



# The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2026

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

---

## KNOW YOUR RIGHTS: THE VARIOUS RIGHTS CONFERRED ON THE CONSUMER UNDER THE CONSUMER PROTECTION ACT, 2019

~ *Bhavya Sharma*

### ABSTRACT

The Consumer Protection Act of 2019 is an important piece of legislation for India in its quest to bring about a transformation in its consumer law regime, given the changing nature of trade transactions and marketing activities.<sup>1</sup> The Consumer Protection Act of 2019 has been passed as a replacement for the inadequate Consumer Protection Act of 1986.<sup>2</sup> The Consumer Protection Act, 2019 lays down six basic rights that are granted to all eligible consumers as per Section 2(9) of the new Act.<sup>3</sup> This paper deals with an examination of these rights which are the right to safety, right to information, right to choose, right to be heard, right to seek redressal and right to consumer education.

Focus is laid upon the Act's groundbreaking innovations, such as India's statutory scheme of product liability provided for under Chapter VI, the wide definition of misleading advertisements set out in Section 2(28) and the formation of CCPA as an agency which can proactively intervene suo motu to protect the interests of consumers. Other aspects of the new consumer law discussed in the paper are the improved dispute resolution mechanism (consumer commission system, online lodging of complaints and judicial mediation process), e-consumer protection and invalidation of unfair terms in contracts.

---

1 Consumer Protection Act 2019.

2 Consumer Protection Act 1986.

3 Consumer Protection Act 2019, s 2(9).

Noting the fact that the Act represents a significant development from its earlier version, the paper highlights the shortcomings of the new act as well. These include, among other things, delayed consumer claims settlement, lack of consumer awareness and the infancy of product liability legislation. The conclusion stresses the necessity of not only passing appropriate laws but also implementing the policy of consumer protection in practice.

## **Introduction**

The Consumer Protection Act, 1986 introduced groundbreaking changes to India which proved to be a major advancement for its citizens. The law created a special legal system through which common citizens could take legal action against dishonest sellers who mistreated them through unsafe products and deficient services. The internet revolutionized everything. E-commerce emerged as a new market. The 1986 legislation began to show its inadequacies because global supply chains created intricate market structures which rendered the law outdated. The Consumer Protection Act, 2019 came as Parliament's solution to that specific issue. The new legislation establishes consumer rights in India through precise definitions which enhance existing protection measures.

The law establishes consumer rights but we need to answer one fundamental question about consumer definition. Section 2(7) defines a consumer as anyone who purchases products or uses services after paying for them to fulfill their personal needs or to develop their self-employment business.<sup>4</sup> The key exclusion exists for people who buy products which they intend to sell or use for business operations. This paper does not apply to that individual. This information holds importance because it affects actual situations which need to be handled by law enforcement.

Section 2(9) enumerates six rights which every eligible consumer has the right to obtain:

### **1. The Right to Safety**

The first consumer right establishes the fundamental rights which all consumers possess. Section 2(9)(i) grants every consumer the right to protect himself from dangerous goods and services which endanger his life and his property.<sup>5</sup> The fundamental aspect of this right depends on trust

---

<sup>4</sup> Consumer Protection Act 2019, s 2(7).

<sup>5</sup> Consumer Protection Act 2019, s 2(9)(i).

between parties involved. Only after being assured about its safety, do parents purchase and feed their children baby food. Once hotel guests arrive at their destination, they assume that their accommodations will follow the established safety guidelines and regulations. People only consume the medicines that have been prescribed to them once they are assured that consuming them will only cause benefits, and not harm.

The law establishes the right to safety as a mechanism which provides actual accountability to support the trust relationship between parties involved. The 2019 Act created an important legal right because it brought new construction to an existing right. The legislation established a physical foundation which supports the existing legal right. Chapter VI of the Act establishes Section 82 to Section 87 which introduces the first product liability system which India did not possess before. The framework establishes liability for product manufacturers, product service providers and product sellers when they create dangerous products or provide inadequate service. The system enables lawsuits against manufacturers who did not sell products directly to customers. Any injury caused by their product enables you to pursue legal action against them. The current system provides actual enforcement power to citizens through its implementation of safety rights protection which differs from previous methods.

## **2. The Right to Information**

Section 2(9)(ii) gives consumers the right to be informed about the quality, quantity, potency, purity, standard and price of whatever they're buying.<sup>7</sup> The main principle of this system states that people need direct access to right information because that information forms the basis for making proper decisions.

If one comes to think about it, majority of the consumer problems occur because of information being hidden, distorted or simply false, For instance, cooking oil packages make false claims about the oil being "cholesterol-free", but in reality, all vegetable oils have zero cholesterol content. A gym membership contract contains exit clauses which are hidden in six-point font on page nine of the document. The telecom plan which displays one rate to customers actually bills

---

<sup>6</sup> Consumer Protection Act 2019, ss 82–87 (Chapter VI).

<sup>7</sup> Consumer Protection Act 2019, s 2(9)(ii).

customers at a different rate. All of these violations prevent people from accessing their fundamental right to information.

The 2019 Act took a particularly strong stand on misleading advertisements which is where most information problems exist in actual situations. Section 2(28) defines misleading advertisements quite broadly which includes false claims and false descriptions and intentional omissions that create a deceptive impression.<sup>8</sup> Endorsers who promote misleading content, and not just manufacturers, are penalized under Section 89.<sup>9</sup> That also includes celebrities and social media influencers who endorse products despite knowing that they are falsely being advertised. Thus, they can be held accountable under the provisions of this Act. The current situation introduces something entirely new which has become necessary from our perspective.

The Central Consumer Protection Authority (CCPA) has the authority to create guidelines that combat deceptive advertising and to impose financial penalties. The active regulator currently monitors the right to information which now extends beyond the existing tribunal system that waits for public complaints.

### **3. The Right to Choose**

Section 2(9)(iii) gives every consumer the right to choose from different products and services which companies sell at market-based price points.<sup>10</sup> The existence of other options should prevent anyone from being compelled through force or deceit to buy a particular product. The right represents a boundary zone between consumer protection rights and competition market rights. The protection of this right depends on operational markets which maintain their active state through sufficient market competition. The right loses its essential meaning when market systems fall under control of either monopolies or cartel operations or through the practice of bundling essential products with nonessential items.

The first example shows this relationship through its link to distribution. The store requires customers to purchase its mandatory protection software together with their laptop purchases. The customer does not want the product. The customer did not request the product. The customer

---

<sup>8</sup> Consumer Protection Act 2019, s 2(28).

<sup>9</sup> Consumer Protection Act 2019, s 89.

<sup>10</sup> Consumer Protection Act 2019, s 2(9)(iii).

needs to purchase the product because he needs the laptop. The telecommunications providers create an illegal practice which requires customers to use only their designated repair facilities and their designated partner companies.

The right to choose protects consumers from aggressive sales methods which pressure them into purchasing decisions. The law defines unfair trade practices through Section 2(47) which includes deceptive marketing methods that create fake emergencies and misleading product comparisons that compel customers to make choices they would not choose.<sup>11</sup> When sellers undermine your ability to make a free and rational choice, they're not just being unethical. They commit an unlawful act.

#### **4. The Right to be Heard**

The right to be heard is provided to consumers under the Consumer Protection Act. This translates to the fact that when government and businesses make decisions, the consumers affected by those decisions have a right to express their opinions and ask for their interests to be considered. Consumers should not just sit back and accept decisions made by producers and policymakers. When something goes wrong, consumers should be able to raise their concerns and have them addressed.

To help consumers resolve their problems, courts such as the District Commissions, State Commissions and the National Consumer Disputes Redressal Commission have been established. It has been made easier for the consumers to access these courts under the Consumer Protection Act. Now, consumers can register their complaint online and attend the hearings through video calls. This is a help for consumers who live in small towns or rural areas. They do not have to take time off work and travel to a city to attend hearings.

Mediation is another important method of dispute resolution introduced under the Consumer Protection Act. Thus, consumers and businesses can work together to resolve their disputes efficiently and quickly. To help them resolve their disputes without going to work, Consumer

---

<sup>11</sup> Consumer Protection Act 2019, s 2(47).

Mediation Cells have been established. Most consumers just want a solution to their problems, they do not want to spend years fighting in court.<sup>12</sup>

### **5. The Right to Seek Redressal**

The right to seek redressal is about getting an outcome when something goes wrong. Consumers have the right to seek relief when they are treated unfairly. This right gives consumers the power to take action against businesses that cheat them.

The Consumer Protection Act sets up a system to help consumers get redressal. There are courts that handle different types of cases. District Commissions handle small cases, State Commissions handle medium cases and the National Consumer Disputes Redressal Commission handles big cases. When a consumer wins a case, the court can order the business to fix the problem, give a refund or pay compensation. The court can also order the business to stop doing something that's unfair.

Consumers do not have to fight. They can join together with consumers who have the same problem and take action together. The Central Consumer Protection Authority (CCPA) can take suo motu action on behalf of the consumers. The CCPA's main goal is to protect consumers and it does so by exercising its power to investigate problems, issue safety notices and take relevant legal action.

### **6. The Right to Consumer Education**

The right to consumer education is about helping consumers to know their rights. To protect themselves from cheating, a consumer being educated is quintessential. When something goes wrong, consumers who are actively aware of their rights are more likely to take action.

A system to educate consumers and make them aware of their rights has been set up by the Consumer Protection Act. There are councils at the state and district levels that work to educate consumers. They do this through awareness campaigns, school programs and other activities. This right is important because it helps consumers to know how to use their rights. Without education, consumers may not know how to take action when they have a problem.

---

<sup>12</sup> *Lucknow Development Authority v MK Gupta* [1994] 1 SCC 243.

### **Some Additional Protections the 2019 Act Brought In**

The Consumer Protection Act also includes some protections for consumers who shop online. Online retailers are hence required to follow rules so as to protect consumers. They must display seller information clearly, prevent price manipulation and have a proper system for handling complaints.<sup>13</sup>

The Act also protects consumers from contracts. Courts can now declare contract terms as unfair if they are one-sided. The Act also includes a system for product liability which means that businesses that sell consumers products can be sued by the latter. In this scenario, the burden of proof to show that the business was negligent does not fall on the consumers. All the consumers have to do is show that the product purchased by them had some defect.<sup>14</sup>

### **Identifying the Gaps**

The Consumer Protection Act is a law but it is not perfect, and so there are some problems that still need fixing. A major problem is that moving to the courts to resolve issues can be a time-consuming process. It can take years for a consumer to get a decision, which means that the right to redressal is not always effective.

Another problem is that many consumers do not know about their rights. The right to consumer education is meant to fix this but it needs more funding and support. The Central Consumer Protection Authority is a body to fix this issue but it needs to be independent and well-funded to be effective. The product liability system is also still new which needs to be tested. Consequently, help may be required by the consumers to navigate this system with ease. <sup>15</sup>

### **Conclusion**

The Consumer Protection Act is a law made to protect the consumers. The six rights in the Act are important. The systems that support them are also important. The Act is better than the previous law but it has some flaws. Consumers must know their rights and be proactive where

---

<sup>13</sup> Consumer Protection (E-Commerce) Rules 2020.

<sup>14</sup> JN Barowalia, *Commentary on Consumer Protection Act* (Universal Law Publishing).

<sup>15</sup> Hariom Gupta and Amit Singh, 'The Consumer Protection Act, 2019: A Comparative Analysis of Legislative Frameworks in India and Other Jurisdictions' (2024) 4(2) *International Journal of Criminal, Common and Statutory Law* 155.

necessary. It is important for both the authorities and business owners to make sure that the act is implemented effectively. In this way, they can make sure that consumers are protected as per the Act. While the Consumer Protection Act serves as a good starting point, it should not serve as the only step that needs to be taken to ensure consumer protection.

## References

1. Consumer Protection Act 2019
2. Consumer Protection Act 1986
3. Consumer Protection (E-Commerce) Rules 2020
4. *Lucknow Development Authority v MK Gupta* [1994] 1 SCC 243
5. JN Barowalia, *Commentary on Consumer Protection Act* (Universal Law Publishing)
6. Hariom Gupta and Amit Singh, 'The Consumer Protection Act, 2019: A Comparative Analysis of Legislative Frameworks in India and Other Jurisdictions' (2024) 4(2) *International Journal of Criminal, Common and Statutory Law* 155