

Chapter-5

CONSUMER RIGHTS IN THE MARKETPLACE: A LEGAL AND ECONOMIC ANALYSIS

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ABSTRACT

A consumer is a person who consumes or purchases goods and services and has a right to be protected against such purchased goods and services in terms of their quality, quantity, immaculacy, and price. According to John F. Kennedy, "consumer by definition includes everyone." According to Mahatma Gandhi, "A consumer is the most important visitor on our premises. He is not dependent on us; we are dependent on him." There is a great history of consumer exploitation behind Darwinism of consumer rights and the protection of such rights. Consumers play a very foremost role in the economy, as without consumerism, the whole economy will disintegrate. To end the exploitation of consumers and unfair trade practices in the market, certain laws are made to protect consumers and their rights, out of which the Consumer Protection Act is one of the prominent laws in India that deals with matters relating to violations of consumer rights and consumers' grievances. There are certain implications of the Indian constitution that can also be applied to consumers, such as Articles 19, 39, and 43, and certain global guidelines are also there for consumer protection at the international level. Various agencies are also there that deal with unfair trade disputes, like consumer codes, the government, and consumer organizations. But besides these laws, consumers are still not fully aware of their rights. Consumer education becomes very crucial, which will create awareness among consumers regarding their rights, responsibilities, and duties. So, to deal with all consumer condemnations and violations of their rights, various penalties are also prescribed through some rules and legislation.

Keywords: Consumerism, Exploitation, Grievance, Indian Constitution, Penalty.

INTRODUCTION

Consumers are the backbone of any economy, playing a pivotal role in driving production, innovation, and overall economic sustainability. In a market-driven economy, consumer demand not only determines the supply of goods and services but also influences policy-making and economic priorities. The Consumer Protection Act of 2019 defines a consumer as *an individual who purchases goods or avails services for personal use, explicitly excluding purchases made for resale or commercial purposes*.¹ This legal definition forms the foundation for safeguarding consumer rights against exploitation and ensuring a fair and equitable marketplace.

¹ Consumer Protection Act 1986, s 2(1)(d)

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