RESEARCH ASSIGNMENT

Consumer Protection in District Courts:

Enforcement Challenges and Remedies

Sidra Azmat

Senior Civil Judge, Nowshera

Submitted to

Khyber Pakhtunkhwa Judicial Academy

April 11, 2026

ABSTRACT

Pakistan has enacted special laws to ensure consumer protection but on the practical side, the district courts are facing hurdles in the enforcement. In this research, doctrinal analysis methodology is used to analyze the legal framework, available in the shape of The Islamabad Consumer Protection Act, 1995, The Khyber Pakhtunkhwa Consumer Protection Act, 1997, The Balochistan Consumer Protection Act, 2003, The Punjab Consumer Protection Act, 2005 and The Sindh Consumer Protection Act, 2014. The study has found that such like legislation is not available for the consumers in Gilgit-Baltistan and Azad Jammu & Kashmir. Even the consumer protection under the Acts ibid is found hampered due to various barriers, such as narrowed scope for e-commerce and use of technology, backlogs of cases, lack of institutional capacity, inconsistency in laws, and limited public awareness. To overcome, the appreciable practices of China, European Union, Turkey, Malaysia, and India are referred to for a comparative analysis. The paper provides recommendations for reforms, such as bringing uniformity in laws, enhancing institutional capacity, adopting digitalization, increasing public awareness and resorting to the alternate dispute resolution. The research concludes that the consumer protection in the district courts can be achieved when the proposed recommendations are fairly acted upon.

KEYWORDS: Consumers, Consumer Protection, District Courts, Legal Framework, Justice.

INTRODUCTION

Fair dealing in trade is among the commands of Allah the Almighty. In Surah Al-Muta’ffifin, the defrauders have been frightened of the severe punishment on the Day of

Judgment.[1] In the un-Islamic world history, the concept of "caveat vendor (let the seller beware)" was highlighted in 1916 by the New York court of appeal in the case "*MacPherson Vs. Buick Motor Company*".[2] Alongside, in UK, *Donoghue Vs. Stevenson* [1932] is the main case, wherein "duty of care" of the manufacturer towards consumer was acknowledged.[3] Then, in the historic speech of March 15, 1962 John. F. Kennedy, the former US President highlighted the need of legislation for consumer protection.[4] Thereafter, United Nations guidelines of 1985 were issued,[5] and the United Nations Conference on Trade and Development (UNCTAD) demanded from the world, particularly the signatories to legislate for the protection of the consumers.[6]After independence, consumers in Pakistan were entertained by the courts under the Contract Act, 1872 and Sale of Goods Act, 1930 through ordinary trial. It was in late 90s that Pakistan as one of the signatories of the UNCTAD did legislations. The existing consumer laws aim that the consumers are protected from the exploitation, they have access to redress

[1] "Surah Mutaffifin, Chapter 83," *An Enlightening Commentary into the Light of the Holy Qur'an*, vol. 19, Al-Islam.org, accessed April 10, 2026, https://al-islam.org/enlightening-commentary-light-holy-quran-vol-19/surah-mutaffifin-chapter-83.

[2] Brooklyn Law School, "Faculty Scholarship," *BrooklynWorks*, accessed April 10, 2026, https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=2350&context=faculty..

[3] "Donoghue v Stevenson Case Summary," *LawTeacher.net*, https://www.lawteacher.net/cases/donoghue-v-stevenson.php (accessed April 11, 2026).

[4] John F. Kennedy, "Special Message to the Congress on Protecting the Consumer Interest," March 15, 1962, *The American Presidency Project*, The American Presidency Project, accessed April 10, 2026, https://www.presidency.ucsb.edu/documents/special-message-the-congress-protecting-the-consumer-interest .

[5] United Nations, "Guidelines for Consumer Protection," *Division for Sustainable Development, Department of Economic and Social Affairs*, accessed April 10, 2026, https://www.un.org/esa/sustdev/sdissues/consumption/cppgoph3.htm.

[6] United Nations Conference on Trade and Development (UNCTAD), "Consumer Protection Map," *UNCTAD – Competition and Consumer Protection*, accessed April 10, 2026, https://unctad.org/topic/competition-and-consumer-protection/consumer-protection-map.

by holding the poor or defective service providers and traders as accountable; however, there seems a gap between theory and practice, which is the focus of this research.

OBJECTIVES

1. To evaluate the legal framework of Pakistan for assuring real-time protection to the consumers.
2. To examine how the district courts enforce consumers' rights.
3. To identify and examine challenges related to enforcing consumers' rights and obtaining relief in district courts.
4. To recommend reforms and strategies to enhance enforcement by overcoming challenges so as to minimize the gap between the consumers and speedy justice in Pakistan.

RESEARCH METHODOLGY

In this research, doctrinal analysis methodology is used, involving the analysis of statutes, rules, and case laws as primary data, while books, journal articles, and research papers as secondary data.

DISCUSSION AND ANALYSIS

In order to understand the enforcement mechanism of the district courts related to consumer protection, discussing and analyzing the available legislations will be quite helpful.

CRITICAL OVERVIEW OF THE ISLAMABAD CONSUMER PROTECTION ACT, 1995

While covering the subjects of prohibiting certain unfair trade practices and providing compensations to the consumers for defective goods, deficient services and unfair trades, the Islamabad Consumer Protection Act, 1995 has granted jurisdiction to

the Court of Sessions to entertain consumer claims and grant reliefs including refunds, replacements, or damages. However, unfortunately, there are no separate consumer courts as was the intent of law.[7] Moreover, after the addition of section 8A the Special Magistrate is authorized to conduct summary trial and impose fine in the matters of hoarding, black market activity, or fraud occurs, such as selling or distributing spoiled goods but about the rest of the matters of the jurisdiction of Sessions Court, the law does not specify the procedure to be adopted. Later on, Islamabad High Court in the case *"Ashfaq Ahmed Khan Vs. PTCL" (PLD 2016 Islamabad 112)* has brought in the clarity by holding that "When the court has to award penalty, Criminal Procedure Code, 1898 is to be adopted, while for awarding compensation, proper enquiry, including, framing the points for determination/ issues, inviting oral/documentary evidence to be applied."[8]Another fact is that after amendment, e-commerce is brought in the ambit of the consumer court but the law is silent about the procedure to be followed for collection of evidence.[9]

CRITICAL OVERVIEW OF KHYBER PAKHTUNKHWA CONSUMER PROTECTION ACT 1997

KHYBER PAKHTUNKHWA CONSUMER PROTECTION (AMENDMENT) ACTS OF 2005 & 2015

---

[7] Government of Pakistan, *National Assembly Secretariat*, "Document," accessed April 10, 2026, https://www.na.gov.pk/uploads/documents/1470910659_819.pdf.

[8]*Ashfaq Ahmed Khan v. Pakistan Telecommunication Company Limited (PTCL)*, PLD 2016 Islamabad 112 (Islamabad High Court).

[9] Pakistan Research Journal of Social Sciences, Asmat Ali Khan and Abdul Qayuum Lehri, "Pakistan's E-Commerce Policy: Legal Challenges and the Need for Reform," *Pakistan Research Journal of Social Sciences* 4, no. 3 (July–September 2025), accessed April 10, 2026, https://prjss.com/index.php/prjss/article/download/301/321/426.

THE KHYBER PAKHTUNKHWA CONSUMER PROTECTION RULES OF 2021

The Khyber Pakhtunkhwa Consumer Protection Act of 1997 is the first legislation, on provincial level which aims to provide protection to the consumers against sale of defective products, deficient services, and unfair trade practices through speedy trial. Appreciably, after the amendments of 2005, section 2(n) of the Act ibid about "services" has become extensive in its scope,[10] and the amendments of 2015 have extended the scope of law from individual consumers to organizations (entities), defined defective goods and unfair practices, empowered the Director of Industries and Commerce to conduct proactive investigations, inspections, impose penalties, and initiate legal action in consumer courts. Policy role of the Consumer Protection Council is also expanded.[11] Afterward, formulation of the Consumer Protection Rules in 2021 has given fora options to the consumers in filing complaint with a "Director or Authorized Officer" or Consumer Courts. The modes of inquiry and procedure to entertain the complaint from attendance to evidence collection earlier not detailed mentioned in the Act, are explained through the Rules, which have taken the proceedings of summary disposal into the ambit of an ordinary trial. Similarly, the contemporary issues of the "e-commerce and digital transactions" are brought into the domain of the consumer courts. Apparently, the aforementioned amendments and introduction of the Rules have made the law viable but lack of the efficient

---

[10] *Government of Khyber Pakhtunkhwa, The Khyber Pakhtunkhwa Consumers Protection Act, 1997, accessed April 10, 2026, https://kpcode.kp.gov.pk/uploads/1997_06_THE_KHYBER_PAKHTUNKHWA_CONSUMERS_PROTECTION_ACT_1997_.pdf.*

[11] Government of Khyber Pakhtunkhwa, *The Khyber Pakhtunkhwa Consumer Protection (Amendment) Act, 2015 (Act No. XVII of 2015)*, Provincial Assembly of Khyber Pakhtunkhwa, accessed April 10, 2026, https://www.pakp.gov.pk/wp-content/uploads/2024/05/The-Khyber-Pakhtunkhwa-Consumer-Protection-Amendment-Act-2015-Act-No.-XVII-2015.pdf.

implementation mechanism is the grey area.[12] Besides, while the consumers can file complaint without sending notice to the respondent, they have ten days in hands to approach the consumer courts, which short period is in itself challenging to the consumer protection.

CRITICAL OVERVIEW OF THE BALOCHISTAN CONSUMER PROTECTION ACT, 2003

The Balochistan Consumer Protection Act 2003 is introduced to "regulate fairness in trade, protection of the interest of the consumers and speedy redressal of the consumers' complaints against defective or deficient goods and services". Appreciably, the Act has made the manufacturers/traders bound to provide to the consumers an accurate information about products (including price, specification of products, and date of expiry), to affix prices on products readable by the consumers and to issue the purchase receipts, while the failure could expose them to penalties, besides entitling the consumers to the relief in the form of damages/refund/repair/compensation.[13] Also, the consumers are allowed to approach the consumer court without delivery of notice to the respondent, which prevents outside court confrontation between them. Despite assurance of double protection mechanism through the creation of Consumer Protection Councils and Consumer Courts, neither special courts are in existence in reality, nor are the councils found in an active role. More so, giving the task to the Judicial Magistrates who are dealing with other nature of cases is somehow inconsistent with the intent of the legislature about speedy trial.

---

[12] Government of Khyber Pakhtunkhwa, *The Khyber Pakhtunkhwa Consumer Protection Rules, 2020*, Khyber Pakhtunkhwa Judicial Academy, accessed April 10, 2026, https://www.kpja.edu.pk/content/khyber-pakhtunkhwa-consumer-protection-rules-2020.

[13] Government of Balochistan, *The Balochistan Consumer Protection Act, 2003*, Provincial Assembly of Balochistan, accessed April 10, 2026, https://pabalochistan.gov.pk/storage/4056/2021-04-01_08_32_09_c24d8.pdf.

CRITICAL OVERVIEW OF THE PUNJAB CONSUMER PROTECTION ACT, 2005

The Punjab Consumer Act, 2005 aims to protect consumers from defective goods, deficient services, and unfair practices by providing the remedies to the consumers in the kind of repair, replacement, refunds, and compensation.[14] While outlining the responsibilities of the manufacturers, traders, and service providers, it has provided a mechanism for the enforcement of the consumer rights through District & Sessions Judges as Consumer Courts and Consumer Protection Council. It is appreciable that the consumers have a reasonable time limit of 30 days to approach the court; however, they are restricted from approaching the court until delivery of notice upon the respondent for remedying the defect/fault. More so, after amendments of 2025, there are no separate consumer courts, while the cases are transferred to and now entertained by the already overburdened district courts.[15]

CRITICAL OVERVIEW OF SINDH CONSUMER PROTECTION ACT, 2014

The Sindh Consumer Protection Act 2014 is another significant effort on provincial level to guard the consumers. The Act mainly defines consumer, complaint, claim and service so as to show as to how a person is protected, and what pre-requisites for seeking the protection are. It covers the liability of traders for defective or deficient goods and services and engagement in deceptive trade practices.[16] Establishment of a consumer court in each district and a Consumer Protection Council is the mandate of

---

[14] Government of Punjab, *The Punjab Consumer Protection Act, 2005*, Provincial Assembly of the Punjab, accessed April 10, 2026, https://www.pap.gov.pk/uploads/acts/2005_II.pdf.

[15] Rao Qasim Idrees, Yasir Arfat, and Naveed Hussain, "Pakistan's Current Legal Regime of Consumer Protection," ***I****slamabad Law Review* 6, no. 2 (2022): 1–21, https://guman.com.pk/index.php/GUMAN/article/view/1072.

[16] Government of Sindh, *The Sindh Consumer Protection Act, 2014*, Sindh Judicial Academy, accessed April 10, 2026, https://sja.gos.pk/assets/Updated_Laws/Sindh%20Consumer%20Protection%20Act%2C%202014.pdf.

law; however, the consumer courts are to be presided over by a Judicial Magistrate. Besides, like Punjab, the consumers are restrained from directly approaching the court until delivery of notice to the respondent for remedying the damage/defect.

CONSUMER PROTECTION IN GILGIT-BALTISTAN:

Gilgit-Baltistan lacks special legislation regarding consumer protection. Generally, matters are entertained under the Contract Act, 1872 and Sale of Goods Act, 1930, while the food related issues are somehow covered under the subsequent local laws, like Gilgit-Baltistan Pure Food Act, 2011,[17] and Gilgit-Baltistan Food Act, 2021.[18] On the judicial side, the matters subject to jurisdiction are handled by the Civil Court/Magistrate or District &Sessions Judge. Besides, District Commissioners and Assistant Commissioners are authorized as the Price Control Magistrates for handling the disputes of hoarding and overpricing. Whereas, the disputes of the safety and standards of food can be dealt with by the Gilgit-Baltistan Food authority. Due to lack of specific legislation, consumers are compelled to approach different forums, with different trial procedures.

CONSUMER PROTECTION IN AZAD JAMMU & KASHMIR:

Like, Gilgit-Baltistan, Azad Jammu & Kashmir also lacks specific enactment for the protection of consumers. Under the Price Control Act, 1977 and Azad Jammu and Kashmir Food Authority Act, 2017, the matters of food and overpricing are dealt by the concerned authority; however, the ordinary district/ civil courts have to be

[17] Government of Gilgit-Baltistan, *The Gilgit-Baltistan Pure Food Act (PDF)*, accessed April 10, 2026, https://gba.gov.pk/gba/gba/tables/alldocuments/actdocx/2023-06-19%2010:19:43the-gilgit-baltistan-pure-food-act-no.pdf.

[18] Government of Gilgit-Baltistan, *Food Department Gilgit-Baltistan, "Achievements"*, accessed April 10, 2026, https://gbfood.gov.pk/pages/achievements.

approached under the general laws of the Contract Act, 1872 and The Sale of Goods Act, 1930.[19]

ROLE OF DISTRICT COURTS IN ENFORCEMENT OF CONSUMER PROTECTION LAWS

In Pakistan, establishment of the proactive district consumer courts are essential for the enforcement of the consumer protection laws.[20] Though fragmented, yet the existing consumer laws empower the district courts to investigate and dispose of a complaint made by a consumer. The ultimate objective of the consumer courts is to provide the consumers an access to justice by having an institutionally-structured and distinct process for resolving disputes in respect of defective goods, inadequate services, and unfair and deceptive trade practices.[21] These courts emerge as an important institutional framework for providing and promoting fairness and accountability in the market. However, as much as the district courts have the legal authority to enforce consumer protection laws, practical enforcement becomes more challenging.[22] Hence, it is essential to critically examine the enforcement challenges in Pakistan.

CHALLENGES IN ENFORCEMENT:

---

[19] *The Azad Kashmir Adaptation of Laws Act, 1959 (AJK Act No. I of 1959)*, compiled legal index, Nasir Law Site, accessed April 10, 2026, https://www.nasirlawsite.com/laws/akala.htm.

[20] Ghulam Murtiza and Ghous Muhammad, "Consumer Protection Laws in Pakistan: Enforcement Barriers and Recommendations," *Pakistan Languages and Humanities Review* 4, no. 1 (2020), https://doi.org/10.47205/plhr.2020(4-I)2.4.

[21] Chintamani Rout, "Law of Consumer Protection," *Scholars Journal of Arts, Humanities and Social Sciences* (SJAHSS), ISSN 2347-5374, accessed April 10, 2026, https://www.saspublishers.com/article/12524/download/ .

[22] Aisha Warraich, Muhammad Shoaib Jamil, Muhammad Umar and Muhammad Zahid Rafique, "Consumer Protection in Pakistan's Digital Economy: Assessing the Legal Framework for Safeguarding Consumers in E-commerce, Ensuring Product Safety, and Combating Online Scams," *Pakistan Journal of Humanities and Social Sciences* 12, no. 1 (2024), https://journals.internationalrasd.org/index.php/pjhss/article/view/2027.

a. LIMITED CONSUMERS' AWARENESS:

In Pakistan, primary hurdle in the enforcement of consumer protection laws is the low level awareness amongst the consumers.[23] This situation is alarming in rural areas in general, and among the major segment of the society comprising of women, old men, low income and uneducated citizens, in particular.[24] Consumers have access to print, electronic, and social media, in one way or the other but they are not using these mediums to educate themselves about their rights. Reports indicate that despite the existence of cogent proof about defective goods and services, very few cases have been filed in the rural districts of Khyber Pakhtunkhwa.[25] Sindh and Balochistan reports are also indicative of the similar low volume of cases due to the lack of functional councils.[26] Low level awareness of consumers is also attributable to an insufficient outreach to and no education by Consumer Protection Councils, complex legal processes, socio-economic limitations, and inaccessibility to the alternatives for the defective or substandard goods and service. As an outcome, the consumer courts remain under-utilized, while no deterrence is felt by the wrongdoers.

b. INSTITUTIONAL WEAKNESSES:

[23] Rizwan Ali, "Consumer, the Unprotected King," Pakistan Institute of Development Economics, Islamabad, September 11, 2016, pak14august947@hotmail.com.

[24] Abdus Samad Khan, Ashraf Ali, Muhammad Saleem, Shaista Naznin, and Muzammil Shah, "Understanding and Analysis of Consumer Protection Laws in Pakistan," *Journal of Applied Environmental and Biological Sciences* 4, no. 12 (2014): 92–98, https://www.textroad.com.

[25] Government of Khyber Pakhtunkhwa, *Bid Solicitation Documents for Establishment of Drug Testing Laboratories & Food Testing Laboratories FY 2024–25*, Khyber Pakhtunkhwa Health Department, 2024, https://www.healthkp.gov.pk/public/uploads/news BSDs%20for%20Estb.%20of%20DTL&FTL%202024-25.pdf.

[26] Syeda Saima Shabbir, "Disparity in Consumer Protection Laws in Pakistan," *Pakistan Law Journal* 41 (2013): 1–4, https://papers.ssrn.com/abstract=2227285, accessed March 9, 2026.

Weaknesses of the enforcement institutions make it difficult for the consumers to be redressed.[27] In some provinces, consumer councils exist with little or no supporting staff, while in a very little number the courts at district level could relate to the population size, thereby compelling centralization at the divisional level.[28] In Khyber Pakhtunkhwa and Sindh, consumer courts are separately available, while in Islamabad, Punjab and Balochistan, no separate courts exist. In Gilgit-Baltistan and Azad Jammu and Kashmir, as no special consumer laws are enacted, so no special courts are available.

In addition, the authorized judges/magistrates are inexperienced and untrained on the subject which compromise the efficiency of the courts.[29]

Another fact is the non-existence of federal consumer protection policies. At times, the restricted definitions of "consumer" and "complaint" deprive a considerable number of people from seeking relief.[30] Together, these conditions lead to a continued consumer's abuse by businesses.[31]

c. PROCEDURAL HURDLES:

[27] Ghulam Murtiza and Ghous Muhammad, "Consumer Protection Laws in Pakistan—Enforcement Barriers and Recommendations," *Pakistan Languages and Humanities Review* 4, no. 1 (2020): 47, https://doi.org/10.47205/plhr.2020(4-I)2.4.

[28] Yasir Arfat, Naveed Hussain, and Rao Qasim Idrees, "The Failure of Consumer Courts in Punjab: Causes, Challenges, and Abolition," *GUMAN* 9, no. 1 (2026): 153–164, https://guman.com.pk/index.php/GUMAN/article/view/1072.

[29] Waseem Abbas, "Should Consumer Courts Be Digitalized and Have Jurisdiction in Essential Services and Criminal Matters?," *Courting The Law*, February 2, 2024, https://courtingthelaw.com/2024/02/02/commentary/should-consumer-courts-be-digitalized-and-have-jurisdiction-in-essential-services-and-criminal-matters/.

[30] Naveed Ahmed, "Consumer Protection Laws and Application: A Case Study of Pakistan," *Journal of the Research Society of Pakistan* 57, no. 2 (2020): 154–162, https://pu.edu.pk/images/journal/history/PDF-FILES/31_57_2_20.pdf.

[31] Rizwan Ali, "Consumer, the Unprotected King," Pakistan Institute of Development Economics, Islamabad, September 11, 2016. pak14august947@hotmail.com

Procedural differences across Pakistan affect many aspects of enforcing consumer protection laws.[32] For example, In Punjab and Sindh, consumers can file complaint in 30 days from the date of knowledge or discovery but in contrast, .consumer laws of the Khyber Pakhtunkhwa and Balochistan allow only 10 days to register a complaint after purchasing an item. Though, the consumer courts may extend this time frame if the consumers proves reasonable ground behind delay; however, usually when a consumer comes to know about the faulty or defective product, the initial short period is no longer available. It means that for things like fresh products, products purchased that are later found to be faulty, or items purchased online, a customer in Khyber Pakhtunkhwa and Balochistan will comparatively have very limited options for seeking justice.

Further, in Punjab, a complaint for the violation of section11,16,18,19 relating to disclosure regarding products and services, display of prices at the business place and the issuance of receipt to the consumers, may be filed before the consumer councils headed by the Deputy Commissioner, which does not require service of notice upon the respondent. However, the procedure to file a complaint before a District and Sessions Judge/ Additional District &Sessions Judge is not simple. It is mandatory for the consumer to serve a fifteen days' notice on the respondent and only then he can file the complaint before the court.[33] Sindh also places the same mandatory criterion for the consumers.[34] In contrast, consumers in the Khyber Pakhtunkhwa, Balochistan and Islamabad are not legally bound to serve

[32] Naveed Ahmed, "Consumer Protection Laws and Application: A Case Study of Pakistan," *Journal of the Research Society of Pakistan* 57, no. 2 (2020): 154–162, https://pu.edu.pk/images/journal/history/PDF-FILES/31_57_2_20.pdf

[33] P Punjab Consumer Protection Council, "Guidelines for Consumers," *Punjab Consumer Protection Council*, accessed March 9, 2026, https://pcpc.punjab.gov.pk/guidelines.

[34] Government of Sindh, *The Sindh Consumer Protection Act, 2014*, sec. 29, accessed April 4, 2026, https://sja.gos.pk/assets/Updated_Laws/Sindh%20Consumer%20Protection%20Act%2C%202014.pdf.

such like notice upon the respondent. Difficulties with procedures, documentation requirements, and timing of processes often discourage consumers in Punjab and Sindh from pursuing their complaints, specifically in remote regions. [35]

d. RESOURCE CONSTRAINTS:

Another significant challenge is the inadequate resources, which not only affects the capacity of institutions to provide services to the consumers but overall hits the effectiveness of consumer courts and councils.[36] Consumer courts generally operate with a limited staff, poor infrastructure, and insufficient budget; therefore, not in a position to process consumer complaints in an efficient manner.[37] Besides, in many areas no dedicated consumer courts exist, and residents are inconveniently required to travel long to reach a designated court, which aspect either makes them unable to file complaints in a timely manner or stops them from making a complaint at all.[38]

In addition, courts and council systems have an inadequate technology, that is modern database systems for complaint tracking, online filing system to manage. With the increase in e-commerce and electronic transactions, inadequate

---

[35] Rao Qasim Idrees, Yasir Arfat, and Naveed Hussain, "Pakistan's Current Legal Regime of Consumer Protection," *Islamabad Law Review* 6, no. 2 (2022): 1–18, https://www.iiu.edu.pk/wp-content/uploads/2023/03/ILR-Vol-6-Issue-2-Article-1-280323.pdf,

[36] Dr Ghulam Murtiza and Ghous Muhammad, "Consumer Protection Laws in Pakistan—Enforcement Barriers and Recommendations," *Pakistan Languages and Humanities Review* 4, no. 1 (2020): 47, https://doi.org/10.47205/plhr.2020(4-I)2.4, accessed March 7, 2026.

[37] "Consumer Protection," *Dawn*, March 4, 2019, https://www.dawn.com/news/1468904, accessed March 10, 2026.

[38] Syeda Saima Shabbir, "Disparity in Consumer Protection Laws in Pakistan," *Pakistan Law Journal* (2013), https://www.pljlawsite.com/2013art1.htm, accessed March 10, 2026.

technological systems are becoming even more critical.[39] Also, the inadequate resources control the ability of the director and councils to conduct proactive investigations. These limitations affect the enforcement of consumer protection.

JUDICIAL AND IMPLEMENTATION CHALLENGES:

While a variety of consumer protections laws is available in Pakistan, the district courts have not yet developed means to ensure the enforcement. Many consumer courts become overburdened being unable to provide timely resolution of cases. In this regard, a serious concern becomes the disparity in the available original and appellate forums. As in Islamabad, Khyber Pakhtunkhwa and Punjab, consumer protection cases are heard at Sessions' level, so an appeal lies to the concerned High Courts. Against this, in Sindh and Balochistan, Judicial Magistrate can deal with consumer cases of his specified domain, so appeal lies to the Sessions Court. [40] As a result, even if there is a good legal framework in place, district courts are unable to provide effective consumer protection.

COMPARATIVE STUDY OF CHINA, UROPEAN UNION, TURKEY, MALAYSIA & INDIA:

In order to suggest reforms for improving the efficiency of the district courts in Pakistan, comparative analysis of the consumer protection mechanisms of other countries seems beneficial.

---

[39] Aisha Warraich, Muhammad Shoaib Jamil, Muhammad Umar, and Muhammad Zahid Rafique, "Consumer Protection in Pakistan's Digital Economy: Assessing the Legal Framework for Safeguarding Consumers in E-commerce, Ensuring Product Safety, and Combating Online Scams," *Pakistan Journal of Humanities and Social Sciences* 12, no. 1 (2024), https://www.researchgate.net/publication/380892335_Consumer_Protection_in_Pakistan's_Digital_Economy_Assessing_the_Legal_Framework_for_Safeguarding_Consumers_in_E-commerce_Ensuring_Product_Safety_and_Combating_Online_Scams, accessed March 10, 2026.

[40] Rao Qasim Idrees, Yasir Arfat, and Naveed Hussain, "Pakistan's Current Legal Regime of Consumer Protection," *Islamabad Law Review* 6, no. 2 (2022): [insert page number], https://www.iiu.edu.pk/wp-content/uploads/2023/03/ILR-Vol-6-Issue-2-Article-1-280323.pdf

CHINA:

Under the Law of the Peoples' Republic of China on the protection of consumer rights and interests of 1993(revised in 2013 & 2024)[41], the consumers are persuaded to opt for an amicable settlement through negotiation, mediation and arbitration.[42] Moreover, E-commerce dispute, a neglected area in Pakistan, is the focused area in China. These cases are entertained online by three specified Internet Commerce Courts at Hangzhou, Beijing, and Guangzhou.[43] The consumers exempted from personal appearance get remedies on fast track within 31-180 days from the date of filing.[44] In 2025, approximately 4.3 billion Chinese Yuan (US$678 million) were collected through administrative resolution.[45]

EUROPEAN UNION (EU)

Consumer protection legal framework across EU member states is uniform. With the technology advancement, availability of the Online Dispute Resolution (ODR) platform is quite effective for resolving cross-border complaints.[46] Legislative

[41] "Consumer Rights in China: Recourse & Warranties," Jarnias Cyril, accessed April 11, 2026, https://www.jarniascyril.com/expatriation/guide-moving-to-china-expat/consumer-rights-china-recourse-warranties.

[42] ADR options are available to consumers in China Shortened Footnote (Subsequent Mentions): 2. "Consumer Rights in China," Jarnias Cyril. https://www.jarniascyril.com/expatriation/guide-moving-to-china-expat/consumer-rights-china-recourse-warranties/#:~:text=Expatriates%20in%20China-,Local%20Laws%20Protecting%20Foreign%20Consumer%20Rights%20in%20China:,compensation%20in%20case%20of%20harm. accessed 04 April 2026

[43] Du Guodong and Meng Yu, "China Establishes Three Internet Courts to Try Internet-Related Cases Online," *China Justice Observer*, December 16, 2018, https://www.chinajusticeobserver.com/a/china-establishes-three-internet-courts-to-try-internet-related-cases-online.

[44] "Consumer Protection Laws and Regulations: China," *International Comparative Legal Guides (ICLG)*, updated April 9, 2025, https://iclg.com/practice-areas/consumer-protection-laws-and-regulations/china.

[45] *"China's Market Regulator Recovers 4.35 Billion Yuan in Losses for Consumers in 2025," Global Times, March 15, 2026, https://www.globaltimes.cn/page/202603/1357003.shtml*

[46] European Commission, "A Step Forward for EU Consumers: Questions & Answers on Alternative Dispute Resolution and Online Dispute Resolution," *Press Memo* MEMO/13/193 (European

measures such as the General Data Protection Regulation (GDPR) establish strict standards for consumers' digital rights.[47]

TURKEY:

In Turkey, after 2020 amendment in the Law on the Protection of Consumers No.6502, a party with a higher value claim shall have to first go for a mandatory mediation and then to approach the judicial forum. This step is found successful in swift disposal and lessening the court burden. [48]

MALAYSIA:

In Malaysia, no leniency is shown towards the violators or defrauders. Once a consumer wins before the "Consumer tribunal", the respondent has to assure compliance within 14days, of which failure under section 117 of the Consumer Protection Act, 1999 (amended in 2019) constitutes an offence, punishable with heavy fine or imprisonment.[49]

INDIA:

While in Pakistan limited awareness is a concern, India has launched the awareness campaign of "Jago Grahak Jago" in 2005 and with the full support of the Department of Consumer Affairs (DoCA), it is effectively utilizing print, electronic and social media.[50]

Commission, March 12, 2013), https://ec.europa.eu/commission/presscorner/detail/en/MEMO_13_193

[47] "What Is GDPR, the EU's New Data Protection Law?" *GDPR.eu*, https://gdpr.eu/what-is-gdpr/ (accessed March 28, 2026).

[48] *Tuba Bilecik, "Turkish Mandatory Mediation Expands into Commercial Disputes," Kluwer Mediation Blog, January 30, 2019, https://legalblogs.wolterskluwer.com/mediation-blog/turkish-mandatory-mediation-expands-into-commercial-disputes/.*

[49] "Criminal Penalty for Failure to Comply," https://www.aseanconsumer.org/file/pdf_file/CONSUMER%20PROTECTION%20ACT%201999%20AMENDMENT%202019%20.pdf (accessed April 4, 2026)

[50] Government of India, Department of Consumer Affairs, "Survey on Jago Grahak Jago," *MyGov*, https://www.mygov.in/mygov-survey/survey-jago-grahak-jago (accessed April 4, 2026)

CONCLUSION AND RECOMENDATIONS

Consumers have an important role in the global economic zone. The research has led to the conclusion that in Pakistan, either due to the non-availability of special law or lack of harmony and inadequate structuring of the available legal framework, the consumer protection is on weaker footings. There is also a need to enhance the efficiency of the district courts to assure speedy justice to the consumers. In order to overcome the highlighted challenges, the study proposes to adopt the following remedies:

i. USE OF MEDIA AND MEDIUMS FOR AWARENESS

Without awareness, benefit from the consumer laws cannot be assured to the consumers. Pakistan needs awareness campaign to be launched through the mediums of federal government, provincial government and local bodies like union council /consumer council, with the use of social, electronic and print media. In this respect, educational institutes can play an effective role, so addition of this subject in the compulsory curriculum is a must.[51] An initiative like India's awareness campaign can also be helpful.[52]

ii. UNIFORM PROCEDURAL & FORUM STANDARDS

Diversity in laws leads to complexities for the consumers. To standardize how consumers are protected by law across different provinces will create a more predictable system for consumers. Streamlining the forums, procedure and time

---

[51] *Ghulam Murtiza and Ghous Muhammad, "Consumer Protection Laws in Pakistan: Enforcement Barriers and Recommendations," Pakistan Languages and Humanities Review 4, no. 1 (2020): 25–58, https://plhr.org.pk/issues/v4/1/consumer-protection-laws-in-pakistan-enforcement-barriers-and-recommendations.pdf.*

[52] Sultan Singh Jaswal, "Features and Importance of Consumer Awareness Programme 'Jago Grahak Jago' in Indian Society," *International Journal of Social Science and Humanities Research* 2, no. 4 (2014): 340–349,https://www.researchpublish.com/papers/features-and-importance-of-consumer-awareness-programme-jago-grahak-jago-in-indian-society (accessed April 04, 2026)

limitations will ensure a strong structuring, which in turn will promote fairness and justice. Here, we can take the assistance from the consumer protection legal framework of European Union whose strong uniform structuring is exemplary.[53]

iii. ADDITION OF DETERRENT CLAUSE

Deterrent aspect of a law, brightens the chances of the achievement of results. Like Malaysia, Pakistan needs to add deterrent section in law for assuring the effective execution of the district courts orders in favour of the consumers.[54]

iv. ADAPTATION TO MODERN TECHNOLOGY

Delay curtails right of fair trial, which the consumers are guaranteed under Article 10-A of the Constitution of Pakistan, 1973, while under the Article 37(d), the State is bound "to ensure inexpensive and expeditious justice".[55] Digitization and digitalization are the tools for delay reduction. For an improvement, it is better to look around. In China the e-court system is a success. The consumer is relieved from personal appearance before the court and can online pursue the proceedings from anywhere. The outcome is appreciable; paperless proceedings, no overcrowding in the court, costs and time friendly. Additionally, in the case of *"Ishfaq Ahmed Vs. Mushtaq Ahmed" (PLD 2025 SC 582)*,[56] the Supreme Court of Pakistan has appreciated the cautious use of modern technology including Artificial Intelligence (AI) for case

---

[53] European Commission, "A Step Forward for EU Consumers: Questions & Answers on Alternative Dispute Resolution and Online Dispute Resolution," *Press Memo* MEMO/13/193 (European Commission, March 12, 2013), https://ec.europa.eu/commission/presscorner/detail/en/MEMO_13_193 (accessed March 28, 2026).

[54] Malaysia, *Consumer Protection Act 1999 (Act 599), Amendment 2019*, s. 117, "Criminal Penalty for Failure to Comply," https://www.aseanconsumer.org/file/pdf_file/CONSUMER%20PROTECTION%20ACT%201999%20AMENDMENT%202019%20.pdf (accessed April 4, 2026).

[55] *Constitution of the Islamic Republic of Pakistan, 1973*, arts. 10A and 37(d), https://www.pakistani.org/pakistan/constitution/ (accessed April 11, 2026).

[56] *Ishfaq Ahmed v. Mushtaq Ahmed*, PLD 2025 Supreme Court 582 (Supreme Court of Pakistan, judgment delieverd by Justice Syed Mansoor Ali Shah).

scheduling and trial. If e-court system is properly implemented and automated dash-boards are used in the district courts of Pakistan for scheduling and trial of consumer cases, court management and results will be outclass for both, the courts and consumers.

v. COVERAGE OF E-COMMERCE & CROSS BORDER DISPUTES

Laws be amended to ensure that a consumer have a judicial forum in his own province for filing complaint in respect of online national and international transactions. In this regard, making the subject of consumer protection as the part of the federal list of the Constitution of Pakistan, 1973 is needed. For implementation, integration with Competition Commission Pakistan dealing with deceptive marketing, and joint ventures with the countries providing online access to the consumers of Pakistan can also serve the purpose.[57]

vi. LEGISLATION FOR GILGIT-BALTISTAN AND AZAD JAMMU AND KASHMIR

Consumers be treated alike; special consumer protection enactments and special consumer courts for the people of Gilgit-Baltistan and Azad Jammu and Kashmir should be ensured on priority basis.

vii. CAPACITY BUILDING AND TRAININGS

Without skill development and capacity building of the consumer court judges, the ultimate aim of the consumer protection cannot be perceived at all. In present era, while e-transaction is a known fact, inability of the enforcing machinery in deciphering the complexities involved in the e-commerce becomes an impediment. It is needed that a proper module be prepared and training programs are regularly arranged at the judicial academies for the judges and court staff. In this regard, it is suggested that at first a

[57]Muhammad Waqas Gujjar, Bakhtawar Manzoor, Anwar Rana, and Muhammad Ahmad, "Analysis of Approaches on the Protection of Consumer Rights," *Law and Policy Review*, https://journals.umt.edu.pk/index.php/lpr/article/view/4873/2206

public survey be made so as to help the judges understand the expectations of the consumers and the difficulties involved in the achievement of the objective. After survey, training the judges on the implementation of the laws could help them deliver efficiently. As the role of consumer council cannot not be ignored, so enhancing their knowledge and skills apt per the demand be also assured. In this context, joint ventures with the federal and provincial governments can be quite helpful.

viii. TRANSFORAMTION IN JUDICIAL ROLE

Efficient case handling is dependent as to how much a judge is law knowing, confident and proactive in handling the cases.[58] Consumer cases need the same proactive and inquisitorial role of the judge. To ensure that consumer court judges must start to play a more active role in overseeing and enforcing compliance with consumer protection laws. They can establish accountability on the part of the market and discourage violation of consumer protection laws by imposing severe penalties, ordering the payment of damages, and assuring the actual and timely enforcement of their decisions.

ix. USE OF ALTERNATE DISPUTE RESOLUTION (ADR)

A look at the questionnaire on world consumer protection map of UNCTAD shows that while responding to the question No.51, Pakistan has shown the availability of alternate medium of mediation, arbitration and conciliation.[59] Meaningful resort to the ADR, particularly mandatory mediation as is successful in Turkey will not only

[58] *Asif Ullah v. Government of Khyber Pakhtunkhwa and Others*, Writ Petition No. 5504-P/2025; *Advocate Shabbir Hussain Gigyani v. Director General Prosecution Khyber Pakhtunkhwa and Others*, Writ Petition No. 5560-P/2025 (Peshawar High Court).

[59] United Nations Conference on Trade and Development (UNCTAD), *Questionnaire Filled by Pakistan*, https://unctad.org/system/files/information-document/wcpm_pk.pdf (accessed April 9, 2026).

assure satisfaction of the consumers but will also be time saving, cost effective and reducing burden from the courts.[60]

[60] Law No. 6502 on the Protection of Consumers, art. 73/A (inserted by Law No. 7251, July 28, 2020), "Mediation as a Precondition for Lawsuit," https://legalblogs.wolterskluwer.com/mediation-blog/turkish-mandatory-mediation-expands-into-commercial-disputes/ (accessed April 8, 2026).