Chapter 1

Introduction

1.1 General

The complexities of modern industrialisation, mass production and distribution have accentuated the problems of consumers all over the world. This made the conventional swords and shields and antiquated bows and arrows of the consumers unequal to the modern armoury of the modern marketing system. The glamorous products with their corresponding evils replaced the earlier concept of the market which became the centre of adulterated goods, short-weights and measures, deceptive packing, hoarding, profiteering etc.. The consumers choice was influenced by misleading and false advertisements which mainly lured women, resulting in gross exploitation of the consuming mass.

Vigilance is needed in such a market place to protect consumers from the unethical, unfair trade practices of the traders, resulting in the consumer protection movement. Consumer protection movement is referred to as the efforts of individuals and groups acting more or less in concert to solve consumer problems. It is voicing of discontent of consumers and furtherance of corrective actions for which the consumers, the government and/or independent organisations should jointly strive. This collective movement is called consumerism.
1.2 Consumerism

Consumerism has been defined in general as a social movement which seeks to safeguard and strengthen the rights of consumers in relation to the producer or the supplier of goods and services.

Philip Kotler defined consumerism as an "organised movement of concerned citizens and government to enhance the rights and powers of buyers in relation to sellers".¹

Cravens and Hills identified consumerism as "a social force within the environment designed to aid and protect the consumer by exerting legal, moral and economic pressure on business".² Therefore consumerism is the consumer protection movement which can be referred to as the range of activities which is not only vocal and vociferous, but also robust and overpowering enough to put fright in the businessmen.

As a concept, consumerism is as old as the market economy itself since this type of economy rests on the principle that consumers can eliminate anti-consumer sellers. In other words, consumers are presumed to have built-in protection for their interests. But, as a movement, consumerism is a recent phenomenon. The word is defined as the movement seeking to protect the rights of consumers by requiring such practices as honest packing, labelling, advertising, fair pricing and improved safety

standards. It is currently used to describe concerted efforts by consumers to influence the nature of information provided with goods and services to extend regulation over these items as well as over their producers at a time when full value for money is denied.

According to Jermy Potter "consumerism involves more than being nice to consumers......it demands a searching review of the relationship between providers and those for whom the services are provided".3

Robin Hambleton argues that "consumerism has so far been primarily a managerial phenomenon and that its full benefits will only accrue if it is combined with participation through a strategy for local democracy and decentralisation".4

Consumerism is a process through which the consumers seek redress, restitution and remedy for their dissatisfaction and frustration with the help of their all organised or unorganised efforts and activities.

According to Singh (1994) consumerism, a concept of wider amplitude and implications is no more confined to the restricted aspects of duties and liabilities of the producers and providers. It has a direct bearing on the techniques which are essential to make the state and its sub-system responsible and responsive. In its wider perspective, it seems as an item on the agenda of administrative reforms for accountability and responsiveness through the technique of decentralisation of power.


debureaucratisation and devolved planning process which are of direct concern to consumerism.5

The first consumer protection efforts began with the development of early Mosaic and Egyptian Laws governing the sale of meat and Greek and Roman Laws prohibiting the adulteration of wine. In 1300 A.D. in Venice punishment upon violation of weights and measures, the standardisation of measures and sale, wine and corn in England was set by King John in the Magna Carta (A.D. 1215).

In short consumerism means nothing more than people's search for getting values for their money. These consumers are worried about high prices, inadequate quality and safety of goods and poor quality of service facilities needing improvement.

In spite of the above definitions consumerism had developed into a strong force aimed at protecting the consumer by exerting legal, moral and economic pressures on producers and providers in the developed nations.

The government can protect consumer interests by designing and implementing legislative measures, the business enterprises can take steps for self-regulation and the voluntary organisations can organise resistance movement against the nefarious activities of the business seeking to protect and augment the rights of consumers. The rationale for consumerism stems from the humanistic or Judaic - Christian belief that people who live on earth ought to treat each other as they expect to be treated themselves.6

1.3 Genesis of Consumer Protection Movement

The first consumer protection efforts began with the development of early Mosaic and Egyptian Laws governing the handling of meat and Greek and Roman Laws prohibiting the adulteration of wine. In 300 B.C. India imposed punishment upon adulteration of grains and oil. The standardisation of measures for ale, wine and corn in England was set by King John in the Magna Carta (A.D. 1215).

Before the emergence of the modern civilization our forefathers lived a highly individualistic life. They were basically self-sustaining and the welfare of the consumers depended greatly upon the honesty and buying skill of the few local producers. Even though goods had no trademarks and brandnames consumers knew their merchandise and avoided shoddy products since the goods were locally manufactured. Hence the exploitation was minimum and also the need for protection. Then the consumers were the sovereigns in the market place.

Later modern civilization with its evils began to exploit consumers by adulteration, short-weights and measures, substandard products etc.. Industrialisation and mass production brought in a stream of new varied products which delighted the consumers and at the same time confused them regarding the quality, performance and utility. The fast pace of technological change has brought information gaps for the consumers and accentuated their problems making them rely on the massive advertising campaigns of

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the producers. Thus the consumer's sovereignty over the market place has been eroded due to the prevalence of a seller's market. The concept of Adam Smith that the market is the pillar of strength and the guarantor of the best interests of the consumers began to change at a faster pace.

1.4 Growth of consumer Protection movement

1.4.1 International

The organised activity in the form of legislations on the part of the government, consumer movement on the part of the consumers and self-regulating efforts of business for uplifting the standard of living of consumers in an organised form started in early 1900s. The Consumer Directory published by the International Organisation of Consumers Unions (hereafter IOCU) is a source of information regarding the year of origin of consumer movement in different countries of the world as detailed in table 1.1.

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<table>
<thead>
<tr>
<th>Period of Origin</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>1900 - 1909</td>
<td>United States of America</td>
</tr>
<tr>
<td>1910 - 1919</td>
<td>Britain</td>
</tr>
<tr>
<td>1920 - 1929</td>
<td>Netherlands (1926)</td>
</tr>
<tr>
<td>1930 - 1939</td>
<td>Norway (1939)</td>
</tr>
</tbody>
</table>
1970 - 1979

St. Lucia (1970), Barbados (1970),
Guyana (1971), Singapore (1971),
Turkey (1971), Fiji (1971), Guam
(1972), Mexico (1972), Greece
(1972), Montserrat (W.I. 1972),
Indonesia (1973), Thailand (1973),
Sweden (1973), Iran (1974),
Hong Kong (1974), Egypt (1974),
Bangladesh (1978).


1.4.1.1 United States

United States has been designated as the cradle of consumer
protection movement where Women's organisations such as the
American Home Economics Association, Chicago Housewives League,
American Association of University Women, the National League of
Women voters, the General Federation of Women's clubs and the
Y.W.C.A took initiate. The American Home Economics Association
(AHEA), founded in 1908 under the leadership of Mrs. Ellen H.
Richards, concentrated on standardising consumer goods and
informative labelling for simplifying the complexity of buying;
published the Journal of Home Economics and appeared before the
congressional committees to testify issues of consumer interest.9

Later educators stimulated the consumer movement by formulating

9 Beem, Eugene, R., "The Beginnings of the Consumer Movement" in
Kelley, William, T. (Ed.), New Consumerism: Selected Readings,
Grid Inc; 1973, p.15.
education programmes and courses. Subsequent to the women's movement the administration recognised the consumer rights only when President Kennedy presented his "consumer message" in the Congress requesting legislative actions for solving consumer problems in 1962. At present the Consumer Products Safety Commission provides strong and explicit support to consumer interests.

1.4.1.2 United Kingdom

The consumer protection system in U.K. threw light to the fact that the principles of common law and legislative enactment protected the consumers from the fourteenth and fifteenth centuries. Attempts were made by the Crown to control the unfair trade practices in the field of essential commodities of everyday life Viz., grain, cloth, wine, cheese, fish, honey, coal, salt and butter; also punished the traders who used unjust balances with a fine, flogging or the pillory. In the early sixties of this century the pressure of public opinion and consumer groups accelerated the pace of legislation to provide better safeguards to the consumers. In U.K. with greater social consciousness protection is well done by consumer councils by testing validity of claims made by manufacturers through laboratories organised by them.

1.4.1.3 Scandinavian Countries

The common consumerist tendencies are found in highly industrialised and market-oriented countries such as New Zealand, France, Puerto Rico, Sweden, Belgium, Netherlands, Finland, Israel and Norway. The National Institute of Consumer Information and the important bodies like the False and Deceptive Marketing Practices of Goods Act, Consumers' Ombudsman (KO) and the Market Court formulated in 1971 in Sweden ensured the enforcement of fair marketing practices by imposing fines and forbidding the erring manufacturers from indulging in unfair trade practices. The Danish Government Home Economics Council (1948), The Housewives Consumer Council in Denmark, The Belgium Consumer Council (1964), National Commission on Consumer Problems established under the auspices of the Ministry of Finance and Economic Affairs in France etc. concerned themselves with the consumer problems. The consumer protection system in these Scandinavian countries is a concerted effort of voluntary organisations and Government.

1.4.1.4 Japan

The consumer movement in Japan differed considerably from that in other countries because they were increasingly well organised and largely made up of women. 'Shuferen' is the biggest organisation made up of 500 housewives' groups which informs its members of policy decisions and the names of the manufacturers who are on its black list.


11 members, of policy decisions and the names of the manufacturers who are on its black list. 13

Consumer education and consumer information were given due importance in America, Europe and Japan which led to their socio-economic changes.

1.4.1.5 Developing Countries

Developing nations have as much claim to effective consumer protection laws as that of developed nations like U.K., Australia, U.S. etc; but the problem is centred around proper implementation and enforcement of those laws. Consumer movement in developing countries is shaped by two broad factors:

1. Indigenous characteristics of markets and consumers.

2. They import goods, views and consumer policies from other developed nations. 14 But what they need is a voluntary activism suitable to their economies because in more advanced countries educational attainments are high and consumer expectations are greater and they exhibit stronger discontent with the products markets offer. Therefore in developing nations where the consumer education is almost non-existent, both businesses and government have the opportunity and obligations to


participate in consumer protection movement to emancipate their citizens, which they shun off in the absence of a powerful consumer protection movement.

The preconditions for a network of consumer protection in developing countries are (1) a government sponsored consumer council which acts as a watchdog and initiator (2) effectively drafted statute covering main areas of weights and measures, food and drugs, product safety, consumer credit etc. (3) courts or tribunals to which litigants have realistic access and which operate a quick and inexpensive redressal mechanism and (4) a properly trained and adequately staffed Trading Standards and Metrology Department of Government to enforce the law.15

1.4.2 National

Due to the absence of powerful and effective consumer protection movements at the time of independence and post-independence period, the obligation of our government to protect its citizens has been fulfilled by enacting enough consumer legislations. But these legislative measures did not come to the rescue of consumers in solving their problems because of the wide gap between the law on paper and its enforcement. The major problem is the lack of a strong consumer movement to assert the consumer rights through the enforcement of legal measures. The Indian Contract Act 1872 and the Sale of Goods Act 1930 cover

misdescription, misrepresentation and fraud. The spirit of
tolerance and sympathetic attitude did not help us to achieve the
intention of these Acts.

A digression into history unearthed that India was one of the
pioneer countries to protect the consumer interests.

As early as 300 B.C. India imposed punishment upon adultera-
tion of grains and oils. In Kautilya's Arthasastra there were
severe strictures against careless treatment by doctors, careless
laundrymen and traders who used faulty weights and measures.¹⁶

Later when foreigners invaded our country they began to import low
quality products which led to the fall of marketing ethics among
our businessmen and slavery under the British helped to create a
craze for foreign goods. The legislative measures prevailed in
India during pre-independence day included Agriculture Produce
(Grading and Marketing) Act, 1837, The sale of Goods Act 1930 and
the Drugs and Cosmetics Act, 1940.

Gandhian way of consumerism is a new dimension in the
discovery of human consciousness which gives stress to utilisation
of the naturally available resources towards the wellbeing of
mankind. Gandhiji was an apostle of consumer protection who showed
inroads to innerawakening of consumers through his aesthetic
concepts of Swadhikar, Swadeshi, Swavalamban, Swabiman and
Saksharata.

Indian Government supported by the then weak consumer
activists took initiative to enact legislative measures to protect
the legitimate rights and interests of consumers on par with the

¹⁶Kautilyan, Arthasastra, 300 B.C
developed countries, where the consumer movement and pressure groups gave impetus to the legislative measures. In addition to the pre-independent legislations, there are more than 40 Acts to protect the consumer interests. The important ones among them are the Prevention of Food Adulteration Act, 1954, Essential Commodities Act, 1955, The Monopolies and Restrictive Trade Practices Act, 1969, Standards of Weights and Measures (Packaged Commodities) Rules, 1977, The Bureau of Indian Standards Act, 1986 etc. But these laws are either preventive or punitive in approach and did not provide speedy redressal to the aggrieved consumers. In the absence of provisions to establish a machinery to deal with the complaints the MRTP Act was also made ineffective. The redressal machinery set up by the Railways, Telephones, Insurance etc. in addition to the Department of Administrative Reforms and Public Grievances (DARPG) set up in 1985 did not provide quick and inexpensive remedy to the common man. It was in this context that the consumer Protection Act, 1986 (COPRA) was enacted.

The COPRA, 1986 (Act 68/1986) received the assent of the President of India on December 24, 1986. Section 1(3) of this Act provided that it shall come into force on such date as the Central Government will provide by notification. Since different dates could be appointed by different states and for different provisions, the provisions of the Act did not come into force on a single date in the entire country. In order to protect the rights of consumers a Central Consumer Protection Council was set up with the Minister in charge of the Department of Food and Civil Supplies in the Central Government as its Chairman and members representing
such interests and State Consumer Protection Councils one in each state were set up to promote and protect the rights of consumers within the state. Moreover, to provide speedy and inexpensive redressal of consumer disputes, quasi-judicial machinery viz., National Commission at the National level, State Commission at the state level and District Fora at the district levels were set up respectively. These bodies are known as Consumer Dispute Redressal Agencies (CDRAs). But two years after the enactment, the implementation of the provisions of the Act was tardy and sluggish. So Common Cause, a registered consumer organisation exposing the cause of consumers moved two writ petitions under article 32 of the Constitution for a direction to the appropriate State Governments for urgent implementation of the Act. After going through the counters filed by most of the states, Supreme Court on January 17, 1990 passed an order directing that every district shall have a District Forum with the District Judge as the president as a stop gap agreement. The statement prepared at the end of December 1990 revealed that only 233 Fora were functioning in the whole country. Only in Andhra Pradesh, Arunachal Pradesh and Nagaland the state governments took proper initiative to set up Fora in proportion to the number of districts. In certain states the District Fora were claimed to be functioning even though no separate Fora had been set up. In fact Bihar did not have even a single Forum in any of the districts, Harayana had only two for 11 districts. Himachal Pradesh had one for 12 districts, Karnataka had four to serve all its districts, Kerala had three for the 14

districts, Madhya Pradesh had nine for 45 districts, Maharashtra had three for 26 districts, Rajasthan had six for 21 districts, Punjab did not set up any Forum at all, Tamil Nadu had set up six for 15 districts and West Bengal had three for 17 districts.\(^{18}\)

Therefore the District Fora, which are the pillars of the implementation of the Act, were neither proportionately established nor of satisfactorily operational, which resulted in the continued deprival of the consumers.

Thus even after four years the mandatory requirement that the state governments should set up Fora in each district was not fully observed. They set up the consumer protection councils which are merely advisory bodies which alone could not provide any effective solution to the problems of consumers. Hence on 5\(^{th}\) August 1991 the Supreme Court issued orders directing all the State Governments to set up the District Fora within two months and to report to the court.\(^{19}\) The missionary zeal of the consumer organisation, Common Cause, in this connection in the satisfactory implementation of the COPRA was remarkable.

Finally in its order dated 7.1.1993, the Supreme Court directed the Chief Secretaries of each state to take steps to meet with its statutory obligations under the Act within the time-frame fixed by the court to ensure that the interest of the consumers is fully protected. The Writ Petition No.1141 of 1988 was thus disposed of after five years, wherein the judges also quantified the costs at \(Rs.5000/-\) per state government for the default in this regard.

\(^{18}\) Ibid, p.3

\(^{19}\) Ibid, p.8
In addition, there were other handicaps to the effective redressal of consumer complaints such as lack of separate offices for the fora, political considerations at the time of appointment of the members, financial constraints and their administrative control by concerned State Department of Civil Supplies.

1.4.3 Kerala

In Kerala the State Consumer Protection Council was set up as per G.O.(P)21/88 F.B.C.S dated 20th September 1988 with the minister for Civil Supplies as president and several official and non-official members, with powers to make policies for promoting and protecting consumer interests. But to the utter disappointment of enlightened citizens, the State Governments set up State Commission at Thiruvananthapuram and only three Fora one each at Kollam, Ernakulam and Kozhikode districts for southern, central and northern regions respectively, in May 1990. Kollam Forum redressed the disputes filed at Thiruvananthapuram, Kollam, Alappuzha, Pathanamthitta and Kottayam districts. Ernakulam Forum redressed the disputes filed at Ernakulam, Thrissur, Palakkad, Idukki and Ernakulam districts and Kozhikode District Forum redressed disputes filed at Kozhikode, Wynad, Kannur, Malappuram and Kasaragode districts.

These three regional Fora continued to function till the Supreme Court Order in August 1991 directing all the State Governments to set up Fora in all the districts according to which 14 Fora were established in the 14 districts of Kerala with effect from 1st November 1991.
During the period from May 1990 till 30.10.1992 the total number of disputes redressed were only 46.02 per cent and 53.98 per cent were pending disposal at the various Fora. This may be due to the inadequate number of Staff members, increased number of adjournments of hearings etc.

It is found that the District Fora is not adhering to the Rule 4(9) of the Consumer Protection (Kerala) Rules, 1987 that the District Fora have to give their verdict within 90 days from the date of notice received by the opposite party where the complainant does not require analysis or testing of the goods and within 150 days if it requires analysis or testing of the goods. According to the VCOs 58 per cent of the cases filed by them in the Fora were disposed of only after six months, and according to consumers 31 per cent of cases took six months, 47 per cent took between 7 and 12 months, 22 per cent took 13 and above months for disposal in the Fora. The reasons for the delayed disposal may be attributed to the operational weaknesses.

The COPRA, inter alia, seeks to protect

1 The right to know about the price, quality, quantity, potency, purity and standard of goods.

2 The right to choose

3 The right to consumer education

4 The right to safety


5 The right to be heard and
6 The right to get redressed.

In a society where majority are ignorant and trained to be silent sufferers they are not even aware of the existence of the COPRA, 1986 and the rules, 1987. Print media, every week, publish consumer grievances under various headings such as - "Citizens Voice" of the Indian Express, "Action line" of the Hindustan Times, "Pillar to Post" of the Times of India, "Our readers complain" of the Tribune, "Grievances" of the Statesman etc. They give us a new revelation that the so-called well-educated citizens are neither aware of their consumer rights nor of the establishment of three-tier Consumer Dispute Redressal Agencies.

1.5 Role of Women

The Act recognised the very significant role women can play in the movement by entrusting an official position in the C D R As. Under section 10 of the COPRA in each District Forum, State Commission and the National Commission one of the members shall be a woman having adequate knowledge or experience of, or shown capacity in dealing with problems relating to economics, law, commerce, accountancy, industry, public affairs or administration.

Women as decision-makers, consumers and voluntary activists can contribute a lot to the consumer protection movement.

As a consumer, her function is indisputable. Her voice in the family in decision-making and purchasing has become significantly notable since the emergence of nuclear family,
education and economic independence. The nuclear family composition and the employment status gave a new status to the urban-educated women in Kerala.

The broad objectives of women's role in promoting consumer welfare can be identified as providing healthy and standardised food to the family for which consumer awareness is inevitable. While decision-making and purchasing she has to exercise her consciousness regarding the quality, quantity, price, standard, potency, purity etc. A National Food Survey conducted by the Indian Market Research Bureau (IMRB) throws light to a very interesting fact that very few housewives - even in the upper income groups - allow their servants to cook the main meal of the day and most of them found packaged items inferior to home-made food items.22

Since women became economically independent with employment they have a dominating role in decision-making. The study conducted in Haryana State on employed women with one school-going child substantiated this. The findings revealed that the role in decision-making and participation in various activities related to family life are independent of each other. They had monopoly over purchase of clothes.23 But when they are being exploited by the unscrupulous traders they silently suffer the exploitation without


taking up the case to the trader or to the redressal machinery. They do not even protest against these social evils.

The reasons can be attributed to lack of awareness of their consumer rights, existence of the redressal agencies and the functioning, influence of advertisements, lack of facilities to make sure of the quantity, quality, standard, potency, purity etc., lack of time, non-co-operative attitude of traders etc.

The study conducted in Hissar District of Haryana State revealed a disturbing and disappointing fact that 90 per cent of the rural respondents were ignorant about all their rights as a consumer and only around 60 per cent of the urban respondents were aware of their rights as consumers. The 100 per cent rural respondents and 90 per cent of the urban respondents had never heard about consumer protection laws although 2 per cent of the rural and 10 per cent of the urban respondents were aware of the COPRA, but ignorant as to its implications and use.24

A study conducted on awareness in Kerala revealed that 60 per cent of the respondents were aware of the redressal agencies, only 18.66 per cent were aware of the location of the CDRAs, 14 per cent were aware of the functions of the Fora and 44 per cent had an idea about lodging complaints.25


Even when they realise that they are being exploited mercilessly by the traders, women do not take the initiative to complain to the traders or file cases in the CDRAs, which is evident from the number of complaints filed by women at the various Fora as shown in table 1.2.

**Table 1.2**

Number of complaints filed by women at the District Fora with total number of complaints

<table>
<thead>
<tr>
<th>District Fora</th>
<th>Total Filed by Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ernakulam</td>
<td>4075</td>
</tr>
<tr>
<td>Kollam</td>
<td>2157</td>
</tr>
<tr>
<td>Thiruvananthapuram</td>
<td>1889</td>
</tr>
<tr>
<td>Kottayam</td>
<td>3926</td>
</tr>
<tr>
<td>Thrissur</td>
<td>252</td>
</tr>
<tr>
<td>Alappuzha</td>
<td>1876</td>
</tr>
<tr>
<td>Kollam</td>
<td>235</td>
</tr>
<tr>
<td>Pathanamthitta</td>
<td>1406</td>
</tr>
<tr>
<td>Idukki</td>
<td>241</td>
</tr>
<tr>
<td>Palakkad</td>
<td>695</td>
</tr>
<tr>
<td>Kannur</td>
<td>233</td>
</tr>
<tr>
<td>Wynad</td>
<td>770</td>
</tr>
<tr>
<td>Malappuram</td>
<td>64</td>
</tr>
<tr>
<td>Total</td>
<td>31</td>
</tr>
</tbody>
</table>

Source: Secondary data collected from the Fora
This may be due to the socio-cultural problems faced by women.

The educated unemployed women were 15.09 lakhs in March 1990 which was 48.62 per cent of the total unemployed job seekers in Kerala. Even though there are a lot of educated unemployed women they do not come for doing voluntary work for the welfare of the consuming mass. The reasons may be the attitude of the society, men and the traditional, cultural and religious taboos.

1.6 Voluntary Consumer Organisations (VCOs)

There is no authentic definition of voluntary consumer organisation in the Consumer Protection Act, 1986. Since voluntarism is the basis on which voluntary organisations function it may be an organisation whether its workers are paid or unpaid, which is initiated and governed by its own members without external control.

According to the National Institute of Public Co-operation and Child Development, a voluntary organisation is often interpreted as an "organised entity set up by a group of persons on their own initiative or partly on outside motivation to promote social welfare and also help the people of a locality to undertake activities in a self-reliant manner, partially or wholly, to satisfy their felt needs and also to bring them and the public...

sector extension services closer to one another for more equitable and effective development of various sections of 'the rural poor'.

A voluntary consumer organisation functions mainly for the promotion and protection of consumers' interest with well-defined objective and area of operation. It should be under non-proprietary management free from political, official and government control.

In India VCOs should be registered under the Societies Registration Act, 1860 or Indian Companies Act, 1956.

It should not be run for profit or to the benefit of any individual or group of individuals, but should serve the public without any distinction of caste, creed, colour or religion.

Its statement of accounts should be audited regularly by a competent authority.

Women should be given importance in the affairs of the VCO. Therefore a voluntary consumer organisation can be defined as a registered consumer association, formed for rendering selfless and yeoman services to the consumers in the matter of educating consumers, free from any political, official and government control, with women's participation with an ultimate object of consumer welfare.

C G S I, Bombay, formed in 1966 by nine housewives, to inform, educate and organise consumers was the first women's organisation established in the field of consumer protection.

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28 Ibid.
The Supreme Court observed that "it is conceivable that the consumer protection movement is gaining ground in other countries because of strong consumer bodies having succeeded in organising the consumers, such powerful bodies are far and few in this country and they are unable to exert sufficient pressure on the powers that be as compared to the pressure brought by vested interests because the consumers in this country are not organised as one would like them to be". This observation in 1993 is an eye-opener for all. Women's organisations such as Association of Women Against Rising Prices (AWARP), Bombay and Consumer Guidance Society of India (CGSI) resisted the rising prices and fought to improve product quality and service performance. But these organisations failed to grow into a mounting force. At present there are 684 VCOs in India. Only a few of them have women's units.

A research survey conducted by CERC, Ahamedabad, enunciated following eight activities on the basis of preference ranking as

1. Handling of complaints
2. Education
3. Advocacy
4. Litigation
5. Media
6. Publication
7. Lobbying and
8. Research

29 Common Cause Vs Union of India, Writ Petition No.1141/1988 (SC)
The VCOs in developed countries are mainly engaged in research and dissemination of information to the consumers, whereas in India research is given least preference.

The workshop on "Management and Resource Mobilisation for Voluntary Organisations" expressed that the major problem of the VCOs was related to the financing of their activities. Sri H.D. Shouri (Common Cause) suggested a matching contribution to strengthen the VCOs in the National Seminar held on 17.3.1990.

1.7 Statement of the Problem

A perusal of the print media viz., newspapers publishing news items on consumer grievances, every week, draw our attention to the innumerable grievances by harassed and dissatisfied consumers regarding annoyance and negligence caused to them as a result of inadequate and insufficient services and unfair trade practices. This gives a new revelation that the so-called, well-educated and elite citizens are neither aware of their consumer rights, nor of the establishment of three-tier CDRAs. The maximum relief awarded to these consumers are limited to the minimum benefit without cost or compensation. Also public sector undertakings do not care for above grievances. Hence the question remains why these people hesitate to approach the CDRAs which can provide quick, inexpensive, monetary compensation for the harassed and agony. The answer is simple and straight pointing out the total lack of awareness among the educated as well as the illiterate Indians.
CDRAs are expected to dispose of the complaints within a period of three months. But this mandatory requirement remained in paper without materialising this objective. On completion of the first year of functioning of all the 14 District Fora the statistics revealed that the impact in terms of quick redressal has been poor and more than 50 per cent of the total cases were pending disposal at the various Fora. This high pendancy rate was due to many operational weaknesses. Removal of these operational weaknesses is necessary for providing quick and speedy redressal to consumer complaints. The present study was undertaken to make an assessment of the time taken by the Fora for disposal and the constraints that caused the delay in disposal.

Women as mothers and housewives experience the consumer exploitation much more than men. Since the emergence of nuclear family her voice in decision-making and the purchase has become stronger.

According to the Census Report 1991 the female literacy rate is as high as 87 per cent in Kerala compared to 39 per cent at the national level. They constitute more than half i.e. 50.8 per cent of the population which is also different from the national trend. Kerala is the only state in the country where the sex ratio is favourable to females. Even though they are more educated, enlightened and employed than their counterparts in the country, their participation and involvement in the consumer protection movement is almost nil. The number of cases filed by women in the Fora was very few compared to the total number of cases. Only those who are more aware of their consumer rights file their complaints in the Fora.
Women can do a lot for consumer protection and for increasing consumer awareness since there are many educated unemployed women. In the West, women and women's organisations were the first to take initiative against consumer exploitation. They started consumer education in schools and universities in 1900s. But women in India are not awakened enough to fight against the social evils of consumer exploitation. The Consumer Guidance Society of India (CGSI) Bombay, established in 1966, is doing remarkable work in the field of consumer protection. There is only one women's Voluntary Consumer Organisation which is not doing any commendable work due to its inability to get more involvement of women. The reasons for this are lack of awareness and the constraints due to the outlook of the society. A matter to reckon with is that the growth and success of consumer protection in our country is squarely dependent on the socio-economic conditions of women, the effective implementation of the COPRA and the role played by Voluntary Consumer Organisations in educating consumers.

Voluntary Consumer Organisations also are in a position to redress consumer complaints as well in educating consumers by providing useful information. There are 49 registered Voluntary Consumer Organisations with branches all over Kerala state. Only a few of them are engaged in research works and intensive education. Therefore it is highly useful to probe into the problems faced by Voluntary Consumer Organisations in this matter.

Researcher proposes to conduct an exploratory study in this context.
1.8 Objectives of the study (Key Research Areas)

1. To assess the working of the District Fora with regard to the speed with which they dispose of the disputes — i.e. time taken for the disposal.

2. To identify the major limitations with regard to the speedy redressal of consumer disputes.

3. To find out the awareness among women of their consumer rights and the factors contributing to it.

4. To identify the role of women in decision-making for purchases.

5. To identify the constraints that restrict women from coming forward to protect their consumer interests.

6. To identify the constraints of voluntary consumer organisations with regard to consumer education and research.
1.9 Hypotheses

1 There is inter-district variation in the time taken for the disposal of disputes filed in the District Fora.

2 Speedy redressal of consumer disputes depends on the staff members, number of complaints, adjournments of cases, vacancies in the District Fora and financial facilities.

3 Education and nuclear type of family are positively related to the awareness of consumer rights among women.

4 Employed women have more participation in decision-making for purchases than the unemployed.

5 Participation of women in consumer protection movement depends on time, willingness and attitude of the family members and society.