



## Understanding Consumer Laws in India: Safeguarding Buyer Rights in the Marketplace

\*Pushpendra Jatav, Dr. Vimla Dunkwal and Nidhi Soni

Department of Foods and Nutrition, College of Community Science,  
SKRAU, Bikaner, Rajasthan India

\*Corresponding Author's email: [jatavp18@gmail.com](mailto:jatavp18@gmail.com)

In India's vibrant and diverse marketplace, consumer protection laws are pivotal to maintaining fairness, transparency, and safety. With a rapidly growing economy and increased consumer participation in both traditional and digital markets, the role of robust consumer laws has become more significant than ever. The Consumer Protection Act, 2019, is the cornerstone of consumer rights in India, replacing the older Consumer Protection Act of 1986 to address the changing landscape of commerce and technology.

### What Are Consumer Laws?

Consumer laws in India regulate the relationship between buyers and sellers, ensuring that consumers are treated fairly and not exploited. These laws are designed to address issues such as defective products, unfair trade practices, false advertising, and inadequate service. The Consumer Protection Act, 2019, enforced by the Ministry of Consumer Affairs, Food and Public Distribution, provides a comprehensive legal framework for consumer rights.

### Key Features of the Consumer Protection Act, 2019

The updated Act introduced several modern provisions to better address the complexities of e-commerce, misleading advertisements, and consumer grievances. Key features include:

1. **Establishment of Central Consumer Protection Authority (CCPA):** The CCPA has the authority to regulate matters related to consumer rights violations, unfair trade practices, and false or misleading advertisements.
2. **E-commerce Regulations:** The law includes specific provisions for online shopping, ensuring transparency, fair returns, and the protection of personal data.
3. **Simplified Dispute Resolution:** The Act provides for mediation cells and simplified complaint filing procedures, including the ability to file complaints online.
4. **Product Liability:** The Act introduces the concept of product liability, allowing consumers to sue manufacturers, service providers, and sellers for defective products or substandard services.

### Major Areas of Consumer Protection in India

#### 1. Product Safety and Quality Standards

Bureau of Indian Standards (BIS) plays a critical role in ensuring product quality and safety through certification and standardization. Products that do not meet prescribed standards can be removed from the market.

#### 2. False and Misleading Advertisements

The CCPA can penalize manufacturers and endorsers for misleading advertisements. Celebrities and influencers endorsing products are also held accountable under this law.

#### 3. Consumer Dispute Redressal Commission

The Act has established a three-tier structure for consumer grievances:

- **District Consumer Disputes Redressal Commission** (up to ₹1 crore)

- **State Consumer Disputes Redressal Commission** (₹1 crore to ₹10 crore)
- **National Consumer Disputes Redressal Commission** (above ₹10 crore)

#### 4. Consumer Rights in E-commerce

The rules make it mandatory for online platforms to provide clear information about return, refund, exchange, warranty, and guarantee. Sellers must disclose the country of origin, and e-commerce entities must respond to complaints within 48 hours.

### Consumer Rights in India

Under the Consumer Protection Act, Indian consumers are entitled to six rights:

1. **Right to Safety:** Protection against hazardous goods and services.
2. **Right to be Informed:** Right to know about the quality, quantity, potency, purity, standard, and price.
3. **Right to Choose:** Access to a variety of goods and services at competitive prices.
4. **Right to be Heard:** Consumer interests should be considered in appropriate forums.
5. **Right to Redressal:** Compensation for unfair trade practices or exploitation.
6. **Right to Consumer Education:** Knowledge to make informed purchasing decisions.

### Consumer Responsibilities

To ensure a fair marketplace, consumers in India must:

1. Check for product certifications (e.g., ISI mark, Agmark)
2. Retain receipts and invoices
3. Read terms and conditions carefully
4. Report unethical business practices

### Enforcement and Redress Mechanisms

The government has established consumer helplines and online grievance platforms like the **National Consumer Helpline (NCH)** and **E-Daakhil Portal** to simplify the complaint process. These platforms allow consumers to:

1. Lodge complaints online
2. Track complaint status
3. Access mediation services

### Landmark Judgments in India

Several landmark cases have strengthened the consumer rights framework in India:

1. **Indian Medical Association v. V.P. Shantha (1995):** Brought medical services under the purview of consumer protection.
2. **Lucknow Development Authority v. M.K. Gupta (1994):** Upheld the liability of public authorities for deficiency in services.
3. **Amrish Kumar Shukla v. Ferrous Infrastructure (2017):** Clarified the concept of class-action complaints in real estate.

### Challenges in Consumer Protection in India

Despite strong laws, challenges persist:

1. **Low Awareness:** Many consumers are unaware of their rights and available redress mechanisms.
2. **Lengthy Legal Processes:** Delays in resolution can frustrate consumers.
3. **Cross-border E-commerce:** Enforcement in cases involving international sellers is difficult.
4. **Digital Scams and Frauds:** Increasing incidents of phishing and cyber frauds target unprepared consumers.

### Future Directions and Reforms

The Indian government is actively working to improve consumer protection through:

1. **Stricter E-commerce Laws:** New rules to mandate transparency in flash sales, fake reviews, and price manipulation.

2. **Consumer Awareness Campaigns:** Programs like "Jago Grahak Jago" aim to educate consumers about their rights.
3. **Technology-driven Redressal:** AI-enabled helplines, faster dispute resolution systems, and integrated complaint portals.

## Conclusion

Consumer protection laws in India have evolved to address the challenges of a dynamic and digitized economy. With stronger legal backing, improved awareness, and technological innovation, consumers today are more empowered than ever to demand fair treatment. However, continued reforms and public education are essential to ensure that every Indian citizen can confidently and safely engage in the marketplace.

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