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CONSUMER PROTECTION ACT, 2019: RIGHTS OF CONSUMERS AND REDRESSAL MECHANISM IN INDIA

~ *Khushi Chugh*

INTRODUCTION

Nowhere near what it once was, shopping in India looks completely different today than ten years ago. Because online stores began booming, payment apps spread fast, plus incomes slowly rose, buying habits transformed quicker than outdated rules could manage. Old systems lagged behind, the 1986 law tried, stood firm for years even, yet gaps widened as new problems emerged. As digital trade expanded rapidly, gaps in the older framework became difficult to ignore.

The July 2020, the Consumer Protection Act of 2019¹ came into force, stepping past an older version that had lasted thirty years. Instead of just carrying forward old ideas, it widened who counts as a 'consumer'. Online shopping rules appeared where none stood before. A firmer system for oversight took root at the same time. Years earlier, In Lucknow Development Authority v. M.K. Gupta² saw how wide those protections should stretch. Their view wasn't ignored. That wider lens now lives inside the updated law.

RIGHTS OF CONSUMERS IN INDIA

This law acknowledges key consumer rights, yet goes beyond just stating them it intends real world application. Protection from harm caused by dangerous products sits at its core, especially where health or belongings face risk. Clear facts about what someone buys matter too: how much it costs,

¹ Consumer Protection Act, 2019, No. 35, Acts of Parliament, 2019 (India).

² Lucknow Dev. Auth. v. M.K. Gupta, (1994) 1 SCC 243.

how good it is, whether measurements match reality. Misleading claims during transactions have no place here. Access to accurate information forms part of fair trade.

Choosing freely means people can reach different products and services without price fixing. When one company tries to block others, that goes against what consumers should expect. Getting things fixed matters just as much when something breaks down unfairly. A person affected by poor quality gets support to make up for loss. Courts sometimes see these issues as part of living fairly in society. That idea ties back to basic freedoms written into law long ago. Consumer dignity reflected not only in constitutional rights but also in every day transactions.³

HOW CONSUMERS CAN SEEK HELP UNDER THE 2019 LAW

One level down sits the District Consumer Disputes Redressal Commission, handling cases involving goods, services, or claims below one crore rupees. Moving higher, the State panel takes on matters valued at up to ten crore rupees. Complaints surpassing that amount land at the National Commission alongside issues raising broader legal concerns. The mechanism functions through district, state, and national commissions⁴ based on pecuniary jurisdiction.

A new part of the 2019 law worth noting is the introduction of mediation. If both sides agree, disagreements may go to mediation instead this path often takes less time and creates fewer conflicts. It helps that consumer courts are swamped these days. Still unclear if many will actually use it, though the goal behind the rule seems clear: lighten the load on official channels.

The mechanism is intended to reduce delays in consumer dispute resolution.

KEY ASPECTS OF THE CONSUMER PROTECTION ACT 2019

The big change in the 2019 law? A new group called the Central Consumer Protection Authority shows up. The authority has been granted independent investigative powers. Instead of waiting around for someone to report trouble, it hunts down shady business behaviour by itself. It may conduct investigations, issue safety notices, and order product recalls where necessary. Unlike how

³ INDIA CONST. art. 21.

⁴ Consumer Protection Act, 2019, §§ 28, 34, 47, 58 (India).

things worked before, silence from consumers doesn't mean inaction anymore. Surprise checks happen anyway. This represents a significant shift from the earlier framework.

Nowhere was it easier before, but today buyers can seek redress straight from makers if something breaks or fails. Getting results used to mean wrestling with tangled legal ideas rooted in old court rulings. The 2019 framework simplifies several aspects of product liability claims.

Online shopping rules get clear attention here. Made in 2020, the Consumer Protection Rules for E-Commerce⁵ come from this law, demanding online sellers show truthful details about items. A person handling complaints must be named by each platform. Instead of just saying what's allowed, it blocks fake ads and sneaky price tricks outright. Because of stricter consequences now, actions like lying in ads, tricking buyers with package design, or luring customers then switching products face heavier fines.

CHALLENGES IN IMPLEMENTATION

Still, getting things done looks different across regions. Many shoppers in India, especially outside big cities, have never heard of such rules. Bringing up an issue at a consumer panel does not come naturally to them. Consumer grievance mechanisms remain underutilised. Knowing about rights matters just as much as having them laws alone cannot fix that silence.

Still, delays in legal processes remain troubling. Overloaded district and state consumer panels face piles of unresolved matters, so resolution times drift far past intended limits. Mediation could ease things - provided both shoppers and firms choose to engage. Digital scams and deceptive ads now multiply quicker than authorities can respond. At present, the CCPA stumbles is still evolving as an enforcement authority.

Getting help isn't easy if you live far from town centers. These offices usually sit in main district towns, so reaching them takes time or money some people do not have. Without clear guidance, filling out forms or knowing where to start feels confusing. Speaking a local dialect might make things harder when dealing with officials who understand only official languages. Legal support

⁵ Consumer Protection (E-Commerce) Rules, 2020, G.S.R. 512(E) (India)

often does not reach villages, leaving most on their own. A lack of confidence in institutional remedies also discourages consumers from pursuing complaints. Even rulings meant to protect rights can fail when no one checks whether rules are followed afterward.

CONCLUSION

On paper, India's consumer safeguards look solid today. Better than the old 1986 version, the 2019 law fits modern times handles online shopping, hands authorities better powers. However, statutory protections remain ineffective without awareness and institutional readiness. What people get by law often doesn't match what they face daily. That distance remains big. Still, closing the gap means keeping people informed over time, finding quicker ways to fix problems, then building systems that actually enforce rules. Meaningful consumer protection ultimately depends on effective implementation.