



Rights vs. Reality: Deconstructing Consumer Rights and Duties in the Digital Era

Introduction

Rise of Digital Marketplaces

**Greater convenience,
access, and choice.**

**Improved
accessibility and
consumer options.**

**Enhanced ease and
wider choices.**

**Heightened risk of
fraud and deception.**

**Proliferation of
counterfeit and
misleading claims.**

**Rising delivery failures
and consumer harm.**



Robust statutory framework exists under the Consumer Protection Act, 2019, and associated regulations



Evolution of digital business models continue to weaken the effective protection of consumer rights



Critical examination of contemporary challenges in the digital marketplace and the need for balanced regulatory reforms



RESEARCH METHODOLOGY

MIXED RESEARCH METHOD

PRIMARY RESEARCH (CONSUMER SURVEY)

- Structured questionnaire
- 207 digital consumers
- Focus: awareness, behaviour & duties

SECONDARY RESEARCH (DOCTRINAL & LITERATURE REVIEW)

- Consumer Protection Act, 2019
- E-Commerce Rules & CCPA Guidelines
- Case laws, government reports & journals

COMPREHENSIVE ASSESSMENT OF
DIGITAL CONSUMER PROTECTION

Research Question

How can digital consumer protection in India be strengthened in light of the challenges faced by consumers in the digital marketplace, the role of consumer duties in exercising rights, and the need for legal and regulatory reforms?

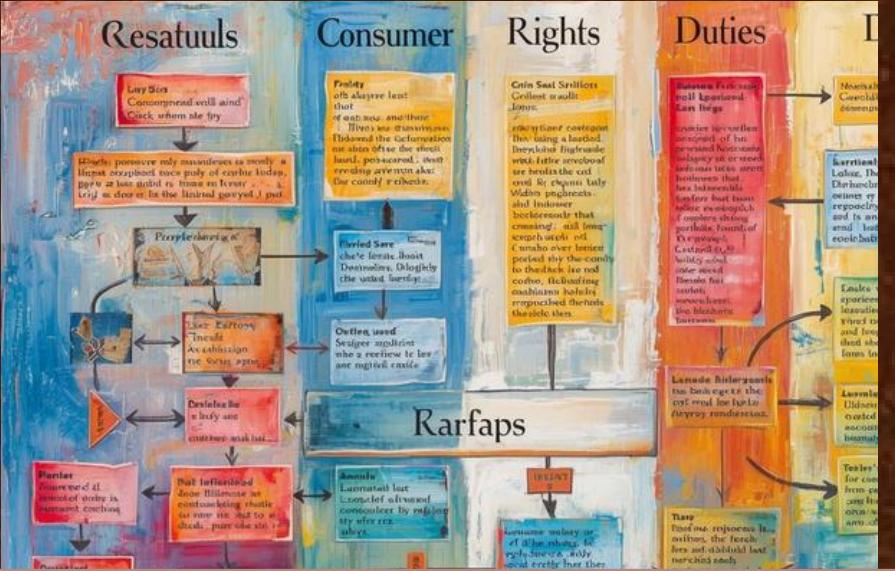
Research Objectives

OBJECTIVE 1



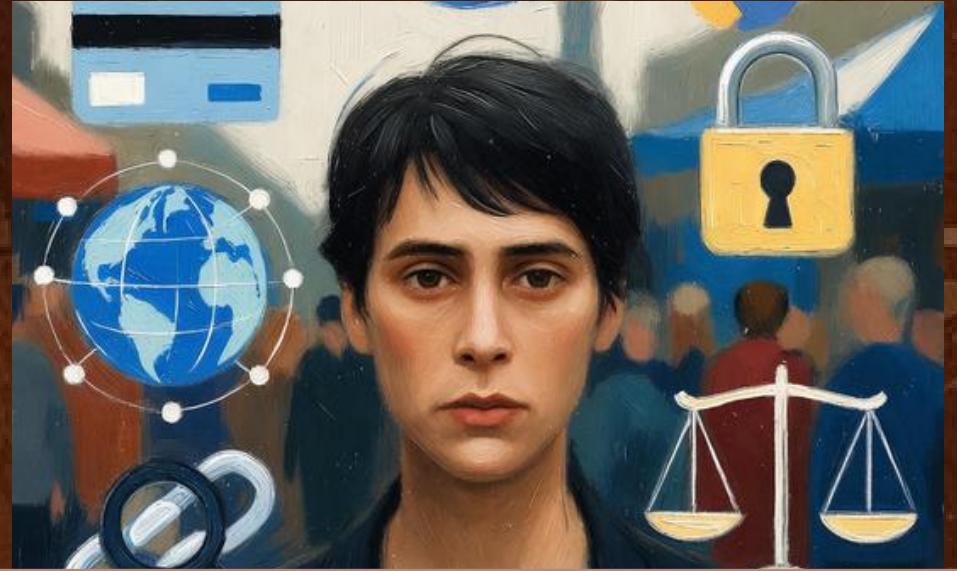
To examine the major problems faced by consumers in the digital marketplace and loopholes in existing consumer laws.

OBJECTIVE 2



To analyse the duties and responsibilities of consumers in exercising their rights and making informed decisions.

OBJECTIVE 3



To evaluate regulatory measures and international practices that India can adopt to strengthen consumer protection in the digital market environment.

Literature Review

1 Ashreet Achary (2023)

Examines online marketplace liability in India & safe harbour protections and fallback liability.

2 Karishma A. et al.

Explores greenwashing practices within the Indian context & regulatory gaps

3 LocalCircles' Surveys

Empirical data on consumer experiences with quick-commerce services.

4 Binnuri and R. (2024)

Consumers, purchasing decisions carry social and sustainability responsibilities.

5 Jhinkwan et al. (2024)

Shows that influencer driven digital advertising significantly shapes consumer behaviour.

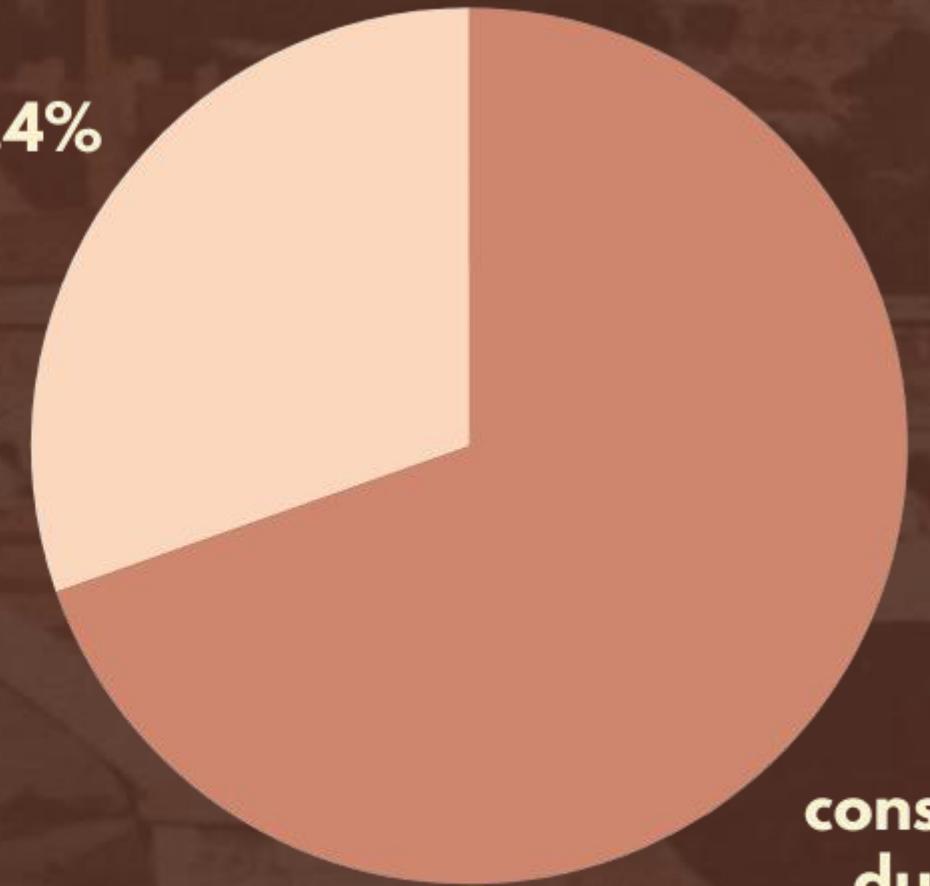
6 Yadav et al. (2025)

Emphasises that whilst laws address misleading advertisements, consumer vigilance

CHALLENGES IDENTIFIED

DARK PATTERNS & INFORMATION MANIPULATION IN DIGITAL COMMERCE

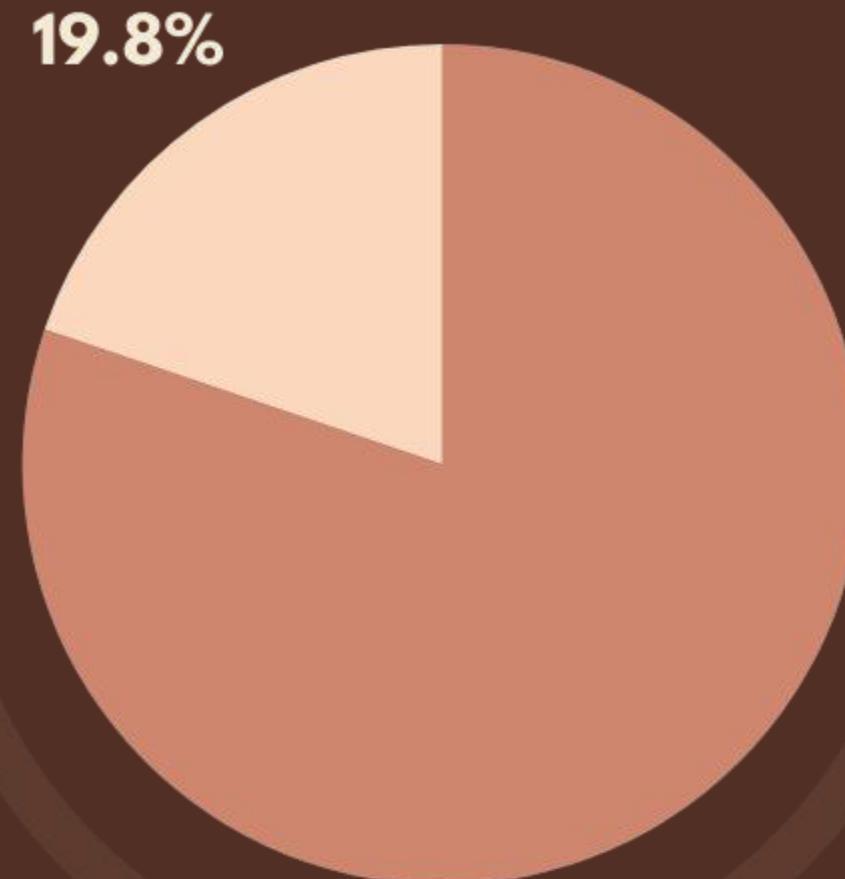
- **False urgency through countdown timers & "limited stock" claims**
- **Disguised advertisements and interface manipulation**
- **Consumers nudged into uninformed or rushed decisions**



consumers panic-buy
due to countdown
timers
69.6%

CHALLENGES IDENTIFIED

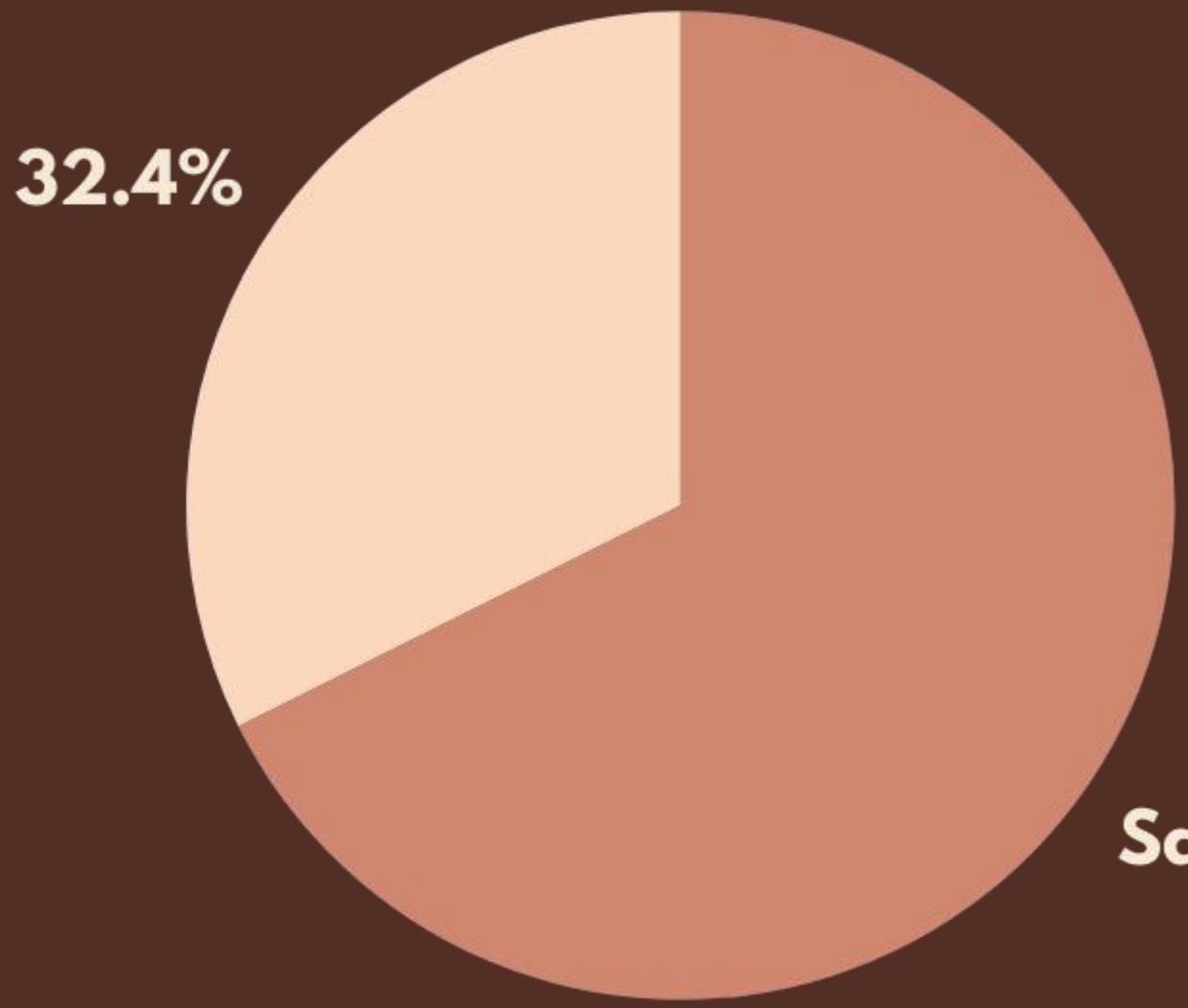
- **Hidden charges revealed only at checkout (drip pricing)**
- **Phishing links, fake customer-care numbers & OTP scams**



check for extra
'Hidden Fees' at
checkout
80.2%

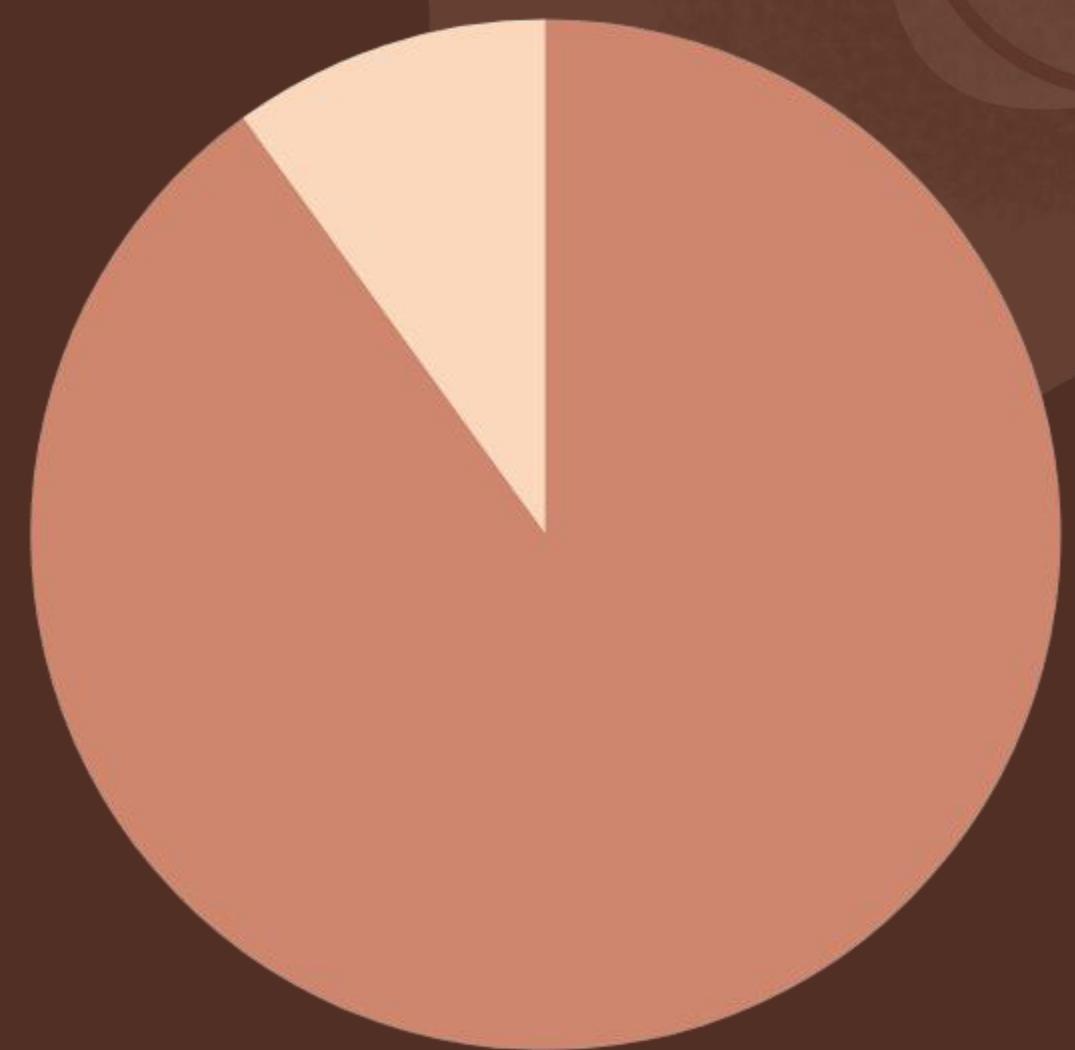


- **Fake online sellers on websites & social-media platforms**
- **UPI frauds during payments, refunds & order cancellations**
- **Saved card details increase the risk of unauthorized transactions**



**Save card details
for faster
checkout
67.6%**

10%



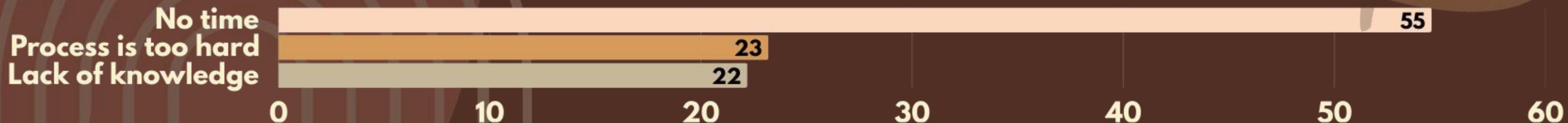
**checking whether the
website is secure before
making purchase
90%**



CHALLENGES IDENTIFIED

INADEQUATE REDRESSAL MECHANISMS & UNDER-REPORTING BY CONSUMERS

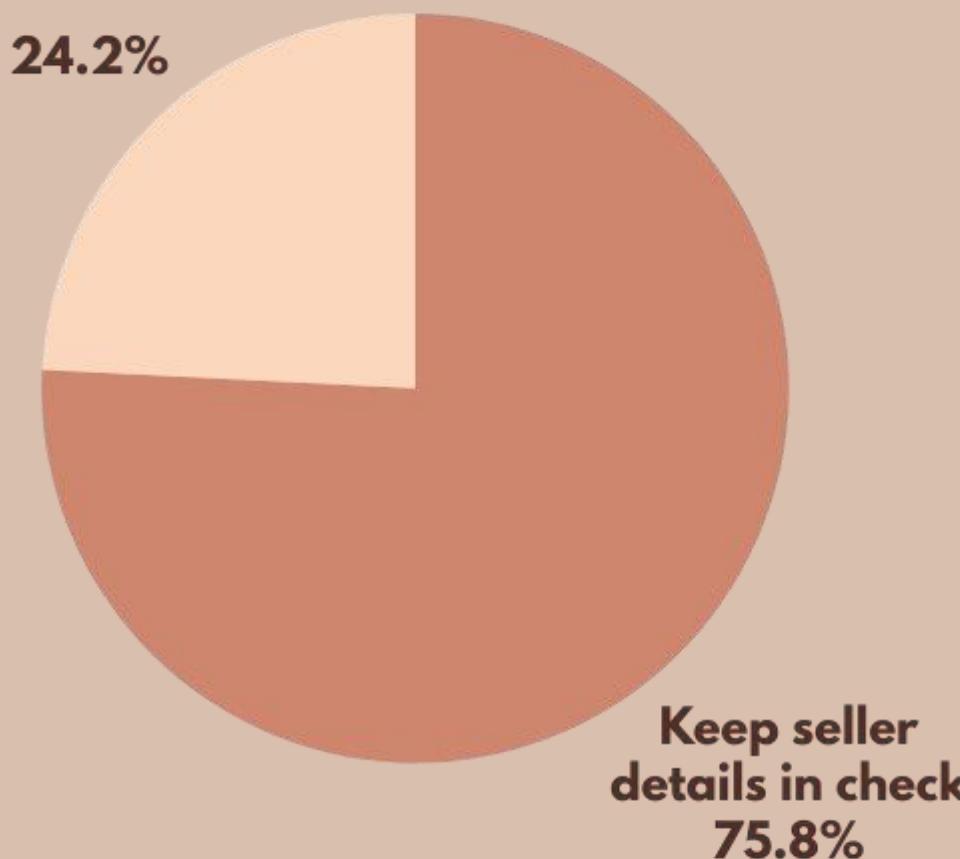
What are the main reasons for not filing complaints?



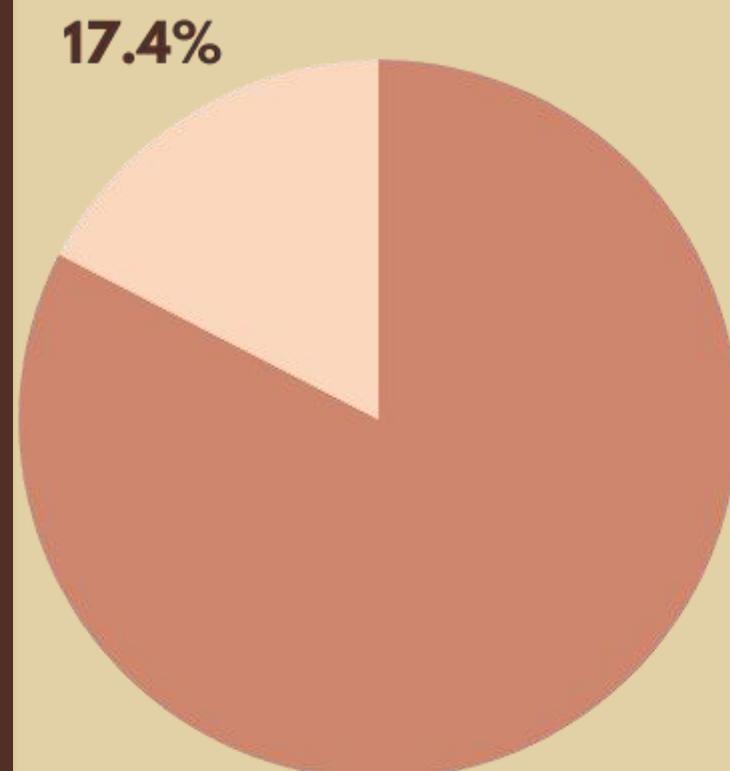
- Low awareness of formal consumer grievance platforms
- Complaint filing is seen as time-consuming and complex
- Small-value losses often go unreported
- Limited trust in refunds and platform accountability
- Loopholes in Consumer Laws, Regulations, and Guidelines

CONSUMER DUTIES IN THE DIGITAL MARKETPLACE

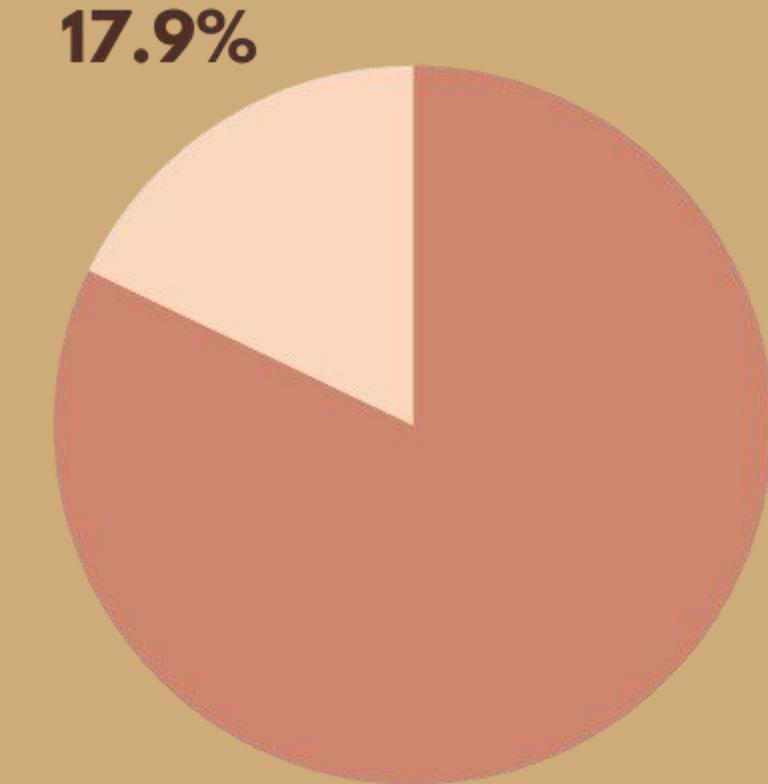
- Stay digitally vigilant against scams and deceptive designs.
- Protect personal data and payment credentials.



- Preserve transaction records for accountability.
- Use grievance mechanisms responsibly and timely manner.



- Make informed, ethical, and sustainable consumption choices.
- Duty to think critically about digital influence and advertising.



RECOMMENDATIONS & WAY FORWARD

TECH-ENABLED ENFORCEMENT & CONSUMER EMPOWERMENT

- 1. Codify drip pricing & dark patterns as enforceable offences**
- 2. Mandate all-inclusive, upfront price display on platforms**
- 3. Fix platform liability for counterfeits and seller misconduct**
- 4. Clear penalty benchmarks linked to turnover, also penalise repeated offenders.**

RECOMMENDATIONS & WAY FORWARD

- 1. Transform CCPA into a proactive, tech-enabled regulator, simplifying the redressal process.**
- 2. Enable one-click reporting and mandatory platform audits**
- 3. Safeguard consumers against data misuse and behavioural targeting**
- 4. Revamp the “Jago Grahak Jago” movement**



CONCLUSIO

- Digital markets have reshaped consumer participation and risks
- Legal protections exist, but enforcement gaps persist in practice
- Survey findings reveal high awareness but weak exercise of consumer duties
- Effective consumer protection requires shared responsibility
- Strong regulation and informed consumers are key to fair digital markets

