



Call for Chapters
for
Edited Book
on

Direct Selling Business in India: Issues and Challenges



Submit by:
15th June
2024

**Centre for Studies in International Trade and Investment
Law (CITIL), DNLU, Jabalpur**



ABOUT US

DHARMASHASTRA NATIONAL LAW UNIVERSITY, JABALPUR

Dharmashastra National Law University, Jabalpur (M.P.) was established in the year 2018, by Madhya Pradesh Dharmashastra National Law University Act 24 of 2018, with the object of advancing the cause of legal education and achieving excellence as a university for imparting value-based legal education to undergraduate as well as postgraduate students. DNLU is dedicated to providing high-quality legal education that prepares students to excel in the field of law and contribute to the legal profession and society at large. The university places a strong emphasis on research and scholarship. It actively supports faculty and student research initiatives, organizes seminars, conferences, and workshops, and encourages publications in reputed legal journals. DNLU also fosters an environment conducive to mootings and legal competitions, helping students develop practical legal skills and advocacy abilities. The motto of the University is 'Satyam Vada Dharmam Char' which has been enshrined in Verse eleven of the Shikshavalli Section of the Taittiriya Upanishad. It literally means "speak the truth and conduct in accordance with dharma. At the end of the course, in the Dikshant Samaroh, the Guru shows the further path to his pupils and asks them to follow the path of truth and stick to the dharma. Dharma means rules of conduct which does not do injustice to anyone and protest injustice done to others. Our conduct must be an example for others.

CENTRE FOR STUDIES IN INTERNATIONAL TRADE AND INVESTMENT LAW (CITIL)

The Centre for Studies in International Trade and Investment Laws (CITIL) is a research and learning centre at DNLU, Jabalpur. The Centre aims to bring together the legal academics, professionals, students, researchers etc., with an objective of the dissemination of knowledge and encouraging research in the various realms of International Trade Law and International Investment Laws. It must be mentioned here that, the subjects of International Trade and International Investment Laws are offered usually as Optional or Elective Courses in Law schools. National Law Universities have always been at the cusp of dissemination of knowledge not only in traditional compulsory law courses but also have tried to expose the students to various other fields of law through various activities and events. The Centre is one of such initiatives of a blooming National Law University to expose the interested students, scholars and academics to this intricate field of law which has interconnected horizons with both domestic law and International Law.



ABOUT THE BOOK

This book covers one of the emerging and unique way of doing business in India, direct selling business. Direct Selling (DS) industry is one of the rising business strategies in the current economy of not only India but in the world as well. It has been one of the fastest It offers a unique way of approaching the consumers directly rather than following the traditional distribution format. The main idea behind the functioning of any direct selling company is to get in direct touch with their consumers avoiding the middlemen.

Our main goal will be to investigate the problems and difficulties that the Indian direct selling sector faces. The book explores the fundamental idea of direct selling, explaining its significance and goal in the Indian market. It explores the regulatory environment of direct selling activities in India through a thorough analysis, illuminating the legislative frameworks and compliance standards.

It also identifies and tackles the main problems that direct selling businesses face, including distribution network problems, consumer perception, market competitiveness, and regulatory ambiguity. In addition, the book provides practical advice on how to overcome these obstacles through case studies and real-world situations. It offers doable suggestions to help direct selling businesses, legislators, and industry participants effectively negotiate the intricacies of the Indian market.

SUB-THEMES

The Intersection of Consumer Protection Laws and Direct Selling Industry

For a long time, direct selling in India did not have a regulatory framework of its own and was governed by the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 (“PCMCS Act”). The Central government, in absence of regulatory mechanisms, passed the Consumer Protection (Direct Selling) Rules, 2021 in order to prevent unfair trade practices and to protect the interest and rights of the consumers. Before the notification of Consumer Protection (Direct Selling) Rules, 2021, the Department of Consumer Affairs vide its notification dated 26.10.2016 issued Model Direct Selling Guidelines. The guidelines put the onus on the state governments to ensure that an implementation mechanism is adopted for effective grievance redressal and to curb malpractices by misuse of the direct selling model. However, not all the states have applied their minds in formulating a mechanism.

Pending such regulatory infirmities, the authors can analyse the current regulatory mechanisms implemented by the state governments in India while simultaneously suggesting viable solutions for the same. The authors may also analyse the overlap between the Consumer Protection E-Commerce Rules, 2020 and the Consumer Protection (Direct Selling) Rules, 2021. They may also analyse the overlap between current rules of 2021 and other statutes such as Reserve Bank of India Act, 1934, Banking of Unregulated Deposits Act, 2019 (“BUDA”) and the PCMCS Act, 1978. Additionally, the authors may also analyse do case studies of landmark judgements such as Amway India Enterprises vs. Union of India. Pertinently, the analysis of rising gig economy and the regulatory mechanism surrounding the same forms the part of the theme of this book.



SUB-THEMES

Cross-Border Trade, Direct Selling Business and International Regulations

Cross-border trade in the direct selling business within India involves selling products or services to customers located outside the country's borders or the other way round. This aspect introduces a catena of considerations and challenges, including navigating international regulations and compliance requirements. One of the primary concerns is ensuring adherence to the laws and regulations of both the exporting country and the importing country. This involves understanding trade policies, customs regulations, taxation laws, and consumer protection measures in each jurisdiction involved. Also, cross-border transactions may also necessitate compliance with international trade agreements and treaties to facilitate seamless trade operations.

To address these challenges effectively, companies engaged in cross-border direct selling must invest in robust legal counsel, establish clear compliance protocols, foster strong partnerships with local distributors or agents in target markets, and continually monitor regulatory developments to ensure ongoing compliance. By proactively addressing these considerations, direct selling businesses in India can harness the immense opportunities presented by cross-border trade while mitigating associated risks and ensuring sustainable growth in the global marketplace.

The authors may analyse:

- 1. the impact of customs regulations and tariffs on cross-border direct selling in India while suggesting ways to harmonise the interest of both the consumers and businesses.*
- 2. tax implications for direct selling companies operating across borders. Along with transfer pricing regulations and challenges in international direct selling.*
- 3. Challenges and strategies for enforcing IPR in direct selling.*
- 4. Impact of e-commerce regulations on cross-border direct selling activities.*

Effect of Development in Technology and AI on Direct Selling Business in India

The rapid advancement of technology and the integration of artificial intelligence (AI) have resulted in a significant shift in the direct selling sector within India. This paradigm change presents opportunities as well as problems for businesses in this market. On the one hand, technology and artificial intelligence (AI) give direct sellers powerful instruments to improve decision-making, streamline processes, and foster more customer engagement. Thanks to AI-driven data, organisations can create more specialised marketing campaigns and personalised customer experiences by gaining a deeper understanding of consumer behaviour. Routine chores can be automated to give direct salespeople more time to concentrate on developing connections and growing their networks. There are a few disadvantages associated with these benefits, though. One of the primary issues is that direct selling companies must swiftly adapt to shifting technology trends. Keeping up with the latest advancements requires large investments in technical infrastructure, human training, and software development. Furthermore, safeguarding the privacy and security of client data becomes essential because direct selling organisations collect and analyse massive volumes of client data. Following the legal frameworks governing data privacy is another challenge in light of the enactment of stringent legislation such as the Personal Data privacy Bill in India.



SUB-THEMES

Moreover, the digital divide in India is a hindrance to the extensive implementation of technology-based solutions in direct selling. In contrast to urban areas, which may have access to digital platforms and high-speed internet, rural and remote locations may lack the infrastructure necessary to support direct selling activities. To bridge this divide and improve technology's inclusivity and accessibility, innovative strategies will be needed.

The authors may analyse the legal framework surrounding the use of AI in direct selling, including data protection laws, intellectual property rights, and liability issues emphasizing consumer rights, transparency requirements, and ethical AI usage guidelines.

E-Commerce and Direct Selling Business in India

India's direct selling industry is flourishing, with domestic companies at the forefront. These firms are capitalizing on e-commerce's remarkable growth to showcase and market locally made products, propelling industry expansion. E-commerce itself boasts an impressive market size and growth across segments, significantly impacting India's retail landscape. Studies highlight its considerable contribution, with online shopping's popularity influencing offline retailers. E-commerce's history and future trajectory solidify its importance as a platform for buying and selling, shaping consumer behavior and market dynamics. Both sectors, being integral to India's retail scene, drive innovation, consumer engagement, and economic growth.

However, the integration of e-commerce and direct selling presents a complex interplay of challenges and opportunities. The authors may analyse:

- how India's e-commerce landscape is changing, including regulatory practices and their impact on the direct selling industry.
- the growing popularity of online shopping and its impact on traditional offline retailers, including challenges faced and strategies adopted to stay competitive.
- the regulatory environment governing both direct selling and e-commerce in India, exploring its impact on industry growth and consumer protection.

Competition and Consumer Protection in the Direct Selling Business in India

The sub-theme "Competition and Consumer Protection in the Direct Selling Industry" invites research papers examining the delicate interplay between fostering fair competition within the direct selling space and safeguarding consumer rights through competition law. This sub-theme encourages exploration of critical areas such as effectively differentiating legitimate multi-level marketing from exploitative pyramid schemes, tackling misleading income or sales claims used for recruitment, preventing established companies from stifling competition through predatory practices, and addressing the unique challenges posed by the integration of direct selling with online platforms. Additionally, research on the impact of existing or proposed regulations governing direct selling on industry competition is highly welcome.



SUB-THEMES

Effect of Development in Technology and AI on Direct Selling Business in India

The burgeoning advancements in technology and the infusion of artificial intelligence (AI) are radically reshaping the landscape of India's direct selling industry. This presents a double-edged sword for businesses in this space. On the one hand, technology and AI empower direct sellers with powerful tools to enhance decision-making, streamline operations, and cultivate deeper customer engagement. AI-driven data analytics unlock a profound understanding of consumer behavior, enabling companies to craft highly targeted marketing campaigns and personalized customer experiences. Additionally, automation of routine tasks frees up valuable time for direct sellers to focus on building relationships and expanding their networks. However, these benefits come with challenges. Companies must remain agile and adapt quickly to ever-evolving technological trends. Keeping pace necessitates significant investments in technical infrastructure, employee training, and software development. Furthermore, the vast amount of customer data collected and analyzed by direct selling organizations necessitates robust data privacy and security measures. Navigating the legal landscape of data privacy, especially in light of stricter regulations like India's Personal Data Protection Bill, adds another layer of complexity.

Congruence of Direct Selling Business with Law (Suggestive Sub-themes)

The call for chapters delves into the multifaceted world of direct selling, exploring a range of emerging themes. One theme investigates the evolving role of direct sellers within the gig economy, examining how the industry provides flexible work opportunities and adapts to platform-based models. Another theme focuses on how direct selling businesses are integrating sustainability practices, including eco-friendly products, ethical sourcing, and promoting environmental awareness. Additionally, research is encouraged on the growing influence of social media influencers in direct selling strategies, analyzing their effectiveness in reaching new audiences and the ethical considerations of such partnerships. Furthermore, a theme explores the future of direct selling in a "phygital" world, where physical and digital experiences converge. This includes research on technology-enhanced in-person interactions, virtual product demonstrations, and hybrid sales models. Finally, a theme examines the potential role of direct selling companies in promoting financial literacy among their distributors, exploring educational programs, the importance of financial knowledge for success, and potential partnerships with financial institutions for support.



SUBMISSION GUIDELINES

Eligibility

The call for chapters is open to interested professors, researchers, practitioners, students and are invited to submit Book Chapters. All submitted chapters will be reviewed on a double-blind peer review basis. Authors are encouraged to include original works.

Submission Guidelines

1. Abstract (350-500 words) along with 5 Minimum Keywords and with final paper should be send by **June 15, 2024**.
2. Name, Designation, Name of the Organization/University /Institution and Email address and the contact number of the Authors should be mentioned in the first page (cover page) of the submitted document.
3. Co-authorship is allowed for this call for chapters (**max 2 co-authors**)
4. Chapter should be in **Garamond**-12 point font and 1.5 spaced.
5. Main Title should be in full capitals, bold and centered 14 point font.
6. Sub-titles should be in sentence case, bold and 12 point font.
7. Citation Format: Please use footnotes rather than endnotes. Footnotes should conform to **STANDARD INDIAN LEGAL CITATION, NLUJ (SILC)** style;
8. All the contributions for the call for chapters should be the original work of the contributors and should not have been submitted for consideration in any other Publication.
9. Any plagiarized work will be out-rightly rejected. Plagiarism more than 15% will strictly be rejected.
10. The paper should be typed in **MS WORD** format;
11. The paper must be in single column lay out with margins justified on both sides;
12. The length of paper should be between **5,000-7,000 words** (including footnotes).

IMPORTANT DATES

Last Date for Submission **15 June 2024**

REGISTRATION FEE

No fees for the submissions

SUBMISSION DETAILS

Submit via email at citil@mpdnlu.ac.in



Contact us

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