

The Right to Know Green: Consumer Autonomy and Environmental Accountability in India's Digital Marketplace Under the Consumer Protection Act, 2019

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Abstract—Causes such as environmental degradation and climate change are creating an ever-growing awareness to a large part of the public, ensuring high demand for products marketed as being sustainable, eco-friendly, organic and environmentally responsible. Consequently, too many corporations are now seeing environmental claims as a feature in their marketing. Digital markets, influencer marketing, algorithmic recommendation systems, and artificial intelligence advertising have all reshaped the consumer experience when it comes to how they are buying and consuming environmental information.

The way consumers buy and consume their information about the environment has changed over the years, and with the modern influx of digital marketplaces, influencer marketing, algorithmic recommendation systems, and artificial intelligence, the channels are not going away anytime soon. These innovations have made it easier for consumers to access information, but have also opened the door to a variety of possibilities including environmental claims that aren't based on fact, information asymmetry, and manipulation of customer preferences. In such circumstances, the point of self-determination on the consumer side and the capacity for informed choices that are autonomously made are dimensioned legally as well as ecologically.

This article takes a look at the Consumer Protection Act, 2019's "Right to Know Green" provision as a new facet of consumer rights. It is the position of the paper that consumer agency rests on the ability to access credible environmental data in the digital age. The study explores this intersection of consumer rights and environmental rights by examining the processes of eco-labelling, environmental disclosures, green marketing strategies, and the influence of digital platforms on consumer choices. It then explores the provisions of the Consumer Protection Act, 2019 relating to consumer rights and obligations, deceptive advertising and practices, and unfair trade, with a particular focus on how the Act addresses environmental misinformation.

The article not only examines modern problems created by the effects of the digital market and new technology, but also focuses on the constitutional basis for the protection of the consumer and environment. The paper highlights the importance of more extensive regulatory frameworks based on sustainable development theories, environmental law, and constitutional law frameworks thinking throughout the world. It concludes that it is needful to have environmentally correct information available to consumers in order to achieve more sustainable purchasing, more consumer agency, and greater progress towards environmental justice in the digital economy.

Index Terms—sustainable consumption, eco-labelling, green marketing, environmental justice, consumer autonomy, environmental accountability, right to know, Consumer Protection Act, 2019.

I. INTRODUCTION

Many people think that protecting the environment is one thing and protecting consumers' welfare is another. Traditional environmental law has focused on ways to minimise pollution, conserve natural resources, and promote ecological sustainability, whereas traditional consumer law has focused on issues of product quality, cost, safety, and fair trade practices.² Nevertheless, the market now has demonstrated that these two disciplines are very similar.

Today's shoppers consider the impact of their purchases more when making an on-screen purchase. The increased consumer demand for companies to be environmentally friendly comes in the wake of increasing awareness of climate change, plastic/waste pollution, biodiversity loss, carbon emissions, and more. This is giving rise to a "green economy" with

environmental sustainability becoming an important marketing tool.

When companies talk about their products being "organically grown/sourced," "sustainable," "biodegradable," "recyclable," and "carbon neutral," they are attempting to imply these characteristics. Statements such as these can encourage sustainable consumption, but can also cause consumer confusion, which might be harmful when there is insufficient evidence. Often times companies exploit the customers' anxiety about the environment by making claims which are too vague and too sweeping. Such techniques hamper the consumer's choice and ability to make informed decisions.

This is taking on greater challenges in today's digital economy. Digital platforms can interact, influence, and target customers using behavioural analytics, tailored suggestions, and specific marketing. A growing number of consumers are being exposed to "cherry-picked" data. Digital persuasion therefore can diminish the consumer freedom to make choices because buying decisions are effected while consumers are unaware of what is being done to them.

In this case, the "Right to Know Green" is an important legal issue. Consumers have the right to information about environmental effects of a product or service, which is readily accessible, reliable, accurate, and understandable. The right encompasses more than traditional consumer protection, including the greater issues of responsibility and sustainable development in the context of the environment.

The Consumer Protection Act, 2019 is an important piece of legislation to safeguard consumers in India. It not only acknowledges consumers' rights but also prohibits unfair trade practices, misleading advertising, etc., and establishes institutional structures to address and resolve consumers' complaints. In the field of law, it remains a question whether these measures are successful in combating environmental misinformation.

This paper establishes that having access to reliable and accurate environmental information is a precondition to enabling consumers to exercise real freedom of choice, and to participating effectively in the process of consumptive sustainability. As a result, consumer protection legislation must focus on the principle of increasing responsibility for environmental protection.

II. RESEARCH OBJECTIVES

This research aims to accomplish the following:

- To discuss the autonomy of the consumer when it comes to information about the environment.
- To examine the effects of the digital market on consumers' decisions.
- To assess how well the Consumer Protection Act of 2019 regulates false environmental claims.
- To deduce how consumer rights relate to environmental rights.
- To determine appropriate legislative and policy actions to enhance environmental responsibility.

III. RESEARCH QUESTIONS

1. What does "the right to know green" entail for consumers and why is it important?
2. How does the digital market affect the eco-conscious consumer in the choices they make?
3. What measures does the Consumer Protection Act, 2019 offer when an environmental claim description is misleading?
4. What are potential ways of making online markets more environmentally responsible?

IV. RESEARCH METHODOLOGY

The current research was conducted using a doctrinal and analytical approach and was based on various primary and secondary sources such as the Constitution of India,³ the Consumer Protection Act, 2019,⁴ environmental laws, judicial rulings, and government regulations.

The study adopts a qualitative analysis approach to examine the developments of digital governance, environmental protection, and consumer rights in the past. It also proactively examines how the regulatory approach has performed in other countries, looking toward the establishment of good practices and opportunities for improvement.

V. CONSUMER AUTONOMY AND THE RIGHT TO KNOW GREEN

Autonomy is the degree of independence a consumer has when sensibly making her/his own purchases.⁵ It includes the freedom of choice about acquisition and

the use of commodities and services. It is therefore a basic element in today's consumer protection law. Having autonomy for customers is worth little if they don't have the information to enable them to make a choice.

The right to informed choice is an essential consumer right. In many cases, the amount of information that businesses know about items is greater than the amount of information that consumers know due to information asymmetries. Consumer protection is carried out by consumer protection laws, which prohibit deceptive activities on the market as well as enforce disclosure obligations.

In this context, environmental data has become important. People who want to buy items made in a sustainable way need to know how to tell which ones really fulfil environmental requirements.⁶ At the same time, sometimes it is not easy to confirm that the conditions are environmental. Unlike product pricing or physical quality, environmental aspects might not be obvious to customers as an immediate visual change.

Environmental claims, certifications, eco-labels, and disclosures are heavily relied on by customers. Purchasing choices and sustainability views are influenced by these information processes.

Thus, the "right to know green" is an extension of the right to know. Consumers are entitled to be informed of the environment's impact on his or her spending choices and this is recognized.⁷ This includes information on energy efficiency, environmental compliance, ethical sourcing, biodegradability, resource usage, recyclability, and carbon footprint.

Consumer agency, which is harmed by poor, incomplete, or misleading information on the environment, is therefore lost. It's possible that a consumer could unwittingly be coerced into financing unsustainable activities if a product promises to be eco-friendly. Individual consumers and environmental goals as a whole are hurt by such results.

Thus, two related goals are advanced by the right to know green:

1. It protects the purchaser against false information and deception.
2. It helps in making the more environmentally friendly decision, which leads to more sustainable purchasing.

Therefore, protecting consumers and protecting the environment are correlated objectives.

VI. CONSTITUTIONAL BASIS OF THE "RIGHT TO KNOW GREEN"

The right to know green is not mentioned in any specific place of the Indian Constitution, but can be deduced from provisions regarding life, environmental protection, and civic duty.⁸ Judicial interpretation has played a vital role in expanding and integrating environmental rights into more general constitutional policies.

The right to life and personal liberty of each and every individual cannot be taken away except by following the procedure established by law under Article 21 of the Constitution of India. The scope of Article 21 was earlier interpreted restrictively, but has now become much broader because of the wide array of substantive rights that the right to life encompasses—substantive rights essential to a decent life. Over and over again, the Supreme Court has held that the right to a clean environment is a fundamental part of the Constitution and is included in the article on the right to life.

In *Subhash Kumar v. State of Bihar* (1991),⁹ the Supreme Court held that clean air and water are part of the right to life. Similarly, in the landmark *M.C. Mehta v. Union of India* judgments, the Supreme Court laid the foundation for robust environmental laws which take a constitutional view of protecting the environment as crucial to good constitutional governance.

Article 48A provides for action and duty on the part of the State to ensure the preservation and enhancement of the environment, while Article 51A(g) casts a fundamental duty on individuals to protect and improve the natural environment.

One could make the case that these basic guarantees extend to the right to information with respect to environmental problems. Industry control isn't the only method for protecting the environment. Consumer behaviour has a significant impact on patterns of production, resource utilization, and environmental consequences. The responsibility for promoting sustainable development must be shouldered by consumers as well, and thus they should have access to accurate environmental information.

The constitutional principle of openness and informed decision-making also supports the recognition of environmental information as a consumer right. Information can lead to the benefit of everyone, citizens and customers alike. Accuracy of

environmental information and consumer sovereignty are adversely affected when accurate information is suppressed or when misinformation is presented.

Historically, consumer rights and environmental rights were considered two distinct areas of law. Modern environmental problems have exhibited the interconnectedness of these rights:

- Consumer Rights focus on ensuring safety, freedom of information, freedom of choice, and the opportunity to learn about products free from restrictions.
- Environmental Rights focus on environmental preservation, pollution reduction, intergenerational equity, and ecological protection.

Today, with growing concern for "green thinking" in consumption, these two areas are closely entangled. Consumers want details about greenhouse gas emissions, plastic content, recyclability, ethical procurement, and energy conservation. This information directly impacts buying decisions, making environmental disclosures a core consumer issue.

VII. PRINCIPLES OF SUSTAINABLE CONSUMPTION AND ENVIRONMENTAL JURISPRUDENCE

The development of concepts that uphold the right to know green has been greatly aided by Indian environmental jurisprudence.

A. Sustainable Development

Among the core principles of sustainable development is finding a balance between stimulating the economy and maintaining the environment. In *Vellore Citizens Welfare Forum v. Union of India* (1996),¹⁰ the Supreme Court of India recognized sustainable development as a part of domestic environmental law. Current consumption patterns must not damage the ability of future generations to meet their needs.

B. Precautionary Principle

In the absence of scientific certainty, the precautionary principle calls for preventive measures. Applied to environmental marketing, businesses should be required to provide evidence that supports their environmental claims. There is a strong rationale for legislative intervention when unsupported

environmental statements encourage harmful consumption.

C. Polluter Pays Principle

The Polluter Pays principle asserts that those who pollute must bear the cost of cleaning up. This can be extended to misrepresentation: businesses financially rewarded for spreading false information about their products' environmental benefits should be held accountable for that misinformation.

D. Public Trust Doctrine

The public trust doctrine recognizes the State's role as a trustee over natural resources for present and future generations. Trustworthy information allows consumers to make choices that actively support resource preservation.

VIII. DIGITAL MARKET INFLUENCE AND CONSUMER BEHAVIOR

The nature of information and consumer purchasing habits have shifted drastically with the advent of the digital economy. In traditional markets, customers evaluated products in person. Today's buyers increasingly rely on e-commerce platforms and social channels (e.g., Amazon, Flipkart, Myntra, Instagram, Facebook, YouTube). These platforms actively shape consumer behavior.¹¹

Digital platforms collect extensive data on browsing history, purchase patterns, search queries, location, and user preferences to build individual customer profiles. Algorithms determine product visibility, search rankings, and targeted advertisements.

AI and Algorithmic Consumer Persuasion

Artificial Intelligence (AI) systems process high volumes of data to predict and manipulate customer buying habits.¹²

1. Personalized Advertising: Consumers interested in sustainability are targeted with eco-focused ads. However, environmental accuracy is rarely prioritized over commercial engagement, leading to the rapid spread of unsubstantiated green claims.
2. Recommendation Algorithms: Recommendation engines suggest items based on past behavior and commercial incentives rather than objective environmental performance.

3. Influencer Marketing: Social media influencers reach millions with unverified sustainability endorsements, misleading buyers regarding actual environmental impact.
4. Behavioural Nudging: Platforms use cues like limited-time offers, popularity rankings, and artificial sustainability badges to manipulate buying choices while maintaining an illusion of neutrality.

IX. GREENWASHING: THE THREAT TO CONSUMER AUTONOMY

"Greenwashing"—the practice of making misleading or unsubstantiated claims about the environmental benefits of a product, service, or practice—is the primary threat to consumer autonomy.¹³

Examples include using vague terms like "eco-friendly" or "natural" without scientific evidence, utilizing green imagery to create false associations, and highlighting minor ecological steps while obscuring major environmental harms.

Greenwashing results in:

- Consumer Harm: Misleads buyers and causes them to pay premiums for ineffective claims.
- Market Distortion: Disadvantages truly sustainable companies competing against dishonest marketers.
- Environmental Harm: Undermines public confidence in legitimate green certification schemes.

X. CONSUMER PROTECTION ACT, 2019 AND ENVIRONMENTAL ACCOUNTABILITY

While environmental rights are not explicitly itemized as a separate chapter in the Consumer Protection Act, 2019,¹⁴ several existing provisions apply directly to environmental claims:

- Consumer Rights (Section 2(9)): Grants the right to be informed about the quality, quantity, potency, purity, standard, and price of goods or services to protect against unfair trade practices.
- Misleading Advertisements & Unfair Trade Practices (Section 2(47)): Prohibits false representations regarding product standards, characteristics, or benefits. Environmental claims lacking scientific proof fall under misleading representations.
- Central Consumer Protection Authority (CCPA): The CCPA holds regulatory powers to investigate

rights violations, recall unsafe goods, order the withdrawal of misleading advertisements, and impose financial penalties on endorsers and publishers.

XI. COMPARATIVE INTERNATIONAL PERSPECTIVES

- European Union: Developing stricter mandates (such as the Green Claims Directive) requiring scientific justification and independent verification for green claims before they reach consumers.
- United States: The Federal Trade Commission (FTC) enforces the *Green Guides*,¹⁵ which outline specific standards for eco-labeling, carbon offsets, and non-deceptive environmental claims.
- United Kingdom: The Competition and Markets Authority (CMA) enforces the *Green Claims Code*, requiring claims to be truthful, clear, accurate, and supported by robust evidence.

XII. RECOMMENDATIONS

1. Statutory Recognition: Explicitly include environmental transparency under the definition of the "Right to Information" in consumer legislation.
2. Mandatory Pre-Verification: Require verifiable scientific evidence for sweeping claims (e.g., "Net Zero", "Carbon Neutral", "100% Biodegradable").
3. Platform & AI Accountability: Enforce transparency standards on digital platforms, recommendation algorithms, and influencer promotions regarding sponsored green badges.
4. Standardized Eco-Labeling: Strengthen and update state-backed eco-label frameworks (such as the Ecomark scheme) to avoid reliance on vague third-party stamps.
5. CCPA Enforcement Guidelines: Issue dedicated administrative guidelines specifying penalties for greenwashing and misleading environmental advertisements.

XIII. CONCLUSION

The "Right to Know Green" is an essential evolution of consumer rights in the digital age. As environmental choices become central to personal consumption, the boundary between consumer rights and environmental

law naturally dissolves. Transparent, verified, and accessible environmental data empowers consumers, deters dishonest market tactics, and drives corporate accountability. Ensuring that environmental claims are truthful under frameworks like the Consumer Protection Act, 2019 is a critical step toward meaningful sustainable governance and consumer autonomy.

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