



The Indian Journal for Research in Law and Management

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

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CONSUMER RIGHTS IN E-COMMERCE

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INTRODUCTION

With the advent of E-commerce revolution, the shopping habits of Indian consumers have changed for the better, becoming easier, simpler and faster. At the same time, it has also created new risks like false advertising, bogus products, delayed deliveries, hidden costs, and complex refund procedures. For this reason, the legal system related to consumer rights in electronic commerce is of fundamental importance to ensure that consumer protection is not sacrificed in order to enable consumers to enjoy the convenience of e-commerce.¹

Consumer law is founded on the notion that the consumer should not be subjected to unfair practices or services in the marketplace which are less than what the consumer reasonably expects. This is a method that has been specifically adopted for online transactions in India in accordance with Consumer Protection Act, 2019 and Consumer Protection (E-Commerce) Rules, 2020. The provisions acknowledge that when a consumer buys something online, he or she has the same and sometimes even more rights to protection as a consumer shopping offline, in part because there is more information asymmetry in the digital marketplace.

LEGAL FRAMEWORK

The Consumer Protection Act, 2019 gives a broad definition of e-commerce as the purchase or sale of goods or services, including digital goods or services, through a digital or electronic network. It also applies the protection and redress for online transactions as consumer transactions. The Consumer Protection (E-Commerce) Rules, 2020 also set out guidelines to regulate the conduct of the e-commerce entity, marketplace platforms and the sellers on the digital platforms.

¹ Jawahitha Sarabdeen, *E-Consumers- A Critical Legal Analysis of Consumer Protection Laws*, 13 Social Sciences & Humanities Open (2026).

The rules are applicable to all e-commerce transactions for goods and services, marketplace or inventory based. They are meant to solve the particular difficulties of ecommerce such as the lack of physical contact, verifying the seller and the ability to manipulate the platform through design features and targeted advertising.²

RIGHTS OF CONSUMERS

The right to information is among the most important consumer rights in electronic commerce. Consumers should be notified prior to purchase of the product, the seller, the complete cost of the purchase, the return and refund policies, country of origin (if applicable) and grievance redressal information. This information enables the consumer to make informed decisions and reduce fraudulent transactions.³

Consumers also should be listened to and their complaints should be addressed. E-commerce entities must have a grievance mechanism and an officer who has to deal with grievances within stipulated time frames. If a product is found to be defective, a service is not provided or not provided for a proper reason, then the consumer can take any of the remedies provided under the Consumer Protection Act, 2019.⁴

Another significant right is against unfair trading practices. If you're giving false discounts, fake reviews, fake products, hidden fees, or inaccurate product descriptions, it could be deemed as unfair trade practices. This harm can be more serious in the online environment, as consumers will not be able to physically examine the product, and might have to accept the virtual representation.

Consumers have choice as well. This means that platforms should not use tactics which force customers to purchase, like subscription models, or interface elements that push customers to make an unplanned purchase. This is particularly important in the e-commerce governance landscape given that consumers are becoming more aware of the risks of dark patterns. It is also very relevant in the context of ecommerce governance, as dark patterns are increasingly recognised as a threat to the ecommerce industry.⁵

COMMON VIOLATIONS

² Neelam Chawla & Basanta Kumar, *E-Commerce and Consumer Protection in India: The Emerging Trend*, J Bus Ethics (2021).

³ Dilshad Shaik & Ms.V Poojasree, *Consumer Protection in E-Commerce: A Legal and Compliance Framework in the Digital Market*, 549 Advances in Social Science, Education and Humanities Research (2020).

⁴ Hina Kausar, *E – Commerce and the Rights of E-Consumers*, Manupatra (2015).

⁵ Navneet Chandra & Raj Kumar Yadav, *Evolution of E-Commerce and Consumer Protection Laws in India*, 32 M.D.U. Law Journal (2024).

The online consumers in India have repeated problems. First, many consumers aren't provided with products, or they are delivered late even after they have paid in full. Second, sometimes counterfeit or defective products are sold instead of the advertised product. Thirdly, the refunds are not issued adequately or even refused.⁶

Deceptive marketing is another large problem. Online sellers often make exaggerated statements and/or make it seem like an emergency or give out incomplete information to sell their products. If the product is not the same as described on the platform, the consumer may have a right to a refund and/or a replacement and/or reimbursement.

Another significant problem in the e-commerce sector is data misuse. Without taking measures to safeguard their privacy, consumers may be unknowingly disclosing a variety of personal, financial and browsing data that can be misused or leaked by online platforms. Consumer law is not data protection law, but it dovetails with other regulatory regimes by mandating good and honest business practices.⁷

REMEDIES AVAILABLE

If any consumer faces a problem in e-commerce transactions, then he or she should first approach the grievance redressal system provided in e-commerce website. In the absence of this, the complainant can make a complaint to the appropriate Consumer Commission if the claim meets the value and type requirements. The consumer may seek remedy in the form of a refund, replacement, compensation or the termination of an unfair trade practice.⁸

The Central Consumer Protection Authority also has an important role in enforcing the Act. It can take action on misleading ads and unfair trade practices, especially important in the e-commerce environment where one ad can impact numerous consumers. This is a more effective way of regulating than through individual complaints.⁹

Consumers should take screen shot of invoice, order confirmation, emails and chat logs for digital evidence as they may be a significant factor in a dispute online. Proving without documentation if the delay, deception or failure to return the money is the problem may be difficult.¹⁰

⁶ Chetan Patwa, *Consumer Protection in E-Commerce in India: An Analysis of Regulatory Challenges and the Path Forward*, 8 Indian Journal of Law and Legal Research (2020).

⁷ Supra note 2.

⁸ Supra note 4.

⁹ Supra note 1.

¹⁰ Supra note 5.

CONCLUSION

In India, consumer rights have become a part of e-commerce consumer law. Consumer Protection Act, 2019 and Consumer Protection (E-Commerce) Rules, 2020 provide strong protection to consumers against unfair digital practices, defective goods and deceptive practices. But consumer awareness and timely enforcement is also crucial to ensure effective protection. As e-commerce grows, the law will have to be further developed to cover dark patterns, data misuse and algorithmic manipulation.