



## INTERNATIONAL JOURNAL OF HUMAN RIGHTS LAW REVIEW

---

Volume 3 | Issue 4

Art. 6

---

2024

### Public Awareness of Consumer Protection Laws and their Rights as Consumers

Kashish Khanna

---

#### **Recommended Citation**

Kashish Khanna, *Public Awareness of Consumer Protection Laws and their Rights as Consumers*, 3 IJHRLR 85-95 (2024).

Available at [www.humanrightlawreview.in/archives/](http://www.humanrightlawreview.in/archives/).

This Art. is brought to you for free and open access by the International Journal of Human Rights Law Review by an authorized Lex Assisto Media and Publications administrator. For more information, please contact [info@humanrightlawreview.in](mailto:info@humanrightlawreview.in).

---

# Public Awareness of Consumer Protection Laws and their Rights as Consumers

Kashish Khanna  
*Law Student, IILM University, Gurugram*

## ABSTRACT

*As educated consumers, most of us know that we have a set of rights to exercise against the sellers/manufacturers in case of a violation. But do we really know what is the list of these rights and how can we enforce these rights against someone if need be? What about the people who are not exposed to basic education and aren't aware of the injustices around them? Such people resort to accept their circumstances due to lack of awareness. By what means can we bring awareness among such people? Is the Indian government doing enough to protect their rights? What about problems faced by consumers of online software's?*

## KEYWORDS

*Sellers, consumers, injustices, government, violation, rights etc.*

## INTRODUCTION

Consumer awareness refers to the degree of knowledge and comprehension that individuals possess regarding their rights, obligations, and the necessary information to make well-informed decisions in the marketplace. This awareness is crucial because it empowers consumers to make choices that best suit their needs and interests, ultimately leading to a more transparent and fairer marketplace. Understanding their rights allows consumers to know when they are being wronged and take appropriate action. For instance, they should be aware of their right to receive accurate information about a product or service, their right to safety and protection from hazardous goods, and their right to seek redressal in case of grievances. When consumers are informed about these rights, they can avoid exploitation and demand accountability from sellers and manufacturers.

Knowledge of obligations is equally important. Consumers should understand their responsibility to use products as intended and follow usage guidelines to avoid mishaps or damages that could invalidate warranties or return policies. This mutual understanding of rights and obligations helps in maintaining a balanced relationship between consumers and providers. Access to relevant data is another critical aspect of consumer awareness. This includes information about product quality, pricing, terms and conditions, and the environmental impact of products. Such information enables consumers to compare different options and make choices that align with their values and needs. For example, a consumer aware of the environmental impact of single-use plastics might opt for reusable alternatives.

In today's digital age, consumer awareness also encompasses understanding data privacy and security. Consumers need to be informed about how their personal data is collected, used, and protected by businesses. This knowledge helps them make decisions about which services to use and trust, safeguarding their personal information from misuse.

Moreover, consumer awareness fosters a more competitive market. Informed consumers can drive demand for higher quality, safer, and more ethical products and services, encouraging businesses to improve their offerings. It also promotes innovation as companies strive to meet the evolving demands of a knowledgeable consumer base. The consumer awareness is fundamental for making informed choices in the marketplace. It involves understanding one's rights and obligations, accessing necessary information, and staying informed about data privacy and security. Enhancing consumer awareness leads to a fairer, more transparent, and competitive marketplace, benefiting both consumers and

businesses (Swati Vaishnaw, n.d.)<sup>1</sup>.

### **TYPES OF CONSUMER RIGHTS**

Although there can be an unending list of consumer rights but the ones' recognized in India are listed below:

- Right to Safety
- Right to be Informed
- Right to Choose
- Right to be Heard
- Right to Seek Redressal<sup>2</sup>

### **FORUMS TO ENFORCE THE CONSUMER RIGHTS**

The Consumer Protection Act of 1986 allowed for the establishment of the quasi-judicial National Consumer Disputes Redressal Commission (NCDRC) in India in 1988. New Delhi is home to its headquarters. According to Rule 3(12)(a) of the Tribunal (Conditions of Service) Rules, 2021, the Commission is presided over by a sitting or retired judge of the Hon'ble Supreme Court of India or a sitting or retired chief justice of an Hon'ble High Court. Hon'ble Mr. Justice Amreshwar Pratap Sahi, a former Chief Justice of the High Courts in Patna and Madras, is currently leading the Commission. According to Section 21 of the Consumer Protection Act of 1986, the National Commission is empowered to hear complaints worth more than two crore and to appeal and rescind decisions made by State Commissions or District Fora, as applicable. (Patharkar, 2020)

According to Section 23 of the Consumer Protection Act of 1986, anyone who feels wronged by an NCDRC order has 30 days to file an appeal with

---

<sup>1</sup> Consumer Awareness, Shiksha, <https://www.shiksha.com/online-courses/articles/consumer-awareness>, Last Visited at 6<sup>th</sup> July 2024.

<sup>2</sup> Ibid.

the Supreme Court of India.<sup>3</sup>

The District Consumer Disputes Redressal Forum (District Forum) is utilized by the districts at the district level. It is able to consider consumer complaints up to Rs. 20 lakhs in value of goods or services, including any claimed compensation. State Consumer Disputes Redressal Commission (State Commission) is the official title of the agency that operates at the state level. It has the authority to consider consumer complaints including the value of the goods or services and any compensation sought, up to Rs. 1 crore, as well as appeals against District Forum orders.<sup>4</sup>

### **HYPOTHESIS**

Present day India has various forums and legislations with regards to the process of buying and selling, retail or purchase. A major chunk of this is occupied by the rights of the consumers, who are the driving force behind any economy. But most of us even if dissatisfied with the services at a store don't really bother to lodge a complaint, we rather prefer changing the place of shopping. People consuming online software's face a lot of problems in comprehending the terms and conditions of their use and thus they avoid reading them and just allow them all. All of these problems stem from lack of awareness. The research paper will prove this hypothesis to either be right or wrong as per the present scenario.

### **RESEARCH QUESTIONS**

- How to deal with the problems faced by consumers of online software's?
- Are we as aware of our rights as consumers the way we should be?
- Is the Indian government doing enough to protect their rights?

---

<sup>3</sup> NCDRC, <https://ncdrc.nic.in/>, (last visited July 6, 2024).

<sup>4</sup> Department of Consumer Affairs | Ministry of Consumer Affairs Food and Public Distribution | Government of India, <https://consumeraffairs.nic.in/consumer-corner/consumer-forum-network> (last visited July 7, 2024).

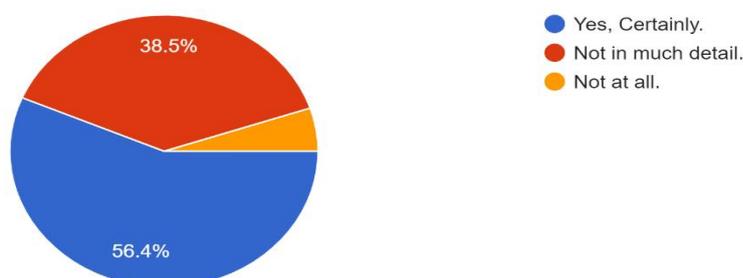
## RESEARCH METHODOLOGY

The research methodology to be adopted for the research is both doctrinal and empirical research and the conclusions and analysis drawn will be a result of verifiable evidences. For the purpose of this research, a set of sample population would be tested with different questions to identify the and analyze the various issues with regards to consumer rights is India. The sample size being 78 respondents, of different age groups majority of which are residing in urban areas. The scope of the research is limited to Delhi and Gurugram, Haryana.

## DATA ANALYSIS

### Q1.

Are you aware of Consumer Protection laws in India?  
78 responses

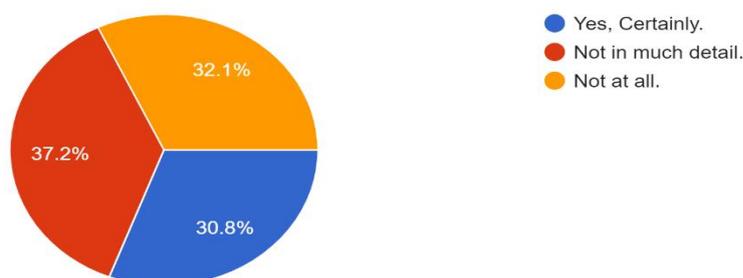


**Analysis Q1.** Upon analyzing the above chart, it can be inferred that, 5.1% of the sample population is not at all aware of their consumer rights, 38.4% people are not aware of their rights in much detail whereas 56.4% people, more than half of the sample population claim to be aware enough. This shows that although more than half of the respondents are aware of consumer rights a big chunk of population is yet to be briefed about it.

### Q2.

Have you ever thought of filing a complaint enforcing your Consumer Rights?

78 responses

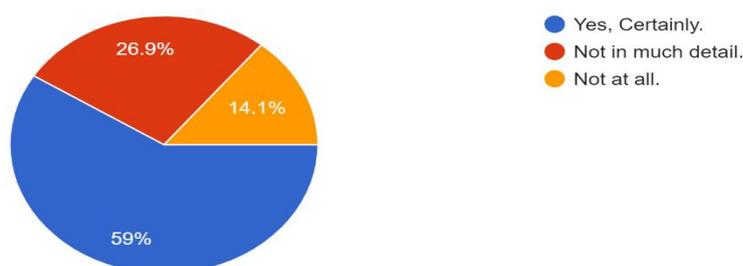


**Analysis Q2.** After a thorough analysis of the above response for Q2, only 30.8% of the respondents have tried to enforce their consumer rights post a violation, 69.3% people have either not paid attention at all or just dropped the thought of doing so. One can infer that more than half of the respondents either are not fully aware of the process of enforcing their rights or they do not take the matter seriously.

### Q3.

Are you aware of the National Consumer Disputes Redressal Commission?

78 responses

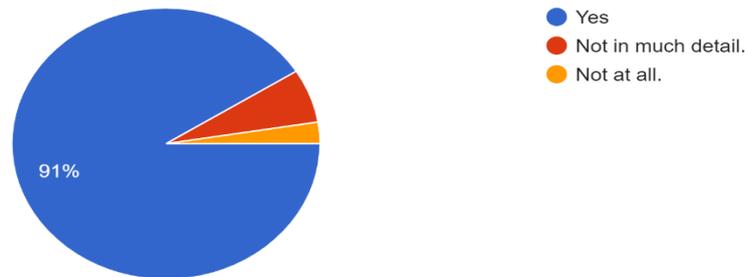


**Analysis Q3.** As per the chart above, 26.9% of the respondents have heard about the National Consumer Disputes Redressal Commission, 14.1% of the population has no idea of what the commission is or what are its functions and 59% of the population is confirmed about its existence. These statistics depict a very disgraceful picture regarding the awareness of consumer rights in a country like India, which has a huge population.

**Q4.**

Do you know the importance of asking for a bill whenever you go for shopping?

78 responses

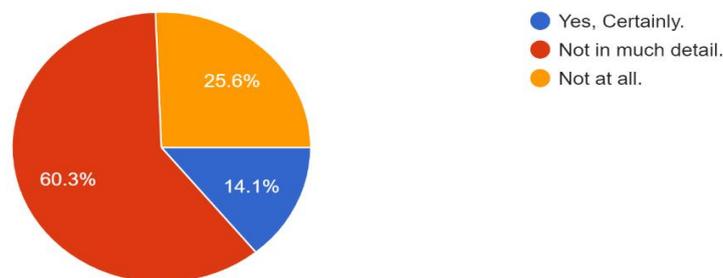


**Analysis Q4.** A bill and its importance are absolutely basic to the process of buying and selling, even then there exist 9% people amongst 78 respondents who are partially or completely unaware of the importance of a bill when they shop. This becomes even worse when one gets to know that majority of the respondents reside in urban areas. One can easily imagine the statistical shift if more respondents were from rural areas.

**Q5.**

In your opinion, Is there sufficient awareness regarding the consumer protection laws in India?

78 responses

**Analysis Q5.**

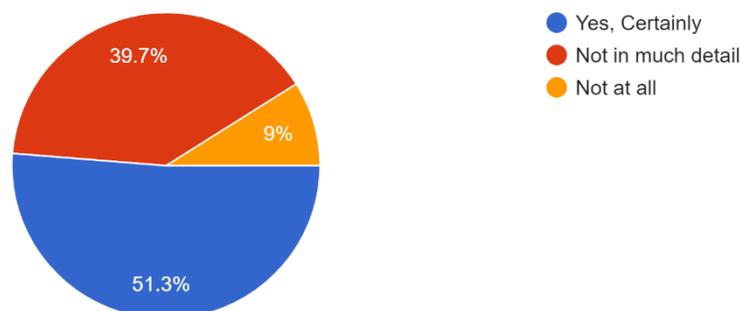
Upon an analysis of the responses, only 14.1% people believe that there is

sufficient awareness regarding consumer protection laws in India. On the other hand, 85.9% are of the opinion that there is less or no awareness regarding the consumer right laws in India. This indicated that the issue needs immediate attention by the government and other appropriate authorities.

## Q6.

Are you in terms with the problem faced by the users in comprehending the terms and conditions while using the online application or softwares?

78 responses

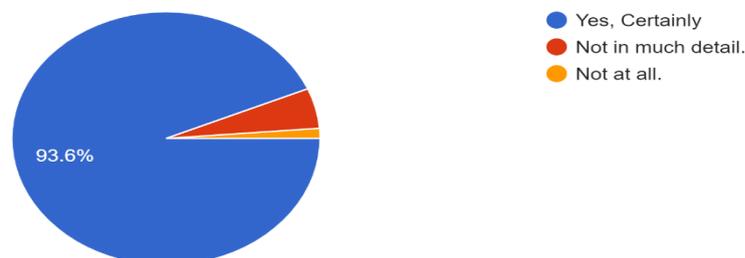


**Analysis Q6.** Nearly more than half of the population (51.3%) is aware and has faced the issue of comprehending the terms and conditions while acting as online consumers which is also invasive of their right to privacy up to certain extents. 48.7% of the respondents are either not aware of the existence of the issue or have not paid much attention to it, which is another big problem.

## Q7.

Do you think the Indian government should pay more attention towards this issue of awareness regarding consumer rights?

78 responses



**Analysis Q7.** A total of 93.6% respondents are of the opinion that the government should pay more attention towards the issue. One can thus infer that the Indian government is not doing enough to protect the rights of the consumers currently which answers another major research question in this study.

**Q8. Other Suggestions or opinions that were received are as follows:**

- Everyone should be aware of the laws
- Little more focus required by the government.
- There should be better strategies to spread a word about existence of such laws as a majority of people aren't even aware about their consumer rights.
- Awareness enhancement amongst people.
- I am a lawyer and I am fully aware of the Consumer Protection Act.

## CONCLUSION

A detailed analysis of all the responses in all the questions indicate that there is an increasing need to raise awareness regarding consumer rights and laws in India, the government needs to play an active role in doing so and there is also an increasing need to identify and recognize the upcoming challenges with evolving technology in the sphere of consumer rights.

## RECOMMENDATIONS

- **Awareness Campaigns:** Mass advertisements through TV, radio, newspapers, door to door campaigns and social media.
- **Involvement of Political Parties:** Famous political leaders should talk to people about it in the language and the manner in which they can understand their rights.
- **Creation of a Special Force:** A special force/unit can be created within the police department just to look after the awareness campaigns and prevention of violation of consumer rights also.
- **Use of Plain/ Simple Language:** The use of plain/simple language must be encouraged for the drafting of terms and conditions for online software's, so that people can easily comprehend them.
- **Incorporation of Enforcement Methods in School Level Education:** The government of India may encourage schools to incorporate consumer rights as a subject and make the students understand the way in which they can enforce their rights as consumers, if required.

## REFERENCES

Patharkar, N., 2020. A Study on Consumer Awareness towards their Legal Rights with special reference to Bhopal and Katni Districts of Madhya Pradesh.

Swati Vaishnaw, D. V. R., n.d. Consumer Rights and Awareness on Consumers: A Critical Study.. *Journal of Emeging Technolgies and Innovative Research*.