

"A man is  
great by  
deeds, not by  
birth"  
-Chanakya

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**EMERGENT PRODUCT LIABILITY LAW IN INDIA:  
MEASURING EFFECTIVENESS**

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## **EMERGENT PRODUCT LIABILITY LAW IN INDIA: MEASURING EFFECTIVENESS**

### **Abstract:**

Product liability law regime emerged as a pivotal contribution through amendment in India's Consumer Protection Act, 2019 (CPA 2019). It balanced consumer rights and fixes accountability for manufacturers and sellers. The doctrine of caveat venditor is the edifice for CPA 2019. This legislation not only describes liabilities for manufacturers, service providers, and sellers; but also stipulates exceptions to them under certain circumstance. The Apex court of India through its recent judgments has upheld liability on the service providers for medical negligence and extended accountability to online marketplaces by application of strict liability doctrine. However, enforcement challenges persist, particularly in cross-border e-commerce disputes. The study employs a doctrinal and comparative legal methodology to analyse CPA 2019 and international frameworks. The methodology assesses gaps in India's product liability regime and aligns it with global reforms. It examines the accountability of corporate entities in electronic transactions and proposes enhancements. E-commerce platforms must implement stringent non-repudiation policies and grievance mechanisms. In various jurisdictions, judicial intervention is evident while deterring those platforms that profiteers on selling defective products vide application of strict liability on intermediaries. For a structured framework, India needs to address challenges from private international law area also through adapting other major jurisdictions' approach.



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