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CLICK, PAY, REGRET: CONSUMER PROTECTION IN E-COMMERCE AND TRANSPORTATION IN INDIA

Rights, Remedies and Challenges

Abstract

Somewhere in India right now, a person is watching a delivery tracker that has said "out for delivery" since Tuesday. Another is watching a cab fare climb while the driver circles the block. A third has just paid for a "limited time offer" that has, curiously, been limited since March. Digital technology has made buying goods and booking journeys faster than ever, but it has also brought misleading advertisements, defective and counterfeit products, hidden charges, fake reviews, data breaches, delayed deliveries, arbitrary cancellation fees and customer support that consists largely of a chatbot saying "we understand your concern."

This article examines how Indian law responds. It studies the Consumer Protection Act, 2019 and the Consumer Protection (E-Commerce) Rules, 2020, sets out the rights consumers hold in online shopping and transportation services, lists the remedies available when those rights are violated, and discusses the practical problems that keep the law from working as well as it should. The argument is that the legal framework is a sound foundation, but a law that few people read, and that a platform can quietly outwait, protects only half as much as it promises. Enforcement, transparency, accountability and awareness must catch up with the technology.

Keywords: consumer protection; e-commerce; transportation; consumer rights; remedies; digital marketplace; Consumer Protection Act, 2019

Introduction

A fair economy rests on a simple bargain: the buyer pays, and the seller delivers what was promised. Consumer protection is the body of law that holds both sides to it. Every consumer is entitled to goods and services of acceptable quality and to protection from unfair and deceptive business practices.

For most of history that bargain was struck face to face. A buyer could pick up the mango, squeeze it, argue about the price and walk away. The internet changed this. A consumer can now compare prices, read reviews, pay and chat with a seller without leaving the sofa, and can book a cab, a train berth or a dinner delivery with a thumb. The shop has become a screen, and the shopkeeper is often an algorithm.

Convenience, however, came with a price that was not always printed on the screen. Consumers now meet defective and counterfeit products, reviews written by people who never saw the product, delivery dates that behave more like suggestions, slow or missing refunds, unauthorised transactions and sellers who cannot be found. In transport the complaints are equally familiar: fares that jump without warning, cancellation charges, long delays, safety worries and refund disputes.

The Consumer Protection Act, 2019 was drafted with this changed world in mind.[1] The Consumer Protection (E-Commerce) Rules, 2020 add specific duties for online sellers and platforms.[2] This article is doctrinal in method. It relies on statutes, rules, regulatory guidelines and judicial decisions rather than on survey data, and it asks two questions: what rights does a consumer hold in these two sectors, and how far can those rights be enforced in practice?

2. What Consumer Protection Means

Consumer protection is the set of laws, policies, institutions and processes that shield buyers from unfair, deceptive, unsafe or exploitative practices. It aims to make sure that consumers:

- receive safe goods and services of reasonable quality;
- get accurate information before they buy;

[1]Consumer Protection Act 2019 (Act 35 of 2019). Most of its provisions came into force on 20 July 2020.
[2]Consumer Protection (E-Commerce) Rules 2020, G.S.R. 462(E) (23 July 2020), made under the Consumer Protection Act 2019.

- are not caught by unfair trade practices;
- enjoy a genuine freedom of choice;
- can claim compensation for loss or injury;
- have a place to take their complaints; and
- are treated fairly by businesses.

The need is easy to see. A consumer is usually one person with a phone and a limited amount of patience. The other side is often a large company with a legal team, a terms-and-conditions page of forty thousand words and a thorough understanding of how rarely anyone reads it. Consumer law exists because that imbalance is real.

3. The Legal Framework in India

3.1 The Consumer Protection Act, 2019

The Consumer Protection Act, 2019 is the main law on consumer rights and remedies in India. It replaced the Consumer Protection Act, 1986 and brought in provisions suited to modern commerce. It defines and guards against defective goods, deficiency in services, unfair trade practices, restrictive trade practices, misleading advertisements and certain unfair contract terms.[3]

The Act also created the Central Consumer Protection Authority (CCPA). The CCPA can investigate violations, order the recall of unsafe goods, direct businesses to stop unfair practices and act against misleading advertisements.[4] It is, in effect, a regulator whose whole job is to take the consumer's side. This fits the Supreme Court's long-standing view that consumer legislation is remedial and should be read generously in favour of the consumer.[5]

3.2 The Consumer Protection (E-Commerce) Rules, 2020

The E-Commerce Rules apply to goods and services bought or sold over digital or electronic networks. They place duties on e-commerce entities, and further duties on marketplace platforms, in areas such as disclosure of important information, seller details, return, refund and cancellation terms, transparency in transactions and grievance redressal.[6] The idea is

[3]Consumer Protection Act 2019, s 2(10) (defect), s 2(11) (deficiency), s 2(28) (misleading advertisement), s 2(46) (unfair contract) and s 2(47) (unfair trade practice).
[4]Consumer Protection Act 2019, ss 10 (establishment of the Central Consumer Protection Authority), 18 (powers and functions), 20 (recall of goods and discontinuation of practices) and 21 (misleading advertisements).
[5]Lucknow Development Authority v M K Gupta (1994) 1 SCC 243.
[6]Consumer Protection (E-Commerce) Rules 2020, r 4 (duties of e-commerce entities) and r 5 (duties of marketplace e-commerce entities).

modest and sensible: the ease of clicking “Buy Now” should not come at the cost of the buyer’s rights.

4. E-Commerce: Wonderful, Until It Is Not

E-commerce means buying and selling through digital platforms, including online marketplaces, brand websites, food delivery apps and travel booking sites. Its benefits are easy to list, and most of us enjoy them daily:

- **Convenience.** One can shop in pyjamas, and nobody will know.
- **Wider choice.** Sellers from across the country are a few taps away.
- **Price comparison.** The cheapest option takes minutes to find, not an afternoon.
- **Information.** Descriptions, specifications and reviews are on hand.
- **Digital payments.** Transactions finish in seconds.
- **Home delivery.** The product comes to the buyer.

The risks sit right beside the benefits, and they are the reason the rest of this article exists.

5. Consumer Rights in E-Commerce

The Act recognises six consumer rights.[7] Each has a particular meaning in the online setting.

5.1 Right to information

A consumer is entitled to accurate and adequate information about what is being sold: price, quantity, quality, features, seller details, delivery terms, return and refund policies, warranty and any applicable charges. Hiding or misstating important information can amount to an unfair trade practice. A price that grows three extra charges between the cart and the payment page is a good example of the problem this right is meant to solve.

5.2 Right to safety

Consumers are protected against goods and services that are hazardous to life or property. A platform should not become a convenient shop window for unsafe or prohibited products.

5.3 Right to choose

Consumers should have reasonable access to a range of goods and services at competitive prices, without unfair restrictions on what they may pick.

[7]Consumer Protection Act 2019, s 2(9), which lists the rights to safety, information, assured access, to be heard, to seek redressal and to consumer awareness.

5.4 Right to be heard

Consumers' interests deserve proper consideration by the authorities and by grievance mechanisms. For platforms, this means a complaint channel that people can actually reach. The E-Commerce Rules require a grievance officer, who must acknowledge a complaint within forty-eight hours and resolve it within one month.[8]

5.5 Right to seek redressal

When goods are defective, services fall short or an unfair trade practice has occurred, the consumer has a right to a remedy.

5.6 Right to consumer awareness

Consumers are entitled to the knowledge they need to make informed choices. This matters a great deal online, where a single purchase may come with terms that few people read and fewer understand.

6. Transportation Goes Digital

Transport has changed as much as shopping. Taxis, buses, trains, flights, rental vehicles and shared rides can all be booked through apps and websites. The consumer may deal with app-based cab services, online bus and rail booking platforms, airline booking sites, ride-sharing services, courier and logistics companies, vehicle rental platforms and delivery services.

The convenience is real. So are the disputes, and a passenger standing on a pavement at midnight has fewer options than a shopper who can simply close a browser tab.

7. Consumer Rights in Transportation Services

7.1 Right to safe transportation

The most basic right of any passenger is reasonable safety. Providers are expected to follow appropriate safety standards and run their services responsibly.

7.2 Right to transparent pricing

Passengers should know the fare and any extra charges before or during the transaction. A platform should be clear about booking fees, cancellation charges, tolls and other add-ons. The Motor Vehicles Aggregator Guidelines, 2025 now address this directly: they allow dynamic pricing up to twice the base fare, fix a cap on cancellation charges, and require

[8]Consumer Protection (E-Commerce) Rules 2020, r 4(5), which requires a grievance officer to acknowledge a complaint within forty-eight hours and redress it within one month.

aggregators to state the valid grounds for cancellation on their apps.[9] Hidden charges defeat informed choice, and a fare that is explained only after the ride is not really an explanation.

7.3 Right to quality service

A consumer can reasonably expect the service to match what the provider promised. Unreasonable delays, failure to provide the booked service and other deficiencies can give rise to a legitimate grievance, depending on the facts.

7.4 Right to a refund

Where a service is cancelled or not delivered according to the applicable terms, the consumer may be entitled to a refund or other suitable relief. The extent of the refund depends on the contract, the booking terms and the circumstances.

7.5 Right to grievance redressal

Transport providers should offer proper channels for complaints about fares, cancellations, delays, safety, refunds and service quality.

8. Remedies: What a Consumer Can Actually Do

8.1 Filing a complaint

A consumer can approach the appropriate Consumer Commission with a complaint about defective goods, deficiency in services, unfair trade practices and related matters. The Act sets up a three-tier structure: the District Consumer Disputes Redressal Commission, the State Commission and the National Commission. Which one hears a case depends mainly on the value of the goods or service paid for. Under the 2021 rules, the District Commission hears claims up to ₹50 lakh, the State Commission those above that and up to ₹2 crore, and the National Commission anything higher.[10]

Online disputes raise an obvious question: where does one file when the seller is in another city? The Act helps here. A complaint may be filed where the complainant resides or

[9]Ministry of Road Transport and Highways, Motor Vehicles Aggregator Guidelines 2025 (1 July 2025). The guidelines allow dynamic pricing of up to twice the state-notified base fare, permit fares as low as half of it, and fix a charge of 10 per cent of the fare, capped at ₹100, for cancellations without a valid reason. They operate through adoption by the States.

[10]Consumer Protection (Jurisdiction of the District Commission, the State Commission and the National Commission) Rules 2021, read with Consumer Protection Act 2019, ss 34, 47 and 58. The relevant value is the consideration paid for the goods or service.

personally works for gain, and it may be filed electronically.[11] The National Consumer Helpline (1915) offers help before a formal complaint is made.

8.2 Refund, replacement and repair

Where goods or services were not provided as promised, the consumer may seek a refund. If a platform takes the money and never delivers the product, this is the obvious remedy. For defective goods, a consumer may ask for a replacement or, where suitable, a repair.

8.3 Compensation

Consumers can seek compensation for loss or injury caused by defective goods, deficient services or other recognised violations. The amount depends on the facts and the applicable law.

8.4 Stopping unfair practices and misleading advertisements

The authorities can direct a business to stop an unfair trade practice, and the CCPA has regulatory powers over consumer rights and misleading advertisements in general. The law also provides ways to act against misleading advertisements and the entities responsible for them, in the circumstances the legislation covers.

9. Where E-Commerce Protection Falls Short

Having rights on paper and having them in practice are two different things. The main gaps in online shopping are these.

Low awareness. Many consumers do not know their rights or the remedies available. People who do not know they can complain tend not to, and businesses are aware of this.

Misleading advertisements and interface tricks. A single advertisement can reach millions in minutes, and exaggerated claims about discounts, quality or performance can shape a purchase before anyone has a chance to check them. Misleading design is a related problem: countdown timers that reset, pre-ticked boxes and subscriptions that are easy to join and hard to leave. Regulators now treat these "dark patterns" as a distinct unfair practice.[12]

Fake reviews. Reviews are the modern equivalent of asking the neighbour. When they are written, bought or manipulated, the neighbour turns out to be on the seller's payroll. India has

[11]Consumer Protection Act 2019, s 34(2)(d) (a complaint may be filed where the complainant resides or personally works for gain) and s 35 (complaints may be filed electronically). The Department of Consumer Affairs runs the e-Daakhil filing portal and the National Consumer Helpline (1915).

[12]Central Consumer Protection Authority, Guidelines for Prevention and Regulation of Dark Patterns 2023 (30 November 2023).

a standard on the collection and publication of online reviews, but it is a standard and not a statute.[13]

Data privacy and cybersecurity. Online buying means sharing personal and financial details. Data breaches, identity theft, phishing and unauthorised transactions are serious risks, and a consumer usually cannot judge how well a platform protects their information. Privacy is now a recognised fundamental right, and Parliament has enacted a dedicated data protection law.[14]

Counterfeit products. Marketplaces can be used to sell fake or substandard goods, and a buyer cannot pick up and inspect an item before paying.

Hard-to-find sellers. When something goes wrong, it is not always clear who the actual seller is or who bears legal responsibility for the transaction.

Complicated terms and conditions. Long, dense online contracts make it hard for an ordinary consumer to understand what they have agreed to. Most people scroll to the bottom and click "I agree," which is a strategy, though not an informed one.

10. Where Transportation Protection Falls Short

Transport has its own set of trouble spots.

Dynamic pricing. Fares that move with demand are hard to predict and harder to understand. The 2025 guidelines place a ceiling on surge fares, but a ceiling is not an explanation, and a passenger may still not know why the same trip costs twice as much as it did yesterday. The guidelines also reach consumers only as fast as the States adopt them.

Cancellation charges. Surprising or excessive cancellation fees are a steady source of disputes, which is why the capped and disclosed charge under the 2025 guidelines is a welcome step.

Delays and poor service. Late arrivals, cancelled bookings, failure to deliver the booked service and weak customer support all hurt passengers.

Passenger safety. Safety remains the biggest concern, especially for app-based services.

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[13]Bureau of Indian Standards, IS 19000:2022, Online Consumer Reviews: Principles and Requirements for their Collection, Moderation and Publication (2022).

[14]Justice K S Puttaswamy (Retd) v Union of India (2017) 10 SCC 1; Digital Personal Data Protection Act 2023 (Act 22 of 2023).

Weak grievance handling. When complaints are dealt with mainly by automated systems, passengers struggle to reach a person who can actually decide anything.

Jurisdiction. A digital transport service can involve a passenger, a driver, a platform and other providers in different places. Working out who is responsible, and where to bring a complaint, is not always simple, although the rule that allows filing at the complainant's residence has eased the second question.

11. Technology: Part of the Problem, Part of the Cure

The technology that created these difficulties can also help solve them. Platforms can offer real-time complaint tracking, electronic receipts, automated refunds, transaction histories, identity verification, fraud detection, transparent pricing and online dispute resolution. Data analysis and artificial intelligence can help spot fraud and patterns of unfair practice that a human reviewer might miss.

There is one important limit. Technology should support human accountability and legal remedies, not replace them. A refund process that ends in an endless loop of automated replies is a design choice, and a poor one.

12. Suggestions for Improvement

Several steps would make consumer protection more effective in both sectors.

1. **Raise consumer awareness.** Teach people about their rights, return policies, refund processes and how to complain.
2. **Improve transparency.** Businesses should state prices, extra charges, seller details, cancellation policies and key terms clearly and early.
3. **Strengthen grievance redressal.** Platforms should offer complaint channels that are responsive and reachable by a human being, not only by automation.
4. **Regulate misleading digital practices.** Authorities should keep watching misleading advertisements, fake reviews, deceptive discounts and similar tactics.
5. **Protect consumer data.** Businesses should adopt strong cybersecurity measures and treat personal information as something held on trust.
6. **Ensure platform accountability.** Platforms should take responsibility for transparency and for complying with consumer protection requirements.

7. **Promote online dispute resolution.** Fast, affordable online resolution lets consumers obtain remedies without the delay and cost of long litigation.

13. Conclusion

E-commerce and app-based transport have given consumers a degree of convenience, choice and access that earlier generations could hardly have imagined. They have also created new ways for consumers to be misled, overcharged, delayed and ignored.

The Consumer Protection Act, 2019 and the Consumer Protection (E-Commerce) Rules, 2020 give India a sound legal base. Consumers hold rights to information, safety, choice, a hearing and redress, and can seek refunds, replacements, repairs, compensation and other relief through the consumer dispute system. Recent measures on dark patterns and aggregator services show the framework is still growing.

Still, legislation alone cannot carry the load. A right that cannot be exercised easily is a right in name only. What is needed on top of the statute is steady enforcement, honest business practice, transparent platforms, working grievance systems, strong data security and a public that knows what it is entitled to.

The goal is a balance between technological innovation and consumer welfare. Platforms that compete on convenience and profit should also compete on fairness, transparency, safety and accountability. A framework that delivers on those points will build trust in India's digital economy, and trust, in the end, is what makes people click "Buy" in the first place.

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