



Press Release

03rd October, 2023

No one can take a ride on Traders-CAIT

CAIT FILED COMPLAINT WITH CONSUMER AUTHORITY AGAINST AMITABH BACHHAN FLIPKART

The Confederation of All India Traders (CAIT) while strongly bashing against Amitabh Bachhan & Flipkart has filed a strong complaint with Central Consumer Protection Authority (CCPA) of Ministry of Consumer Affairs demanding urgent action against Amitabh Bachchan and Flipkart for a heartbreaking and misleading advertisement against India's small retailers of the Country. The CAIT demand has come under Section 2 (47) of the Consumer Protection Act which deals with unfair trade practices, misleading advertisements & false and misleading facts.

CAIT National President Mr B C Bhartia & Secretary General Mr Praveen Khandelwal in the complaint filed with CCPA has said that as per the definition under Section 2(47), Flipkart, acting through Amitabh Bachchan (endorser), have misled the public regarding the price at which mobile phones are being made available by sellers/suppliers in the smartphone market of India (relevant market). This has the effect of disparaging the goods, services or trade of another person. Further, as per rule 4 of the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, the advertisement by Flipkart is misleading because it doesn't contain truthful and honest representation and is wholly incorrect, malicious, misleading and manipulative.

Both Mr Bhartia & Mr Khandelwal strongly demanded that in pursuance of the same, the CCPA should pass directions to Flipkart to immediately suspend this advertisement so that it doesn't cause any more damage to the sincere efforts being taken by India's offline retailers to provide best consumer experience in the upcoming festive season;

They further demanded to penalise Flipkart, as per section 89 of the CPA, for false or misleading advertisement with imprisonment for a term of two years and a fine of Rs. 10 Lakh and penalise Mr. Bachchan with a fine of Rs. 10 Lakh as per section 89 of the Act.

Mr Bhartia & Mr Khandelwal said that endorsing Flipkart's misleading and frivolous claim that deals and discounts on mobile phones are not available in offline stores and are only available on Flipkart, Mr Bacchan has misled the people. They further said that "We are not disappointed by Flipkart's action because we know that the single reason why Flipkart (and also Amazon) have entered India is to dismantle the traditional retail industry of India by burning cash brought in the form of FDI and they have been undertaking activities against us with this intention since they started operations in India in 2009 and 2013 respectively" but the entire trading community feels anguished over Mr Bachhan who has endorsed such a notorious advertisement where he has made quite illogical statement which is far from truth.

SECTION 2(47)

As per section 2 (47) of the CPA, Flipkart has indulged in an "unfair trade practice" which is defined as –

(47) "unfair trade practice" means a trade practice which, for the purpose of promoting the sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice including any of the following practices, namely:—

(i) making any statement, whether orally or in writing or by visible representation including by means of electronic record, which—

(i) materially misleads the public concerning the price at which a product or like products or goods or services, have been or are, ordinarily sold or provided, and, for this purpose, a representation as to price shall be deemed to refer to the price at which the product or goods or services has or have been sold by sellers or provided by suppliers generally in the relevant market unless it is clearly specified to be the price at which the product has been sold or services have been provided by the person by whom or on whose behalf the representation is made.

(j) gives false or misleading facts disparaging the goods, services or trade of another person.



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