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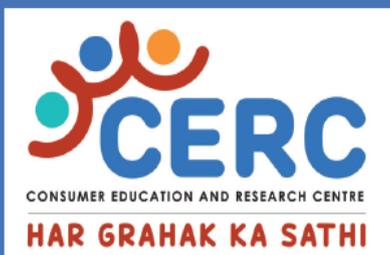
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GRAHAK SATHI

Strengthening Consumer Rights

Thought Papers by Law Students



CONSUMER EDUCATION AND RESEARCH CENTRE

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National Consumer Day is observed on **24 December** to commemorate the enactment of the Consumer Protection Act and to reaffirm the importance of protecting consumer rights in India. The day serves as a reminder of the need for fairness, transparency, and accountability in the marketplace.

As part of our youth engagement, we invited our interns from law schools to share their perspectives on the relevance of National Consumer Day in the present consumer landscape. Their papers examine consumer rights, unfair trade practices, misleading advertisements, and the growing challenges faced by consumers in an increasingly complex market.

Beyond the six basic consumer rights, the students have also proposed the inclusion of an additional consumer right that reflects contemporary realities and emerging consumer concerns. Their submissions underline the need to continuously strengthen consumer protection frameworks to keep pace with changing market practices.

We are pleased to present these papers, which offer critical insights and constructive recommendations aimed at reinforcing consumer rights and building a more informed and protected consumer ecosystem.



The thoughts of the students do not necessarily represent the views of CERC

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Right to Easy Access

-By Advika Prajapati

BA LLB, Karnavati University



I believe that there should be one more right included in the Consumer Protection Act and that is the 'Right to Easy Access'. With this right I mean that every consumer should get products easily, without facing long distance problems, lack of availability or financial issues. In our country many consumers still face problems in buying essential products, especially those living in rural and remote areas. They have to travel long distances and sometimes cannot afford the products. So I believe we should introduce a new right called 'Right to Easy Access' to help them.

If we see the situation in many villages, people still struggle to buy basic daily products. Women travel a long distance even to buy sanitary pads. This shows that consumers don't get proper access. That is why I want to introduce a new right called 'Right to Easy Access'. Along with all these things, government and private companies should also take initiative to make sure that each and every consumer gets equal opportunity to buy essential products. Because if consumers are not able to access the products, then other rights also become useless. For example, what is the use of Right to choice or right to safety if consumers don't even receive the product in their area? There should be proper transportation facilities so that products can be delivered on time. Mobile shops can be started which will go from one village to another and provide daily life products on affordable prices. This will specially help old people and women who cannot travel far for buying necessary items.

Also, online shopping facilities should be made simple for rural people. Awareness programs and training camps can be done to teach them how to order products online. Many times they don't have knowledge or they fear online scams. So, if guidance is given, their confidence will increase and they will be able to access the products easily like others.

The idea of **Right to Easy Access** focuses on making essential products available to every consumer without difficulty. Many rural people still struggle to get basic items like medicines, sanitary pads and groceries, so this right becomes important for their daily life. It is connected with **Article 21**, because the Right to Life includes health, dignity and basic

comfort, which are affected when essential goods are not easily accessible. It also relates to the **Right to Need**, since consumers should not only have basic needs but should also be able to access them smoothly. By improving transport, stock availability, awareness and local facilities, this right can make life easier and more dignified for all consumers.

Example:

If a small sanitary pad manufacturing unit is set up in a village, then women there can:

- easily buy pads without travelling
- Get them at cheaper price
- Work in the unit and earn money
- Break taboos and feel empowered

So, “Right to easy access” is not only about buying products easily, but also about giving equal lifestyle, dignity and opportunities to every consumer of the country. If this right becomes a part of Consumer Protection Act, then the gap between city and village life will reduce and our society will move towards development.

Right to Protection against Unauthorized Sharing & Selling of Consumer Data to E-Commerce Platforms

*-By Alankrita Pandey
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With the rapid growth of digital markets in India, the misuse and unregulated circulation of consumer data has become a momentous concern. Increasingly, consumers observe a striking pattern: a single search for a product on a search engine is swiftly followed by targeted advertisements for the same product across unrelated platforms and extends far beyond the platform on which an initial search was made.

For instance, I searched for a solid perfume on a search engine such as Google- a product category I had recently discovered. Within minutes, advertisements for solid perfumes began appearing across my Instagram feed, on YouTube and even on a completely unrelated gaming application, even though I had never searched for or interacted with such products on those platforms. The repetition was so persistent that the same product category dominated my digital space until I actively marked such advertisements as “not interested”.

While targeted advertising on the same e-commerce platform- such as recommendations based on “recently viewed products”- may still fall within the reasonable expectations of the consumer, the cross-platform sharing and selling of a person’s search data without their informed and specific consent raises serious privacy concerns.

The issue is further aggravated by the manner in which the consent is obtained. Consumers are often compelled to provide one-time blanket consent through lengthy and complex privacy policies without being given meaningful choices or the ability to later modify, restrict, or revoke the consent regarding specific categories of data. Consequently, users are left with little control over which information they wish to keep private or which may be shared with third parties, including e-commerce platforms and advertisers. The imbalance of power between consumers and digital platforms has further worsened this issue. Large technology and e-commerce companies unilaterally decide how consumer data is collected and used through standard, non-negotiable privacy policies.

As a result, consumers are left with little real choice but to accept extensive data sharing in order to access basic online services. This unequal bargaining position thereby justifies the need to recognize a specific consumer right that protects individuals from exploitative data practices in digital marketplaces.

In this context, the Right to Protection Against Unauthorized Sharing and Selling of Consumer Data to E-Commerce Platforms becomes crucial in the contemporary consumer rights arena. The proposed right would ensure that the consumers are shielded against non-transparent and unconsented propagation of their search and behavioural data, particularly across irrelevant platforms.

Although existing consumer rights give emphasis to right to information, choice and protection against unfair trade practices, they do not adequately address the complications of data-driven commerce. The absence of any such explicit protection leaves consumers vulnerable in the digital economy, making it necessary to formally recognise this right as an extension of modern consumer principles.

Necessary Action on Violation of Consumer Right

- *By Amarnath Pal*
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The Consumer Protection Act, 2019 gave us an important right: the right to choose products at fair prices. But today, most Indians cannot exercise this right. We are forced to pay very high prices for products that are easily available in our country. The government agencies that should protect us are not taking strong action against these unfair practices. Let me give you some examples from our daily lives.

India makes more medicines than most countries in the world. We export cheap generic medicines everywhere. But when an Indian patient needs the same medicine, the price is many times higher. A heart stent that costs five thousand rupees to make is sold for one lakh rupees or more. The same antibiotic is sold by different companies at completely different prices, even though the medicine inside is exactly the same. During COVID-19, oxygen cylinders that normally cost twenty rupees became two hundred rupees overnight, even though India had enough oxygen. Only a small number of medicines have price limits. For everything else, companies charge whatever they want because sick people have no choice but to buy.

The same thing happens with cooking oil. India buys more palm oil from other countries than anyone else. We also grow mustard and other oils here. Still, oil prices are very high and all the big brands charge almost the same amount. When one company increases the price, all others do the same within days. This is not competition. This is companies working together to keep prices high. Look at petrol and cooking gas. India produces its own oil and gas. We even export petroleum products to other countries. But Indians pay some of the highest prices in the world. Every petrol pump charges exactly the same price every day. There is no competition at all. A cooking gas cylinder costs us nine hundred to one thousand rupees, but we export the same gas for less money. How does this make sense? If we have enough gas, why do we pay more than people in other countries?

Mobile phone and internet services tell a similar story. A few years ago, we had many telecom companies competing with each other. Now we have only three big companies left. Since then, all three companies increase their prices at the same time. Their plans look almost

identical. When one raises prices, the others follow immediately. The telecom regulator does nothing about this. We are told India has cheap internet, but prices keep going up together, and we have nowhere else to go. Farmers also suffer when they buy seeds, fertilizers, and pesticides. All fertilizer brands cost about the same, which means companies are fixing prices together. Seeds that have patents cost ten to twenty times more than normal seeds. Old pesticides that anyone can make are still sold at very high prices under brand names. The government gives subsidies, but most of that money goes to the companies, not to farmers. Even things like cement and steel cost too much. India makes more cement and steel than we need. We have extra factories. Still, all cement companies charge similar high prices in each area. This has been going on for years, but no serious action is taken. This makes houses more expensive for everyone. Soap bars and biscuit packets are getting smaller, but the price stays the same or goes up. Companies think we won't notice, but this is cheating. Why do these problems continue?

The government agencies that should stop unfair pricing work separately. When they catch a company doing something wrong, the fine is so small that big companies just pay it and continue. It can take two or three years to solve a consumer complaint. By that time, the company has already made huge profits from cheating people. The government also seems worried about other things more than protecting consumers. They need tax money from petrol, so they don't reduce prices. Medicine companies lobby politicians, so prices stay high. Telecom companies say they need high prices to survive, so the government allows it.

This affects everyone, especially poor and middle-class families. When everything costs too much, people cannot buy what they need. Healthcare becomes impossible when medicines are so expensive. Food becomes difficult to afford when oil and other basics cost too much. Poor people spend most of their money just on survival. This makes the gap between rich and poor even bigger.

There is also another problem. When people see that nothing is being done about unfair prices, they stop trusting the government. They feel that the government cares more about big companies than about ordinary people. This is dangerous for our democracy.

What should be done? First, we need strong action, not just words. When companies are caught, the punishment should be big enough to hurt them, not just a small fine they can easily pay. All government agencies dealing with consumer issues should work together and share information.

Companies should be forced to tell us how much products actually cost to make and how much profit they are adding. Right now, this information is hidden, so we cannot tell if prices are fair or not. For essential products like medicines, fuel, food, and farming supplies, there should be clear rules about maximum prices based on real costs.

The pharmaceutical pricing authority should control prices for more medicines, not just a few. Petrol and gas prices should be explained clearly so we understand what we are paying

for. Telecom companies should be investigated for fixing prices together. Farmers should get seeds and fertilizers at fair prices without company monopolies. When companies reduce the size of products but keep the same price, this should be treated as cheating and punished.

Ordinary people also need to know their rights better. The government should run campaigns to teach people about consumer protection. There should be easy ways to complain, including mobile apps. When many people are cheated by the same company, they should be able to join together to file one big complaint.

The main point is simple. The Consumer Protection Act promised us fair prices and real choices. But this promise is broken every day. India makes plenty of medicines, oil, gas, food, cement, phones, and everything else we need. This should mean low prices and many options. Instead, a few big companies control each market, charge high prices together, and the government does little to stop them.

The law already exists. The problem is that it is not being used properly. Every day that passes without action, millions of Indians pay unfair prices for things their basic needs. We must take a step forward to address this problem and mitigate it.

Right to Preview

- *By Aqsa Saiyed*

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The rapid growth of online marketplaces has transformed consumer behavior, but it has also created a significant gap in how consumers evaluate the products. In physical stores, consumers can touch, smell, try or test products before deciding to spend their money. Online shopping removes this experience entirely, leaving buyers dependent on photos, descriptions and reviews, which are often filtered, edited and even AI generated.

Combating this development, we can introduce a Right to Preview or Pre-experience a product or service before making a full purchase. This right gives consumers ability to, receive a sample, demo or trial version of a physical product or, experience a digital trial for services or digital goods, before committing to spend the money. A simple photo on a website cannot always convey the true quality, feel or usability of a product. A preview experience bridges this gap.

The right can be mainly divided into two sub parts:

1. Right to sample (physical product)

Consumers may request a small quantity or limited use sample of products where physical interaction matters, such as:

- Perfumes, cosmetics, skincare
- Fabrics, clothing materials
- Furniture finish samples
- Packaged food (non-perishable trial packs)

Example: if I want to buy a perfume on amazon, I can request a 2-3ml samples for a minimal fee before deciding to buy the full bottle.

2. Right to Digital Trial

This applies where products cannot be physically sampled. It includes:

- AR/VR try-on features
- Demo versions of software or apps
- Online service trial

- Electronic product demos

This ensures customers get a realistic experience of the product performance or usability.

Why is this right necessary?

- a) Protects against misleading digital content:** AI generated or heavily edited product images often create unrealistic expectations. Consumers cannot rely solely on online visuals to make final decisions.
- b) Helps with high value purchases:** For expensive products, a preview builds trust and reduces the risk of dissatisfaction or financial loss.
- c) Reduces Returns and Waste:** Right now, online sellers suffer massive losses due to returns. Previews can actually reduce return rates because consumers know what they are getting.
- d) Sustainability angle:** Manufacturers already produce samples for internal testing. Instead of wasting them, these can be repurposed for consumer previews, reducing waste and making production more eco-friendly.

Justifications

1. Prevents misleading or manipulative listing practices

Online sellers often use edited, exaggerated, or AI-generated images that may not reflect the actual product. A preview right discourages such practices because consumers will verify the product themselves, promoting honesty and transparency in e-commerce.

2. Aligns with global trends

International markets are adopting AR try-ons, sample kits, rental-before-buying models, and digital demos. Introducing this right aligns Indian consumer protection with global standards and encourages technological innovation among e-commerce platforms.

3. Promotes fair competition for small businesses

Buyers are often hesitant to spend money on products from small or lesser-known businesses because they lack familiarity with the brand and its quality. As a result, they tend to choose well-established brands they have already used or trust. The Right to Preview helps overcome this hesitation by allowing consumers to experience products from small businesses without making a full financial commitment. This increases consumer confidence and gives small businesses a fair opportunity to compete.

4. Protection against misuse

To prevent consumers from exploring this right by repeatedly ordering samples, the following safeguards can be introduced:

- Limiting the number of trials per product per consumer.
- Charging minimal fees for delivery, packaging and handling.
- Providing non re-sellable or non- returnable samples only.
- Allowing previews only for selected categories or products above a certain price threshold.

Alignment with Existing Consumer Rights

The proposed right strengthens several existing consumer rights:

- Right to information - by giving fuller, experience based information
- Right to Choose - by enabling better decision-making
- Right against Unfair Trade Practices - prevents deception through AI or manipulated images.

This is not an isolated addition but a natural extension of the current consumer protection framework essential with the development of technology.

Conclusion

As online shopping becomes dominant and AI-generated product visuals blur the line between real and artificial, consumers need more than just images and text descriptions. A Right to Preview or Pre-Experience empowers consumers to make confident, informed choices, reduces the risk of misleading trade practices, encourages transparency, and enhances trust in digital commerce. It represents the next logical evolution of consumer rights in a digital-first world.

Right to Adequate Research

-By Chinaar Baxi

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Despite consumer protection discourse in India covering several consumer rights, there remains one critical gap – the Right to Adequate Research.

The Right to Research means the right of an average consumer to live in a country that invests in, and prioritises robust research and development on consumer products, the materials used in them, and the mechanisms that regulate them. This translates into increased funding for academic research, universities, laboratories, and organisations working on product safety, material science, toxicological studies, and regulatory systems.

A community that nurtures education, intellectualism, and scientific inquiry creates informed consumers, responsible producers, and stronger regulation. Research is not an abstract academic ideal, but rather the foundation of consumer protection. When research thrives, consumers receive clearer labels, safer ingredients, better quality goods, and efficient grievance redressal.

At present, India lacks mandatory and comprehensive testing requirements before products enter the market. There are inadequate mechanisms to assess whether common ingredients and materials used in everyday consumer products are safe. The consequences of this are visible: several ingredients banned in the EU and the United States continue to be used in India, exposing consumers to potentially harmful substances. This situation emerges directly from a lack of adequate research, insufficient regulatory evidence, and weak scientific assessment frameworks.

The government's spending on R&D, as a percentage of GDP, is significantly lower than developed countries like the EU, USA, and Australia. India cannot become a responsible consumer market if it does not cultivate a strong ecosystem of research-driven academia. Researchers often receive stipends far lower than their international counterparts, leading fewer graduates from top STEM universities to pursue research careers. Many instead shift to more financially rewarding sectors, reducing the nation's research capacity even further.

A country that does not value its academia cannot meaningfully protect its consumers. Scientific research and academic inquiry are at the root of product safety, regulation, and technological development. Ensuring the Right to Adequate Research would therefore guarantee that consumers are protected before harm occurs, not merely compensated after harm has already been done.

This right empowers consumers by ensuring that every product they buy, every ingredient they are exposed to, and every claim they encounter is backed by scientific scrutiny. Most importantly, it creates a marketplace where consumer safety, and welfare rest on evidence, not assumption.

Right to Privacy of Consumer

- By *Devanshi Patel*

BA LLB, Karnavati University



In the new era of digital market place, privacy of the data should be considered the most essential part for the consumer. The goods that you buy or services you avail online leaves behind all the personal data which are being used by the companies without the knowledge of the consumer. The consumer must have a right to maintain privacy and discretion of their purchases and data.

Privacy is considered a fundamental right in the constitution in the Art 21. So, to bring a right to privacy as one of the rights to consumer can make the consumer be more secure in their purchases. Companies use purchasing histories to build detailed consumer profiles (algorithms). Without discretion, consumers can be unfairly denied opportunities, charged higher prices (price discrimination), or excluded from services based solely on their purchasing profile (e.g., higher insurance premiums based on buying specific food items or medical supplies). A personal buying history is inherently private. Maintaining discretion about purchases should not be seen as negative but rather as an essential safeguard for individual autonomy and dignity. As the monetisation of personal data becomes widespread, almost every action from spending money to entering personal details is logged and stored. Even something as simple as buying an item online can reveal sensitive information about a person's preferences, habits, and circumstances. Therefore, consumers must have the right to decide whether or not such details may be disclosed, and to whom.

The Right to Privacy for consumers acts as a shield. It protects individuals from potential harm, including profiling, fraud, identity theft, and other manipulative practices. If a person's digital buying patterns are exposed, it may lead to financial risks or even targeted exploitation. Ensuring discretion helps prevent such fraudulent behaviour. At the end, the choice of discretion of the data should be up to consumer. This right empowers consumers by giving them control over their personal data. Whether to share such information with the manufacturer, seller, or any other entity should be a voluntary decision, not an imposed requirement. Strengthening consumer privacy will lead to a safer and more trustworthy marketplace for all.

Right to Protection against Deceptive Market Trends

- *By Dhoon Patel*
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The Consumer Protection Act, 2019 provides six rights to consumers in India, and two additional rights are internationally recognised. These rights aim to protect consumers against unfair exploitation and the inherent asymmetries of the modern marketplace. While the existing rights offer significant support in ensuring accurate redressal, they still do not comprehensively address several contemporary consumer issues. Addressing these gaps is essential to create a more inclusive and transparent consumer framework.

Issue Identified

Consumers often lack adequate control and protection against sudden price surges or drops caused by unpredictable bullish or bearish market trends.

When markets experience sudden bullish or bearish movements, price changes are not always accompanied by honest or timely disclosure from sellers. This leaves consumers unaware of the real reasons behind price fluctuations.

A right ensuring protection against such market volatility—paired with mandatory disclosure of price changes along with accurate reasons—would reduce consumer confusion and build greater trust.

Although the Right to Information provides knowledge related to products, it does not extend sufficiently to consumers' awareness of broader market forces. Similarly, the Right to be Informed - focuses on product-level details rather than market-linked price variations.

In an economy where prices can shift rapidly, every consumer deserves the right to honest disclosure regarding price fluctuations, irrespective of market trends. Without such transparency, consumers can easily be misled.

For example: A sudden surge in vegetable prices may be attributed by sellers to “market regression” or bullish/bearish trends. However, this may not always be the true cause. In

some cases, sellers may intentionally restrict the flow of goods by falsely associating it with market conditions and later sell the goods at inflated prices.

Proposed Solution: A New Consumer Right – “Right to Protection Against Deceptive Price Trends”

This proposed right would safeguard consumers from unfair price trends artificially linked to bullish or bearish market behaviour. It would obligate sellers to provide honest and evidence-based disclosure regarding price changes. Failure to provide such disclosure could trigger liability under consumer protection mechanisms.

This right would ensure:

- Protection from misleading price justifications
- Greater transparency about market-driven price changes
- Accountability for sellers who manipulate market narrative for profit

By establishing this right, the consumer protection framework would become more inclusive and responsive to modern marketplace challenges.

Right to Consumer Data Safety/Confidentiality

- *By Dhruvi Thakkar*

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This right refers to basically ensuring that the consumers have a basic right on their personal information being collected, stored, processed, and shared in a secure and responsible manner. This makes sure that the business does not misuse the information, and the privacy and confidentiality of information is maintained. Basic information like name, address, contact information, financial details, biometric data, browsing history, and purchase history.

Examples for this are:

- If a person talks about some product or any service or anything related, the microphones of the devices around us capture that and start showing related advertisements.
- If a person browses about some product or service after some time suddenly some discount offers show up for related goods and services (substituting or complementing goods) or even the notifications related to that start popping up repeatedly or more frequently.
- If a person continuously buys the same product for more than once or twice, the product's offers will start showing up at the time when you last bought the product and even there will be more offers and discounts on the product.

This right is needed as with the rapid expansion of digitalization in businesses; businesses collect massive amounts of data through e-commerce platforms, mobile apps, websites, subscription models, etc. Especially in India we are rapidly moving towards digital economy with more use of UPI based payments, ecommerce boom, ed-tech, health-tech, fin-tech expansion and more digital literacy regarding smartphones and its related benefits. If not given the correct amount of consideration to this matter, this can lead to an increase in fraud.

An example of frauds of this kind is:

- A person gets a call from a fraudster with all the details of the order (order id, delivery address, product details, etc.) they have placed and the fraudster pretends to be an executive from the company and may ask you to pay or click on a link so that the order

gets delivered, if the person clicks on the link eventually all the data of the phone gets leaked or even the phone can get hacked.

Other ways by which the data can be misused or exploited are identity theft, unsolicited marketing, targeted manipulation, and selling data to third parties. Have you ever noticed that we receive message from businesses we have never ever heard about that, is because our data is being sold to third parties.

The main principles that could be a part of this right can be:

- **Informed Consent** – The consumers must know what data is being collected, why it is collected, how it will be used and whom it will be shared with. Consent must be given freely, specific, informed, unambiguous and revocable anytime. Consents are taken through standard form contracts where the consumers are not given a choice as all the companies use the same terms and conditions in the contract and they are so long that a consumer wouldn't spend a lot of time to read it and just simply agree to everything.
- **Necessity** – Businesses should only collect that information that is necessary for providing the product or service and not collect any excess information from the use or consumer.
- **Obligations** – Companies must use security obligations like encryption, secure servers, multi-layer authentication, and regular audits to safeguard consumer data.
- **Access** – Consumers must have access to the data and view the data, corrections in data and request deletion of the data. Consumers can even ask the business to erase every bit of data once the purpose is solved, or they don't intend to use it in future. This can ensure transparency, and consumers can have whole rights over his/her data.
- **Ban** – Businesses should be imposed on a ban to sell consumer data to any third party without explicit consent from the consumers. This will prevent misuse.

After imposing this right people will have an enhanced trust on digital platforms and transactions, there will be more protection from cyber frauds, prevents misuse of personal information, promote healthy business practices and give consumers autonomy on their data.

Right to Ingredient Transparency and Simple Labelling

- By Falguni Ramchandani

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Every consumer shall have the Right to Clear and Accessible Ingredient Information, ensuring that all ingredients used in any product are disclosed and explained in simple, understandable language, enabling informed, safe, and fair choices.

The New Right I want to propose is “Right to Ingredient Transparency and simple labelling”. This Right as a consumer feels crucial, and it deserves to be the basic right that a consumer needs to have where big MNCs are continuously exploiting consumers at the ground level. We need to understand that for a consumer it is very important for him/her to understand what he/she is consuming or applying on the body. Manufacturers manipulate the ingredients in the product and hide the actual ingredients and ultimately consumer is the one who is suffering because of the impact of ingredients on them. This is one of those problems that need to be addressed in society so that consumption of basic products cannot become health hazard.

When a Consumer goes to a supermarket he/she never sees the ingredient list, without caution and care because either they are in hurry to buy or they are just not able to understand what is written on ingredient list, and they just buy the product. This right can be turned into a rich, detailed concept that looks complete and well-thought-out, almost like a draft policy or manifesto. Here is an expanded and polished version.

The Right to Ingredient Transparency is a proposed consumer right that ensures every individual can clearly know, understand, and evaluate the ingredients contained in the products they use. It recognises that modern products are complex, but insists that information about them must never be confusing or hidden behind technical language. In many countries, consumers already enjoy general rights such as the right to be informed, the right to safety, and the right to consumer education. However, these rights often remain theoretical when ingredient information is presented in a way that ordinary people cannot

understand. Product labels are filled with chemical names, codes, and regulatory jargon that may be legally compliant but practically meaningless for the average buyer.

For example, food packages and cosmetic labels commonly include ingredients like “**acidity regulators,**” “**emulsifiers,**” “**surfactants,**” or long scientific names that look intimidating. A person standing in a supermarket aisle usually does not know what these substances are, why they are used, or whether they carry any health risks. As a result, people end up consuming or applying chemicals without genuine informed consent. The gap between what is disclosed and what is understood leaves consumers vulnerable and companies weakly accountable.

The Right to Ingredient Transparency aims to close this gap. It transforms ingredient disclosure from a mere formality into a meaningful tool that empowers consumers to protect their health, express their values, and make conscious choices.

The Right to Ingredient Transparency states that every consumer must have:

1. Complete access to the full list of ingredients in any product they intend to use or purchase.
2. Clear understanding, through explanations in simple, everyday language rather than only technical or scientific terms.
3. Convenient availability of this information before and after purchase, in formats that are easy to locate, read, and interpret.

This right applies across categories, including food, beverages, cosmetics, personal care products, household cleaners, and other goods that come into contact with the body or environment.

Key principles of the right

1. Clarity and plain language

Ingredient information should be expressed in wording that a common person can grasp without specialised knowledge. Technical names may be kept for regulatory purposes, but they must be accompanied by short, plain-language explanations. For example:

- Instead of only “Sodium Lauryl Sulphate,” a shampoo label might say “Sodium Lauryl Sulphate – cleansing agent that creates foam.”
- Instead of only listing “E-numbers” in food, the label could add “preservative to keep the product fresh,” “colour to improve appearance,” or “flavour enhancer,” along with any known cautions such as “may not be suitable for people with certain allergies.”

Plain language removes fear and confusion. It allows consumers to judge products by what they really contain, not just by attractive branding or advertising.

2. Accessibility and visibility

Information must not be hidden in tiny fonts, folded flaps, or obscure websites. The Right to Ingredient Transparency would require that:

- Labels use readable font sizes and clear layouts.
- Key information such as the presence of allergens, potential irritants, or controversial chemicals is prominently highlighted.

- Digital solutions like QR codes link directly to an official page where ingredients and their explanations are presented in an organised, user-friendly way.

Information is available at the point of decision before the consumer buys the product, not only after opening it at home. Accessibility ensures that every consumer, regardless of age, education level, or familiarity with chemistry, can genuinely use the information.

3. Honesty and completeness

The right demands that companies:

- Disclose all ingredients, not just selected or “hero” components used for marketing.
- Avoid misleading umbrella terms like “fragrance” or “proprietary blend” without further clarification, especially if these may contain allergens or chemicals of concern.
- Refrain from using scientific jargon as a shield to hide undesirable ingredients or to make products seem more advanced and safe than they truly are.

Honesty means the ingredient list reflects the product exactly as it is, so that no hazard or sensitive component is disguised.

4. Accountability and traceability

When ingredients are clearly explained and publicly available, it becomes easier to:

- Hold companies responsible if a product causes harm due to undeclared or poorly disclosed ingredients.
- Track patterns of allergic reactions or adverse effects linked to particular substances.
- Encourage regulatory bodies to respond quickly when new scientific evidence emerges about specific ingredients.

The Right to Ingredient Transparency, therefore, supports enforcement of existing laws and inspires stronger consumer protection measures in the future.

Obligations of companies and brands

To fulfil this right, companies would need to adopt several concrete practices:

- **Dual-level labelling:** List the official technical name and a short, plain-language description of each key ingredient or group of ingredients.
- **Risk communication:** Clearly mark ingredients known to cause allergies, sensitivities, or special risks (for example, for children, pregnant people, or those with specific medical conditions).
- **Consistent disclosure:** Ensure that packaging, brochures, websites, and digital labels all carry the same, up-to-date ingredient information.
- **Ethical marketing:** Avoid claims such as “chemical-free” or “100% natural” when this is not accurate, and ensure that the ingredient list supports any such claims.
- **Consumer support:** Provide customer service channels where consumers can ask questions about ingredients and receive simple, honest explanations.

These obligations encourage firms to design labels and communication strategies with the consumer's understanding at the centre, rather than treating labelling as a box-ticking exercise.

Benefits for consumers

The Right to Ingredient Transparency produces several direct advantages for consumers:

- **Health protection:** People with allergies, sensitive skin, dietary restrictions, or medical conditions can more easily avoid ingredients that may harm them.
- **Informed decision-making:** Consumers can compare products based on their composition, not just price or advertising, and decide which ingredients align with their health, ethical, or environmental values.
- **Empowerment and confidence:** When consumers clearly understand what they are using, they feel more in control and less dependent on vague promises made in advertisements.
- **Education and awareness:** Over time, exposure to clear explanations builds general knowledge about common ingredients and their functions, raising the overall level of consumer awareness.

Benefits for businesses and markets

Although the right may initially appear demanding for companies, it carries important advantages:

- **Trust and loyalty:** Transparent brands build stronger relationships with consumers, who are more likely to repurchase and recommend products they understand and trust.
- **Fair competition:** When all players disclose ingredients clearly, there is less room for deceptive marketing, and genuinely high-quality products can stand out.
- **Innovation:** Awareness of ingredient impact can push companies to reformulate products with safer, cleaner, or more sustainable components.

Right to Legally Enforceable Clarity

- By *Himani Suthar*
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Think about the last time you bought a new phone, signed up for an app or opened a bank account. You were probably faced with a massive wall of tiny text, the Terms and Conditions (T&Cs). Did you read it? Almost not! You scrolled to the bottom, clicked "I Agree," and moved on.

Here's the problem: When you click "I Agree," you are legally promising to follow rules you never read and might not even understand. This promise is called informed consent, but in reality, it's blind consent.

Companies use incredibly complicated, long-winded, and vague language to hide things like unfair fees, your loss of the right to sue them, or how they can sell your personal data. This isn't fair. If a company wants you to agree to a contract, that contract should be easy for a regular person to read and understand.

That is why we need a new, powerful consumer protection: The Right to Legally Enforceable Clarity, which we can simply call The Right to Understand.

Justification

"Wait," a company might say, "the law already says our contracts have to be fair!" But this is where the system fails:

1. They Write Contracts at a University Level

Most laws say terms must be "plain." But what does "plain" mean? Companies write contracts that require an advanced university education to be fully understood. Yet, most people read comfortably at an 8th or 9th-grade level.

- **Justification:** It shouldn't take a lawyer to understand a simple phone plan. The Right to Understand demands a measurable, objective test that proves the contract is written for the average person.

2. They Hide the Traps on Purpose

Companies know you won't read twenty pages of text. They use complex language to bury the bad stuff, like telling you that if you try to leave, you'll be hit with a massive fee, or that you give them the right to change the contract whenever they want.

- **Justification:** This right makes it impossible to hide things. If the language is found to be vague or confusing, that part of the contract disappears and is no longer valid. This forces companies to be honest and upfront from the start.

3. It's a Matter of Fairness and Time

Imagine reading every contract that crosses your path in a year. It would take weeks! We are bombarded with agreements. The current system puts the impossible burden on **you** to be a contract expert.

- **Justification:** Our proposal creates a quick, guaranteed way to get the essential information immediately, respecting your time and attention.

Provisions

To make The Right to Understand, we need three non-negotiable rules for all consumer contracts:

Rule 1: The Clarity Score Must Pass (Mandatory Readability)

- **What it says:** All consumer contracts must be written simply enough to score at or below a 9th-Grade Reading Level on an official clarity test.
- **How it works:** Before a company can use its terms, a government-approved group must certify that the language is simple and easy to read. This is a pass/fail test.

Rule 2: The One-Page Summary (Two-Tiered Disclosure)

- **What it says:** Every contract must come with a legally binding, standardized, one-page "Key Terms Summary." This summary must be written even more simply and prominently feature the five most critical things:
 1. **Money Stuff:** What are the total costs, fees, and auto-renewal rules
 2. **How to Quit:** Simple, step-by-step instructions on how you can cancel the service.
 3. **Your Data:** What exactly are they doing with your personal information?
 4. **Who is Responsible:** How much money will the company pay if they mess up?
 5. **Legal Rights:** Are you giving up your right to sue or join a group lawsuit?

Rule 3: The Automatic Penalty (Principle of Unenforceability)

- **What it says:** If a company fails the Clarity Score (Rule 1) or if a clause in the full contract contradicts the One-Page Summary (Rule 2), that confusing clause is automatically nullified (void). The company cannot enforce it.
- **Why it matters:** This is the hammer. Instead of a judge saying, "Please rewrite this," the law says, "Since you made it unclear, you lose the right to enforce it." This gives companies the strongest possible reason to write clearly.

Benefits

This new right isn't just about reading; it's about power and fairness in the market:

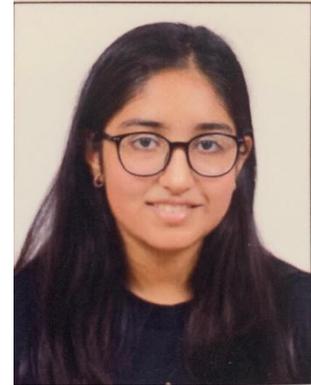
- 1. You Get Real Power:** When you can actually compare terms, you can choose the company with the best, fairest contract. Companies will have to compete on honesty, not confusion.
- 2. Less Fighting:** Clear contracts mean fewer misunderstandings, which means fewer fights, fewer calls to customer service, and fewer expensive lawsuits. This saves time and money for you and the legal system.
- 3. Better Trust:** Companies that respect your intelligence and time by being clear will earn your business and your loyalty. The honest businesses win, and the deceptive ones lose their power to hide.

Conclusion

The "Click to Agree" model of the modern world has broken the promise of informed consent. **The Right to Legally Enforceable Clarity** fixes this by demanding objective, measurable honesty. It forces businesses to communicate, not conceal. By giving consumers the right to understand, we are restoring balance and making the rules of the marketplace fair for everyone.

Right to Sustainable Access

- *By Kairah Singh*
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In the age of pollution, disasters, and rapid environmental destruction, certain people have already understood the need for a change in lifestyle and have shifted to more sustainable goods. While the desire to protect the planet is universal, the ability to do so has become a luxury. According to a survey conducted by Bain & Company in 2024, nearly 80% of Indian consumers are “very” or “extremely” concerned about climate change, but not everyone is able to shift to a sustainable lifestyle. Sustainability, especially in India, is not very affordable for the common man. Over the past five years, the cost of living has increased drastically and has made it difficult for people to afford basic necessities, let alone make a fundamental shift in lifestyles by moving towards sustainability. This inequality needs the creation of a new right-the Right to Sustainable Access.

The Right to Sustainable Access is rooted in the idea that access to environmentally safe and sustainable goods should not be determined by purchasing power. It aims to ensure that every individual, irrespective of economic status, has the ability to choose products and services that do not harm the environment or human health. This right does not impose an obligation on consumers to be sustainable, instead, it imposes a responsibility on the State and the industries to make sustainability affordable and accessible for everyone.

This right shows that environmental protection and social justice are deeply interconnected. When sustainable alternatives remain expensive, environmental responsibility is unfairly shifted onto individuals, while large scale polluters continue to function with minimal accountability. The Right to Sustainable Access aims to correct this imbalance by inculcating sustainability into production, pricing, and regulation rather than treating it as a premium lifestyle choice.

The enforcement of this new right must begin by targeting the goods that inflict the greatest, most pervasive harm on the environment. The leading industries causing the most pollution include the fuel and energy industry, fast fashion industry, electronics industry, packaging

industry etc. These sectors generate large amounts of pollution, waste, and carbon emissions while simultaneously influencing consumer behaviour. Sustainable goods remain expensive mainly because cleaner technologies, ethical sourcing, and waste management are not adequately subsidised. To tackle this problem, the private and government sector must work together. They need to reduce the green premium (additional cost of pollution-free production). If the cost of sustainable production is lowered through tax incentives, subsidies, and research support, the final price of sustainable goods will also decrease. As prices become more affordable, the shift toward environmentally friendly products will occur faster and on a much larger scale. Thus, sustainability transitions from being rare to being accessible and inclusive to all.

Under this right, new provisions within the Unfair Trade Practices section of the Consumer Protection Act, 2019 must be added, specifically governing eco-friendly goods and services. Any false, vague, exaggerated, or unverified representation regarding sustainability must automatically qualify as an unfair trade practice, thus granting consumers a clear legal route.

Moreover, environmental claims must be strictly regulated. Future oriented claims, such as achieving carbon neutrality, should be allowed only when supported by clear, verifiable plans, defined targets, timelines, and independent monitoring bodies. Generic claims like 'eco' or 'green' without evidence, must be treated as misleading.

Further, the burden of proving environmental claims must be entirely on traders and manufacturers. Sustainability claims must be supported by scientific evidence, testing data, and independent third party certification, ensuring that 'eco-friendly' is a verified standard and not merely a justification for higher prices.

Thus, the Right to Sustainable Access makes sure that sustainability becomes affordable, accessible, and legally enforceable. By regulating environmental claims and reducing economic barriers, it transforms sustainability from a privilege into a protected consumer right.

Right to Safe Market

- *By Kavish Joshi*
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Customers generally lack full information regarding the level of safety of the goods they are buying. As much as there are consumer protection bodies created to detect and implement safety standards in varying markets, the consumer sensitization is low. “The Right to Safe Markets” in this case must be seen as not being a right in isolation but rather a primary right that facilitates the proper exercise of all the other consumer rights. In case the marketplace safety is violated, not only one right is violated but the entire system of consumer protection is weakened.

The Right to Safe Markets can thus be regarded as the stalwart of consumer rights, in the same way that the Constitution is the groundwork in which all other legal provisions act and upon which they base their jurisdiction. In the same way that principles of the constitution help to direct and protect legislative laws, a secure market will provide the rest of consumer rights meaning and enforceability. In that regard, the Right to Safe Markets should be more widely acknowledged and used.

This right does not just work at individual level but on the macro-market level as well. It handles bigger topics like unfair and unconscionable trade practices which harm the consumers as a community. With all the existing consumer rights, the Right to Safe Markets attracts their elements and incorporates them into a larger protective framework to bring about fairness, transparency, and safety.

As markets are the main areas where buyers and sellers meet, the exchange of goods and services, it is crucial that the market area should not be overly influenced by outside factors and manipulated. To have a fair market, it should be safe, competitive, and transparent to both the consumers and sellers. Governmental control or monopoly may have a negative impact on consumer welfare. Due to the fast-rising economy of India, as the incomes of the people and consumption continue to increase, consumers are also increasingly finding different ways of interacting with markets that are not necessarily local to them in terms of geographical location. When this happens, safe markets are even more important because the consumer would have fewer alternatives and/or redress options when in a foreign market or a foreign location.

Right to Healthcare and Sanitary Products: Addressing Inequality and Discrimination

*- By Khushi Dave
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The right to healthcare and sanitary products flows from the broader recognition that every individual is entitled to live a life of dignity. Access to basic medicines, medical services and hygiene products is not a luxury but an essential precondition for participating fully in society. When these goods and services become too expensive, unreliable or selectively available, the result is not just individual inconvenience but a systemic denial of fundamental rights. Inequalities in this area expose how social hierarchies of gender, class, location and caste are reproduced through markets and state systems that should instead be protecting the vulnerable.

In many societies, including India, healthcare and sanitary products sit at the intersection of public responsibility and private profit. On paper, policies may declare that every person has the right to health and essential medicines and hygiene products should be accessible and affordable. In practice, however, gaps in regulation, weak enforcement and deeply embedded social biases allow discriminatory pricing, under-provision of services and neglect of certain groups. These gaps are often invisible to those who can afford private hospitals, branded medicine and specialized hygiene products, but they define the daily reality of those who live precariously from one month to the next.

The right to healthcare and sanitary products therefore becomes a litmus test of whether equality promised in law is realized in people's lives.

One dimension of this inequality is the way markets segment consumers based on their purchasing power and perceived value. Health insurance products, for instance, are more aggressively marketed to formal-sector workers in cities than to informal workers or rural populations. Pharmacies in affluent urban neighbourhoods are more likely to be fully stocked with a range of medicines, including newer and more effective drugs, whereas low-income or remote areas are often left with limited options and chronic stock-outs. Even when the same public hospital serves different groups, patients who are more educated, connected or assertive can navigate the system to obtain quicker consultations, more attention from staff and clearer information about their condition, while quieter or marginalized patients struggle

to assert their needs. These patterns show how social and economic power continues to influence who truly enjoys the right to health.

Sanitary products reveal a similar hierarchy. Items such as sanitary napkins, basic soaps, disinfectants and other hygiene goods are marketed in ways that target distinct segments of the population. Premium brands cater to a small, well-off urban group with higher prices and elaborate advertising campaigns, while cheaper, lower-quality products are pushed onto lower-income consumers who have fewer alternatives. For many girls and women, especially in rural or low-income urban communities, the cost of sanitary pads or similar products remains a significant burden. They may be forced to ration their use, rely on unsafe substitutes or skip school and work during menstruation. In this sense, restricted access to sanitary products directly undermines the right to education, the right to work and broader equality between genders.

Another critical aspect is the way social norms and stigma, interact with economic barriers. Menstruation, reproductive health and intimate hygiene are often shrouded in silence and shame. This discourages open conversation about the high cost or poor quality of sanitary products and about the health consequences when these needs are not met. Young people, particularly adolescent girls, may not feel able to question why certain products are unaffordable or why there is no clear information about safer, more sustainable alternatives. When stigma suppresses demand for transparency and accountability, it becomes easier for both state and market actors to overlook these issues. The result is a vicious cycle in which silence reinforces neglect, and neglect reinforces silence.

Within healthcare systems, structural discrimination can appear in more subtle ways as well. Appointment systems may implicitly favour those who are literate, digitally connected or able to take time off work to stand in long queues. Hospital forms and consent documents are often written in complex language that is difficult for patients with limited education to understand. In many facilities, there are stark differences between the experience of patients treated in general wards and those who can afford private or semi-private rooms. Those with more resources may enjoy cleaner surroundings, better food, more attentive staff and easier access to doctors. Although the medical protocol on paper may be the same for all patients, the lived experience of care is clearly stratified, and this stratification undermines the idea of equal right to health.

The problem is further compounded by gaps in regulation and monitoring. Laws may prohibit unfair trade practices or arbitrary overcharging, but enforcement agencies are often understaffed, under-resourced or hesitant to challenge powerful corporate actors. Complaints mechanisms exist in theory, such as consumer forums or hospital grievance cells, but most patients are unaware of them or intimidated by the process. For low-income families, the time, money and emotional energy required to pursue a complaint against a hospital, pharmacy or manufacturer are enormous.

Consequently, many violations go unreported, and exploitative practices continue unchecked. This creates a sense of impunity that encourages repeat offences and entrenches mistrust between citizens and health institutions.

Public policy responses frequently acknowledge the need to make healthcare and sanitary products more affordable, yet implementation falls short. Price caps on certain essential medicines or devices may be announced, but loopholes allow companies to introduce slightly modified versions at higher prices or to shift costs to associated services. Schemes aimed at distributing free or subsidised sanitary products through schools or community centres may be hampered by irregular supply, poor quality or lack of awareness among intended beneficiaries. Similarly, health insurance or publicly funded treatment packages may look comprehensive on paper but exclude important diagnostics, follow-up care or necessary consumables, leaving patients to pay out of pocket for crucial elements of treatment.

A further issue is the lack of gender-sensitive and rights-based training among those who design and deliver health services. Medical and nursing curricula may spend far more time on clinical technique than on ethical obligations related to equality, informed consent, non-discrimination and dignity.

Frontline staff receptionists to ward attendants, shape a patient's experience just as much as doctors do, yet they often receive minimal training on respectful communication, privacy or handling sensitive issues like menstruation and reproductive health. When staffs are overworked, poorly paid or insufficiently trained, it becomes easier for discriminatory attitudes—whether based on gender, caste, religion or class—to creep into everyday interactions with patients.

Addressing these layered inequalities requires more than isolated policy announcements; it demands a comprehensive rights-based approach. This approach starts by recognizing individuals not merely as customers or beneficiaries but as rights-holders. It emphasizes transparency in pricing, clarity in communication and accountability for both public and private providers. Governments must ensure that regulatory bodies have adequate powers, technical expertise and independence to monitor pricing, investigate complaints and penalize violators. Equally important is the need to make information about rights, entitlements and grievance mechanisms widely accessible in simple language and multiple formats so that even the most marginalized users can invoke them.

Civil society and community-based organizations also play a central role. They can bridge the gap between law on paper and practice on the ground by raising awareness, documenting violations and supporting individuals who seek redress. Campaigns that normalize conversations around menstruation, reproductive health and the cost of sanitary products help break the silence that previously protected exploitative practices. Legal aid groups and health-rights advocates can accompany patients through complaint processes, ensuring that institutions know their actions are being watched and recorded. Over time, such sustained

pressure can shift norms, making it politically and socially unacceptable to treat healthcare and sanitary needs as commodities available only to those who can pay.

Ultimately, ensuring the right to healthcare and sanitary products involves re-imagining these areas not as profitable markets with optional protections but as essential public goods that must be guarded carefully. This does not necessarily mean excluding private actors; rather, it means setting clear boundaries within which profit cannot be pursued at the cost of basic human dignity. When pricing, access and quality are shaped by principles of equality and non-discrimination, health systems and markets can become instruments of justice instead of vehicles for deepening inequality. Until then, the promise of equal right to health and hygiene will remain unevenly fulfilled, experienced fully by some and only partially, or not at all, by many others.

Right to Fair Price

-By Krishita Faldu

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In current consumer markets, especially today product pricing is especially problematic. Items of necessity are sold at insane mark-ups without any justifications. Goods like water, menstrual hygiene products, medications, child nutrition and disability aids often carry high prices that strain household budgets. And because these goods are sector specific and only bought by a specific part of society, there is already an unfair disadvantage these sectors face. They have to pay additional money to function ‘normally’. This is before we take into account corporate greed that raises the prices of these products even further.

But this isn’t just a problem that arises in sector specific goods. Even goods that are used by everyone in the market are priced differently for different consumer sections despite the products being almost identical. The best example for this is razors – razors for women cost more than razors for men (the pink tax). Another example is diapers, diapers for infants cost less than adult diapers, despite having almost the same production cost.

Manufacturers sell these products at very high price mark-ups that exceed all manufacturing and selling costs by an extremely large margin. All of these practices leave these groups vulnerable to the greed of manufacturers and sellers.

So to address this problem, there should be a right to fair prices. It would ensure consumers can buy essential goods—like hygiene products, medicines, water, diapers, and staples—at prices that cover reasonable production costs plus a modest profit, without exploitation, opacity, or discriminatory mark-ups. It would mandate transparent cost breakdowns on labels, caps on gross margins at 35%, and put an explicit ban on arbitrary premiums based on gender, age or other demographics to guarantee identical products carry the same prices for all. If implemented into the CPA, there could also be penalties enforced by the CCPA for non-compliance with these rules. These penalties would be turnover based.

Right against Commercialization of Culture

- By Krishna Pandit
BA LLB, Nirma University



In India, religion, traditions, and cultural practices form an integral part of an individual's identity, dignity, and sense of belonging. And participation in festivals, rituals, and rites is not merely a matter of personal choice but a collective social experience meant to be inclusive and accessible to all. However, increasing commercialization and commodification of cultural and religious practices have transformed these experiences into consumption driven activities, where expenditure is portrayed as a measure of devotion, happiness, or social legitimacy. From a consumer perspective, this commercialization causes significant harm by distorting free choice, exploiting emotional and religious vulnerability, and imposing artificial standards that lead to irrational spending, financial strain, and emotional distress, particularly among economically weaker sections.

Consumer exploitation is evident in practices such as paid and tiered access to religious spaces through fast track darshan and premium entry passes that convert spiritual access into a purchasable privilege, forced bundling of ritual services where consumers are compelled to purchase unnecessary packages under social or religious pressure, artificial scarcity and inflated pricing of basic religious goods such as lamps, incense, flowers, coconuts, or idols during festivals, and the commercialization of donations and spiritual merit where consumers are subtly led to believe that higher monetary contributions result in greater spiritual benefits. Beyond festivals, religious services such as weddings, prayers, funerals, and last rites are increasingly subject to arbitrary and immediate charges, where families in emotionally vulnerable situations are forced to pay excessive fees for essential services without transparency, advance disclosure, or any opportunity for comparison, thereby exploiting urgency and grief.

These practices undermine consumer dignity and wellbeing and effectively condition cultural and religious participation on economic capacity, weakening the practical exercise of religious freedom despite formal constitutional guarantees. When consideration is involved, such practices fall within the scope of services under the Consumer Protection Act and raise concerns relating to unfair trade practices, misleading representations, consumer vulnerability, unequal bargaining power, deficiency in service, and collective consumer harm.

While existing consumer law addresses some aspects of this harm indirectly, it fails to explicitly recognize the unique nature of cultural and religious exploitation, where consumer injury extends beyond financial loss to include emotional distress, exclusion, and erosion of informed choice.

Right against Cultural and Religious Commercial Exploitation

Consumers have the right to protection against unfair, excessive, and exclusionary commercialization of cultural and religious practices. This right ensures that consumers are not misled, emotionally manipulated, or economically pressured in the name of culture or religion and that participation in cultural and religious life remains affordable, dignified, and inclusive. The scope of this right includes protection against misleading cultural and religious advertisements that portray non-essential goods or services as mandatory, regulation and transparency of fees and charges imposed by religious institutions and intermediaries when consideration is involved, prevention of excessive profit making and artificial scarcity of basic religious and cultural goods, safeguards against exploitative practices that take advantage of emotional vulnerability during religious rites, and promotion of inclusive access so that economic capacity does not determine legitimacy, dignity, or participation in cultural and religious spaces.

This right strengthens the Consumer Protection Act by addressing forms of consumer harm rooted in emotional, cultural, and religious exploitation, while remaining consistent with constitutional values of equality, dignity, and freedom of conscience.

Right to Be Treated as Equal

- By *Krishnav Yadav*
B.COM LLB, Nirma University



Why is this Right Necessary?

In today's globalised world, we have seen many instances where the same parent company provides different quality of goods and services to different regions. This unequal treatment directly affects consumers, especially in developing countries like India.

Companies often assume that people in certain regions either won't notice or won't question the differences. This creates a serious gap in the quality, safety, and fairness of products received by consumers around the world.

Example

Recently, YouTuber Food Pharmer highlighted a major issue about "Lays" chips.

According to his research, Lays chips sold in America are made with healthier ingredients, while the Lays chips sold in India include palm oil, which is known to be harmful when consumed regularly.

Even though companies know that young children frequently consume these chips, they still continue to use cheaper and unhealthier ingredients in certain regions. This shows a clear inequality in how consumers are treated across countries.

Goods Also Include Food Items

Food is the most basic necessity of life. If companies are allowed to compromise on food quality depending on region, then consumers are being denied the basic right to health. Therefore, food safety must be protected under the "Right to be Treated Equally."

Advantages of This Right

1. More Awareness Among Consumers

Most people believe that products of a brand are made using the same machines, same process, and same ingredients everywhere. This is not true.

By recognising this right, consumers will become more aware of what they are buying. When people know the truth, they can demand better and safer products.

2. A Step Towards Fairness and Equality

This right ensures that consumers from all countries are treated with equal respect. No company should be allowed to provide healthy products to one nation and inferior or harmful versions to another. Equality in product standards is a basic expectation in a fair marketplace.

3. Encourages Companies to Follow Global Standards

When such a right exists, companies will be forced to maintain uniform standards across all countries. They will think twice before compromising on quality in regions where they believe people “won’t complain.”

4. Protects Children and Vulnerable Consumers

Many products like chips, chocolates, juices and packaged snacks are consumed by children. Ensuring equal standards protects those who may not understand labels or health risks.

Additional Examples

- 1. Cereal Companies:** Some brands add more sugar to products sold in Asian and African countries while selling low-sugar or healthier versions in Western countries.
- 2. Cosmetics and Skincare Products:** Certain skincare brands use safer, regulated ingredients for Europe and America, but allow cheaper chemical versions in South Asian markets.
- 3. Juices and Drinks:** A “100% Juice” label in some countries truly means 100% juice, while in others the same brand sells it with added sugar and concentrates.

These examples show how widespread the problem is, making this right extremely important.

Conclusion

The Right to be Treated Equally ensures that every consumer — regardless of country, income, or background — receives products of equal quality, equal safety, and equal value. In a world where companies operate across borders, this right protects consumers from discrimination and ensures fairness for all.

This right also spreads awareness, promotes health, and moves society towards a more just marketplace. Therefore, it definitely deserves to be included alongside the existing six consumer rights.

Right to Involve

- By Nimit Nair

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The proposed new consumer right is the "Right to Involve". This right advocates that the consumer should not be merely engaged in the usage or testing of a product, but should also be permitted to engage with or observe the actual process of production or making of the product. The current regulatory framework, while providing various protections, leaves a critical gap where excluding consumers from the process and factors of production allows producers or sellers to gain an undue advantage regarding the product's credibility or its potentially hazardous nature. This right serves as a vital extension to the established "Right to Know," which is one of the six enshrined consumer rights in India.

The necessity for the "Right to Involve" stems from modern market realities where, often in an effort to increase production to meet demand, practices like using fake raw material or unnatural methods of production are employed. In most cases, the consumer only discovers these issues when they use the product and sense something unusual. While the current enshrined rights include the "Right to Redressal," the "Right to Involve" offers a proactive measure, seeking to stop the underlying *but-for cause* at the initial phase itself. This need is evidenced by the numerous videos surfacing on the internet, where vloggers expose the reality of ill or unhealthy conditions in factories that produce or package items like milk, wheat, or junk food.

The "Right to Involve" aims to institutionalise transparency and empower consumers directly. The scope of the right grants consumers immunity to visit factories and inventories. Crucially, it should also allow consumers to enter the kitchens of restaurants or cloud kitchens to which the individual is a consumer. While food authorities like FSSAI and influencers diligently follow their work researching, fraud hunting, and restricting non-compliant companies, the direct involvement of consumers would enable them to become wise decision-makers. Their involvement would transform them into "Ice bergs" for such corporations, creating a strong deterrent against unethical practices. Furthermore, their experiences and publications detailing their expeditions can create significant awareness among the consumer society. This right provides an appropriate theory to test the often-heard hypothesis that an owner or producer would never dare to use their own product.

Right to a Free Legal Advice

-By Priyaansh Sheth

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Consumers in India are often unlawfully misled by manufacturers or service providers through misleading advertisements, false representations, and unfair trade practices. In order to address this issue, the government has recognized consumer protection through the six consumer rights in India, along with two rights that are available internationally. However, despite the existence of these rights, a significant gap remains in their effective enforcement. Consumer disputes frequently turn into long-standing legal battles that continue for years and may ultimately reach the District Court, High Court, or even the Supreme Court, depending on the gravity of the matter.

For instance, consider a situation where XYZ purchases a computer from ABC Ltd. Due to a manufacturing defect, the computer malfunctions and explodes, causing severe burn injuries to XYZ. In such a case, the consumer is legally entitled to approach the Consumer Commission and seek compensation for damages suffered. However, when the opposite party is a multinational corporation, such companies often misuse their financial and institutional power by engaging highly specialized advocates. This enables them to delay proceedings, evade liability, or prolong litigation to such an extent that justice becomes inaccessible to the consumer.

This problem becomes more severe when the consumer belongs to an economically weaker section or falls below the poverty line. For such individuals, obtaining legal assistance becomes a major obstacle, as hiring advocates is expensive and often beyond their financial capacity. As a result, consumers are left without effective representation, which directly undermines their right to access justice. In this context, the proposal to make it compulsory for advocates to take up consumer-related disputes on a pro bono basis before the High Courts and the Supreme Court emerges as a highly beneficial reform. Such a measure would provide consumers with strong legal backing and help ensure the meaningful enforcement of their rights.

Advocates are costly, and legal representation is not affordable for everyone. Therefore, mandating pro bono representation in consumer disputes would significantly reduce

inequality between powerful corporations and individual consumers. This reform would ensure that justice is not determined by financial strength but by the merits of the case. A relevant international example can be seen in the landmark case of *Liebeck v. McDonald's*, which laid down important guiding principles for consumer protection. In this case, McDonald's initially evaded responsibility and ignored multiple notices until stern action was taken by the apex court through the issuance of summons. Although Liebeck could afford legal representation, this is not the reality for most consumers, particularly in India, where a large portion of the population continues to struggle with poverty and limited access to legal resources.

Furthermore, many consumer complaints are drafted by consumers themselves, who often lack legal knowledge and drafting skills. As a result, they may be unable to properly substantiate their claims or clearly articulate their grievances. In many cases, such poorly drafted complaints are not entertained by the Consumer Commission. Legal assistance from professionals would not only help organize facts and arguments systematically but would also ensure that the core issues are clearly presented before the adjudicating authority.

This would enable the Consumer Dispute Redressal Commissions to focus directly on the relevant points of contention, thereby facilitating a just and speedy trial. Ultimately, such a system would strengthen consumer confidence, promote procedural fairness, and ensure that consumer rights are not merely theoretical but are effectively realized in practice.

Right to Continuing Medical Care and Livelihood Protection

- By Rohit Vinu

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Although consumer protection frameworks, including those followed in India, traditionally recognise a limited set of consumer rights, these rights do not adequately address the long-term medical and economic consequences arising from defective products or deficient services. I therefore propose the recognition of a 7th Consumer Right, the Right to Continuing Medical Care and Livelihood Protection.

This right would entitle a consumer to receive continuous and future medical care compensation where injury or illness is caused by a product or service, without restricting such compensation to a short or predetermined period. Where the effects of such injury persist over time, reimbursement of medical expenses should continue for as long as the condition subsists. Further, this right would recognise loss of earning capacity as a compensable harm. If a consumer becomes unable to perform their occupation due to product-related injury and consequently loses employment or income, compensation should reflect the income the consumer would reasonably have earned had the injury not occurred.

Importantly, this right would extend protection to the immediate family of the consumer, including spouses or partners, parents, and children, where they are compelled to bear medical expenses or suffer economic loss as a consequence of harm caused by another party. Such inclusion acknowledges that consumer harm often produces collective, not merely individual, consequences. This proposed right tries to integrate health, dignity, and economic security into a unified consumer entitlement.

Right to Transparent Execution and Traceability

- By Rutva Shah

BALLB, Gujarat National Law University



India's current consumer rights framework under the Consumer Protection Act, 2019 lays down six rights, but these do not adequately address the growing set of problems that arise specifically during the packing, dispatch, and delivery stages of online purchases. With the rapid expansion of e-commerce, a large proportion of consumer grievances no longer relate to the inherent quality of the product but to what happens between the time the order is placed and the time it reaches the consumer.

People have ordered phones worth several thousand rupees and received dishwashing soap instead. Some platforms resolve the matter, while others refuse to take responsibility, leaving consumers without any reliable remedy.

I also experienced something on similar lines. I had ordered a horse showpiece worth Rs.2500 from Nykaa Fashion and recorded the unboxing. The video clearly showed that the product arrived broken. However, when I raised the issue, the platform claimed that the packaging seen in the video was not the seller's original packaging, and therefore they could not assist. This illustrates how consumers are pushed into a corner even when they take all reasonable steps to document the condition of the product upon receipt. It highlights the extent of financial loss and mental distress caused when the actual product delivered differs from what was shown online or stated on the packaging.

These recurring instances point to the need for a dedicated right in the Act: "The Right to Transparent Execution and Traceability." This right would guarantee that consumers receive the exact product or service displayed online, supported by verifiable records maintained by the platform or seller. It requires a complete and transparent trail of the execution process, including photographs or videos taken at the time of packing, the condition of the item, its batch or identification details, and a delivery log tracing its movement until it reaches the consumer.

Such a right would prevent platforms from rejecting complaints on vague grounds such as "the packaging was not original" or "the product was dispatched in perfect condition" without providing evidence. The burden would shift appropriately. Platforms, sellers,

importers, and service providers would be obligated to maintain and produce the execution record during disputes. The consumer would not be expected to prove everything since the platform's own documentation would form the primary basis of complaint resolution. This right would cover wrong products being sent, wrong colour or size, substituted items, tampered packaging, incomplete orders, or products arriving damaged.

In the digital commerce environment, these are among the most common and harmful issues consumers face, yet they fall outside the scope of the existing six rights. Including this right would therefore offer stronger and more practical protection for consumers.

The Right to Free Redressal

- By Samridhi Agrawal

BA LLB, Nirma University



The new right that I would like to propose for consumers is the Right to Free Redressal. The primary reason behind this proposal is the socio - economic reality of our country, India. A large section of our population continues to live in poverty and is unable to seek redressal when their six consumer rights are violated. Even though the existing six consumer rights protect them in theory, these individuals are unable to approach the appropriate authority in their real life because they do not possess the financial capacity to bear the cost that is involved.

Most people believe that court fees are the only expense in filing a complaint. However, the real economic burden is much wider. Apart from court fees, consumers have to bear lawyer fees, travel expenses, document charges, inspection costs, and most importantly, what can be called a loss - of - income cost.

Many daily wage earners and small vendors lose a full day's income every time they visit a court or a grievance office for their problems. Their work comes to a halt, and the money that they use during that period is taken directly from their savings which is very minimal. For daily wage workers, labourers, street vendors, and small shopkeepers, losing even one day's earning can affect them very much, especially their ability to pay for food, rent, and their basic daily essentials. Sometimes they are the only bread - earners in their family, which imposes a huge responsibility on their shoulders and this responsibility does not allow them to spend money on any other things. This economic sacrifice discourages them from seeking justice.

This right is an urgent need for the most vulnerable groups, the people who beg on the streets, the roadside vendors whose stalls can be demolished without any notice, and the informal workers who earn just enough to survive. These individuals are easy victims of the big businesses because everyone knows that they cannot afford litigation or formal grievance procedures, even when they are exploited or cheated.

Additionally, the corruption is also one of the key-factor, because of what injustice happened to the people; the people who compose a large section of the society. The corruption at various levels of the system makes access to redressal even more expensive for them. Many complainants face intermediaries who demand bribes or “service charges”, which is unaffordable, making the redressal mechanisms i.e., District, State, and National Commissions, financially inaccessible for the poor groups.

I accept that there is no filing fee for complaints up to a value of Rs.5 lakhs, but what about cases where the value amount falls between Rs.5 lakh to Rs.10 lakh? In such situations, there is a mandatory fee of Rs.200, which goes directly to the government. But don't we feel this is the only charge that complainants face? The answer is no. The actual financial burden lies far beyond this small amount. Instead of spending time assisting a complainant who cannot pay heavy fees, a lawyer will naturally prefer giving time and priority to a wealthy businessman who can afford to pay them a healthy amount. Even a normal lawyer charges a substantial amount from complainants, an amount that many poor and lower - middle - class consumers simply cannot afford. Even this is the same case with the complainants who has the complaints up to value of Rs.5 lakhs, they also face the same kind of situation. Even if they are provided with the public prosecutor, the public prosecutor charges secretly a hefty amount from them by simply manipulating and saying, “This amount is for the winning of our cases, if you give this money, you will definitely win and get the compensation.” Both public and private prosecutors exploit the consumers or the complainants.

There is also the cost of preparing documents which are required for the case, such as, photocopies, notarisation, affidavits, and printing etc., for which the cost may seem small to the privileged class but not for the low - income groups. It is a significant amount which is a kind of financial burden for low - income groups. Moreover, delays in hearings, adjournments, and long waiting hours for the case to be present in front of the judge, add to their sufferings. What should be a quick and easily accessible remedy for them often becomes a long and exhausting process, both financially and emotionally.

Lastly, many uneducated or illiterate and vulnerable consumers are often misled by the middlemen or agents or the lawyers who charge them unnecessary “service fees” in the name of helping them in filing complaints and getting compensation. This makes the overall cost of the redressal far higher than what the law officially states and know.

For these reasons, even though the official filing fee appears low, the real cost of seeking redressal is extremely high for economically weak individuals or consumers. This makes a strong reason for introducing the Right to Free Redressal, ensuring that justice does not remain a luxury only for the privileged class who can afford it.

In the digital era, the problem has even more expanded further. Low-income consumers often become victims of online fraud because of what they lose their entire savings in a single scam and expecting them to pay fees or bear expenses for filing complaints we are only worsening

their problematic situation. As a result, many of them decide not to pursue redressal at all, allowing injustice to continue unchecked.

A real example that highlights the urgent need for this right is the case of daily wage workers in metropolitan cities who became victims of UPI frauds. Many workers received fake messages claiming that money was transferred to their accounts for the work they did. When they clicked the provided links, the entire amount in their bank accounts, often their only savings was wiped out. One such case involved a roadside tea vendor in Delhi who lost Rs.18000 due to a phishing link. When he attempted to file a complaint, he was asked to bring documents, travel to the cyber cell multiple times, and spend money on photocopies and transport. These costs were far more than he could afford and due to this unaffordability, he decided to drop the complaint and accepted the loss that he suffered. This shows how justice becomes financially inaccessible to them, even when they are clearly exploited and lost his earning.

By introducing the Right to Free Redressal, these barriers can be removed. This right would ensure that no consumer will be denied to justice merely because of the reason that they cannot afford the cost of asserting their rights. In an emerging digital marketplace, where new and complex forms of consumer exploitation are increasing, then, such a right is not only desirable but necessary right.

By removing economic barriers at every stage: legal assistance, documentation, travel aid, and procedural formalities, this right would create a system where justice is not determined by a person's wallet but by the merit of their complaint. It would allow the poor consumers to stand on an equal footing with powerful businesses, corporations, and service providers. In my view, this right would also promote a culture of accountability among businesses and service providers. When companies will know that consumers now can freely and easily bring complaints without any financial restrictions, they will be encouraged to act more responsibly and ethically towards them.

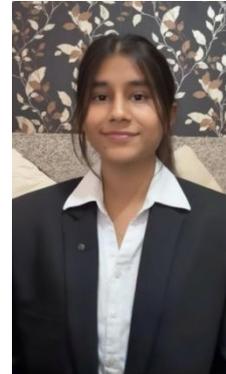
It will also lead in strengthening public trust in the consumer protection system, which has often seen as slow, complicated, and biased towards those who can afford legal processes (big businesses and corporations). Making redressal free for people will not only remove the psychological and economic barrier, but will also encourage more people to fight for their rights. Most importantly, this right aligns with the constitutional principles of India i.e., justice, equality, good conscience, and dignity of the citizens of the India. Even apart from the constitution, the access to justice should never be depended on one's economic capacity. A democracy will only function effectively when its weakest citizens can also challenge the exploitation without any fear or financial burden.

Thus, the Right to Free Redressal is not only a social requirement but also a moral and constitutional obligation in a rapidly evolving consumer market, especially in the new digital consumer market of the world.

Right to Fair Contracts

- By *Shivali Jain*

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A new consumer right that should be added to the consumer protection act is the right to fair contracts. This right is essential to truly protect Indian consumers in modern markets, where standard form and digital contracts dominate transactions and often leave consumers with no real choice.

Why the right is required?

Consumers are defined as “kings of market”, but in reality, markets today often revolve around powerful sellers and large corporations.

- Standard form contracts
- App based terms and conditions
- Online click wrap agreements

Such agreements are entirely drafted by the businesses and organisations and consumers are only left with option to either “take it or leave it”. Such contracts are usually one sided, which leads to limiting the liability of sellers, manufacturers and business owners while imposing heavy obligations on the consumers. This imbalance undermines the idea of free consent and genuine choice in contract law.

Big businesses and companies frequently and deliberately draft clauses that exclude or restrict liability for defective goods or deficient services, push all risks onto the consumers or impose unfair charges, penalties and arbitration clauses. Consumers especially in essential sectors like banking, insurance, telecom, e-commerce and digital services cannot negotiate these terms and conditions and are compelled to accept them if they want access to basic goods and services.

As a result, the consumer becomes the weaker party and is bound by the terms and conditions that they neither drafted not completely understood.

Problems with current contracts

In the digital era, as the world is getting more and more advanced, technology has made contracts more complex and less transparent. Online terms and conditions are often more extremely long, vague and written in dense legal jargon that an ordinary consumer or layperson cannot understand.

Most people simply scroll and click “I agree” because they have no realistic alternative and are under time pressure, information overload or fear of losing access to important services. This situation leads to several issues:

- Consent is more illusory than real, as consumers rarely read or comprehend the full terms.
- Unfair and unconscionable clauses get “hidden” in the fine print.
- Power imbalances between consumers and large corporations become entrenched.
- Consumers are left without effective remedies when something goes wrong, as the contract itself has already limited those remedies.

Although big companies, banks and digital platforms work with a large number of consumers and finds it difficult to draft customizable contracts but the difficulty cannot justify the exploitation of consumers and the one sided terms.

Efficiency for businesses must not come at the cost of fairness, transparency and justice for consumers.

What the right to fair contracts should include?

Right against unfair and one-sided terms

Any clause that is excessively one-sided, unconscionable, or contrary to good faith, such as unreasonable penalty charges, unilateral power to change terms, blanket exclusion of liability for negligence, or forcing consumers into distant or biased forums, should be treated as void or unenforceable. The law should empower consumer courts and regulators to strike down or modify such clauses.

Right to meaningful consent

Mere ticking of a box or clicking “I agree” should not automatically be treated as full and informed consent. For high-risk or high-value transactions (loans, insurance, long-term subscriptions, data-intensive services), businesses should be required to provide key facts in a short “key information document”, obtain explicit confirmation on critical terms, and give the consumer a reasonable opportunity to review before agreeing.

Right to negotiation or alternatives where feasible

Wherever possible, consumers should have options among different plans or contract models instead of a single rigid contract. For example, banks or telecom companies could offer alternative plans or remove optional add-ons if the consumer does not wish to accept them. Even if full negotiation is not practical, some degree of choice should be mandatory.

Right to protection in digital and automated contracts

With the rise of app-based services, AI-driven platforms, and automated contracting, there should be strict rules on dark patterns, pre-ticked boxes, and manipulative design that nudge consumers into unfavourable terms. Contracts should clearly disclose how consumer data will be used shared, or monetised and consumers should have clear, simple opt-out choices.

Right to standard-form model contracts in key sectors

The government or regulator could develop model contract terms for sectors like housing, telecom, insurance, education, and healthcare, setting minimum fair standards. Businesses could be free to add additional clauses, but they cannot dilute or contradict the core protective provisions.

Right to transparency and plain language

Contracts with consumers must be drafted in clear, simple, and easily understandable language, avoiding unnecessary legal jargon.

Conclusion

The Right to Fair Contracts should be formally recognised as a core consumer right because it directly addresses the power imbalance between large businesses and ordinary consumers. It ensures that contracts are not merely instruments of corporate convenience, but vehicles of real consent, transparency, and justice.

Such a right would require that all consumer contracts be written in clear and simple language, with key terms like price, penalties, exclusions of liability, data use, and dispute resolution highlighted and explained in a way an average person can understand. It would also invalidate unfair, one-sided, or unconscionable clauses, especially those hidden in fine print or embedded in standard-form and digital contracts where consumers have no bargaining power and are forced to accept “take it or leave it” terms.

In the digital economy, the Right to Fair Contracts would curb vague and manipulative app-based terms, dark patterns, and pre-ticked boxes, while mandating meaningful consent and, where appropriate, cooling-off periods and model contracts in key sectors. By doing this, it protects consumers from exploitation, builds trust in markets, and encourages businesses to compete on quality and fairness rather than on how cleverly they can draft oppressive clauses. Most importantly, it makes the idea that “the consumer is king of the market” a practical reality, not just a theoretical slogan.

Right to Bargain

- By *Tarun Jaimini*
BA LLB, Nirma University



The Consumer Protection Act, 2019 recognises six fundamental rights of consumers in India. However, these rights do not adequately address the issue of unequal bargaining power that exists between consumers and sellers in modern markets. While consumer law focuses on safety, information, choice, and redressal, it largely assumes that consumers participate in transactions on equal footing with manufacturers and service providers. In reality, consumers vary significantly in their purchasing power, access to alternatives, and negotiating capacity. Bargaining has historically functioned as a corrective mechanism allowing consumers to adjust prices and terms according to their economic circumstances, yet in contemporary regulated markets this practice is either discouraged or entirely prohibited, leaving consumers with little autonomy beyond acceptance or rejection of fixed terms.

The proposed Right to Bargain seeks to recognise bargaining as a legally protected consumer entitlement, allowing consumers to negotiate price or contractual terms in a fair and regulated manner. This right does not imply an obligation on sellers to accept every demand but ensures that consumers are not arbitrarily denied the opportunity to negotiate, especially in situations where sellers enjoy dominant market positions. In unregulated or informal markets such as local vegetable shops, bargaining is socially accepted and often expected, whereas in regulated markets like automobile showrooms, branded retail outlets, and digital platforms, fixed pricing systems eliminate any scope for negotiation. This artificial distinction disproportionately benefits sellers and weakens consumer agency, particularly for economically weaker sections that rely on bargaining to maximise limited resources.

A comparative analysis reveals that several jurisdictions indirectly recognise bargaining power as a core element of consumer protection, even if not explicitly framed as a “right to bargain.” In the European Union, consumer law emphasises protection against unfair contract terms, particularly in standard form contracts where consumers have no real opportunity to negotiate. The EU’s Unfair Contract Terms Directive invalidates clauses that create significant imbalance in the parties’ rights and obligations, thereby compensating for the absence of bargaining. Similarly, in the United Kingdom, the Consumer Rights Act, 2015 strengthens judicial scrutiny over non-negotiated terms, acknowledging that consumers often

lack bargaining power in mass-market transactions. These frameworks demonstrate that where bargaining is structurally absent, the law intervenes to restore fairness. In the United States, while bargaining is largely governed by market forces, consumer protection law addresses power imbalances through doctrines such as unconscionability and unfair trade practices. Courts may invalidate contracts or pricing practices that exploit consumers' inability to negotiate, particularly in cases involving adhesion contracts. This reflects an implicit recognition that freedom of contract without bargaining power is illusory. In contrast, Indian consumer law primarily relies on post-transaction remedies, such as complaints and compensation, rather than empowering consumers at the pre-contractual stage. The absence of a recognised bargaining right places Indian consumers at a disadvantage when compared to jurisdictions that actively counteract structural inequality in market negotiations.

The Right to Bargain would also have significant implications for standard form contracts, which dominate contemporary consumer transactions. These contracts are typically offered on a take-it-or-leave-it basis, leaving consumers no scope to influence terms. By legally recognising a limited right to negotiate, consumers would gain the ability to propose modifications, particularly in non-essential clauses, thereby promoting mutual consent rather than unilateral imposition. If a seller or manufacturer agrees to such negotiated terms, the transaction could proceed on revised conditions, reinforcing contractual fairness without undermining commercial efficiency.

For effective implementation, the right must be supported by regulatory safeguards to prevent misuse. The government may prescribe sector-specific guidelines identifying where bargaining is permissible and where fixed pricing is justified, such as in essential goods or public utilities. Reasonable limitations on bargaining time, methods, and conduct would ensure that negotiations remain respectful and non-coercive. At the same time, safeguards must protect small sellers and micro-enterprises from exploitative bargaining by more powerful consumers. Consumer awareness programmes would be essential to educate buyers about ethical and lawful bargaining practices.

In conclusion, the proposed Right to Bargain represents a necessary evolution of consumer protection law, shifting focus from reactive remedies to proactive empowerment. Comparative legal frameworks demonstrate that modern consumer law cannot remain indifferent to bargaining inequality, whether addressed through explicit negotiation rights or judicial control over unfair terms. By recognising bargaining as a regulated legal right, Indian consumer law can bridge existing gaps, enhance consumer autonomy, and promote substantive fairness in market transactions, particularly for those with limited economic resources.

Right to Compensation for Non-Visible Damages

- *By Vedika Barot*
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There are six consumer rights in India and eight internationally recognised rights, including the right to safety and the right to necessities. A possible seventh right I would suggest is the ***right to compensation for non-visible damages***. This refers to compensation for harm that is not always physically visible but still significantly affects the consumer. Such damages might include emotional distress, anxiety, humiliation, loss of peace of mind, and other forms of psychological harm.

Although the existing Right to Redressal technically covers compensation, in practice, emotional damage receives very little attention. Most consumer disputes focus only on financial loss or physical defects in a product. However, emotional harm can be equally severe. Today's consumer environment—online shopping, misleading advertisements, deceptive health claims, and aggressive service practices—creates situations where psychological distress is increasingly common. A faulty product may not cause physical injury, but it can still lead to mental trauma, frustration, or embarrassment. A misleading health supplement or educational advertisement may give false hope and induce emotional turmoil when the promised results do not materialise. Yet, such harm is rarely acknowledged or fairly compensated.

This is why this right deserves far greater emphasis. Emotional damage is a real form of harm, and ignoring it leaves consumers vulnerable. Companies rarely face consequences for the psychological impact of their actions because emotional harm is considered “difficult to measure.” Giving this right more importance would create a clear framework for evaluating non-visible damage and ensuring that consumers receive proper redressal. It would also encourage people to come forward, instead of assuming that emotional distress will not be taken seriously in court.

Furthermore, in some cases, financial compensation alone is not enough. For example, if a product or service causes severe mental trauma, simply refunding the money does not repair

the emotional suffering caused. Vulnerable groups—such as students, elderly consumers, or individuals who are easily misled—are especially affected by this lack of recognition. Strengthening this right would promote fairness, accountability, and dignity in consumer transactions.

In conclusion, while the Right to Redressal exists, emotional harm remains undervalued in India's consumer protection framework. By giving greater importance to compensation for non-visible damages, we can move towards a more complete and humane system that recognises the full impact of unfair trade practices on consumers.

About CERC

Consumer Rights, Protection and Justice for consumers have been the focus of Consumer Education and Research Centre (CERC) since its inception in 1978. CERC is India's only Consumer Rights Organisation that provides 360° services to the consumer in terms of Education, Empowerment and Protection.

A broad range of activities are undertaken in the organization – grievance redressal through mediation and litigation, consumer education and awareness building through various publications and outreach activities, testing and analysis of consumer products in our in-house product testing laboratories, advocacy for laws and regulations that better protect consumers, as well as a number of projects executed in various areas pertinent to consumer protection and empowerment. Promoting environmental awareness, energy conservation and sustainable consumption are also major activity areas in CERC.

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