CHAPTER ONE

INTRODUCTION
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To content various wants individuals purchase goods and services by reimbursing price. But what to do if the goods and services accepted are found out to be bad in quality or aberrantly priced or measured less in quantity etc. In such conditions the consumers, instead of getting consummation, feel cynical by the sellers who have sold the things and services. They also sense that they should be suitably compensated for the loss. So there must be a system to redress such matters. On the other hand shoppers should also understand that they do have responsibilities not just rights. Every human being is a ‘Consumer’. The consumer controls and in turn is wedged by every economic decision whether taken by an individual or a group of people. The consumer is representative in each section of society with no discrepancy of class, caste, sex, occupation, business, service… et al.

The mounting interdependence of the world economy and world-wide character of many business practices have backed to the development of universal prominence on consumer rights safety and promotion. Consumers, patrons and customer’s world over, are trying value for money in the practise of quality possessions and better services. Contemporary technical developments have no doubt made a great influence on the quality, obtainability and safety of goods and services. The industrialised revolution and the growth in worldwide occupation and business have led to the massive development of commercial and employment. As an effect of which a variability of buyer merchandises have looked in the arcade to furnish to the needs of the users and also amenities have been made accessible to the users such as electricity, transport, entertainment, insurance, transference, accommodation, performing, investment and lending. A well-organized segment of producers and dealers with enhanced acquaintance of fairs has come into being, which affected the association among the merchants and the buyers, the value of purchaser independence almost ignored. With the overview of a number of dedicated satellite channels, TV enjoys a large viewership. Acquaintance to the marketplace has made consumers aware of the variety of products that are available. Advertisements are no doubt a significant source of information as they aid to inform consumers about the accessibility of different products before making their selection. The ads of goods and services in magazines, newspaper and on television, effect the demand for the same by the buyers though there may be industrialised defects or inadequacies or short comings in the quality, quantity and the pureness of the goods or there may be
paucity in the services rendered. Advertising stimulates the food tastes and eating ways to a large extent. Regrettably, many advertisements make false potentials and give imperfect images of products. The fabrication of the same item by many organisations has led the buyers, who are busy, to think before they can obtain the best. It then develops very significant to check particulars before procurement of products.

But the detail of life is that the consumers are static victims of unprincipled and unfair practices. Mistreatment of consumers assumes many forms such as contamination of food, false drugs, dubious hire purchase plans, high values, poor quality, scarce services, deceptive advertisements, hazardous merchandises, black marketing and many more. In addition, with uprising in info technology newer kinds of contests are thrown on the consumer like cybercrimes, plastic money etc., which affect the consumer in even bigger way. ‘Consumer is sovereign’ and ‘customer is the king’ are nonentity more than myths in the present set-up particularly in the developing civilizations. However, it has been understood and truly so that the Consumer protection is a socio-economic plan to be chased by the government as well as the commercial as the accomplishment of the consumers is in the interest of both. In this setting, the government, however, has a chief duty to protect the consumers’ interests and rights through suitable policy measures, legal structure and managerial framework.

Consumers choose to be silent relatively than fight against injustice. The cause is that consumers do not know the techniques and means of fronting them confidently. Present-day the consumer drive in India is in its initial stages. Vast majority of the individuals are not even cognizant of consumer movement which is associated with the safeguard of their interest. Several constitutional provisions have been prepared by government to protect the patrons. Till the consumers benefit of these provisions, the protection of consumer will be impossible. There is an abundant need to make them conscious of their rights and responsibilities

1.1 Consumer Citizen

An end user is a citizen. As a consumer his choice of activities and exchanges extends from home to the market place. But as a citizen, the part of his activity enlarges to encompass not only whatever he can bring from the market to his home-based for personal use, but also what he can provide in arrival to culture and to the environs. This comprises not only accomplishment but also the result not to act in a
certain reputable or tolerable manner. As a user of ordinary resource he takes less upkeep to conserve them. It is the obligation of a consumer to shoulder the responsibility as a citizen and act consequently. The consumer's duty towards the society is contented only when he/she adopts responsibility as an aware citizen. He/she must behave significant full well that the environment is fragile and that it has to be carefully nurtured by each generation. Similarly, as natural resources and national resource are abundant, conservation of resources is his major responsibility. By doing so, the impending generations can help. The consumer's accountability as a world-wide citizen involves rational and acting not only for fostering the environment but also for withdrawing the damage produced. A accountable consumer is an individual who movements his/her discretion with complete awareness of the insinuation of his/her right to excellent, and is accountable to other consumers as well as to the atmosphere for his/her purchase choices.

Consumers not only pay their coinage, but also have to endure the trauma of misery from ill health and in some circumstances even endangering their lives due to specious products. It is quite communal that the consumers are uninformed about maximum retail value, expiry and developed date and other material that is to be provided on the goods due to inexperience and illiteracy. The consumers are at danger with such souk practices. Occasionally the producers may intentionally conceal material and circumstances in which the product need to be used or the associated devices to be used with the merchandise or circumstances during which a merchandise would not work. In such circumstances the consumers feel stranded and stuck.

1.2 Consumerism

Consumerism is a systematized movement of citizens and government to toughen the rights and power of purchasers in relation to vendors. It is the philosophy and a notion which has come to stay in business works. The consumer is uncovered to many hazardous physical, eco-friendly and mistreatment due to unfair trade practices. He needs security, for example, against merchandises which are insecure for ingesting products which may root badly injury such as faulty electrical appliances. He desires protection alongside mal-practices and deception by sellers. He ought to have suitable rights and right of remedy to redressal measures against defaulting entrepreneurs. He needs protection against ecological pollution of air; water and noise and effective actions should be planned to keep the environments
neat and clean. Consumerism has solid links with the Western world, but is in fact an universal phenomenon. People purchasing things and consuming materials in additional of their basic wants is as old as the primary civilizations.

A great turn in consumerism attained just afore the Industrial Revolution. In the nineteenth century, commercial development and the industrial upheaval were primarily focused on the principal goods sector and industrial substructure. While formerly the norm had been the lack of resources, the Industrial Revolution formed an unusual pecuniary situation. For the first time in antiquity yields were available in exceptional quantities, at extremely low prices, being thus available to virtually everybody. So started the era of bulk consumption, the only time where the concept of Consumerism is pertinent. Trades have comprehended that wealthy shoppers are the smartest targets of marketing. The superior class’s tastes, lifestyles, and penchants trickle down to become the consistent for all consumers. A consumer can have the instantaneous gratification of buying an expensive item to expand social status. Copying is also a core factor of 21st century consumerism. As a broad trend, regular shoppers seek to emulate those who are above them in the culture. The underprivileged strive to replicate the wealthy and the wealthy replicate celebrities and other icons. The personality endorsement of products can be seen as mark of the desire of modern patrons to purchase produces partly or uniquely to contend with people of higher social status.

1.3 Consumer Movement

Historical Development: India has a primeval history of consumer protection. Consumer protection was part of its olden culture and formed the core of its admin. Kautilya’s ‘Arthasasthra’ was the elementary law of ancient India and the same was reinforced with requirements to protect consumers. Sale of merchandises was controlled in such a way that overall public was not put to any anxiety. If high profits put common public in woe, then that trade action was stopped instantly. For merchants, yield limit was to be fixed. Even for amenities timely rejoinder was prescribed; e.g. for architects, carpenters, tailors, washer men, instructions for the protection of consumer concern were given. The Superintendent of Commerce was to administer weights and measures. For deficit in weighing or measuring, sellers were penalised heavily. Weights and measures used in profession were contrived only by the sanctioned agency answerable for standardization and inspected every four months. Venders passing off sub-standard products as grander were fined eight
times the value of objects thus sold. For adulterated belongings, the seller was not only fined but also bound to make good the loss.

Consumer Protection has its profound roots in the ironic soil of Indian civilization, which dates back to 3200 B.C. In ancient India, human principles were appreciated and ethical practices were deliberated of great importance. However, the rulers felt that the prosperity of their subjects was the prime area of concern. They showed keen concern in regulating not only the group conditions but also the commercial life of the people, creating many trade limitations to protect the interests of purchasers.

Consumer movement, in its existing form in India, came into actuality only in the 1960's with the construction of Consumer Guidance Society of India in 1966 in Bombay. With its triumph, the consumer movement binge over to fight for obtainability, purity and standard prices of merchandises. At up-to-date, there are about thousands of establishments all over the country. One can say that the consumer movement in India has come of age. From modest awareness cohort, it took over to direct feat and then to testing and hearing. Its impact to the passing of Consumer Protection Act, 1986, has been a historic accomplishment. Both industry and bureaucrats have started winning consumers extremely. Consumer complaint cells have been launched by significant organizations and corporations. Consumers are signified on a number of consumer well-being committees set up by various organizations.

The rudimentary objectives of consumer movement worldwide are as follows:

- To provide prospect to the consumers to buy intelligently.
- Recognition of reasonable consumer requests.
- Protection against fraud, misrepresentation, unsanitary and unjust products
- Participation of consumer representatives in management of aspects affecting consumers.
- Promoting consumers interests

The basic purpose for the development of consumer movement in India is dissimilar from those in the West. In current times one of the most noteworthy areas of economic regulation in all countries has been the implementation of Consumer Protection legislation in a big way. India being a late starter has just grasped the take off-stage in consumerism though there have been existed significant development afore this stage. The consumers in India have not yet structured like in several other countries in the West. Therefore the exploitation to which the consumer is imperilled
to by the organized class endures unchecked. Today, a large number of countries have regulations for protecting the interest of the consumer. It will be suitable to discuss here the laws embraced by some of the countries to control unfair and deceptive trade practices and to safeguard the interest of the consumers.

INTERNATIONAL DEVELOPMENT OF CONSUMER PROTECTION LAWS

The consumer associations play a dynamic role in the developed countries like United States, United Kingdom, Sweden, Japan, Germany, France and Belgium etc. for protection of consumers. In advanced nations, due to stout consumerism, the consumers are organized and aware of instabilities of market price and quality of product. The slogan of ‘seller beware’ is ubiquitous there and prominence is given to strong consumer movement. The expansion of consumer protection laws in the developed countries is labelled under this caption.

UNITED STATES

In the United States, the swift industrialization after the culmination of Civil War in 1865 led to unifications and amalgamations and to establishment of trusts and alliances, which advanced a great deal by 1880s. The absorption of corporate power at such an early stage of commercial development and the alertness to check the economic power endorsed the passing of the first antitrust legislation as initial as 1890 which came to be known as the Sherman Act. The Act acknowledged every contract, mishmash in the form of trust or otherwise or, treachery in restraint of trade or commerce, to be illegally.

1 Every party to any such convention, combination or treachery was made punishable with fine or imprisonment.

2 While this Act was of prodigious use in cutting the wave of mergers that had market the industrial scene of the United States near the end of the nineteenth century of this century, there were convinced monopolistic and restrictive practices to which the Act did not reach. In order to eradicate this infirmities, two major legislations were passed in 1914 specifically the Federal Trade Commission Act, 1914 and the Clayton Act.

• The Federal Trade Commission Act set up – new mechanism in the Federal Trade Commission which shared with the department of justice the onus for enforcement of all anti-trust legislature in accumulation to the setting up of this new implementation agency. The Act proscribed unfair methods of competition. The Act was amended in the year 1938 by Wheeler-lea Act
which further stretched the scope of the Act to cover unfair or unreliable acts or practices in commerce.

- The Clayton Act was designed specifically to deal with the glitches of mergers and to prohibit certain types of distinct conduct which were outside the reach of the Sherman Act. It declared four types of restraining practices or device refinement,
  - exclusive distributing and tie-in contracts,
  - operate share holdings,
  - interlocking of directorates and
  - illegal attempts at dodging of the Clayton Act

This resulted in passing of the Robinson Patman Act, 1936 which squeezed up the law on price acumen. All this legislation communally provides the agenda of the antitrust law in the United States.

In accumulation to these anti-trust legislations there are a number of other regulations on consumer protection e.g. the Consumer Credit Protection Act, 1968 which involves certain disclosures in consumer credit sales and loans; the Consumer Leasing Act, 1970 which compacts with consumer leases; the Fair Credit Billing Act, 1974 which comprehends provisions relating to credit billing practices, and the Magnuson-Moss Warranty Act, 1975, which launches certain minimum necessities for written warranties offered by suppliers of consumer products. The Fair Packaging Act, 1972 and the Consumer Product Safety Act, 1972 provide fortification to the consumer in several ways. The Consumer Products Safety Act, 1972 protracted federal control over universal consumer products and granted to the government ability to set safety standards for general products and to ban those products which present actual hazards to the consumers. The legislation monitored a two years study by a bipartisan National Commission on product safety.

The concluding report of the Commission led to the formation of a new federal independent supervisory Commission, the bipartisan Consumer Product Safety Commission. The United States has even currently, the most comprehensive and well recognised anti-trust and consumer protection law in the world.

CANADA

Canada had likely U.S.A. 7 anti-trust legislation with an Act of 1889 for prevention and subdual of combines in restraint of trade. The persistence of the legislation was
to stamp with impropriety the agreements which had been conceded into effect for averting and lessening competition. The scope of the legislation was drawn-out by the enactment of Combines Investigation Act, 1910 which also roofed mergers, trusts and monopolies functioning to the common detriment. Near the end of World War-I there was solid public demand to check rising prices. In retort to that demand the board of Commerce Act and the Combines and Fair Prices Act were conceded in 1919. In 1923, a novel Combines Investigation Act was passed which was amended many a times in 1951, 1962, 1960, 1969 and 1976. The scope of the Act is drawn-out to cover resale price preservation, prohibition of collusive, measures, unfair trade practices etc. The Act is focused against thwarting, limiting or lessening unjustifiably the manufacture or creation of an article, or to enhance arbitrary the price thereof, to confine or injure trade or commerce in relation to any article development of a merger or monopoly; discrimination as amid purchasers etc. Disingenuous advertisements and other deceptive practices were measured and the Combines Investigation Act, 1969 was collected. The Act was further amended in 1976 to make the necessities of Unfair Trade Practices more rigorous and effective. UNITED KINGDOM

In the United Kingdom, the anti-monopoly bills came immediately after the World War-II. Between 1948 and 1973 a number of acts were passed for this purpose. These statutes were the Monopolies and Restrictive and Practices Enquiry and Controls Act, 1948 amended by the Monopolies and Restrictive, Practices Act, 1953, the Restrictive Trade Practices Act, 1968; the Resale -Price Act- 1964 the Monopolies - Mergers Act, 1965 and the Fair -Trading Act, 1973. All these regulations except the Fair Trading Act, 1973 have been repealed by the associating enactments, the Restrictive Trade- Practices Act, 1976 the Resale- Price Act, 1976 and the Restrictive Practices Court Act 1976. The Restrictive Trade Practices Act, 1976 has been appended by the Restrictive Trade Practices Act, 1977.

The Fair- Trading Act, 1973 presented new and comprehensive legislation. It extended the scope of the prevailing laws on monopolies and mergers and restrictive trade practices. The Act is eclectic enough to cover even professions, businesses, nationalized industries and public mission. It envisages a twin mechanism for its enforcement namely the Director General of Fair Trading and Consumer Protection Advisory Committees. The Act strive for to protect the consumers from Consumer Trade Practices, and Unfair Practices. It also lays down the provisions in respect of
pyramid vending and similar trading schemes. It has bloated the powers and functions of the workplace of Registrar of Restrictive Trading Agreements which is now fused in the office of the Director General of Fair Trading.

Further the Competition Act, 1980 has been ordained to make provisions for the rheostat of anti-competitive practices in hoard and acquisition of goods, and the supply and securing of services; to deliver for the investigation of prices and concerns by the Director General of Fair Trading, and to make some amendments with admiration to the Fair Trading Act, 197317 and the Restrictive Trade Practices Act, 1976.

Apart from the abovementioned enactments, the United Kingdom has a number of other legislations to safeguard the interest of the consumers. These comprise the Consumer Protection Act, 1961 which permits the executive to disseminate regulations. Regarding product standards if it is convenient to diminish the risk of personal injury; the Unfair Contracts Terms Act, 1977 which has several provisions to protect the consumers from unfair terms in the customary form of contracts; the Price Commission Act, 1977 which necessitates that the firms with large throughput should notify price upsurges and periodical report on profits, and the smaller organisations to keep apt financial records. Recently, the Consumer Protection Act; 1987 has existed passed by the Parliament of Great Britain after broad debate on the same. This is a statute of wide range which generates both civil as well as criminal responsibility. The Act consists of five parts and four schedules which deal largely with three subject i.e. product responsibility, unsafe merchandises and disingenuous price indications.

AUSTRALIA

In Australia, the first anti-trust legislation had been conceded in the year 1906. The Australian Industries Preservation Act was constructed on the Sherman Act, 1890 of the United States. The Act was amended in 1911, but still it remained ineffective. In 1965, another Act was passed following the Restrictive Trade- Practices Act, 1956 of the United Kingdom. Finally, the Trade Practices Act, 1974 was passed which replaced the 1965 Act. The Trade Practices Act, 1974 offers very strong legislative measures to indorse efficiency and competition in business, to control preventive trade practices and to protect the consumers from unfair trade practices. It proscribes contracts, arrangements and empathies in restraint of trade, monopolization exclusive dealings; resale price
preservation, price discriminations; and mergers. It also prohibits, disingenuous or deceptive conduct; false depictions; offering gifts and prizes with the intent of not providing them; bait advertising recommendation selling; and supply of hazardous and perilous goods which do not comply with the safety standards.

JAPAN
In Japan, the anti-monopoly law was ordained in 1947. The Act regarding prohibition of Private Monopoly and Maintenance of Fair Trade. This act existed known as Anti-Monopoly Act. The Act has pursued to prevent excessive absorption of economic power by prohibiting construction of any holding company or action of any company as a holding company.
The Act has set down provisions to check acquirement of business, assets or management of alternative company; mergers of presidency. The Anti-monopoly Act was amended in 1977. Chapter V of the Act encompasses provisions against discernment of prices, imposing of undue situations etc. It also tries to protect the interest of the consumers from misleading symbol, prize competition etc. In addition to the Anti-monopoly Act, there are four accompanying legislations, viz. The Marine Transport Act, The Export and Import Trading Act- 1952 The Small and Medium sized Enterprise Organisation Act- 1957 and Act against The Unjustifiable Premium and Misleading representations 1962 to deal with the glitches of Monopolies, Restrictive and Unfair Trade Practices.

BELGIUM
In Belgium there was no inclusive legislation in respect of the monopolistic and restrictive practices formerly the Act of 1960 on protection against mistreatment of economic power. This Act ensues on the basis that economic power in convinced cases be abused by use against public interest. It offers for action to be taken to avert such abuse. It defines economic power as the power infatuated by a natural person or body corporate acting alone or by a group of persons or body’s corporate interim together to wield through their industrialised, commercial, agricultural or monetarist activities, a governing influences over market supplies of commodities or capital or over the price or eminence specific merchandise or service.
Abuse of such power occurs when one or more persons having pecuniary power act to predisposition the public interest by practices which garble or restrict the normal play of competition or which hinder with, distort or restrict the normal play of opposition or which interfere with the economic freedom of producers, distributors or
consumers or with the development of production or trade. The Act provides for exploration of complaints as regards practices amounting to misapplication of economic power by a Reporting Commissioner over him, there is –a council for Economic Disputes indicted with the duty of taking action in the cases stated to it by the Reporting Commissioner. Where the Council discerns that there has been a misapplication of economic power it will diffuse its opinion to the Minister of Economic Affairs unruffled with its recommendations for preventing the abuse. Final pronouncement whether to take action or not rests with the Minister. If the Minister is contented that there has been a misapplication of economic power, he will notify the parties concerned of the commendations which he considers advisable to check the abuse. The parties may agree to move out the recommendations. If so, well and good. If they do not settle, the Minister shall authorize the recommendations by a registered letter and indicate time limit for them to take the action suggested. In case of disobedience, a Royal decree may be conceded confirming the existence of the abuse and proposing the measures to prevent it. An encroachment of a Royal decree is bookable with fine or imprisonment.

GERMANY

In Germany, after the World War-II, the command launched several programmes to control deliberation of economic power. The detailed antimonopoly legislature in that country was sanctioned in 1957 namely, Act against Restraints of Competition. The Act has been amended since time to time. The Act has pursued to preclude manipulation of economic power; to control mergers and buyout; and to create environments for the enterprises to ripen freely in a competitive economy. The Act does not make the market supremacy or even monopoly per se illegal, but it bars the manipulation of such dominance or monopoly. Likewise, a merger is not verboten if it is not deleterious to the national economy. The Act also vetoes coercion, boycott and discrimination, whether the one evicted by unilateral or concerted action of enterprises.

CONSUMER LAWS IN SWEDEN

Sweden is the country, which has done a revolutionary work in the field of consumer protection over an active government policy. The foremost consumer legislations are The Marketing Practices Act- 1970 and The Prohibiting Improper- Terms of Contract Act- 1971. These regulations are applied through the office of a National Consumer Ombudsman, a high-ranking official with wide-ranging autonomy, selected directly by
the King-in-Council for a definite term. The Swedish citizen contemplates the Consumer Ombudsman as the prime method of attaining consumer protection. The Swedish legislation is a measure of package premeditated to help the consumer and also embraces provisions against the disagreeable terms of Trading Act (for monitoring standard contracts) and additional legislation concerning credit deals, hire obtaining, legal aid, holiday tourism and food materials.

CONSUMER LAWS IN AUSTRIA
Austrian consumer laws offer a fine example of government’s policy in consumer protection field. The government has supported a District Forum to deliver consumer representation on the authorized advisory bodies with a broad decree in the consumer field. The pronouncements of the advisory board form a foundation of concrete judicial or administrative movements. The basic rights of the users have been affirmed. The declaration explicitly asks for effective protection in contradiction of dangerous merchandises, evidence about the characteristics of all properties displayed and advertised, shield against misleading sales material and the promotion of all establishments and forms of consumer services and consumer discussion by the government and the foundations of its economy.

CONSUMER LAWS IN YUGOSLAVIA
In Yugoslavia, the consumer administrations for decades, had been observing a check on abnormalities and unfair market practices. There is a special hub in Belgrade for giving expert judgment on the eminence of consumer durables and to enlighten the public about it. The trade concomitant accepted all their findings and promised the consumer councils that all merchandises, which do not permit their test, will be barred from sale.

CONSUMER LAWS IN JAPAN
The expansion of interest in consumerism in Japan has taken domicile in a social and political atmosphere noticeably different from that of other highly industrialized nations. Since mid-fifties, a disgruntlement born of inflation, urban congestion, pollution and a host of other undesirable practices, by-products of Japan’s “Economic Miracle” have created a new wave of expressions of popular discontent. The consumer programme has attained a meaning extending beyond a mere interest in a fair management. This activism has ensued in the growth of a number of consumer officialdoms in Japan.

INTERNATIONAL ELEMENT OF CONSUMER PROTECTION
Synchronisation at the international level is most noteworthy for the success of consumer movement nationally and internationally. Indeed, most mechanised countries (MIC), where the consumer movement is now constructing its headway can learn a lot from the knowledge of their progressive counterparts (in terms of consumer protection) where the movement is relatively much older.

INTERNATIONAL ORGANISATION OF CONSUMER UNION

International Organisation of Consumer Union was moulded in 1960. It was initially devised as a contrivance for in house testing of methods but over the years it has established into an international forum for all types of consumer problems. Not the least of its roles, is the demonstration it provides to consumers within international supports such as the Economic and Social Council of the United Nations. Strict guidelines limit the membership of the I.O.C.U., mainly with regard to members’ commercial and political links and these restrictions have tended to inhibit the most politically oriented governments from joining. The increasing interest in political materials shown by some of the originator members, such as the consumer’s union, may, nevertheless, force the international organization to transform its policy. It nonetheless seems likely that the impact of the IOCU will endure to develop, because its techniques and methods of procedure are responsible and its recommendations tend to be concrete and fruitful. IOCU is a non-profit making, political and non-governmental base and is principally apprehensive with the promotion and safeguarding the rights of the consumers. It has standing agencies on testing, education and expansion, and working groups on health, library and certification.

The broad extents of work with which IOCU concerns itself are:

- Promoting co-operation amongst comrades through the exchange of information, experiences and joint actions;
- expanding the consumer movement and fostering young consumer organizations;
- Representing the consumer interest at the transnational forums such as the United Nations.

The participation of IOCU in certain global promotion networks has been of immense value. It has acknowledged the following eight basic consumer rights and has articulated its concern for their preferment:
The right to safety,
The right to information,
The right to choice,
The right to basic needs,
The right to consumer education,
The right to representation,
The right to redress,
The right to healthy environment,

International Organisation of Consumer Union has counselling status with one of the most imperative international policy making bodies- the Economic and Social Council (ECOSOC) of the United Nations. It has also connexion to international organisations such as:

✓ International Labour Organisation.
✓ World Health Organisation.
✓ United Nations Conference on Trade and Development.
✓ World Industrial Property Organisation.
✓ Food and Agriculture Organization.

UNITED NATIONS AND GUIDELINES FOR CONSUMER PROTECTION

Ever since its formation, the United Nations has been striving to promote collaboration among the member nations on several issues. In context of consumer protection in specific, the UN and its affiliates like General Agreement on Tariffs and Trade (GATT), the Organisation for Economic Cooperation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD), and the United Nations Commission on transnational Corporations (UNCTC) have been keenly involved over the years. Nevertheless in the recent past, the UN has shown a substantial concern for the delinquent of consumer exploitation specifically in the third world and has made serious accomplishments in the direction, which inter alia includes “guidelines on consumer protection”. These strategies emphasize the growing recognition in modern years that consumer policy concerns can no longer be seen as being of virtuously local concern but must be seen in an international perspective. Their prominence is certainly not limited to the emergent countries and
they are as much important to the advanced countries as to those countries in conversion from socialist to market economy.

The General Assembly after consultations in the Economic and Social Council espoused, by consensus, a set of strategies on consumer protection on 9th April 1985. These guidelines are meant to provide charter for countries, particularly for developing countries, to be used in enlarging and strengthening consumer protection policies and legislation to protect consumers and also stimulate international cooperation in this field.

These guidelines have the following objectives:

- to succour countries in achieving or retaining adequate protection for their population as consumers;
- to expedite production and distribution patterns alert to the needs and desires of consumers;
- to embolden high levels of ethical conduct of those betrothed in the production and circulation of goods and services to consumers;
- to help countries in curbing offensive business practices by all enterprises at the national and international points which adversely affect consumers;
- to expedite the development of self-regulating consumers’ groups;
- to promote international co-operation in the field of Consumer Protection; and
- to embolden development of such market situations as to provide consumers with a better choice at lower prices.

The procedures further provide that Government should preserve adequate infrastructure to develop, contrivance and monitor consumer protection policies. Distinct care should be taken to confirm that measures for Consumer Protection are executed for the benefit of all sectors of the population, predominantly the rural population. The government should make a determination to ensure to improve the situation under which essential goods are presented to consumers, giving due favour to both price and quality.

The geneses of the guidelines can be sketched back to the late 1970, when the Economic and Social Council accepted that consumer protection had an imperative bearing on economic and social development. In 1977, the Council queried the Secretary General to concoct a survey of national institutions and statutes in the area of consumer protection. In 1979, the Council prepared a wide-ranging report
containing proposals for processes on consumer protection for consideration by Governments. In 1981, the Council again bade the Secretary General to continue sessions with the aim of developing a set of general plans for consumer protection, taking into account principally the needs of the developing countries. Hence, the Secretary General carried out discussion with the Governments and International Organisations and acquiesced draft guidelines for consumer protection to the Economic and Social Council in 1983. The UN Guidelines were voted for in the year 1985 and it was primarily around that time that most developing countries including India perceived the ever-growing apprehension for consumer protection largely due to the painstaking efforts of the IOCU. In India, there was a mushroom evolution of consumer organisations during that period and the year 1986 could undoubtedly be called an ‘era of consumer concern’. Thus, consumer interests have been shown apprehension at the international level and determinations have been made at the international level to articulate law and strategies for protection of interests of consumers. In western countries, consumer crusade was the result of post industrialization affluence—for more material about the merits of contrasting products and to influence producers especially for new and more cultured products. In India, the basic reasons for the consumers’ movement have been:

- Shortage of consumer products; inflation of early 1970’s.
- Adulteration and the Black Market.
- Lack of product choices due to lack of development in technology
- Thrust of consumer movement in India has been on availability, purity and prices.

The factors which stimulated the consumer movement in recent years are:

- Increasing consumer awareness.
- Declining quality of goods and services.
- Increasing consumer, expectations because of consumer education.
- Influence of the pioneers and leaders of the consumer movement
- Organized effort through consumer societies

Consumer Protection in Medieval and Modern Periods:

In the medieval period, consumer protection sustained to be of prime concern of the rulers. Through Muslim rule, a large number of elements of weights were used in India. During the Sultanate period, the values used were determined by local circumstances. During the rule of Alauddin Khalji, strict reins were established in the
In those days, there was eternal supply of grain to the city and grain-carriers sold at amounts fixed by the Sultan. There was a machinery for price-enforcement in the market. Likewise, shop-keepers were punished for under balancing their goods.

In the modern period, the British structure swapped the age old traditional legal system of India. However, one of the exceptional achievements of British rule in India was the formation of a incorporated nationwide modern legal system. During the British period, the Indian licit system was totally transformed and the English legal system was presented to administer justice. However, it is vital to note that the traditions and customs of the Indian legal system were not overlooked. The law itself undertook considerable adaptation. The British bodies and rules were combined with operational features and rules which bestowed with indigenous indulgent. The plagiarised elements underwent more than a century and a half of clipping in which British localisms and anomalies were cast-off and rules were expounded to deal with new kinds of individuals, property and connections. Despite the challenges of uniting the British and Indian legal systems, the drapery of modern Indian Law is unmistakably Indian in its outlook and operation and consumer protection is not an exception to this perception.

Some of the laws which were conceded during the British regime concerning consumer interests are:

- Indian Contract Act of 1872,
- Sale of Goods Act of 1930,
- Indian Penal Code of 1860,
- Drugs and Cosmetics Act of 1940,
- Usurious Loans Act of 1918, and
- Agriculture Procedure (Grading and Marketing Act) of 1937.

These laws delivered specific legal protection for consumers. For fifty-five years, the Sale of Goods Act of 1930 [SGA] was the élite source of consumer protection in India. The SGA, conscripted with accuracy, is an admirable piece of statute. It is also praised as a Consumer’s Charter. The main security for the buyer against the supplier for defective goods is found in Section 16 of the Act. It provides exceptions to the principle of let the buyer beware and the interests of the buyer are adequately safeguarded. Locutions such as skill and decision of the seller, reliance on sellers’ skill, and the test of merchantable quality provide effective remedies to buyers.
Courts construed these rules in the consumer’s favour. The SGA was the exclusive consumer legislation until 1986, with the passage of the Consumer Protection Act of 1986, designed to complement the remedies already provided under the SGA. Consumer protection was also delivered within India’s criminal justice system. The Indian Penal Code of 1860 has a numeral of provisions to deal with crimes against consumers. It deals with felonies related to the use of fabricated weights and measures, the trade of adulterated food or drinks, the trade of noxious food or drink, and the sale of adulterated drugs.

Consumer protection legislation enacted after India’s independence from Britain include: the Essential Commodities Act of 1955, the Prevention of Food Adulteration Act of 1954 and the Standard of Weights and Measures Act of 1976. An advantage of these acts is that they do not need the consumer to prove mens rea. Rather, the offenses are of severe liability, and not reliant on any particular intention or knowledge. Criminal law in the arena of consumer protection has acquired much implication, as consumers are less motivated to go to civil court for small claims. It has been said that the functional value of criminal law in the field of consumer protection is a great one and it has a respectable pedigree. Another opinion is that there has been an endeavour to look at consumer protection as, a public attentiveness issue rather than as a private issue to be left to entities for settlement in court.

In accumulation to the remedies under contract and criminal law, consumers have rights under tort law. Based on its many legal complexities, however, tort law is not the ideal remedy for hurt consumers in India. For example, the old-style doctrine of negligence imposes heavy obligation on the plaintiff to prove each of its required elements. These traditional legal requirements naturally encourage injured consumers to track legal remedies under different laws. Not surprisingly, it is projected that for about half a century from 1914 to 1965, only 613 tort cases came formerly to the appellate courts.

Consumer protection is always a struggle of great concern. In ancient India, actual measures were originated to protect consumers from crimes in the sook place. Ancient law givers ably pronounced various kinds of unfair trade practices and also recommended severe punishments for wrong doers. Primarily, acts of debasement and false weights and measures were seriously dealt with. In ancient India, the raja was the supreme authority to render justice, but his authority was bounded by the
rules of Dharma. In the medieval period, some Muslim rulers established well
organized market contrivances to monitor prices and the supply of goods to the
markets. During the British period, the modern legal system was announced in India
and many laws were enacted to protect the interests of consumers usually. Today,
the civil justice system is infected with deficiencies that dishearten the consumer
from seeking legal recourse. However, the Consumer Protection Act of 1986, which
offers easy access to justice, has brought a legal mutiny to India as a result of its
cost-effective machineries and popular support. At the same time, these machineries
pose a great legal challenge to the traditional courts which demeanour litigation in
orthodox ways. In this age of consumers, the regime of Indian consumer law will
undiably rule Indian markets and confer a new phase on the existing Indian legal
assembly with its strong ancient legal foundations.

**Current Development:**

The Consumer Movement today is enduring a silent revolution. The movement is
conveying qualitative and quantitative changes in the lives of people permitting them
to organize themselves as an operative force to reckon with. But the path to grasp
this stage has not been easy. It has been a brawl against bad business which always
put return before fairness in dealings. The first stage of movement was more mimetic
in nature, i.e., to make consumers aware of their rights over speeches and articles in
newspapers and periodicals and holding displays. The second stage was direct
action built on boycotting of goods, picketing and demonstration. However, direct act
had its own limits that led to the third stage of skilfully managed consumer
organizations. From educational events and handling grievances, it ventured into
 extents involving awareness raising, litigation and laboratory testing. This gave
worthy results. Thus, for example business sector has started taking notification and
collaborating with the movement. It has frolicked a role in hastening the procedure of
passing the Consumer Protection Act, 1986 which has led to the fourth stage. The
Act enshrines the consumer rights and make available for setting up of quasi-judicial
establishments for redressal of consumer disputes. This act takes impartiality in the
socio-economic sphere a step nearby to the common man.

**1.4 Consumer Sovereignty**

Consumer gratification generally depends upon two aspects viz.
1. Availability of essential goods and services whenever consumers need them most and
2. Availability of qualitative goods at sound price.

The term Consumer Sovereignty was coined by Prof W H Hutt in 1931, Market literature has axioms like “the consumer is always right” and a proverbia expression in high Dutch is “De Klant is koning” (the customer is King). As a concept, Consumer Sovereignty basically refers to the monitoring power trained by free individuals, in choosing between ends, over the protectors of the community’s resources, when the resources by which these ends can be served are scare. Therefore, consumer sovereignty leads the flow of possessions into the goods or services that consumers want the most. The consumers’ job is to escort the economy to produce the goods and services he wants. Under such situations, it is assumed that the production and ingesting of goods and services are for the determination of promoting consumer welfare without their manipulation since the economy revolves around the buyers, it is again the consumers who will choose what to produce and at what price it will be traded. With the freedom to choose, the consumers list their decision in retail supplies by buying or refusing to purchase the available goods and services. Thus, the model of creating the consumer ‘sovereign or the King’ of the market may seem simple, but it is never practically possible that we can see this drift in our market.

It has been observed that consumers are powerless to dictate what to yield and what price to pay. Consumer are rather imprecise about what they want. Therefore, someone has to step in to give them right path. The real inventiveness lies with creators, who develop new products, choose which of these to be put on the marketplace and then encourage consumers to buy them through high encumbrance advertising. It is thus the altered position which has been pronounced by Prof. Galbraith as the principle of revised sequence. In its place of the consumer telling the producer what should be produced, the situation is reversed and it is the producer who tells the consumer what he wants or should want. This replicated through the sources of problems faced by the consumers. The delinquent of consumers indicates the allegation of consumer movement. Consumer Movement anxieties the need for information and education so that they can act to decide the problems themselves. At the 44th Annual General Meeting of Hindustan Lever Ltd. in 1977, the Chairman, Mr. T. Thomas, rightly pointed out that -While the producer has the influence or the right to design the merchandise, dispense, advertise and price it, the consumer has only the supremacy of not buying it. One may contend
that the maker runs the greater hazard, in spite of having several rights, because the veto power remains with the consumer. However, the purchaser often senses that while he has the power of veto, he is not every time fully equipped to work out that power in his best interests. This situation may be the consequence of lack of information too much incomprehensible information or even misinformation from one or numerous competing producers. The delinquent faced by the consumer has led to the development of ‘consumerism’. It is sensible to note that consumerism, like several other social actions, has been the result of social battle and can’t, therefore, be wished away. It will be with us till happenstance facing the consumer is resolved.

According to Peter Drucker consumerism contests four important premises of marketing concept –

a) Consumers recognize their needs.
b) Business overhauls about the needs and knows exactly how to find them out.
c) Business delivers useful information about the product.
d) The product and service really fulfill expectancy as well as business promises.

The Government, Trade and consumer interests are inter-related and inter-dependent. However, occasionally, these interests are conflicting with each other. In a competitive situation, in order to protect their own curiosity, others’ interests are getting hindered and numerous problems are made. In order to solve these difficulties, resolve the struggle and reconcile the condition, a well-organized consumer movement is essential.

Following specifies the importance of consumers or undertaking various problems faced by them, and appeasement of the interests between Government, Businessmen and Consumers.

(a) Prominence of Consumerism to consumer

- Awareness - Consumerism is essential to generate awareness and cognizance amongst the consumers about their rights, common trade practices and redressal systems. Generally in India, consumers are not fully attentive of their rights and those who are aware are not in a situation to exercise these rights. As such, it is essential to create awareness among patrons about not only their rights but also about the methods in which he/she can exercise these rights. It is, basically, consumer direction which is protracted with the help of books, pamphlets, movies and T.V. programmes, newspapers articles and columns, lectures and special courses. This
highlights the significance of consumerism in our country. It is essential to publish unfair practices charted by businessmen in directive to make consumer conscious and be aware of.

- Fortification - Hazardous merchandises, unfair trade practices and restrictive trade practices, prevalent in the markets, hinder the interests of the consumers. It is essential to enact the judicial rules, regulations, laws to defend consumers against these unfair trade practices which are the major objective of consumer movement. Only portrayals of laws are not sufficient to protect consumers but its real implementation is also equally essential. Consumerism is a significant movement intended to halt the exploitation of consumers and pivot the position of consumer in a economical market. Government has conventional certain regulatory authorities in different turfs for the purpose. A strong programme on the part of consumers is needed to keep these authorities attentive and active for protecting and stimulating consumer interest.

- Education- The root cause of consumer anguishes is mainly lack of evidence, education to consumer. Due to the convolutions of science and technology, new composite products, electronic gadgets are incoming in the market on a large scale. The distribution scheme, promotional techniques and marketing tactics are changing at a very fast pace. It is essential to educate the consumers about the various aspects and effects of these growths in various fields and systematized scheduled educational programmes are essential to protect and promote user welfare which states the importance of consumerism. There is a strong necessity to make use of different tools, media to educate, learned as well as unschooled consumers. The cultural programmes, kirtan, pravachan, shaped on consumerism could be arranged in this regard. This can’t be attained within one or two days. The constant efforts are essential to develop mind-sets of individuals for accomplishment as educated and a vigilant consumer. Even business communal has realized the need for Consumer Education. Shri. Ashok Desai, Chairman, Matek jagged out that as changes are happening at a scorching pace and products are getting complicated, there is an outright need to educate consumers.

- Vigilant - In a globalised frugality cut-throat competition survives in the market. In order to alleviate, in such a keen antagonism, the marketers are attracted
to follow unfair trade practices. In our country, consumers are not in a spot to
differentiate between fair occupation practices and unfair trade practices.
Besides, the consumers who appreciate the existence of unfair trade
practices, very rarely dissent against it. According to well-known Consumer
Activist M R Pai -When a consumer gets a raw covenant by way of dappled
goods or poor overhaul, the tendency is to gripe and forget about it. What is
shoddier is the ‘Jaane do’ mentality, which is all unescapable and which has
made the ordinary consumer the worst enemy of the consumer movement. In
order to complaint against corruption of the consumers and to engender
public opinion over the media against mistakenly market behaviour and unfair
trade practices, growth of consumer movement has come to be a need of an
hour. This includes organisation movements and public protests.

- Unity - One of the key root cause of consumer manipulation is unorganised
and scattered consumers. The law of universe conditions that ‘Unity is
strength’. As such a substantial movement is vital to unite consumers and
categorize them to protest their manipulation, hampering of interests. The
consumer movement is significant to create and encourage the advancement
of strong and motivated consumer organizations to work at the local,
provincial and national level, to educate and monitor consumers and
undertake consumer courses.

(b) Importance of Consumerism to the Government

- Liaison - It is necessary to notify and brief the government about
consumer anxieties, problems and grievances, so as to allow the
government to act in consumer interest. A consumer movement
buoyed by enlightened and professional representatives who can
maintain proper liaison between consumers and the government.

- Legislation - It is essential to urge the government to formulate and
sanction consumer legislation and economic actions, to enable the
government protect consumer attention. The consumer associations
/ organizations are necessary to be established by consumers to
epitomize, on behalf of consumers, the government establishments
so as to frame proper consumer protection laws and other agencies.
It is also essential to apprise, modify these laws and legislative
measures as per altering environment. This is particularly essential
in our country, where absenteeism of effective laws encourages the import of treacherous or ineffective products from developed kingdoms, where the sale of these merchandises might even have been barred. In order to protect the users, government controls are not only enough. Effective laws, legislation, new and amended rules, ensuring obedience from manufacturers are needed. Imposing of penalties for destructions, which can help consumers to find the answers for their problems, is also most important.

- **Regulations** - The regulatory establishments, consumer supports are to be set-up to act as a watchdog of consumer attention. These agencies’ prime objective should be to see that the consumer protection laws are efficiently implemented and to shield consumer causes which generally come to the purchaser’s rescue.

- **Promotion of Plans and Policies** - While stimulating plans and policies, affecting to various sectors, government has to give prime significance to consumerism which can make the state and central government more open-minded to consumer interest, prompt it to take necessary statutory procedures and make the required official arrangements to safeguard consumer rights.

(c) Importance to Business

i) **Feedback**
Consumerism can offer feedback for the business. It permits entrepreneurs to understand consumer needs and demands. This will assist in the more effective application of the promotion concept or the societal marketing concept, subject upon the nature of consumerism.

ii) **Focused Consumers**
Consumerism is necessary to make businesses think otherwise and to place consumer and consumer gratification well above their profits. While setting the goals, formulating plans, schemes, consumer interest has to be the crucial concern in business activities and organizations. A customer-oriented method is required to be developed among business community.

iii) **Opportunities**
Consumerism is an opportunity for candid and dynamic business houses. It determines the consumer potentials as well as faults, defects or problematical areas
of business activities. As such, the businessmen are talented to enlist the sustenance of consumers by lessening the imperfections on the construction or distribution front. As stated by Peter Drucker - Consumerism truly should be, must be and I hope will be the prospect of marketing. This is what we, in marketing, have been waiting for.”

iv] Fair-trade Practices
Consumerism can inspire traders and manufacturers to undertake honest, fair and accountable market practices, so as to enable them to act in the concern of the consumer and his welfare.

v] Code of Conduct
Consumerism ultimately helps businesses to organize themselves into sets and associations. In turn, these associations cultivate code of conduct in the market place, as well as to control market practices. Consumerism is noteworthy for strict enforcement of such code of conduct. Consumer movement wishes at exerting a pressure on businessmen and makes them more publicly responsible.

In nutshell consumerism is a social force to –
• Make business more honest, efficient, responsive and responsible and
• Pressurize the management to adopt the necessary actions to protect consumer interest by assuring their legitimate rights. Peter F. Drucker, has pointed out that the consumerism is the shame of the total marketing concept - implying that the model is not widely applied. Consumerism reflects not only the fiasco of the business but also the need to give the commercial policies a social alignment so as to enhance long run social welfare.

As Philip Kotler observed - Consumerism is a clarion call for a revised marketing concept.” The communal marketing concept calls for customers co-ordination backed by integrated marketing aimed at producing customer satisfaction and long run consumer benefit as the key to achieving long run profitable volume. Hence, Kotler feels that consumerism will be persistent, beneficial, pro-marketing and eventually profitable. Consumerism mobilizes the vivacities of consumers, businessmen and government leaders to seek – explanations to several complex hitches in a technologically progressive society It is very essential to have a well-developed consumerism in India; for the benefit of consumers and to shield the consumer rights. But, in spite of best determinations put forward by the several consumer organizations, not much consumerism with practical efficacy has
developed in the country. Consumerism will increase momentum, if organized well, with participation of more and more consumers and would help the consumers.

1.5 Consumer Protection Act 1986

The Act has specified consumer rights and made endowment for the establish
Consumerism in India: An inspection of the important problems facing the Indian consumer would mark clear the want for more effective government involvement and consumer crusade to safeguard consumer rights. The following issues make the plight of the Indian consumer wretched.

1. Short supply of many goods and services, specifically of essential items, is a very serious problem vexing the Indian consumer. The demand-supply disproportion has produced all the accompanying evils of racketeering, hoarding and black-marketing, dishonesty, nepotism, irresponsiveness and haughtiness towards consumers. Although the situation has enhanced as a result of the increase in race due to liberalization, it is still far from pleasing.

2. The Indian consumer is also the prey of lack of actual or workable competition. Competition among vendors, even though inadequate, may be stared as effective or practical if it offers buyers real options sufficient to enable them, by ever-changing their purchases form one seller to another, considerably to sway quality, service, and price. Operational competition depends also upon the over-all availability of essential material; buyers cannot influence the conduct of sellers unless substitutes are known. It requires the attendance in the market of several sellers, each of them retaining the capacity to endure and grow, and the conservancy of conditions which keep alive the hazard of potential competition among sellers is thus to be institute in the convenience of buyers of honest alternatives in policy among their bases of supply.

3. Many merchandises with which consumers in progressive countries are quite familiar are still novel to a very large section of the Indian consumers. The unaccustomedness of the consumers with product structures makes the sale of deficient, inferior or even defective yields easier in India than in advanced countries.

4. Due to low literacy echelons and unacceptable information drifts, the Indian consumers, by and large, are not cognisant of all their rights. This inspires irresponsible and unprincipled business arrogances and tactics.
5. It has been said that the licit process in India is relatively time-consuming and cumbersome. This disheartens the consumers from pursuing the redressal of their grievance by means of the juridictive process.

6. Consumerism in India is not well structured and developed.

7. Although the public sector had not been advanced and expanded to assist the public interest by providing operative competition to the private sector, increasing fabrication, improving circulation, etc., it failed to produce benefits that were proportionate with the investment.

8. Though there are a number of laws to defend the interests of consumers, they are not meritoriously implemented and enforced to attain the objectives.

The above factors are in effect State intervention and consumerism to ensure the rights of consumers.

The Consumer Protection Act, 1986 is a breakthrough in the history of socio-economic lawgiving in the country. It is one of the most reformist, wide-ranging and unique pieces of legislation enacted for better protecting the interest of consumers by establishing forums for settlement of consumer disputes. All the requirements of the Consumer Protection Act 1986 came into force with effect from 1.7.1987 throughout the nation except in the State of Jammu & Kashmir. The State of Jammu & Kashmir has passed its own legislation in this pitch. Under the Act, three-tier quasi-judicial consumer dispute redressal gear was established at the national, state and district level. These activities are popularly known as consumer forums or consumer courts. These forums offer modest, speedy and inexpensive redressal of the consumers' complaints. In terms of the Act, the Central Government first organised the Central Consumer Protection Council (CCPC) on 1.6.1987 to indorse and protect the rights of the consumers and it has been reconstructed from time to time. The tenacities of the Councils are recommendatory in nature. The State Governments supervisions are required to establish the Consumer Protection Councils at the State level as well as at District levels to strengthen consumer movement at the grass root level.

**1.5.1 Amendments:**

The Act was amended in 1991 chiefly to incorporate provisions for the quorum of District Forum, engaging persons to control over State Commission/District Forum in case of absence of the President to enable the court function successively. In 1993 the Act was again amended comprehensively to make it more effective and
focussed. The Government has formulated comprehensive schemes for amending the Consumer Protection Act mainly constructed on the sanctions of the Working Group and Expert Group set up for the persistence and the wide-ranging sessions it’s had with the representatives of consumer benefits, presidents of the national and state commissions and Central Government Ministries and Departments. These amendments are largely aimed at enabling quicker disposal of complaints, enhancing the capability of redressal agencies, reinforcement them with more powers, streamlining the procedures and widening the scope of the Act to make it more operative to protect the consumers’ interest.

The Consumer Protection (Amendment) Bill, 2001 introduced in the Rajya Sabha on 26th April, 2001 among other things addresses the issues of earlier disposal of complaints, splayed the scope of the Act, strengthening the Consumer Courts, rationalization the procedure and a proposal to fortify the consumer movement. It is also projected to establish a consumer protection council in each district in order to strengthen the consumer effort at the grassroots level. Enactment of the Amendment Bill will not only further strengthen the consumer movement in the country but also help the large amount of consumers in securing swift and effective redressal of their whinges.

The State legislature has incorporated most of the provisions of the Central Act of 1986. Amendments were made to the Act in 1991 to provide for conditions of absence of President of Forum. Major changes were made in 1993. Monetary limit of District Forum was enlarged from Rs.1.00 lakh to Rs.5.00 lakhs and that of State Commission from Rs.10.00 lakhs to Rs.20.00 lakhs. Restriction of two years was specified for filing of complaint. Provision for bestowing costs up to Rs.10,000/- was made for frivolous or vexatious complaints. Many changes were made in respect of working of Pattern District Forum, State Commission and National Commission. On receiving further experience in implementation of the Act, substantial changes have been made by Amendment Act, 2002. The major changes made are-

- Improvement in monetary limits of District Forum and State Commission
- Reparation of fees for filing complaint or appeal
- Complaint or appeal that will have to be acknowledged first
- Reasons to be noted if decision not given within specified time
- Cost of deferment to be imposed
g. Provisional orders to be passed
h. Allowing of senior most fellows to discharge functions of President in absence of President.
i. Pre-deposit of certain sum before appeal is entertained
j. Notice to be propelled by Fax or Courier.

Department of Consumer Affairs:
The Department of Consumer Affairs under Ministry of Consumer Affairs, Food and Public Distribution is accountable for the formulation of strategies for Consumer Cooperatives, nursing prices, consumer movement in the country and Guiding of statutory bodies like Bureau of Indian Standards (BIS) and Weights and Measures. Department of Consumer Affairs (DCA) is one of the two Departments under the Ministry of Consumer Affairs, Food & Public Distribution. It was established as a separate Department in June 1997 as it was considered essential to have a separate Department to give a fillip to the budding consumer in the country. The Department has been entrusted with the following work.

- The Essential Commodities Act, 1955 (10 of 1955) (Supply, Prices and Distribution of Essential Commodities not dealt with specifically by any other Department).
- Regulation of Packaged Commodities.
- Training in Legal Metrology.
- The Emblems and Names (Prevention of Improper Use) Act, 1952.
- Standards of Weights and Measures - The Legal Metrology Act, 2009.
- Laying down specifications, standards and codes and ensuring quality control of bio-fuels for end users.
- Consumer Cooperatives.

1.5.2 Responsible Consumer:

➢ To be an operative consumer and further his/her interests, and to make a proper consumer choice, the consumer must be well-informed and endowed. The consumer intrusion can influence the market. Therefore, the consumer should act conscientiously. The consumer should
o Be vigilant in the market.
o Always check precise weights and measures.
o Be sentient about date of manufacture and expiry.
o Observe pricing and ingredient labelling thoroughly.
o Check the standard characters like ISI, Agmark, Eco-mark.
o See the expressions and circumstances of warranties and guarantees before making a purchase.
o Stress but not abuse their consumer rights when pursuing value for the money in market place transactions.
o Know what and when to ask queries.
o The responsible consumer has to be vigilant and query about the goods and services used.
o Not to be lured by clever and deceptive advertisements with exaggerated claims of products and services, but to disparagingly examine the utility of the product or services and the guarantees and warranties devoted to them.
o To take up scrutiny of products and offer services.
o To implementation of choice on the basis of comparison of relative merits of products and services, wherever such choice is available.
o Embrace an attitude of non-compromising quality of goods and services to certify full value for money paid.
o To raise his/her voice and gripe against any form of abuse by Trade and Industry or desecration of any of the consumers’ rights in regard to quality of goods and services, be equipped to take action to implement fair and just demands.

Consumer Rights:
Consumer rights are a vital part of our lives like the consumerist means of life. We have all made use of them at some point in our daily lives. Market resources and encouragements are growing by the day and so is the awareness of one’s consumer rights. These rights are well distinct and there are agencies like the Government, consumer courts and voluntary organizations that work towards safeguarding. While we like to distinguish about our rights and make occupied use of them, consumer responsibility is a space which is still not delineated and it is hard to spell out that all the responsibility is that a consumer is supposed to shoulder. Consumer rights are
the rights set to a consumer to protect him / her from being cheated by salesman/manufacturer/shopkeeper. Consumer protection laws are intended to ensure fair trade competition and the free flow of honest information in the marketplace. The laws are designed to avert businesses that engage in fraud or specified unfair practices from gaining an advantage over contenders and may provide additional protection for the weak and those incapable to take care of themselves. Consumer Protection laws are a form of government regulation which aim to protect the rights of consumers.

1.5.3 Rights of Consumer:

Article 46 of the Indian Constitution affords that state shall venture to protect the economic interest of the feeblner section of its population and also protect them from social injustice and all methods of exploitation which means all kinds of harassments and frauds in the marketplace. This also comprises people should be entitled to untainted stuff injurious to public health and safety. This principle amply reflects the inclusion of the philosophy of the concept of consumerism in article 47 of the Indian Constitution.

The success of any crusade depends on the consciousness and responsiveness of the people for whose cause the movement is organized. The consumer is treated very badly by both public as well as private sector establishments like telecom, water supply board, electricity boards, state road corporation; post offices (relatively better). To transcend these problems, a consumer needs to have rights like social welfare agencies. The following rights given by Consumer Protection Act 1986:

Consumers have the following consumer rights:

I. RIGHT TO SAFETY

Right to safety means right to be secured against the marketing of produces which are precarious to life and property. The obtained goods should not only meet their instant needs, but also justify long term benefits. Before obtaining, consumers should contend on the quality of the products as well as on the assurance of the products and services. They should rather purchase quality striking products such as ISI, AGMARK etc.

2. RIGHT TO BE INFORMED

Right to be informed means right to be well-versed about the quality, quantity, potency, purity, standard and price of goods so as to protect the buyer against unfair trade observes. Consumer should contend on getting all the info about the product or
service before making a choice or a decision. This will enable him/her to act astutely and responsibly and also enable him to cease from falling target to high pressure selling techniques.

3. RIGHT TO CHOOSE
Right to choose means right to be assured, wherever possible of access to a variety of goods at competitive price. In case of monopolies, it means right to be assured of satisfactory quality and service at a fair price. It also includes right to basic goods and services. This is because unrestrained right of the minority to choose can mean a denial for the majority of its fair share. This right can be better exercised in a competitive market where a variety of goods are available at competitive prices.

4. RIGHT TO BE HEARD
Right to be heard means that consumer's wellbeing will receive due consideration at appropriate forums. It also embraces rights to be represented in numerous forums formed to consider the consumer's wellbeing. The consumers should form non-political and non-commercial consumer societies which can be given depiction in various committees formed by the Government and other bodies in troubles relating to consumers.

5. RIGHT TO SEEK REDRESSAL
Right to seek redressal means right to strive for redressal against unfair trade performes or unscrupulous exploitation of consumers. It also includes right to fair settlement of the genuine grievances of the consumer. Consumers must make complaint for their genuine grievances. Many a times their whinge may be of small value but its sway on the society as a whole may be very large. They can also take the help of consumer groups in search for redressal of their grievances.

6. RIGHT TO CONSUMER EDUCATION
Right to consumer education means the right to obtain the knowledge and skill to be a well-versed consumer through life. Unawareness of consumers, particularly of rustic consumers, is mainly accountable for their exploitation. They ought to know their rights and must exercise them. Only then actual consumer protection can be attained with success

1.5.4 Need of Consumer Protection:
Consumer protection means to upkeep the rights and interests of consumers. It comprises all the measures directed at protecting the rights and interests of consumers. Consumers need protection due to the subsequent reasons:
1. Illiteracy and Ignorance: Consumers in India are generally illiterate and oblivious. They do not recognize their rights. An arrangement is required to protect them from unscrupulous capitalists.

2. Unorganized Consumers: In India consumers are extensively dispersed and are not united. They are at the clemency of businessmen. On the other hand, producers and traders are systematized and influential.

3. Spurious Goods: There is growing supply of duplicate merchandises. It is very difficult for an everyday consumer to distinguish between a candid product and its imitation. It is required to protect consumers from such mistreatment by ensuring compliance with prescribed norms of eminence and safety.

4. Deceptive Advertising: Some businessmen give ambiguous information about quality, safety and utility of merchandises. Consumers are misled by fabricated advertisement and do not know the genuine quality of advertised goods. A machinery is needed to prevent misleading advertisements.

5. Malpractices of Businessmen: Fraudulent, unprincipled and autocratic trade practices on the part of manufacturers lead to exploitation of consumers. Consumers often get flawed, sub-standard and inferior goods and poor service. Certain actions are required to protect the buyers against such malpractices.

6. Freedom of Enterprise: Manufacturers must safeguard satisfaction of consumers. In the long run, endurance and growth of business is not conceivable without the support and goodwill of consumers. If business does not shield consumers' interests, Government intervention and supervisory measures will grow to curb unfair trade practices.

7. Legitimacy for Existence: Business subsists to content the needs and wishes of consumers. Goods are manufactured with the purpose of selling them. Good will, in the stretched run will sell only when they encounter the needs of consumers.

8. Trusteeship: Businessmen are trustees of the society's prosperity. Therefore, they should use this wealth for the assistance of people.

The UN Guidelines developing policies for consumer protection:

1. Physical safety;

2. Promotion and protection of consumers’ economic interests;

3. Standards for safety and quality of consumer goods and services;

4. Distribution facilities for essential consumer goods and services;

5. Measures enabling consumers to obtain redress;
6. Education and information programmes;

1.5.5 CONSUMER

Consumers, clients and customers’ world over, are on the move and arduous value for money in the practise of quality goods and better services. Modern technical developments have no qualm made a great impact on the quality, availability and safety of goods and services but the statistic of life is that the consumers are still fatalities of unscrupulous and exploitative trade practices.

Consumer is any individual which:

1. purchases some merchandise for a believed that has been paid or fortified or partially paid and partially secured, or beneath any structure of sum and contains and handler of such product instead of the one that purchases such product of thought, remunerated or secured or partially secured, or any arrangement of reimbursement once such practice is formed with the sanction of such individual, however does not exemplify someone who acquires such product for selling or for any business tenacity, or

2. Hires any amenities for a thought that has been remunerated or fortified or partially paid and partially secured or underneath any scheme of compensation and embrace any recipient of such amenities for thought paid or secured, or partly paid and partially secured, once such services are availed of with the consent of the principal.

Consumer Goods and Service: Under the Act, 15’Goods’ are all kind of transferrable possessions other than unlawful claims and money; and comprises stock and stakes, growing yields, pasture and things attached to or establishing fragment of the property which are approved to be served formerly sale or underneath the agreement of sale. Under the Act, ‘Service’ are amenity of any representation which is made available to probable users containing the provision of conveniences in assemblage with investment, funding, insurance, transference, dispensation, resource of electrical or new-fangled energy, boarding or lodging or both, housing building, showbiz, amusement or the tattling of news or other material. The Act sees to not cover the services condensed free of charge or under a contract of individual service.

1.5.6 Consumer’s Complaint:
1. Act defines that “complaint” are assertion in transcript made by a challenger that; 1. An unjust trade exercise or a pre-emptive trade preparation has been embraced by any merchant or service provider.

2. The merchandises accepted by him or decided to sojourn accepted by him squirm as of distinct or more faults.

3. The conveniences engaged then availed of or decided to be engaged or availed of by him writhe from rarity in any respect.

4. A seller or the package provider, as the situation might have been, impeached for the merchandises or for the services named in the grievance, a price in surplus of the price Protected by or under any law for the time being in vigor;
   - Demonstrated on the goods or any set involving such goods;
   - Publicised on the price list revealed by him by or underneath any law for the time being in force
   - Decided amongst the parties.
   - Merchandises which will be menacing to life and safety when used are being available for sale to the public –
     a. in desecration of any standards linking to protection of such goods as essential to be conformed with, by or underneath any law for the time existence in force;
     b. If the merchant could have accredited with due meticulousness that the merchandises so obtainable are perilous to the public;

Amenities which are threatening or likely to be dangerous to lifespan and security of the public when used, are being obtainable by the facility provider which such individual could have known with due assiduousness to be deleterious to life and security.

1.5.7 Who Can File A Complaint?

A complaint in kin to any goods sold or supplied or agreed to be sold or supplied or any service provided or agreed to be provided may be trailed with a District Forum by

a. The consumer to whom such goods are sold or supplied or agreed to be sold or supplied or such service provided or agreed to be provided
b. Any acknowledged consumer association whether the consumer to whom the goods sold or supplied or agreed to be sold or supplied or service provided or agreed to be provided is a participant of such association or not;
c. One or more consumers, where there are several consumers having the same concern, with the permission of the District Forum, on behalf of, or for the advantage of, all consumers so interested; or
d. The Central Government or the State Government, as the circumstance may be, either in its distinct capacity or as an evocative of interests of consumers in general.

Normally, four copies of grievance are required to be succumbed, out of which one is despatched to the opposite party. Complaint can be filed and signed by litigant or his authorized agent.

1.5.8 Remedies Available To Consumer:
• Shortcoming pointed out by the applicable laboratory from the merchandises.
• To substitute the product with the new product of similar portrayal, which are free from related defects
• To reimburse the value of goods or the duties paid by the plaintiff
• To deliver for satisfactory costs to parties
• To the buyer for any damage or injury agonized by the buyer due to the laxity of the contrasting party.
• To eradicate the defects or deficiencies in the amenities in question;
• To suspend the imbalanced trade practice or the restricting trade practice or not to recurrence.
• Not to bid the menacing goods for sale.
• To extract the risky goods from being accessible for sale and
• To deliver for satisfactory costs to parties

1.5.9 Consumer Dispute Redressal System:
The consumer protection act provides a three–tier consumer dispute redressal system encompasses the district, state, and national levels. There are two levels of agencies in the state and one agency at the national level.
1. District Forum: consist of (a) A person who is, or has been inured to be a district judge nominated by the State Government who shall be its president, (b) A person of prominence in the field of education, trade or commerce, and (c) A women societal
worker. The value of goods or services less than 20 lakh, is to be dispensed by
district forum.
2. State Commission: consist of (a) A person who is, or has been a judge of a high
court, and two other members from law, commerce, administration, one of whom
shall be an adult female.
3. National Commission: consist of a person who is, or has been a judge of a
Supreme Court, and two other members from law, commerce, administration, one of
whom shall be an adult female.

Development of Consumer Co-operatives: Consumer Co-operatives are from time to
time mentioned as the starting point of the Consumer Movement. In broad-spectrum,
consumer co-operatives have been successful in faltering some of the abuses of the
monopolies and in improving situations of the lower-income classes. They have
commenced consumer education, candid product improvement and other projects of
wellbeing to members as well as to other low income users. However, in contrast to
events to which the term Consumer Movement has been applied, co-operatives have
sought to execute certain services for themselves, thus replacing private enterprises
in the areas. On the other hand, movement undertakings have been directed
towards adaptation of business practices, either with or without the support of
government. Role of consumer co-operatives in consumer adapted marketing
system is significant as it has attained great success in European countries, as a
countervailing vigour against the traditional promotion mechanism and promote the
consumer interests.

1.5.9 Consumer Forum:
Consumer disputes redressal mechanism (known as consumer forums) are set up
under the Act at district, state and national level to deliver simple and low-cost quick
redressal against consumer complaints. A consumer can file grievance in the
consumer court against any imperfect goods purchased or deficient service rendered
comprising restrictive/unfair trade practice embraced by any trader/person. The
Consumer Forum has authority to order removal /replacement of defects/
deficiencies in goods and services, refund of price remunerated, reimbursement for
loss/injury suffered, stoppage of unfair/restrictive trade practice, removal of
hazardous or unsafe goods or award of adequate cost to the parties etc.
The three-tier consumer forums, set up beneath the Act are in urban areas. This
makes it problematic for rural consumers to slant the forum. Moreover, though the
A web-based structure for lodging and monitoring of whinges is also in place. However, only 7 to 10 percent of the Indian population are internet operators. Hence regrettably very few have availed this brilliant mechanism due to lack of awareness and approachability, mainly amongst rural and semi-urban populations. While professionals and consumer activists believe that redressal podia can forge consumer involvement in rural areas, the government is unsure about setting up such a mechanism below the district level. The Department of Consumer Affairs has been forming consumer rights' awareness events in all talukas. As of now, there are no strategies to extend the sessions of the lok adalats to villages or to set up redressal platforms there. Specialists attribute the lack of contribution by the rural population in consumer fora to the disaster of the government to form protection councils as per the Act, at the state and district levels, to stimulate and protect consumer rights. The absence of labs at district level to test dubious products further makes the process tardy. In this context, the local managerial bodies in the county can play an important role in defending the rural consumers.

1.5.10 Measures for Consumer Protection
To defend the interest of consumer and safeguard consumer from misuse numbers of measures have been adopted.

1. Consumer Education: It is a criterion for the success of consumerism. Consumers should be made cognisant of their rights and errands and utility of consumer movement. Proper consumer education and inducement would help to change the insolence of the consumer. Social promotion helps to create awareness and conversion of the attitude of consumers.

2. Consumer Advocates or Consumer Organization: India is still a developing country with the anticipation of a few well planned consumer associations in some important cities. In India, the cooperative consumer movement was started in 1904. This movement was engaged place all over the country, but especially in Maharashtra state. In the year 1974 Sri Bindu Madhav Joshi started Akhil Bharatiya Grahak Panchayat in Pune. This organization moulded the philosophy of the consumer drive in Maharashtra. Some well-known organizations in the consumer field comprise the Consumer Guidance Society of India; Consumer Unity & Trust Society, Calcutta, Consumer Action Group, Madras; and Mumbai Grahak Panchyat.
The activities of most of the consumer organizations are curbed to complaint management, consumer guidance, consumer education, seminars and meetings on substances of consumer interest.

3. Government Support: Government has a prodigious role to play in inspiring consumer movement. The government has embraced a number of procedures for consumer protection. A number of laws endorsed to protect the consumers. The Consumer Protection Act, 1986 is a momentous in the history of socioeconomic legislations in India, to safeguard and promote the rights of consumers, for adaptation speedy, simple and economical justice for redressing the grievances of the consumers.

1.6 Need of Consumer Education in India:

Consumer movement in India has enthused forward over the last 25 years, yet it has a long way to go. In a country like India, where the demographic variations of the past decades are showing that it is stirring towards a younger population, calming the consumers remains a gigantic task. Young Consumers, mainly between the 6-18 age groups, have a vibrant role in the economic system of a nation as they are the future of our country and economy. It is also real that children are the most defenceless members of our community as most of them do not have adequate facts about goods and services they are using. They do not apprehend the unfair, unethical market applies of businesses and the impairment of being exposed to junk foods that have become both common and dangerous. It then becomes an urgent task for parents, society and also for our policy creators to educate our children about consumer protection. They must be aware of the deleterious impact of junk food on their health, the significance of their parent’s hard made money and misleading facts and assurances of the advertisements. It is conceivable only if we educate them about consumer rights.

The Government has propelled a number of activities and structures to create consumer awareness. For example, publicity through print/electronic media, meghdoot picture postcard, nukkad nataks competition on consumer issues, National Consumer Helpline participation in India. International Trade-fair- 2008, use of sports events, use of internet to produce consumer awareness, publicity nearby national/ international Consumer Rights Day. The slogan “Jago Grahak Jago” has now become very popular. To reach the school children the order of setting up consumer clubs in schools has been familiarised with the objective to mark the
youngsters aware of their rights as a consumer. Research institutions / universities / colleges are also being intricate in promoting Consumer Protection and Consumer Welfare. The use of schools and colleges across diverse parts of the country will take the consumer movement to the grass root level. The laws only serve as ingenuities to provide a framework for shielding consumers against numerous defects, deficiencies and negligence. Enactment and functioning that determines the accomplishment of any programme scheme, etc.

Problems with Consumer Movement: One of the major difficulties facing the consumer movement in the country communicates to lack of consumer education and awareness. Various studies have confirmed that by and large the consumers are ill-informed about the existence of the Consumer Protection Act; leave aside its several provisions. It was in 1986 that this vital social legislation was enacted and since then the Government with the cooperation of different stakeholders has been creating efforts to empower the consumers through several education and awareness programmes. There is no qualm that consumer education and awareness is the most influential tool to protect the consumer as only an educated, aware and alert consumer can make a justification choice and protect himself against exploitation. Consumer Education is fretful with the skills, attitudes and knowledge necessary for living in a consumer society. It is indissolubly linked to the basic skill needed for living. An aware consumer not only protects himself against exploitation but convinces efficiency, transparency and answerability in the entire manufacturing and service sector. Therefore identifying the importance of consumer education, the government has taken up a numeral of activities and launched several schemes to augment consumer awareness and promote a strong and broad based consumer protection movement in the country with the help of numerous stakeholders. One such scheme narrates to setting up of consumer clubs in the schools.

1.7 Rural Consumer and Protection:
Still about 70 percent of India's population lives in rural areas. There are about 6.38 lakh settlements in the country as against about 300 cities and 5,161 towns. Of the 121 crore Indians, 83.3 crore live in rural areas while 37.7 crore stay in urban areas, as per the Census 2011. The National Council of Applied Economic Research survey report says that there are 720 million consumers across the villages in rural India.29 Over the past few years rural India has viewed an increase in the acquiring power of consumers, escorted by their desire to upgrade their standard of living. The
steps occupied by the Government of India to discourse the poverty have improved
the situation of rural masses. As a result, rural consumers have exalted their
lifestyles through making changes in their consumption configurations by adding
more nutritious food and are procuring lifestyle products such as cosmetics,
beverages, mobile phones, etc., which have become requirements for them.

When the rural market grows in such a rapid pace, the quantum of consumer
whinges also increase instantaneously. The main problems faced by rural
consumers are related to adulteration, short balancing and measuring, lack of safety
and quality in employments and equipment, unfair warranties and guarantees,
imitation and sales promotion, unreasonable pricing etc. The Indian Consumer
Protection Act, 1986 certify better protection of rights and attention of people who are
consumers in one way or the other from the mistreatment of trade and industries.

According to the Act, someone who buys goods and services for his / her use is a
consumer. A user of such goods and services with the consent of the buyer is also a
consumer. The Department of Consumer Affairs of the Government of India and
various state governments has commenced a number of innovative measures to
protect rights of rural consumers.

The rural consumer was earlier not an imperative segment in the market due to low
purchasing power, restricted size of market and tapered approach towards market.
However, the advent of a liberalized and privatized economy has given birth to
diverse marketing policies which business agencies have adopted to fascinate rural
consumers. Inundation of the urban markets and the lure for vast untapped rural
market is becoming too overwhelming for the market forces and producers of
consumer durables to resist any longer. However, as the exposure to mass media
and information technology is growing, rural consumers are also increasingly
becoming more cognisant about products and services, and their dependence on
traditional reference groups is gradually decreasing.

Restrictive Trade Practice: For making gigantic profits or becoming rich overnight, all
sorts of means and methods of abuses are being implemented by the traders,
businessmen, employers, producers and sellers at the cost of consumer’s interest.
Thus, publicizing of goods injurious to health and life, deception of the consumer
over unfair trade practices such as, subnormal quality, adulteration, non-supply of
correct quantity, excess pricing etc., are proliferating in our society. The Consumer
Protection (Amendment) Act, 1993 has interleaved a new clause in the Act of 1986,
to define the term ‘restrictive trade practice’. The new clause enlarges the scope of the Consumer Protection Act by covering a Restrictive Trade Practice within its domain. According to the definition under the Consumer Protection Act, 1986, a restrictive trade practice means a trade practice which has or may have the consequence of preventing distorting or restricting resentment in any manner, and in particular- which gradients to hinder the flow of capital or resources into the rivulet of production; or which tends to bring about operation of prices or conditions of delivery or to effect the flow of provisions in the market relating to goods or services in such manner as to impose on the consumer unwarranted costs or restrictions. The most essential prerequisite for a restrictive trade practice is that it must have some real or probable effect on struggle. Practices like price fixative, combined boycott, exclusive dealing, collective proffering or bidding, provincial restriction, price discrimination, tie-up sales and resale price conservation etc., are the examples of restrictive trade practices. The following are some of the instances of restrictive trade practices:

- **Price fixing:**
  This is the collective form of restrictive trade practices where the traders fix the price of goods by agreement of combination or concert. The main purpose behind price-fixing is to eliminate antagonism and maintain the upward tendency of the prices. Such an effort to control the market would be a restrictive trade practice.

- **Exclusive Dealings:**
  It is a planning or practice whereby a producer or industrialist or supplier, requires his dealers to deal utterly in his products and not in the products of his entrants. They are similar to soleus agreements which may not be unlawful per se, if they do not preclude, distort or restrict competition but merely legalise it. However, if the exclusive agreement ambiguities or fore closes competition by hindering the market with one's own products, it would be synonymous to a restrictive trade practice.

- **Territorial restriction:**
  Where an industrialist or supplier requires his sellers to sell the products only in the assigned area or market, such a practice may sum up to be restrictive trade practice on the minced of territorial restriction. Even though in definite cases it may be vindicated on the ground of reduced costs or equitable circulation of the product, the same may not be justified in certain other cases. Specifically if the intention behind daunting such territorial restriction to kill the opposition or to create monopoly for a particular brand product.
Tie-up sales:
A ‘tie-up sale’ or ‘tying up arrangement’, can be a tacit as an arrangement or agreement whereby a procurer is forced to take one or additional articles or services. Generally, imposing a condition instance of purchasing one element for the purchase of another would be a tie-up sale. This way a trader might force his goods which are not sought by the buyers on them. It is nothing but manipulation of the end user by the traders and it serves barely any purpose beyond the conquest of competition.

Withholding supplies:
Where the supplier hold back the supplies with the trepidation that they are likely to be sold by the dealers for less than the least resale price, it would be covered by the meaning of Restrictive Trade Practice. It is relatable to note that Section 40 of the M.R.T.P. Act prohibits the purveyor from withholding deliveries of any goods from any wholesaler or retailer on the ground that such vendor or retailer is selling or is likely to sell the things at a price below the fixed minimum price.
Where a buyer is forced to secure not only the main products but also all the ancillary products produced or sold by the seller, it is called full line forcing. It is nought but an extreme form of tie-up sales. It is irrational because it may deprive the buyers of their right to select the best goods out of the competitive brands obtainable in the free and open market.

Consumer Protection in Respect of Deficiency in Service:
The main purpose of the Consumer Protection Act is to compensate the patrons for defective goods and in reverence of deficiency in service. ‘Service’ are facilities of any depiction which are prepared accessible to probable users and comprises the facility of amenities in association with banking, funding, insurance, transportation, dispensation, stream of electrical or other energy, boarding or lodging or both, housing construction, performing, amusement or the tattling of news or other material, but does not embrace any services rendered free of duty or under an agreement of individual service. The term has a variety of connotations, liable upon the context or the nous in which it is used. Service means duty or labour to be condensed by one person to another, the former being certain to submit his will to the direction and control of the concluder. Thus, service is not merely stretched to the genuine users but also to those consumers who are proficient of expending it. The division is very comprehensive and covers to any or all real or probable users.
For example, not only the real buyer of goods but also those persons who are likely to buy the goods are consumers of services.

**The Factors to be taken into Consideration before Buying a Product:**
The Indian market today is swamped with products of the same type with altered features, altered brand names and altered prices. Extensive publicity, striking advertisements, attractive offers and sales gimmicks blur the consumer. Most of the times the consumer doesn’t know what aspects are to be taken into deliberation before buying a product. It is a challenge for the consumer to select a quality product that can gratify him in the long run. Owing to the competition among makers and traders a wide variety of goods are casted off into the market. On the other hand, one sector of producers and traders cleverly control the quality of goods and discharge substandard, fake goods into the marketplace. Copies are such that they cannot be identified by a common consumer. Merchandises of sub-standard create health dangers, safety glitches and so on. Under these conditions, to protect consumers’ curiosity to assist them in product choice and to assure the quality of produce, standard groups in various countries are playing a vital role in making product standards.

**1.8 Government’s Role:**
A distinct Department of Consumer Affairs was created in 1997 to act as the nodal outfit in the Central Government for encouraging and shielding the welfare of consumers in numerous ways such as ensuring accessibility of essential commodities at rational prices including monitoring of prices, articulating standards of goods and services, ruling of weighing and measuring instruments and pre-packed merchandises and providing a legislative structure for safeguarding consumers’ interests and institution of machinery for redressal of consumer whinges. To meet these goals the Department has been undertaking various processes involving all fretful to strengthen the consumer drive in the country. Some of the significant measures being occupied to strengthen the consumer movement include instigating multimedia publicity drivers to educate the consumers, providing financial aid through consumer welfare fund to the NGOs and State Governments to create consumer awareness, setting up of regional information centres to escort the public, national awards on consumer protection to cheer outstanding work by women and youth, discerning national and World Consumer Rights Day to recap the consumers to be cautious, collaborations with various interests through Central and State
Consumer Protection Council to encourage and protect the rights of the consumers, devising citizens’ charters covering their entitlements to public services, values of performance and redressal of gripes for providing an efficient and responsive supervision. The triumph of the consumer movement mainly rest upon the level of consumer awareness all over the country. The Government can only be frolicking the role of a facilitator or facilitator. The growth of consumer movement is a deliberate effort connecting the involvement of one and all. Only vigilant consumers can protect themselves and the society.

1.9 Publicity Measures:
The feat of Consumer movement mainly hinges upon the level of consumer awareness spawned in the country by educating the consumer about their right and responsibilities, united with effective running of the consumer forums where the consumers can eventually assert their rights in seeking redressal. Where the literacy level is high and social awareness is larger, the consumer cannot be easily abused. Within India, the level of Consumer cognizance varies from State to State reliant upon the level of literacy and the Social Awareness of the people. The Department of Consumer Affairs has been provided that with an annual budget of Rs. 3.10 crores during 10th plan period. Out of this skimpy budget available, the Department has been taking a numeral of Steps to emphasise consumer movement in the country encompassing the State Governments, voluntary consumer organizations, consumer activists, etc. Some of the important actions taken by the Central Government during the years to generate consumer awareness are given as under:

1. “Jago Grahak Jago” weekly radio programme: Radio, being inexpensive and having widest reach a 15-minute weekly programme “Jago Grahak Jago” is being broadcasted through 70 stations in 20 regional languages. To make the programme widespread a prize of Rs.500/- per programme in all language is given.

2. Gyanvani Channel: The Department has delivered programmes created in the field of consumer protection for broadcasting through Gyanvani FM Radio Stations operational under Indira Gandhi National Open University (IGNOU) for the benefit of Students.

3. Radio Spots: The Department has created 6 audio spots of 20 seconds spell on various consumer associated issues such as Maximum Retail Price, Short Measurement, Expiry date on medicine, adulteration, ISI mark ,Redressal system
and started broadcast from October 14th Onwards in All India Radio, Radio Mirchi and Radio City stations.

4. Video programmes ‘Grahak dost’: A 12 episode Video programme namely, ‘Grahak Dost’ of 30 minutes duration was formed by the Department in Hindi language which was telecast on Doordarshan. This programme is supplementary made in 4 regional languages to spread the message of consumer awareness in distant areas. It has also been absolute by the department to deliver copies of this entire programme to the Field Publicity Units of Ministry of Information and Broadcasting for crafting awareness particularly in rural areas.

5. Video programmes for school: Department also prepared 4 video programmes in Hindi each of 30 minutes duration specially targeting primary, upper–primary and secondary level student of school during the year and got it telecast through Doordarshan. The programme will be made available in CD to schools, consumer clubs in the school, State Government and others concerned to involve the students in the consumer movement.

6. Kissan Channel: The Department has delivered the copies of video programmes produced in the field of consumer protection for telecast through Kissan Channel functioning under Indira Gandhi National Open University (IGNOU) for the benefit of Farmers.

7. Video Spots: The Department has produced 6 video spots of 20 seconds duration on various consumer related disputes such as M.R.P. Short Measurement, Expiry date on medicine, adulteration, dented product, Redressal system and started the telecast onwards through Doordarshan and also in secluded news channels.

8. Quarterly Magazine “Upbhokta Jagran”: Department is fetching out a fluent quarterly magazine which is sent free of Cost to Voluntary consumer organization, State Consumer Protection Council (CCPC) members, State Governments and other apprehensive to disseminate consumer related information at the grass root level.

9. Booklet on welfare scheme of the Ministry: Department has circulated booklet on welfare schemes of the Ministry in Hindi and English language up to hunk level for giving wide publicity and to enable the people to originate benefit from the schemes.

10. Repeated News Paper Advertisements: To educate the consumers about their rights and responsibilities, the Department has in full swing publishing small advertisements repeatedly in leading dailies of Delhi, North Eastern and Western Regions on every day basis.
11. Cinema Slides: The Department has driven its consumer campaign in all regional languages over cinema slides in 9186 Cinema Halls in States.

12. Animation display: The Department has also launched its consumer campaign through animation exhibition in Delhi and Jammu in English and Hindi

1.10 Consumer Organisation:
The main concern of a consumer organisation is to protect the rights of the consumers and to promote social justice and fairness in the marketplace. Consumers in each zone have their own precise problems. It is important for the establishment to find out the local problems of the consumers and try to unravel them through analysis, education and information services. Since every inhabitant of the country is a consumer and safeguard of consumers’ rights and interests is the aim of a consumer organisation, the consumer organisation has to play a foremost role. A consumer organisation, to be more functional and successful, should carry out the accomplishments related to the following areas.

- Education:
  Every consumer has the right to consumer education. It is the right education that would allow consumers to act as informed consumers. One of the difficulties of the Indian consumers is their ignorance. Most of the consumers are droopy because they are not aware of their rights. Therefore, they do not have the power to resist at any time they are indignant or subjugated and they suffer silently. It is for this reason that education ought to be given to each and every consumer. The main objectives of consumer education are to grow skills, impart knowledge, and develop accepting. Consumer education should emphasis on specific issues like health, cleanliness, nutrition, food and product care, medicines, basic needs, environmental problems, market malpractices, investment, workers’ rights, disreputable advertisement practices, culture and life styles etc. Consumer education should be delivered to all sections of people together with school and college students, teachers, women youth assemblages, and religious organisations. This can be divulged through seminars, workshops, exhibitions and drama through film shows and campaigns. The groups can also organize exhibition of books and magazines, charts, posters etc. of consumer importance, quality and certification marks for consumer goods. Through consumer education, the organisation can formulate a new generation of conscious concerned and dedicated citizens.
Research: Many of the consumer glitches can be solved by steering research studies and surveys. The organisation, in the first occasion, should carry out research to find out what kind of consumer education the society needs, to what level and to what extent. Research also needs to be conceded out in the market place on malpractices and foodstuffs. The results of these tests can also be circulated in the local newspapers and make the people aware of their problems.

Grievances and Complaints: The consumers generally have a lot of complaints on consumer issues like lowly quality products and services, food contamination, unhygienic conditions, dearth of water and electric supply etc. The complaints may be acknowledged through mail, telephone or in person. Such consumers want proper analysis and guidance so that their whinges are redressed. Consumer organisations can file cases in the attentiveness of consumers.

Vigilance: In India, many facilities like postal services, telephone, electricity, water supply and the public distribution system are accomplished by governmental agencies. Unfortunately, no strenuous attempts appear to have been made so far in an satisfactory measure to make the government functionaries’ consumer approachable. Due to various reasons, such services tend to convert impersonal in their approach. Therefore, most of the consumer complaints are concerning to the public utility services. Some of the volunteers of an establishment, especially the younger group, can form a vigilance cluster to perceive the rendering of these services. The members of the vigilance group can take the apprehension for delivery of the goods to the consumers.

Counselling: A few members of a society who are well conversant with the legal provisions under the various Acts can offer aid and legal advice to consumers who are in need of such advice. In addition, they can oversee the manoeuvre of the laws that have been levied by the local government. They can also handle public interest cases and suggest the community in need of such legal assistance and depiction.

Publication and Media: No officialdom is far-reaching without a publication division. A consistent newsletter or a magazine brought out periodically can convert the medium of communication among the consumer activists and the consumer public. Through its columns, consumer activists can transmit their ideas and material to the consumers. The consumers can also pay their part by informing the organisation activists of their plight and the hitches they encounter in their area. A ‘consumer newsletter’ is a vibrant part of the consumer movement. Through the
newsletter, the fretful organisation can give information to the consumers of the newest developments, notifications of public meetings, ground-breaking judgments in consumer cases etc. The members of the apprehensive organisation who have an ability for writing and expurgation should take charge of this wing. The newsletter can be hawked at a nominal price so that the collection can meet the printing and publishing costs. Besides broadcasting newsletters, the organisation can also produce audio-visual materials like posters, charts, video films, cassettes and slides which can serve as a good media for diffusion of information.

Library: An organisation can also become a good evidence centre if it maintains a library. A widespread range of books, journals, research reports and pamphlets along with press trimmings can meet the reference needs of the consumer. The library buildings can also be used occasionally as a meeting point for the members of the organisation. Many accomplishments of the organisation may go unnoticed if they do not have a place to exhibit their notes on consumer issues. A library is an ideal abode for the display of charts, posters etc. Notices for the members can also be put up on the notice board in the library for their information.

Public Meetings: Another important function of a consumer organisation is to establish public meetings. Envelopment in a discussion by many persons can be an operative tool for inspiring consumerism. The sway of such meetings would make the organisation work on egalitarian principles. When consumers meet and discuss troubles concerning their interests, the entire process develops a democratic process. Most of the consumer problems arise out of fear and slackness on the part of the consumer. However, when a consumer picks up courage and takes the creativity to speak first, the rest follow him. Thus, it becomes a chain reaction and the consumer movement is augmented through such open discussions. Incensed and annoyed consumers can be placated through deliberations in public meetings. The supplier of goods and services or the opposite party members may also be subpoenaed to attend public meeting and provide a fortuitous to meet the consumers face to face.

1.11 Conclusion
The consumer movement exercises an enormous effect on the socio-economic environment of business. In a nation like India where there is an extraordinary percentage of illiteracy midst people, where people are less cognisant and where perilous goods are always in short supply, the Government has a substantial role in
safeguarding the interests of consumers by promoting an environment of fair competition and thwarting exploitation of consumers. The consumer movement has transformed it and sellers feel now it is an enquiry of seller beware. The unbiased of the consumer movement is too confident the comforts of the consumer against all forms of unfair trade practices. Consumerism as an active and organised movement started in 1960s in the USA. Ralph Nader has lifted consumerism into a major communal force. Consumerism may be distinct as a social force within the situation designed to aid and protect the consumers by exercising legal, moral and economic pressures on business and government.

Features of Consumer Movement:

- It is fundamentally a protest movement.
- It is a bulk movement in the sense that commonalities are the general body of consumers.
- It is normally a non-official movement. Public and voluntary buyers, organisations initiate the programme.
- Though it is not a government-sponsored undertaking, it is accepted and backed up by the Government.

Birth of Consumers’ Day: Kennedy acknowledged that consumers are the biggest economic cluster in the country’s economy, affecting and affected by almost every public and private economic choice. But they were also the only imperative group who were not efficiently organised. Considering the prominence of Kennedy’s speech to the US Congress on this day, and the consequential law, the CI took a pronouncement in 1982 to observe 15 March as the World Consumer Rights Day from 1983. Unusual though it may sound, 15 March is not perceived as a special day in the world’s largest and most vivacious consumer society - the US. But at home in India the Government, embraced 15 March as the National Consumer’s Day.

Consumer’s Errands: The consumers have a number of rights concerning the purchase of things, but at the same time they have some errands too. It means that the consumer should keep a few stuffs in mind while procuring goods/services. They are as follows:

- Consumer ought to use his right: Consumers have many rights with respect to the goods and services. They need to be aware of their privileges while
buying. These rights are: Right to safety, Right to be conversant, Right to representation, Right to seek redressal, Right to consumer education, etc.

✓ Vigilant consumer/ do not buy blindly: The consumers should make complete use of their purpose while buying things. They should not take the vendors word as final truth. In other words, while obtaining consumer must get evidence regarding the eminence, magnitude, price, convenience etc. of goods and services.

✓ Filing whinge for the redressal of actual grievances: It is the obligation of a consumer to approach the officer concerned there is some whinge about the goods purchased. A late complainant may discover that the period of guarantee/warrantee has lapsed. Sometimes, consumers disregard the deception of businessmen. This tendency emboldens corrupt business practices.

✓ Consumer must be quality cognizant / do not compromise on quality: The consumers should certainly not compromise on the eminence of goods. Therefore, they should not buy substandard stuff out of voracity for less prices. If the consumers act like this, there cannot be any shield for them from any quarter. It is also the obligation of the consumers only to buy merchandises with the ISI, Agmark, Wool mark, FPO etc. printed on them. All these symbols are analytical of the good quality of the goods.

✓ Advertisements often overstate/Be cautious of false advertisement: The seller apprises the consumer about their things over the medium of advertisement. The sellers embellish the quality of their goods. Therefore, it is the responsibility of the consumers to identify the truth of advertisement.

✓ Do not forget to get Receipt and Guarantee/warrantee card: One ought to always get a receipt or bill for the articles purchased. In case a guarantee/warrantee card is also presented by seller, it should also be taken. In case the goods procured are of inferior quality or some imperfections appears and worries the customers, these documents will be of great aid in settling all kinds of disagreement with the seller.

✓ Do not purchase in hurry: The first imperative responsibility of consumers is that they should not buy in imperativeness. It means that the consumers must make an estimate of the things they want to buy their along with their
magnitude required by them. They should also take in deliberation the place from where to buy the things.

Unfair Trade Practices: The principal objective of the passing the 1986 Act is to safeguard the privileges of consumers against the unfair trade applies followed by unscrupulous traders. Thus it becomes significant to know the meaning of the expression “unfair trade practice”. The 1993 Amendment has incorporated a broad definition of the expression with a vision to make it an sovereign source. According to the Act, ‘Unfair Trade Practice’ means a trade practice which for the determination of promoting the sale, use, or supply of some goods or for the provision of any service. Any unfair method / practice or illusory practice that is espoused by the traders in encouraging their sales or services becomes an Unfair Trade Practice. It includes the following:

- False illustration as to the standard, quality, measure, grade, configuration, style or model of the goods sold.
- False depiction as to the standard, superiority or grade of the service hired.
- False exemplification that rebuilt, second-hand, refurbished, reconditioned or old goods are novel goods.
- False representation as to the patronage, approval, presentation, characteristic, accessories, uses or benefits of the goods or services.
- False representation that the vendor or supplier has a support or approval or affiliation which he essentially does not have.
- False or ambiguous representation regarding the need for or the expediency of any goods or services.
- Giving warranty or guarantee to the community about the performance, efficacy or interval of life of a product or of any goods, which is not grounded on adequate or proper testing.
- Making distortion as to a warranty or guarantee of a merchandise or of any goods or services; or creating a promise to replace, preserve or repair an article without any rational basis.
- Disingenuous the public about the price at which products / goods or services have been customarily sold.
• Giving false or distorted facts, proposing unfairly that the goods, services or trade of alternative person are of low quality standard etc., so as to smear adversely other’s trade.

• Sanctioning the publication of any advertisement in any method for the sale or supply at a bargain value of goods or services that are not envisioned to be presented for sale or supply at the bargain price etc.

• Permitting the subscription of gifts or other items with the intent of creating impression that they are presented free of charge when the same are copiously or partly covered by the extent collected by the trader

• Authorising the demeanour of any contest, lottery or game of chance or skill, with an objective to promote either directly or indirectly the sale, usage or supply of any product or any commercial interest

• Authorizing the sale or supply of goods evocative or having motive to believe that the goods do not fulfil with the standards prescribed by proficient authority relating to their presentation, composition, contents, design, building or packaging; and

• Permitting the signpost i.e. stowage or destruction of goods or snubbing to sell them with an objective to raise the cost of those or other comparable goods.

This is a longed-for change because it is common these days to find that the business community which publicises a number of structures to offer free gifts or prizes etc., normally does not circulate the result of such schemes after their conclusion, thereby, putting the patrons to a lot of inopportuneness. Now, under the clarification added to the afresh added clause defining unfair trade practice clearly commands that the results of such arrangements should be circulated within a reasonable period of time in the identical newspaper in which the scheme was originally publicized. Failure to do so would expanse to unfair trade practices.

Need and Importance of Consumer Education: Consumer education is one of the apprehensions now bashing at the doors of schools / colleges curriculum. Its need has been apprehended by all the progressive people. Educationists have also started receiving convinced that such an apprehension should find due place in school curriculum. Technological expansion has flooded the market with a diversity of goods and services. It is, therefore, important that a child holds basic knowledge
and skills to judge the merchandises. Consumer Education helps in providing this acquaintance to the students. In other words, Consumer Education matures critical awareness and existing skills which are focused on towards building a improved future for our society. It is only in the schools / colleges that tomorrow’s buyers will learn to become more perceptive in their shopping habits, more conversant of their rights and duties. The child becomes a perceptive buyer by taking cogent decisions, there by snubbing to fall a prey to advertisement or wiles. Aware and observant student consumers can turn out to be the eyes and ears of the nation, aiding to foster a wisdom of national pride. It is said that Consumer Education helps to open the ‘Consumer eye’ of a individual, where by a knowledgeable consumer buys the produces after critical and analytical evaluation from the fact of view of his individual concern and in the interest of the society and nation at large. Consumer Education at school / college level targets to educate the students to turn into conversant and rational consumers, cognizant of their needs and capable of electing products in a relatively free and uninfluenced means. This, in turn is anticipated to lead to effective and commercial competition as well as to fit and correct production conforming to consumers’ needs and wishes. Hence consumer education at school / college level is indispensable in view of

- The varying needs of the new generation.
- The altered economic and industrial scenario of the country.
- Aggressive market policies, the misleading advertisements.
- Safeguarding better quality of life for the upcoming citizens of the country who would be educated abundant to guard ‘against bad products’ and ‘bad services

The Teacher’s Starring role in Consumer Education: The teacher’s role is very imperative in consumer education. The teacher has to select effective teaching methods in order to be operative in Consumer Education. Owing to the diverse aims of Consumer Education and the multi-disciplinary nature of the subject, the teaching methods for Consumer Education are of acute importance. It is not only just as handover of knowledge, but also expansion of skills and Citizen Consumer Clubs accepting of the society in which consumers play their part. One cannot grow into an informed consumer just by listening to a teacher, interpretation of a book or learning a scheme. Consumer Education is a continuous process of learning and practicing
backings in daily life situations. Proceedings are an indispensable part of Consumer Education. Activities are worthy for assimilation of experiences and first-hand insights. But activities unaided are not good enough. Consumer Edification has to add to concept development as well. Acting as an answerable consumer also means being directed by sound principles and that means consumers must have a vibrant understanding of the socio-economic erection of society. Consumer Education emphases on conduct towards others, and problem cracking techniques. Listening abilities, brain sortie, assertiveness exercise, role play, group-work, recommendation and research skills are measure of the learning process. This means that afar the traditional lecture, there are abundant ways to teach Consumer Education which are a lot more effective and stimulating.

Role of Consumerism in Indian Banking: The role of efficacy of consumerism in Indian consumer banking is an enactment appraisal measured in terms of level and excellence of success from fretful working record and/ or survey of evaluative judgement of the key role players in the accomplishment of consumer movement. As a result of the representation and application of the Consumer Protection Act, 1986 there has been an augmented amount of compression from various groups’ viz., consumer societies, media, bank clients, and even from the financiers themselves who have driven the banking sector in India to become more socially accountable and pertinent to customer requirements than ever before. Consumerism has however initiated a process of change and geared up the banking sector to regulate a technique, which is making significant contribution to bank customers. Besides, patrons have also raised their voice against the injustice to them in the banking industry. As a result of this a customer service hub has been set up for each of the nationalized banks. It is also likely to approach the consumer connotations like All India Bank Depositors Association, Mumbai, Consumer Education Society, Kolkata, SCOPE, Common Cause, New Delhi, CERC, Ahmedabad etc. In case no adequate response is acknowledged or the complaint is not be present at to the matter may be brought up to the responsiveness of the Secretary, Banking Operations and Development, Reserve Bank of India, Mumbai that is also now joining to customer complaints. Despite the institutionalization of the grumble redressal mechanism, consumers are still not pleased with the existing provisions and are, therefore, compelled to route to legal action for the redress of their honest and long standing grievances. It is therefore calamitous need of the hour to improve current position of
consumerism because the decisive aim of effectiveness of consumerism will not be achieved solely by making institutional arrangements. There is thus a grander need for bringing a alteration in the attitude of the officers and the staff employed in the banks, to train them methodically to deal with the consumers complaint, to inculcate in them a spirit of customer service, and to overhaul and restructure the functioning of banks with a view to represent adequate and satisfactory services to the consumers at large.

Bank customers absorb a lot about their rights concerning bank services from the articles, editorials and other practises of consumer columns in the prominent newspapers and magazines. Moreover, the consumer campaigners and consumer organizations find the press to be the most operative medium for firming the consumer movement. To inculcate cognizance among customers concerning the rules, procedures, rights to file complaints, consumer columns and information are published for creating the public awareness about these. These press announcements have given a bounce start to the concept of consumerism in consumer banking. Media persons help consumer activists and voluntary officialdoms in creating mass awareness by providing time and apace for the aid of aggrieved bank customers. Similarly, the role of media in consumer protection is dynamic and finds expression through telecasting consumer erected documentaries, case histories, review reports giving proper coverage to user activities of consumer organizations, highlighting revolutionary judgments on consumer issues, even belligerent on behalf of customers, adequate exposure to seminars and conferences on consumer issues, providing consumer data through various media.

NGOs and Consumer Organizations in India: Non-governmental Organizations (NGOs) are those establishments which aim at encouraging the welfare of the people, and are non-profit making. They have volunteer decision-making structure, and are endorsed from the interference of the government. They may be effusively or partially funded by the government or any other activity. Non-government institutes dealing with the consumers’ whinges are also known as consumer organisations or associations. The first association to be set up was the Indian Connotation of Consumers. In 1963, the National Consumer Association was set up. It was a wing of a social organisation, the Bharat Sevak Samaj. The main aims of this NGO were to study the trend of prices in the market and publish them for the information of consumers and to agitate against the malpractices of traders. Food
crisis gave rise to rampant black-marketing in the 1960s. In 1964, the National Consumer Association started the movement against the price rise caused due to the drought of the 1960s. It held meetings to protest against the price rise and formed social squads to keep a watch on the price trends in different cities of India. Slowly and progressively, several other overtones were organised to seek redressal for consumers’ whinges.

Role of NGOs in Consumer’s Issue:

- They organize movements on various consumer issues to create social awareness.
- They form training programmes for the users and make them conscious of their rights and means of redressal of their grievances.
- They bring out periodicals and other publications to enlighten the consumers about various consumer related developments. For instance, VOICE publishes a bimonthly magazine called “Consumer Voice” which covers a wide variety of subjects of importance for the consumers.
- They provide free legal advice to their members on matters of consumer interest and help them to take up their grievances with the District Forum, State Commission and National Commission set up under the Consumer Protection Act.
- They interrelate with businessmen and Chambers of Commerce and Industry for safeguarding a better deal for consumers.
- They launch Public Interest Litigation on imperative consumer issues. Public Interest Litigation means a permissible action initiated in a court of law concerning a matter of general public interest such as ban on a merchandise injurious to public health.

Media and Consumers Problems: As a over-all rule, the problem of civilization, a social group or in some circumstances, the problems of individual are well expressed by no one else but media. Our civilization is categorized by impact of media on its erection, value system and stance. Many socioeconomic complications, education of multitudes and social awakening can best be done by media. Media currently deals with glitches of current importance. Where fact-finding journalism, reporting of relatable and important facts and high allaying those events which otherwise cannot be seen occupies prime position. Due to dawn of T.V… a large section of society is
now prejudiced by media events to a great extent. It has become a silent opinion creator and hence it is working on a grander plane than any other institution. In the current past, media has accepted the job of consumer education and fighting alongside exploitation of consumers.

Stoppages to the Growth of a Consumer Movement in India:

- There is lack of headship and management. In India, there is no Ralph Nader who can give a forceful leadership to this movement.
- The common man of India is illiterate. They dearth consumer education and do not have the needed consciousness to organize themselves.
- India is a vast country and it is very problematic to have quick, operative and regular communication among diverse parts of the country. Different vernaculars and different customs of different regions hinder the growth of the movement.
- To organize the consumer movement throughout the country wishes huge financial resources. Lack of fiscal resources is a handicap to the growth of the movement.
- The insolence of the people is not favourable to the progress of a consumer movement in India. There is a inclination among the people to look to the ‘Government for protection and aid rather than to stance on their own legs and put up resistances.

Large Business Houses: The large business houses particularly those who are producing consumer merchandises must have a consumer undertakings cell at the highest level in their own business organization. This should be made obligatory by the concerned ministry. To follow the guidelines very strictly if necessary decree has to be passed. Business organizations a should frequently provide material in regard to self-regulatory or consumer protection accomplishments to the media and that should persuade significant newspapers to publish a regular feature on consumer affairs so as to promote consumer awareness. Consumer meets should be systematized regularly by traders and business houses on open invitation through advertisements circulated in newspapers and customers appearing these meets should be requested to offer their complaints and suggestions in respect to the products and services of the establishment. The concerned governments should
direct all the business houses to establish meets on a regular basis and should be observed constantly.

Involvement of people at large: The policies, structures and programmes of the Government of India through the Department of Consumer Affairs are no qualm useful but their efficacy finally depends on the connexion of the establishments and the people at large. A number of structures have already been in action such as, Grahak Jagran, consumer clubs is schools, stimulating involvement of research institutes, universities, colleges etc., in consumer fortification and welfare. Similar sequencers and schemes are needed at the State Government level also to deliver further impetus to consumer crusade in the country. Organisations of civil societies are having distinct responsibility in this regard.

The proficient and effective agendas of consumer protection are of superior significance to all of us because we all are consumers. Even a constructor or provider of service is a consumer of some other goods or services. If both the manufacturers and consumers realize the need of coexistence, adulterated products and spurious goods and other deficiencies in the services would become s thing of past. The active participation and involvement from all the stakeholders i.e. the Central and State Governments, the educational institutions, the NGO’s, the media and the profession and industry and the citizen’s charter by the service providers are obligatory to see that the consumers get their due. The need of the hour is for entire commitment to the consumer reason and social responsiveness to consumer needs. This should, however, be ensued in a harmonious manner so that our society becomes a better home for all of us to live in.

Success of Consumerism: Globalization and liberalization of occupation and business has ensued in many products and services being available to the buyers. Growth in economy has resulted in growth in the purchasing power of the middle class section, which is the largest segment of the population. This has necessitated benevolent high priority for the safeguard of the consumers and promotion of responsible consumer movement in the country. Modern industrial growth and complexities of the sellers’ systems, existence of a vast army of distributers and unethical and untruthful advertisements have intensified the situation of consumer exploitation. The consumer has to be aware of his privileges and play a key role. The accomplishment of consumerism is a strong task of consumer awareness and to avoid exploitation consumer must convert knowledgeable. Many statutory provisions
have been made by management to protect the consumers. Until and unless the patrons avail of these provisions, the protection of consumer becomes unescapable. There is an abundant need to make them aware of their privileges and responsibilities.