Conclusions and Recommendations

10.1 Numerical abundance and nature of disputes filed at the Fora

22447 disputes were filed at the 13 District Fora in Kerala as on 31.10.1992 and the number of disputes disposed of till 30.4.1993 were 14448. Subject-wise classification of the disputes revealed that 54 per cent of them were regarding services, whereas only 19 per cent were accounted for goods. The remaining 27 per cent were grouped under the head 'others' since they were non-classified disputes. Majority of the disputes (76 per cent) regarding goods were about household durables followed by food items (14 per cent) and clothes (10 per cent). Disputes relating to services were topped by deficiencies in financial services (50 per cent), followed by household (31 per cent) and institutional (19 per cent) services. Therefore the expensive consumer durables and financial services are the main causes of consumer problems. Even though the COPRA, 1986 is intended to protect the poor Indian citizens it is mainly harvested by the financially well-to-do minorities.
10.2 Disposal time taken by the Fora

Kozhikode Forum disposed of the maximum number (253) of disputes relating to goods within the minimum stipulated period of four months whereas Alappuzha and Malappuram Fora disposed of the minimum number (8 each). The maximum number of disputes pertaining to goods pending disposal as on 30.4.1993 was at Ernakulam (605), followed by Thiruvananthapuram (201) and Kannur (129) Fora. Disputes pending disposal in percentage was maximum at Malappuram (61 per cent), followed by Ernakulam (58 per cent), Thiruvananthapuram (48 per cent) and Kannur (46 per cent) Fora.

Within the minimum stipulated time (four months) for disposal, Kottayam Forum disposed of the maximum number (279) of disputes pertaining to services while it was the minimum (16) at Malappuram Forum. The disputes, regarding services pending disposal, were maximum (1256) at Ernakulam and minimum (49) at Idukki. However, percentage-wise pending disputes were maximum at Malappuram Forum (74 per cent) followed by Ernakulam (65 per cent) and Kannur (53 per cent).

Within the stipulated minimum time for disposal, Kozhikode Forum disposed of maximum number (203) of 'Others' (other disputes), whereas Malappuram and Alappuzha Fora disposed of the minimum (18 each). 'Others' pending disposal were maximum (647) at Ernakulam and minimum (30) at Idukki whereas percentage-wise cases pending disposal were maximum at Malappuram (68 per cent) and minimum at Idukki (12 per cent).
Majority of disputes pertaining to goods (56 per cent), 'Others' (55 per cent) and services (50 per cent) were disposed of within 16 months of filing the disputes.

The disputes pending disposal were more in the case of disputes pertaining to services (4458) compared to the disputes pertaining to goods (1434) and 'Others' (2112) at the time of the survey.

The disposal rates of disputes varied from Forum to Forum and from period to period. Hence, the first hypothesis that there is inter-district variation in the time taken for the disposal of disputes filed in the Fora is proved.

10.3 Reasons for delay in disposal of disputes were similar in the case of all the Fora. They are in the order of

1 Insufficient and inexperienced staff.
2 Ever-increasing number of complaints and high pendency of disputes.
3 Frequent adjournments of hearing to suit the lawyers.
4 Delay in filling up the vacancies arising in the Fora, and
5 Lack of funds.

Kendall co-efficient of concordance showed a high degree of agreement among the members and the Chi-square value proved that the agreement was statistically significant. Hence the second
hypothesis that the speedy redressal of consumer disputes depends on the staff members, number of complaints, adjournments of cases, vacancies in the District Fora and financial facilities is proved. High pendency of disputes in the Fora was the result of

a. Frequent adjournments of hearings (according to 76 per cent of members)

b. Limited number of sittings (14 per cent) and

c. Wide area of jurisdiction covering a large population (10 per cent).

Other factors affecting the speedy redressal were

1. Delay in acknowledging the registered notices by the opposite parties, and

2. Delay in receipt of test reports.

10.4 Execution of Orders

Delay in the execution of orders was a matter of concern to the Fora members (48 per cent).

Reasons for the delay in the execution of orders were

1. Insufficient powers vested on the Fora

2. Unwillingness to convict the defaulters

3. Absence of 'Amin' and

10.5 Infrastructural facilities

The Fora lacked proper filing system, safe-keeping facilities and expertise for consultation regarding the defective goods and deficient services.

The emerging scenario with reference to the disposal and pending rates at the Fora is far too depressing betraying the failure of the Fora in adhering to the mandatory requirement that the cases should be disposed of within four months. Disposals are delayed because of frequent adjournments of cases, discriminatory sittings in the Fora and the appointment of part-time members. Many a pitfall in the COPRA 1986, such as insufficient powers vested in the Fora regarding issue of interim orders, execution of orders etc. made the redressal agencies toothless. The deficiencies noted were the outcome of indifferences wielded by vested interests with powers that be, such as corruption and centralisation of power. Moreover, an individual's fight for rights especially in the case of deficient services is a fight against government since the government is the distributor of all the services in our country. Hence the hurdles to overcome to assert one's consumer rights are plenty, which calls for decentralisation of power.

Also, the Kerala State Civil Supplies Department failed miserably in making the Fora satisfactorily operational by providing necessary facilities such as competent staff members, prompt appointment to the vacancies of members arising in the Fora, infrastructural facilities and finance.
10.6 Findings on Awareness of Women

Education and nuclear family set up are the two significant factors contributing to the awareness of their consumer rights among women which proved the third hypothesis. Awareness on the rights to know and to choose are the most aware rights among women (mean = 0.831 and 0.812 respectively), whereas the awareness on the right to be redressed (mean = 0.434) is the least.

Considering the socio-economic parameters of the sample it was revealed that women who are employed, in urban areas, highly educated, in nuclear families, who have complained and residing in Thrissur District are more significantly aware of all the six consumer rights. Marital status did not make any significant difference to the awareness of women.

(a) Role of women in decision-making

Employed women and those belonging to nuclear families have more significant role in decision-making regarding all types of goods as proved statistically significant by the Chi-square values. Therefore the fourth hypothesis that those who are employed have more significant role in decision-making is proved correct. In addition, women who have higher income also enjoy a significant role in decision-making. This leads to the hypothesis that employment, income and nuclear family set-up entrust a greater role in decision-making to women.
(b) **Role of women in purchases**

Employment, higher education, higher income and nuclear family set-up bestow more significant role to women in purchasing all types of goods. Women have monopoly over the purchase of food, clothes and ornaments irrespective of their socio-economic differences.

10.7 **Studies on the experience of complainants**

10.7.1 The Socio-economic profile of the complainants revealed that a higher per cent (46) of the complainants belonged to the age group of 30 to 40, 56 per cent of them were highly educated, 69 per cent of them were unemployed, 75 per cent were married and 76 per cent belonged to nuclear families. A higher per cent (57) belonged to low income group of less than Rs.15,000/-. 

10.7.2 Reasons motivated for complaining in the Fora in the order of importance are,

a. the financial loss incurred was high (48 per cent)

b. higher exploitation of women than men (24 per cent)

c. opportunity for complaining as a group (19 per cent)

d. awareness to assert consumer rights (7 per cent) and

e. lack of time for menfolk (2 per cent)
10.7.3 Among the difficulties faced by women irrespective of the district during redressal proceedings are in the order of

a. frequent adjournment of hearings  
b. absence of special tribunal for women  
c. harassment by advocates  
d. location of Fora in far off places and  
e. harassment by Fora members.

10.7.4 Majority of the complainants (65 per cent) were forced to seek advocates' help involving huge expenditure.

10.7.5 Comparatively a smaller percentage (23) of women sought help from VCOs.

10.7.6 Reasons for the delay in the redressal of disputes at the CDRAs are

a. Lawyers are found responsible for the adjournment of hearings according to 82 per cent of complainants  
b. Delay in getting test reports (3 per cent)  
c. Adjournments by the Fora as per 9 per cent  
d. Delay in acknowledging registered notices (6 per cent)

10.7.7 The reasons that discourage women from involving in the consumer movement are in the order of...
a Lack of time due to domestic responsibilities
b Fear of criticisms of the society
c Family objections
d Exploitation of such women and
e Lack of interest

The rank correlation revealed a high degree of agreement in the reasonings. This proved the fifth hypothesis to be correct.

With education and employment women can contribute economically to the family budget which helped them acquire greater participation in decision-making and purchases. Proper utilisation of their education in the market place by exercising their consumer rights will enable them to protect the family's health.

Those who are highly educated with enough time at their disposal and those who are married are taking initiative to complain in the Fora for proper redressal of their complaints. Since the employed women, though more aware of their consumer rights are tied up with dual responsibilities - household works and jobs outside their homes - they find no time to go for hearings in order to fight against the consumer exploitation.

Those who take the plunge to complain in the Fora are discouraged by the harassment by the advocates. This forces women to appoint advocates paying a hefty sum as fees, to fight for them which defeats the very purpose of the COPRA, 1986. The Fora members also play a vital role in this by harassing the female complainants and also by granting permission to advocates for
adjournments of hearings. The only remedy in this regard is to ban
the advocates and to provide special tribunals and sessions to
encourage women to come out to fight for their rights.

The existing social constraints on women and the attitude of
men in the family, women are not taking initiative to assert their
consumer rights even when they are victimised by defective goods
and deficient services.

10.8 Studies on Voluntary Consumer Organisations showed the
following findings

10.8.1 Reasons for the poor involvement of women in the consumer
protection activities are

a) Lack of time due to family responsibilities
b) Society's attitude
c) Reluctance on the part of men and
d) Unwillingness.

10.8.2 The six activities of the VCOs on the basis of the
preference ranking are

1. Complaint handling
2. Consumer education
3. Consumer advocacy
4. Campaigning
5. Training and
6. Research.
Only a minority of VCOs (19 per cent) are engaged in research works. The major constraints in this regard are:

a. lack of funds
b. lack of time
c. lack of personnel and
d. lack of interest.

There is a great degree of agreement among the VCOs in this regard. Hence a hypothesis can be formulated that lack of funds, lack of time, lack of personnel and lack of interest are the major constraints on VCOs in conducting research works.

There is no confederation or co-ordinating body of VCOs in Kerala which is necessary to co-ordinate the activities and to fix priority according to the regional requirements. Since the VCOs are seriously facing financial crisis their primary activity is restricted to complaint-handling instead of consumer education and research. They often resort to restrictive and unfair practices while enrolling members and assisting consumers for filing their complaints in the Fora which has a tarnishing effect on the image of the VCOs. Involvement of women in the consumer protection movement is very disappointing because they are not coming forward to act as voluntary activists due to the societal response, attitude of men, lack of time due to family responsibilities and jobs outside their homes. A fundamental change in the attitude of the society especially in men will encourage women to come forward and fight for their rights as responsible individuals and voluntary activists.
The need of the hour is to bring about attitudinal changes and sensitisation of society. Legislation alone is not enough to change centuries old customs and social taboos. Education and economic independence are, of course, necessary; but they must be useful enough to liberate women and in creating self-confidence. Women's Organisations, media, educational system etc. can do a lot to uplift the status of women. When this is achieved, they will be enlightened and liberated enough to fight for their consumer rights.

Recommendations

In the light of the above-mentioned findings the researcher would like to make the following recommendations:

1. A separate Ministry for Consumer Affairs with trained and dedicated members and staff need to be established.

2. Lawyers should be banned from the proceedings in the redressal agencies since they are a threat to the speedy redressal of disputes and to the economically weak and ignorant consumers.

3. At least the Senior Superintendent should be appointed from the judicial department for facilitating proper recording and filing. The staff deputed from the Department of Civil Supplies should not be sent back to the parental department.
4. Fresh appointment of the staff through P.S.C or Employment Exchange, followed by an intensive training, is necessary for creating loyalty and dedication to the work done in the Fora.

5. Avoid delay in filling up the vacancies of presidents in the Fora by appointing one more member (in addition to the President) eligible for becoming a president.

6. Amendment of the COPRA by eliminating exclusion-inclusion clauses and giving more powers to the Fora members regarding interim order, execution of orders, disposal of disputes etc. within the stipulated period.

7. Provide laboratory facilities, safekeeping facilities and necessary infrastructure for the smooth running of the Fora.

8. Name of the District Forum may be changed to Consumer Dispute Redressal Court, District Consumer Dispute Redressal Tribunal or Consumer Court etc.

9. To make service undertakings more responsible and accountable compensation should be made payable by the officials responsible for the deficiency in services.

10. Regular consumer education programmes through the mass media like newspapers, radio and television for dissemination of consumer information.
11 Consumer education need be a regular subject of the curriculum in schools, colleges and universities. The National Service Schemes in colleges can collaborate consumer protection and information activities also.

12 Special tribunals and evening sessions to deal with the disputes filed by women is inevitable since women are burdened with household duties and jobs outside homes.

13 Research should be encouraged in the field of consumer protection by award of fellowships, encourage minor and major research programmes sponsored by the U.G.C., I.C.S. S.R., etc.

14 Studies on women should be encouraged. The unique and significant role played by women for the human civilisation and culture should be inculcated in the minds of the young through educational programmes, so that there will be a fundamental change in the attitude of the society towards women.

15 Women's organisations need undertake consumer education programmes to instill confidence in women.

16 Voluntary consumer organisations should reserve 50 per cent of seats in the governing body for women.

17 There should be a confederation of VCOs in Kerala to allot priority to the activities and to co-ordinate the programmes of all the VCOs.
18 The Government should route out the grants and funds to the VCOs. Special financial assistance should be allowed for conducting useful research studies in the field.

19 VCOs should publish their research reports and mobilise public opinion through workshops/seminars and public meetings.

20 Scandinavian model of consumer movement - VCOs with the government support - should be made practical since mobilisation is the major handicap of the voluntary consumer movement in India.