

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 1306
TO BE ANSWERED ON 09.02.2021

SELLING FAKE GOODS

1306. SHRI G.S. BASAVARAJ:

Will the Minister of **CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION** उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether a recent report released by the US Trade Representative (USTR) include flea markets in New Delhi and Mumbai and also an e-commerce platform operating in India for selling fake goods, involving counter-feiting and piracy and if so, the details thereof;
- (b) whether the Consumer Courts have been entertaining complaints from buyers about fake goods sold in flea markets, if so, the details thereof;
- (c) whether the Consumer Courts have received complaints, emanating from 37% of the purchasers about the quality of the goods as sub-standard and the labels, fake and counter-feited imitating top brands; and
- (d) whether awards have been given to consumers as rightful compensation, if so, the details thereof?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री दानवे रावसाहेब दादाराव)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI DANVE RAOSAHEB DADARAO)

(a) : As informed by Department for Promotion of Industry & Internal Trade, the Office of the United States Trade Representative (USTR) released the findings of its Annual Special 301 Report on Review of Notorious Markets for Counterfeiting and Piracy (the Notorious Markets List), on January 14, 2021, which highlights online and physical markets that reportedly engage in or facilitate substantial trademark counterfeiting and copyright piracy.

Observations in the report are specific to addressing concerns of American consumers and it may be noted that India is under no obligation, to take action based on reports being generated by independent sovereigns. However, Central Government has been taking active steps to control the menace of counterfeiting and piracy. Several initiatives to strengthen enforcement agencies through regular training and sensitization programs have been undertaken by the Cell for IPR Promotion and Management (CIPAM) with Police, Customs and Judiciary. Apart from creating legal deterrence, a large number of awareness and sensitization programmes are carried out to encourage customers to buy original products and inform them about the consequences of buying fake and counterfeit products.

(b) & (c) : Consumer Commissions entertain all types of consumer complaints, including complaints from buyers about fake goods, in terms of the various provisions of the Consumer Protection Act, 2019. However, no separate data with regard to such Consumer Complaints is maintained.

(d) : Every consumer case is decided / disposed of by the Consumer Commissions on the basis of facts & circumstances of each case and in terms of the provisions of the Consumer Protection Act 2019. The Consumer Commissions are empowered to give relief of a specific nature and award, wherever appropriate, compensation to consumers.
