



## Study of Consumer Beneficial Provisions in the Consumer Protection Act, 2019

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### Introduction:

In India, several laws have been enacted to safeguard customer rights and their protection. The Consumer Protection Act, 1986, provided provisions for the protection of customers' constitutional rights. However, with changing times, especially with the advent of e-commerce and modern business practices, it became necessary to amend this law. As a result, the Consumer Protection Act, 2019, was introduced with significant improvements to ensure the protection of universal consumer rights. This research paper aims to study the important provisions of the Consumer Protection Act, 2019, that benefit customers. The Consumer Protection Act, 2019, is a highly significant law aimed at protecting consumer rights. It was enacted as an amendment to the Consumer Protection Act, 1986, which existed since 1986. This law was necessitated by the changing market dynamics, the growing use of e-commerce, and the increasing violations of consumer rights.

The Consumer Protection Act, 2019, incorporates several crucial provisions for the protection of consumer rights, such as the right to information, the right to quality goods and services, the right to redress grievances in a timely manner, and provisions to safeguard consumers in the context of digital and e-commerce transactions. Additionally, an effective mechanism has been established to address consumer complaints quickly and efficiently.

These provisions benefit not only consumers by ensuring their protection but also traders by promoting transparency and fair business practices. Thus, this law plays a crucial role in fostering trust between consumers and traders, thereby creating a positive environment.

This research paper provides an in-depth analysis of the customer-friendly provisions in the Consumer Protection Act, 2019. The paper examines how the provisions impact consumers, the challenges in implementing the law, and potential improvements that could make the law more effective. This will ensure that the law is implemented effectively and that the process of protecting consumer rights becomes more robust.

The implementation of this law protects consumers from various forms of fraud, misleading advertisements, substandard products, and services. Moreover, it provides consumers with accessible tools for immediate and effective grievance redressal. Through this study, we will explore how the provisions of the Consumer Protection Act, 2019, ensure the protection of customer rights and what improvements can be made in the future to further strengthen this law.

### Topic Overview:

The Consumer Protection Act, 1986, was introduced in India; however, several amendments were made to it in 2019. The revised law protects consumer rights and provides consumers with robust mechanisms to prevent fraud and injustices in the market. With the increasing use of e-commerce, the law adapts to the modern trading environment and includes several crucial provisions for protecting consumer rights.

### Consumer Rights:

The Consumer Protection Act, 2019, provides six main rights to consumers:

**1. Right to Safety:** Consumers are protected from harmful and unsafe products. This right ensures that consumers are not exposed to products that could lead to accidents.

**2. Right to Information:** Consumers have the right to obtain adequate information regarding the quality, quantity, price, and other essential aspects of the products and services they purchase.

**3. Right to Choose:** Consumers should have access to a variety of products or services, allowing them to freely make their choices.

**4. Right to Be Heard:** Consumers' complaints and grievances will be addressed, and they have the right to represent their interests in consumer forums.

**5. Right to Redressal:** Consumers have the right to seek timely and effective redress for grievances related to faulty products or substandard services.

**6. Right to Consumer Education:** Consumers should be made aware of their rights and responsibilities and be educated about their entitlements.

### **Useful Provisions for Consumers:**

The Consumer Protection Act, 2019, offers provisions for consumers' holistic development. Additionally, it creates a constitutional commission for addressing consumer complaints. A three-tier structure has been established for the efficient resolution of complaints:

#### **(a) Consumer Dispute Redressal Mechanism:**

To ensure timely resolution of complaints, consumer redressal forums have been established at three levels:

- District Commission: For claims up to ₹1 crore.
- State Commission: For claims between ₹1 crore and ₹10 crore.
- National Commission: For claims exceeding ₹10 crore.

To facilitate swift redressal, e-filing and digital platforms have been made mandatory for complaints.

#### **(b) Central Consumer Protection Authority (CCPA):**

The law establishes the CCPA, which will protect consumer rights and take action against deceptive business practices. It helps protect consumers from misleading advertisements, fraud, and unsafe products.

#### **(c) Product Liability:**

Traders, manufacturers, and service providers are held responsible for defective products. Consumers are entitled to compensation for any harm caused by a defective product.

#### **(d) E-Commerce Regulations:**

New provisions have been included in the law to safeguard consumers in the e-commerce sector. These provisions focus on ensuring the quality of products sold online, preventing fraud, and eliminating false information.

#### **(e) Unfair Trade Practices:**

The law has strict provisions to curb unfair trade practices such as false advertisements, selling of substandard products, and deceptive business transactions. Businesses engaging in such practices can be fined or ordered to make corrections.

### **Impacts of the Consumer Protection Act:**

#### **(a) Consumer Empowerment:**

The law has empowered consumers by making them aware of their rights and providing a mechanism for immediate redressal of grievances. This has made the process of obtaining justice simpler and more accessible.

#### **(b) Accountability of Businesses:**

Businesses and service providers are now obligated to follow the law for consumer protection. Non-compliance with the law results in penalties, ensuring that businesses take consumer rights seriously.

#### **(c) Consumer Protection in the Digital Market:**

With the increasing use of e-commerce, protecting consumers in the digital space has become critical. The law ensures that consumers have a safe and transparent online shopping experience, with clearly stated return policies and product details.

- **Below improvements can be incorporated in the law that strengthen consumer protection and enhance transparency in business transactions.**

### **1. Increased Safety and Protection for Consumers:-**

The amendments and new provisions in the law that provide greater safety and rights for consumers have proven to be extremely beneficial. Consumers now have greater transparency in their purchasing process, which helps them avoid fraud and deception. In the e-commerce sector, consumer protection has been further strengthened, especially when purchasing online, where it is now mandatory to clearly display product information, return policies, and warranties.

### **2. Fast-Track Complaint Resolution System :-**

With the inclusion of complaint resolution forums and digital methods, complaints are resolved more quickly and efficiently. This allows consumers to avoid wasting time and effort. The digital resolution of complaints and processing through the internet provides consumers with greater convenience, making their experience more hassle-free.

### **3. Modern Trade Practices and Transparency:-**

The stringent rules imposed on traders have led to improvements in trade practices. Traders are now obligated to provide accurate information about products and services and refrain from misleading advertisements that could deceive customers. This has enhanced consumer confidence during the purchasing process. The focus on transparency and ethical trade practices has resulted in fairer and more transparent business strategies.

### **4. Increasing Awareness of Consumer Rights:-**

The implementation of this law has led to an increase in consumer awareness regarding their rights. Consumers are now more alert and informed about how to protect their rights and secure their protection. Information technology has been utilized to educate consumers about their rights, making them more aware of how to access the protections available to them.

### **5.Importance of Consumer Protection Commissions:-**

The Consumer Protection Commission (NCDRC) and state commissions have provided consumers with more trustworthy and just decisions. As a result, consumer confidence in the justice system and the functioning of these commissions has increased. This has made it easier for consumers to file complaints, offering them a convenient and effective platform to resolve their issues promptly.

### **6. Guarantee of High-Quality Products and Services:-**

Consumers now have greater assurance regarding the quality and freshness of products and services. Any product or service must be certified for quality, and consumers are provided with the option of returns or exchanges for the products they purchase. This increases consumer trust, allowing them to enjoy using products or services more confidently.

### **7. E-Commerce and Digital Transformation :-**

With the rise of e-commerce and digital services, this law has enhanced consumer protection during online purchases by ensuring greater security and transparency. Policies on online platforms are now more explicit, reducing the chances of consumers facing fraud or issues when shopping on various online platforms, as violations of their rights are less likely to occur.



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## **Conclusion:**

The Consumer Protection Act, 2019, has established a strong legal framework for the protection of consumer rights. The provisions of the law ensure that consumers receive justice through efficient redressal systems and that businesses adhere to fair practices. The law has had a significant impact in improving consumer awareness, protecting consumers from fraud, and ensuring that the products and services they purchase meet quality standards. The provisions in the law, particularly concerning e-commerce and digital transactions, have played a vital role in securing consumers in the online space.

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