INTRODUCTION:

**Consumer Rights as new Human Rights:**

Human rights are traditionally divided into two groups, namely
• Civil and Political rights, and
• Economic, Social and Cultural rights (ESC) these also referred to as second and third generation rights.

In India, since Independence, most people can freely exercise and enjoy the fundamental rights and freedoms recognised and protected in the Constitution of the Republic of India most of which are civil and political rights. But how many people enjoy or even are aware of their Economic, Social and Consumer rights? ESC rights play an important role in people’s standard of living and should play a greater role in improving people’s opportunities in life.

An actual interpretation of the Constitution understands by some, but not all, consumer protection issues are considered rights.

The basic rights and freedoms to which all humans are considered to be entitled, often held to include the rights to life, liberty, equality, and a fair trial, freedom from slavery and torture, and freedom of thought and expression.

What is Human Rights? It is a right available to the human being irrespective to their caste, creed and culture since their birth. Why the consumer’s rights cannot be seen in the human rights angle as each and every human being starts consuming the movement he takes the birth on the earth.

These sights are supported by several International conventions and treaties, such as the United Nation's Universal Declaration of Human rights in 1948 (UDHR 1948), these include cultural, economic, and political rights, such as right to life, liberty, education and equality before law, and right of association, belief, free speech, information, religion, movement, and nationality. Promulgation of these rights is not binding on any country, but they serve as a standard of concern for people and form the basis of many modern national constitutions. Although they
were defined first by the Scottish philosopher John Locke (1632-1704) as absolute moral claims or entitlements to life, liberty, and property, the best-known expression of human rights is in the Virginia Declaration of Rights in 1776 which proclaims that "All men are by nature equally free and independent and have certain inherent rights, of which, when they enter a state of society, they cannot, by any compact, deprive or divest their posterity" called also fundamental rights.

According to the father of our nation Mahatma Gandhi, “A customer is the most important visitor of our business premises. He is not relying upon us. We are relying upon him. He is not caused any interruption in our work. We are there for him. He is a part of the business. We are not doing him any favor by serving him. He is doing us a favor by giving us an opportunity to serve him”.

But now a day the consumer is the forgotten man who is no longer remembered in the modern Indian economy. He is the least organized and the most centrifugal element in the circle of investment, production, Sale and Consumption, and is generally taken for granted as one who has any how to buy in order to live.

In order to maximize profits, many businessmen exploit consumers by supplying poor quality goods at higher prices. They adopt unfair trade practices such as adulteration, boarding, black-marketing, etc. As a result consumers do not get value for their money. Big business houses use their power for private gain and to the detriment of consumers. Consumers are exposed to physical, environmental and other hazards. They need to be protected from spurious, duplicate and adulterated products including medicine & life saving devices, pollution of air, water and noise, and misleading advertising.

This suggestion also raises the question of whether new human rights as the third generation of rights should be acknowledged as human rights. The assumption is that there are three generations of human rights. The first generation is dealing with civil and political rights while the second generation deals with economic, social, and cultural rights. Third generation rights encircle rights that have not been recognized as international human rights, but that were nevertheless approved by various organizations of the United
Nations’ Although some writers question the desirability of distinguishing between generations of human rights, this classification is nevertheless accepted by most.