act (2009)* as given below:

“anti-consumer rights practices” means-

- (a) to sell or offer to sell any goods, medicine or service at a higher price than the fixed price under any law for the time being in force;
- (b) to sell or offer to sell adulterated goods or medicine knowingly;
- (c) to sell or offer to sell any goods containing any ingredient which is extremely injurious to human health and the mixing of which with any food item is prohibited under any law for the time being in force;
- (d) to deceive consumers by untrue or false advertisement with the purpose of selling any goods or service;
- (e) not to sell or deliver properly any goods or services sold and promised in consideration of money;
- (f) to sell or deliver less than the offered weight to the consumers while delivering or selling any goods;
- (g) if the weight stone or any other weight measuring instrument used for measuring weight in selling or delivering goods shows more than the actual weight;
- (h) to sell or deliver less than the offered amount while delivering or selling any goods;
- (i) if the length measuring gauge or anything else used for measuring length in selling or delivering goods shows more than the actual length;
- (j) to make or manufacture any fake goods or medicine;
- (k) to sell or offer to sell goods or medicine the date of which has expired;
- (l) to do an act which may endanger life or security of the consumer and which is prohibited by any law for the time being in force.

In short, **anti-consumer rights practices** mean all the activities which deprive a citizen of exercising his rights as a consumer.

V. ASPECTS OF CONSUMER PROTECTION

There are three aspects of consumer rights protection, which every country must consider.

First, the aspect of ‘voluntary protection’ which means that consumers themselves would voluntarily set up associations and/or organizations to safeguard their own rights and interests

(Reich, 1992). These associations/organizations generally work as pressure groups on the government for consumer rights issues. There are many such voluntary organizations in India, Pakistan, Sri Lanka and other countries of the world. In Bangladesh, the Consumers' Association of Bangladesh (CAB) was established in 1978.

Second, the aspect of 'institutional protection'. By establishing national institutions to safeguard and promote consumer rights of citizens this aspect of consumers' protection can be ensured (Ramsay, 1998). For example, in 1914 the Federal Trade Commission, in 1927 the Food and Drug Administration and in 1970 the National Highway Traffic Administration were set up in the USA; the United Kingdom established the office of Director-General of Fair Trading; Sweden set up the Consumer Agency KOV and Consumer Ombudsman KQ; India established National Consumer Protection Council, various. State Consumer Protection Councils, National Consumer Disputes Redressal Commission with State Commissions and District Forums; Pakistan set up the Islamabad Consumer Protection Council; Sri Lanka and Nepal set up the office of the Commissioner of Internal Trade and the Consumer Protection Council respectively.

In Bangladesh Standard and Testing Institute has been active in protecting consumers of Bangladesh in a limited capacity by way of doing laboratory research and testing of commodities to find out whether the same comply with the expected standard. However, currently the country does not have any specific organization or institution exclusively designated to comprehensively safeguard and promote consumer rights.

Third, the aspect of 'statutory protection', which can be guaranteed by enacting relevant laws for protecting the rights and interests of the consumers (Trakic, 2015). Many countries of the world, including those in Asia, have already enacted comprehensive laws in this regard. For example, the Consumer Protection Fundamental Act 1968 in Japan, Consumer Protection Act 1979 in both Thailand and Sri Lanka, Consumer Protection Act 1986 in India, Consumer Act of the Philippines 1990 in the Philippines, Islamabad Consumers Protection Act 1995 in Pakistan, Consumer Protection Act 1998 in Nepal, The Law on Consumer Protection 1999 in Indonesia and Consumer Protection Act 1999 in Malaysia were enacted. However, Bangladesh is yet to enact such a comprehensive Consumers Protection Act.

VI. LEGAL REGIME OF CONSUMERS' RIGHTS PROTECTION IN BANGLADESH

Consumer protection in broader meaning includes the laws and policy and their implementation mechanisms to guarantee fair interaction between the consumer and the manufacturers and the service providers (Rahman, 1994). According the articles 15 and 18 of the *Constitution of*

People's Republic of Bangladesh (1972) ensured the rights of consumers, without via or referring to the tenure itself contained by the area of citizens' general rights. Article 15 states that the right to food security is a fundamental principle of public policy for sustainable livelihoods. Article 18 states that public order must promote public health and nutrition and prevent the abuse of drinks and drug addiction. However, these two provisions are part of the basic principles of public order and therefore do not have legal force as fundamental rights in court. There is a more liberal view of our higher justice in public interest litigation, in which the court believes that some basic social order may apply to the interpretation of "victim", but does not provide clear guidance on both issues (Nawaz, 2020). In Bangladesh these two provisions supporting consumer protection are rarely applied, but this is a supreme article. The Government has enacted the Consumers' Rights Protection Act, 2009 to protect the rights of the consumers. This is a pragmatic approach of the Government to ensure consumer's right that ultimately ensures right to life. Although the CRPA, 2009 is the main piece of legal document to certain the protection of consumer's rights in Bangladesh, there are a terrific range of different law to deal with the problem. Essentially earlier than the enactment of the CRPA, 2009 those legal guidelines albeit in a scattered matter, provided the legal protection mechanism of consumer rights in Bangladesh (Mozammel & Zahid, 2020). Before the CRPA, 2009 came into existence more forty legislations were active to work as consumer protection in Bangladesh. Some selective legislations among these are the Penal Code, 1860; the Price and Distribution of Essential Commodity Ordinance, 1970; The Tobacco Goods Marketing (Control) Act, 1988; The Dangerous Drugs Act, 1930; the Trade Marks Act, 1940; the Food Grain Supply Ordinance, 1956; Breast-milk Substitution (Regulation and Marketing) Ordinance, 1984; Standards of Weight and Measures Ordinance, 1982; Pure Food Ordinance, 1959; the Sale of Goods Act, 1930; Bangladesh Standard Testing Institute Ordinance, 1985; the Water Supply and Sewerage Authority Act, 1996; Drug Control Ordinance, 1982; the Inland Shipping Ordinance, 1976; the right to Information Act, 2009; the Iodine Deficiency Disorders Prevention Act, 1989; the Cannons of Professional Conduct and Etiquette, 1969; the Medical and Dental Council Act, 1980; the Mobile Courts Act, 2009; Bangladesh Energy Regulatory Commission (BERC) Act, 2006; Special Powers Act, 1974. Even if the CRPA, 2009 is in force, but there is very few sign of its enforcement till date. Here, it should mention that, Bangladesh's first Competition Act has been enacted in 2012 that was made a path for Competition Commission equivalent which one is equivalent to a civil court, is yet to be formed. The Consumers' Rights Protection Act (2009) provides for both civil and criminal remedies. A consumer is entitled to lodge complaint with the Consumer Rights Protection

Department for any violation of the Act. The Deputy Commissioners of the districts can exercise the same power as given to the department. A consumer although barred from filing a direct complaint to the police station under the Consumers' Rights Protection Act, 2009 can file a case to the Police Station under other Laws. The Law on consumer rights not only prohibits adulteration, hoarding, smuggling, black marketing, cheating or fraud in weight and measurement or selling products at higher price but also provides punishments for such acts (Hyder, 2017). A manufacturer or producer as well as a service provider or even in special circumstances the seller is liable for adulterated foods or drugs or other essential commodities. The counterfeit products or stolen goods or adulterated food or drugs are also prohibited for selling in the market and violation of which is punishable under the penal Laws including death penalty under the Special Powers Act, 1974 or imprisonment for 10 years and a fine of Tk.1 million under the Drug Control Ordinances, 1982. Different organizations are established in Bangladesh to protect the rights of the consumers including various Courts or Tribunals such as- (i) Consumer Rights Protection Department; (ii) National Consumer Rights Protection Council; (iii) Special Tribunal; (iv) Mobile Court (can work/ function under various Laws; It may be constituted by a special executive order); (v) Drug Court; (vi) Food Special Court; (vii) Ordinary Criminal Courts; (viii) Ordinary Civil Courts; (ix) Marine Courts; (x) BSTI; (xi) Claims Tribunal etc.

VII. CHALLENGES OF THE CONSUMERS' RIGHTS PROTECTION LAWS IN BANGLADESH

Currently, in Bangladesh majority of the consumers are facing a number of specific problems, some of them are: adulteration, product inconsistent with price, deceptive advertising, deceptive packaging and branding, false information about goods and services, cheating in weights & measures, false date, fraudulent production process and selling etc (Hyder, 2017). Overlapping of the laws is a problem for Bangladesh to implement measures against criminality associated with violation of consumer rights (Huq & et al., 2017). Different Laws on the same subject, different types of punishment for the same offence under different Laws, court fees for filing a suit for compensation, delay in proceedings, investigation procedure left to the police instead of independent authorities, lack of monitoring mechanism have been observed by experts as potential impediments to enforcement. On the other hand, there are some controversial and conventional laws in existence in our country. These laws are so outdated that little or no protection is provided to the consumer's interests (Islam & et al., 2016) and most of laws relating the consumer rights protection do not follow the international standards

in terms of dispute resolution (Hossain, 2019). The basic problems of the existing consumer rights protection laws in Bangladesh. Evident from investigation the following problems are as follows:

(A) Consumers' Illiteracy or Limited Knowledge about Consumer Right

Consumer rights are the part of right to life. But in Bangladesh, a great number of consumers are poor, illiterate and have not had ample knowledge about their rights as a consumer. Bangladesh has a number of laws, relevant organizations like the Consumer Association of Bangladesh (CAB) for the promotion of consumer rights and the protection of consumers. But most of the times this enacted laws' and concerned organization's support have not reached to the consumers because majority of the consumers themselves are not aware of their rights. These unawareness and ignorance have limited consumers' capabilities to protect their rights and to raise voice over the dishonest businessmen who have exploited them over the years (Islam et al., 2016). Again, corporate attitude and actions are relatively less concerned about the consumers and the pressure arising from the consumer movement is generally low (Quazi, 2002). If the consumers of Bangladesh have fully understood and exercised their rights in a full swing, then consumerism will have got greater acceptance in Bangladesh.

(B) Administrative Nature

Most of the laws are enacted to deal consumers rights in Bangladesh and particularly the Consumers' Rights Protection Act, 2009 are administrative matters in nature. The Act has 82 sections of which 78 (without sections 1-4) deals with the composition of the National Consumers Rights protection Council and the Directorate of National Consumer Rights Protection. Several state organs in Bangladesh which take action for offences that committed under this Act involves the Consumer Rights Protection Department, the National Consumer Protection Council formed under the Act, several mobile courts, the Drug Control Court, the Food Special Court, the ordinary Criminal Courts, the ordinary Civil Courts, the Marine Courts and Claims Tribunal etc. The Act also enjoins different ministries of the Government against the production of products services that are likely to threaten imminent danger to life and environment. The Act also directs that the manufacturers of products and services needs to be followed by several inspection agents by respective ministries to guarantee the quality and safety of the products and services. Under Chapter II of the Act, it as well as prescribes for a specialized institution namely National Consumers' Right Protection Council to be in incriminate of fraud repression and inspections of imported and exported goods. The formation of National Consumers Rights Protection Council is no doubt a good step but the Act can hardly

be termed as a citizens guidelines for consumer protection laws, cause it does not outline their rights and it does not explain the way of how the citizens can empower themselves to make certain their rights as a consumer in this country (Arefin & et at., 2020).

(C) Time Constraint

Time constraint for lodging a complaint is another most important shortcomings of the consumer's. Complainants have to lodge complaint within 30 days of date of occurrences (*The Consumers' Rights Protection Act 2009*, s.60). However in India, the time perimeter for filing a complaint is two years. (*Consumer Protection Act 2019*, s.69) matter of the issue of unawareness, 30 days' time limit certainly be lapse and this would prevent the access to justice. In view of such analysis, the time limit for filing a complaint supposed to be extended (Rights & Shamim, 2016).

(D) Limitation of filing Criminal Case

An aggrieved (consumer) cannot file a case directly before the Magistrates court to initiate a criminal proceeding (*The Consumers' Rights Protection Act 2009*, s. 71(1)). All cases belongings under this rule get to be filed to the Director universal or any officeholder empowered by the District Magistrate (*The Consumers' Rights Protection Act 2009*, s. 71(2)). However, the Director General of Directorate of National Consumer Rights Protection in an interview has defended the perception by stating that if condition arises, the case will be forwarded to the court of judicial Magistrate on priority basis. However, it should be noted that if DNCRP fails to file that case before the court of the judicial Magistrate by 90 days of the complaint being made, then the complaint will be time barred (*The Consumers' Rights Protection Act 2009*, s. 61). Thus time limitation may provide to be an extenuating factor too. Along this, the question of access to justice remains and as such the legal provision requires a revision.

(E) Limited Jurisdiction

The Directorate of National Consumer Rights Protection has the jurisdiction to entertain complaints while the value of the goods or services and the compensation, if any, claimed does not exceed 200,000 BDT (*The Consumers' Rights Protection Act 2009*, secs. 37-55). Greater jurisdiction means the quasi-judicial body can fear more complaints as a result ensuring better and wider protection. This mechanism reduces burden from the court and provides consumers with quick affordable access to justice. The divergence as such reflects the limited ambit of the Directorate of National Consumer Rights Protection to redress complaints. Such limitation restricts the objective of affordable access to justice. So it is of top magnitude to elaborate the

jurisdiction of the Directorate of National Consumer Rights Protection.

(F) Hearing Procedure

An alternative critique of the Act is the need of provision of procedural steps which is to be followed by the Directorate of National Consumer Rights Protection on receipt of complaints. The procedure has separated among complaints of goods and service. The Act has given the quasi-judicial body the recognition of a civil court during such hearings also. Such elaborate description brings precision and understanding of the system. In consequence such an inclusion of procedural steps and recognition of the Directorate of National Consumer Rights Protection with the powers of a civil court (for the procedural purpose), in the CRPA 2009 is essential to establish fairness, understanding and transparency of procedure.

(G) Limited Remedy

Here is moreover space for expanding the administrative remedies available to the Directorate of National Consumer Rights Protection. Under CRPA, the Directorate of National Consumer Rights Protection can impose fine only if the consumer's complaint is proved during hearing (*The Consumers' Rights Protection Act 2009*, s.76). The maximum fine which can be imposed is 200,000 BDT (ibid, chapter IV) and the consumer is entitled to 25% of the realized fine (*The Consumers' Rights Protection Act 2009*, s.76). In this view, the remedial power of the Director General supposed to be elaborated to better safeguard the consumers' needs (Rights & Shamim, 2016).

(H) Narrow Definition of Anti-Consumer Right Practice

A further drawback of the Act is the inadequate scope of application. The CRPA has defined 12 conducts to be anti-consumer (*The Consumers' Rights Protection Act 2009*, s.2 (20)). However the characterization is narrow in scope. For instance, the section does not contain any provision for restrictive trade practice. It did not include lots of aspects of unfair trade practice too, like as false representation of goods and service, false representation of warranty and guarantee and all that to be anti-consumer. There is a short of provision for maintenance of quality of all goods and service also. As for the quality aspect, s. 2(20) (b) of CRPA states that it is an anti-consumer act to sell or offer to sell adulterated goods or medicine knowingly. The definition of adulteration is however limited to food, medicine, hair oil, body soap or other cosmetic (*The Consumers' Rights Protection Act 2009*, s. 2(18); Pure Food Ordinance 1959, s. 3(1); Special Powers Act 1974, s.25C). Further there is no necessity to maintain quality of service within the Act. So the circumference of protection for violation of quality is parochial. On the other hand, Consumer Protection Act 2019 of India has made provisions about quality

for 'all' goods (*Consumer Protection Act 2019, s. 2(10)*) and service.

(I) Narrow Definition of Service

The ambit of protection of rights to service covered under the 2009 Act is furthermore questionable. Service has been defined in the Act to include “transport, telecommunication, water supply, drainage, fuel, gas, electricity, construction, residential hotel and restaurant and health services, that is made available to its users in exchange of price but does not contain the services rendered free of cost” (*The Consumers’ Rights Protection Act 2009, s.22*). This assessment illustrates the narrow demarcation of service in the CRPA. The characterization missed common areas of service such as, banking, financing, insurance, processing, housing, entertainment, amusement, purveying of news or other information, etc. Thus the scope of service must be expanded to guarantee better security of consumers.

(J) Limitation Regarding Public Health Care Service

Alike to the above provision, under the CRPA 2009, the Directorate of National Consumer Rights Protection is capable of inspect and discover defects in private health care service but cannot contain any remedial measures against them. Directorate of National Consumer Rights Protection can simply put the matter to the Secretary of Ministry of Health and Director General of Department of Health (*The Consumers’ Rights Protection Act 2009, s.73*). This limitation makes the process complex and may give rise to criticisms of lack of transparency of procedure and restriction of access to justice also. Therefore this restrictive provision in the 2009 Act supposed to be reviewed in light of ensuring successful consumer protection.

(K) Limitation regarding Adulterated or Fake Medicine

A further blemish of the law is that it does not allow the Directorate of National Consumer Rights Protection to file a lawsuit against adulterated or fake medicine, though DNCRP has the power and responsibility to inspect and discover adulteration or fake medicines. In that situation, lawsuit may be filed under s. 25C of the Special Powers Act 1(974). Therefore the restriction imposed in the 2009 Act makes the process complex and may deter affordable and quick access to justice in such situations. So the limitation is questionable and must be reviewed.

(L) No Provision for Digital Content

Its era of digital contents but CRPA does not include provision for digital content. Digital content means data which are produced and supplied in digital form (*Consumer Rights Act, s. 2(9)*). Illustrations of digital content are software, games, apps, ringtones, e-books, online

journals and digital media like as music, film and television. Digital content may be supplied in intangible form like as downloaded, streamed or accessed on the web. Consumption of digital content is colossal and is growing every moment. In this perspective, reform of the 2009 Act is compulsory to meet the digital era. For digital content, elaborate provision is essential to be included to take clarity and enhance safeguard the rights of consumers.

(M) Inconsistency in Present Enacted Consumer Laws

Consumer right protection in Bangladesh is still in an unremarkable stage. Until 2009, there was no unified consumer Act but different pieces of legislations have been formed time to time for ensuring consumer protection. Some citable legislation includes the Sale of Goods Act, 1930, the Control of Essential Commodities Act, 1956, the Pure Foods Ordinance, 1959, The Price and Distribution of Essential Commodity Ordinance, 1970, the Standards of Weights and Measures Ordinance, 1982, the Bangladesh Standard Testing Institute (BSTI) Ordinance, 1985, and the Accreditation Board Act, 2006. But it is a matter of despondency that the existing limited laws on consumer protection in Bangladesh are very controversial and conventional. Finally, a comprehensive act has been enacted in 2009 called the Consumers' Rights Protection Act, 2009 ("CRPA, 2009") to prevent any acts against consumer right and interest, to punish the offenses of economic operators, to ensure the quality and safety of products (goods and services) and to repeal fraud repression and inspections of imported and exported goods. But, effective implementation of this Act is still a big challenge. Because, most notable fact about the Consumers Rights Protection Act, 2009 is that it does not have a right-based bottom-up approach and it is mostly an administrative one. Absence of clear statement of the consumer's rights, easy and cheap redress procedures have made this CRPA, 2009 ineffectual. So to make this Act a significant one, it must be amended with clearly defined or listed 'consumer rights', empower consumers to participate in the enforcement of those rights and increase power of the Council and the Directorate to make use state machinery in order to enforce orders, directives and judgments against violations of consumer rights (Mahbub & Khan, 2015).

Another highlighting issue is that there is absence of separate court for consumer rights in our country, unlike our neighboring countries India, Malaysia, Sri Lanka and Nepal. That's why, the corrupt businessmen tend to embed a good relationship with corrupt government officials who might help to cheat and exploit the innocent consumers (Amjad, 2007). So, the new law will not protect the consumers and their rights in real sense until the already existing law is not fully enforced through the organized legislative organizations.

VIII. RECOMMENDED ACTION PLAN TO PROTECT CONSUMER RIGHTS

Government should set a vision with respect to assurance of consumer rights. Government ought to indicate the timeline within which it will build the consciousness of the consumer with respect to their rights to a specific level and diminish the unlawful strategic policies under a specific level. Government should make some reasonable action plans to set up consumer rights in our country. The present study suggest the accompanying activity plans:

(A) Awareness Building Action Plan

- a) To expand the awareness with the consumers and to fabricate customer conclusions, consumer awareness rising promoting should be done forcefully in all TV stations and papers;
- b) To arrange seminar, discussion, rallies, and other awareness building programs in each area of Bangladesh in collaboration with the Government agency and Consumer Association of Bangladesh (CAB);
- c) To advance consumer education, a different chapter on consumer rights should be included in the curriculum of Secondary and Higher Secondary level of education;
- d) To frame Consumer Activist Group in each district and incorporate individuals from each Thana and Upazila in the group.

(B) Legislative Based Action Plan

- a) To enact a law with all provisions to promote and secure the rights of a consumer and audit the old and outdated consumer related laws;
- b) To make a change in the provisions of Consumer Protection Act, 2009 to annihilate court fees for filing a suit by an aggrieved consumer.

(C) Infrastructure Developments

- a) BSTI should be modernized with new lab instruments and qualified individuals;
- b) To test and give permit locally manufactured and sold things, there need to have a quality and standard testing lab in each region (within municipal office) to test the norm of locally manufactured items;
- c) To set up the Office of Directorate General (DG) at each district in Bangladesh, as early as could be expected under the circumstances, at available and visible location, as the aggrieved consumers can undoubtedly access to the DG to file complaint;
- d) To introduce an electronic complaint management system should be created to get the complaints from the consumers.

(D) Law Enforcing Team Development

- a) To arrange activities of District Consumer Rights Protection Committee and to monitor the advancement toward protection of consumer rights, Divisional Consumer Rights Protection Office should be set up at each division of our country, where the district committees will meet, assess their activities and set next course of action;
- b) To quit sneaking, to keep safe the local industries and the consumers, a vigilant team should be framed for spot checking of the snuck things in the market and take fast reformatory measures against the illegal traders.

IX. CONCLUSION

Protection of consumers' rights is a significant issue in Bangladesh. In the developed nations, consumers enjoy their full rights yet in the developing nations and underdeveloped nations consumers' rights are not ensured since most of the customers are unskilled about their privileges and their voice is exceptionally low. Despite the fact that it is the obligation of a state to guarantee the protection of the rights of its resident, the government is apathetic in this issue in Bangladesh. The consumers being the resident of a state are entitled to be protected from the unlawful business practices however because of boundless debasement at the policy making body, inappropriate utilization of laws, apathy of the government towards the consumer's privileges, absence of voice from the consumer associations, and compromising attitude of the consumers, infringement of consumer rights is high in the developing nations like Bangladesh. As of now, all that require for the protection of the consumers' rights are strengthening of consumer associations, empowering consumer movement, and the political responsibility from government to guarantee consumer protection through practicing the customer protection laws of Bangladesh.

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