



THE BUZZ

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Monthly Newsletter by Ayana Legal

Emerging Issues

Data privacy is now one of the most important issues in consumer rights. An increasing amount of personal information is being tracked, stored and sold. It is therefore essential to have reliable, predictable data storage, processing and handling standards. This allows consumers to be able to control their data and know where it is stored and who uses it. In India, the Digital Personal Data Protection Act, 2023 marks a step forward in establishing standards for data collection, storage, and processing. It also provides for a clear consent process from consumers for collection and procession of data and restricts data usage strictly to the specified purposes. This data protection system is designed to provide efficient and formal standardisation and reliability and to prevent the consumer data from being misappropriated.

World Standards Day: Celebrating Standards and Consumer Rights

World Standards Day is celebrated on 14th October. This day stresses the importance of international standards to guarantee that products are safe, of quality, and manufactured efficiently.

The Role of Standards and Consumer Rights

Standards are specifications that provide consistency and safe product development across various areas and services. Institutions such as the Indian Standards Institute and FSSAI create these standards, which include the technology sector and food safety. Following a standard ensures businesses guarantee the quality and safety of their products to empower consumers' decisions.

There are several rights granted to standards in the name of consumerism:

1. **Right to Safety:** Standards help in preventing hazards to the users that may appear e.g. from electrical or chemical sources.
2. **Right to Be Informed:** Standards require manufacturers to certify or label which products meet their standards so as to empower the consumer with an informed decision.

A fact in fact

- 14 October was specifically chosen to mark the World Standards Day as it was on this day in 1946, when delegates from 25 countries first gathered and decided to create an international organization focused on facilitating standardization.
- 15th March is World Consumer Rights Day
- The theme for Consumer Rights Day 2024 is "Fair and Responsible AI for Consumers"

Thank You

We at Ayana Legal thank you for your continued support and patronage. We look forward to being back with our next edition soon.

Disclaimer

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3. Right to Choose: When all manufacturers adhere to the same standards, consumers can make informed choices preventing misleading marketing claims.

4. Right to Be Heard: Standards organizations often incorporate consumer feedback into their processes, ensuring that the voices of consumers are considered in the development of standards.

The Legal Framework

The World Trade Organization (WTO) at the international level facilitates harmonization of standards, enabling consumers worldwide to benefit from consistent safety and quality measures, thus allowing a seamless experience of trade across national borders.

India's legal framework for consumer protection and standards is underpinned by ensuring safety, quality, and transparency in products and services, protecting consumer rights in the marketplace. Key features include:

- Consumer Protection Act, 2019: Amplifies rights such as safety, information, choice, and grievance redressal of consumers.
- Bureau of Indian Standards (BIS): National standards are set for a product to ensure safety and reliability.
- Food Safety and Standards Authority of India (FSSAI): Enforces food safety and labelling standards.
- Legal Metrology Act, 2009: Regulates accurate weights, measures, and labelling, preventing misleading practices.
- Drug Control Laws: The Drugs and Cosmetics Act of 1940 assures safety in pharmaceuticals.
- Telecommunication Standards: TRAI ensures quality and consumer protection in Telecommunication Services.