CHAPTER III

ROLE OF VOLUNTARY CONSUMER ORGANISATIONS, DISTRICT FORUM AND PROFILE OF TIRUNELVELI DISTRICT

3.1 Introduction
3.2 Role of Voluntary Consumer Organisation
3.3 Functioning of District Forum
3.4 Profile of Tirunelveli District
3.1 INTRODUCTION

This chapter presents a description of the activities undertaken by consumer organizations, Government and business in India to promote consumer awareness. It includes a brief description of how the Indian consumers are deceived for want of awareness. This is followed by description of the constitution and functions of selected consumer organizations and federations in India. The contributions made by the selected organizations, the government and businesses are reviewed in order to assess their role in promoting consumer awareness.

The Indian consumer remains a victim of various unfair trade practices like adulteration, high prices, scarcity, duplication and misleading advertisements. They are briefly described below:

a) **Adulteration:** The consumers are cheated by adulterated foods or goods. Food adulteration has become a universal practice and causes injury to consumers. For example, about 25 per cent to 35 per cent of the eatable is adulterated and 75 per cent of all edible oils are glossy, sub-standard and dangerous.

According to the Union Health Minister of India every third eatable in the market is adulterated.

b) **High Prices:** Producers/sellers used to charge more than the fair price. The consumers suffer huge losses due to high prices of the products in the market. For instances, the retail chemists in Maharashtra charged extra local taxes (8% of sales tax) on allopathic medicines. According to Bindu Madhav Joshi the president of the Mumbai Grahak Panchayet that abolition of that practice would prevent the illegal
rotation of cores of rupees each day on a state level and benefit the individual consumers.

c) **Scarcity:** Producers/Sellers indulge in profiteering and black-marketing. They create artificial scarcity in the open market to push up the prices. Goods are available in the black-market at a higher rate and consumers who need such items have to pay through their nose.

d) **Misleading Advertisement:** One of the aims of advertisement is to provide adequate information to the consumers regarding the particular product. But advertisements often tend to make false claims. For example, a TV advertisement for a particular beverage claimed with the photographs of six higher secondary toppers that it was a complete food and nourishing drink. It sought to convey a message that top rank in academic institutions could be obtained by drinking that particular brand product instead of doing hard work. This type of advertisement misleads the consumers.

e) **Fake:** Fake products are sold in the market. The consumers, who are not aware of the original product, cannot distinguish fake from the original. For example, there are fake spare parts of watches, automobiles and cosmetics. Thus, the consumers are easily cheated and exploited by the sellers.

The above discussion shows that there is an urgent need for efforts to make the consumers aware. The consumer awareness remains very low in India. Consumers are unaware of the benefits conferred on them by the various legislations. Consumer protection in India cannot be assured merely by passing legislations. They should associate together to fight against unfair trade practices. Jawaharlal Nehru, the first
Prime Minister of India says. “Law and constitution do not by themselves make a country great. It is the enthusiasm, energy and constant effort of the people that make it a great Nation”.

A practice response on the part of consumer organizations, Government business as well as consumer himself is essential for effective consumer protection. The combined efforts of these agencies can protect consumers by preventing consumer exploitations. Therefore, the first step required is to make consumers realize that they do have a right of redressal.

3.2 ROLE OF VOLUNTARY CONSUMER ORGANISATION

Consumer Organization are voluntary bodies which work for the welfare of the consumers in given area. They help consumers to understand their rights to protect them from any kind of exploitation and to get quick justice by using the redressal machinery. These organizations work for the removal of ignorance of the consumers. The main aim of any consumer organization is to uphold the rights of consumer and to obtain his welfare. They try to solve the disputes before going to the consumer forums.

3.2.1 Voluntary Consumer Organisation

A voluntary consumer organization is an association of consumer activities which works for the protection of consumers activities and the society as a whole.

From the Memorandum of Association of various consumer organizations, it is observed that they pursue various objectives such as information, education and organization of consumers so as to enable them to secure, protect and preserve their
interests and to assert their rights as consumers of goods and services and to guide consumers to seek redressal from the appropriate authority.

VCO plays a significant role in providing protection to the consumers against the nefarious activities of businessmen. The VCOs have made history in the consumer movement not only in developed countries like the USA and the UK, but also in developing countries like India. It is largely due to the contribution of these organizations that today consumers freely talk about their rights and demand their implementation. Many times laws have been modified and framed under their pressure Consumer Organizations.

3.2.2 Objectives

1. To create awareness among the people of their rights strengths and responsibilities as consumers.

2. To educate consumers to protect and promote their interests.

3. To take up consumer grievances with the appropriate bodies, private and government.

4. To ensure correct weights and measures and required standards in the quality merchandise.

5. To provide for consumer grievances, redressal and to check adulteration, hoarding and black marketing.

6. To undertake, initiate and aid investigation, research and scientific testing of all consumer products.

7. To ensure standards of safety and a healthy environment free from pollution.

8. To collect and disseminate knowledge and information useful to consumers and to print and publish studies, periodicals, reports and all such literature that
may be of interest and relevance to the consumer and to the consumer movement.

9. To initiate public discussion on subjects of public interest and make the authorities realize people’s thinking.

10. To provide a public forum for individuals who are otherwise unorganized.

11. To participate and promote consumer protection activities through lectures, seminars, training programs, public meetings and by organizing exhibitions and demonstrations and by writing articles and publishing reports.

12. To develop consumer resistance through mass demonstration, picketing and other action programmes.

13. To provide relief in case of natural calamities.

14. To pursue affirmative action for consumer action through litigation assembly and advocacy before administration.

15. To study analytically and to research on the working of public utility services and natural monopolies.

16. To carry out academic training programmes for workers and leaders of consumer protection.

17. To help people to take things into their hands and to seek redressal against acts involving arbitration, discrimination, abbreviations, anomalies and distortions, whether they emanate from the functionaries of the government or from municipal bodies or banks insurance companies, airlines or any other authorities entrusted with responsibilities towards the public.

18. To represent the government, semi-government and public authorities on matters relating to the rights of individuals and to society as a whole.
19. To apprise, undertake, aid and promote testing and evaluation of consumer products and services.

20. To take actions on the complaints of members regarding goods and services.

21. To apprise manufacturers and producers of consumer goods of the need and methods of improving the quality and utility of these goods and services.

22. To organise consumer forum to report and give opinion and assist the society in the evaluation of quality, performance and stability of consumer products and services.

23. To encourage, promote and foster a strong independent consumer movement in India by bringing together all consumer associations.

24. To provide a forum in which national and regional bodies working for the consumer may discuss their problems and work out possible solutions.

25. To maintain effective links with government, semi-government, autonomous bodies and international organisations.

26. To create awareness by disseminating information on the consumer’s movement in India and abroad.

27. To take efforts to introduce consumer protection educational programmes in schools, colleges, clubs and women’s organisations.

A considerable number of VCOs are functioning in various parts of India. They offer their services both in urban and in rural areas of the country.

These organisations have been taking a keen interest in solving consumer problems. They are specialist in various fields. They conduct seminars, exhibitions, demonstrations and workshops educating consumers in protecting their rights. Though there is not much encouragement from Government agencies for their functioning the
promoters and activities of the VCOs spend a lot of money out of their own pocket to keep the units alive.

Four variables which influence the awareness of the consumers of voluntary consumers organisations were identified. For each variable, 5 statements were prepared. Each statement was administered on a five point scale following Likert’s scale. The four variables identified for the study are:

1. The general nature of voluntary consumer organization.
2. Consumer awareness educational programme.
3. Assistance provided for handling complaints and
4. Other functions like product testing and representation to government.

The four variables which influence the awareness of consumers have been analysed one by one in the following paragraphs:

3.2.3 General Nature of VCOs

A VCO is a social force designed to protect consumer interest by putting consumer pressure on business. Consumer organisations could provide united and organized effort to fight against unfair marketing practices and to secure consumer protection. These organisations are independent, non-political and non commercial organisations. They provide better services to the consumers because the members of these organisations are experts in different fields. They extend support to the government and local authorities in bringing and adulteration, sale of hazardous products, hoarding and black marketing and other malpractices.

The following components are identified to assess the general nature of the VCOs.
i) VCOs are non-political organisations.

ii) VCOs safeguard consumer rights.

iii) VCOs are associations of experts to provide better service.

iv) VCOs are organisations of consumers.

v) VCOs assist the government in bringing out malpractices.

3.2.4 Consumer Awareness and Education

Consumers are to be educated on what to buy, where to buy, when to buy and how to buy and how to make the best use of what they buy in order to get the greatest value for their money. Educating a consumer enables him to make intelligent purchase decisions and to be aware of his rights and sensibilities. The VCOs in Tirunelveli District educate consumers, through seminars, workshop, meetings discussion demonstrations conducting exhibitions and distributing of materials like handbills, posters published through newspapers and the like.

3.2.5 Reception and Settlement of Consumer Complaints

Consumers are ignorant of the redressal mechanism and they are not confident of litigation. So handling of consumer complaints is an important function of the VCOs in Tirunelveli District. Some consumers approach the VCOs for getting their grievances redressed. These consumers treat the VCOs as agents for the settlement of complaints. The VCOs provide the service of experts like lawyers and the guidance offered by the VCOs has legal backing. The decisions taken by the VOCs in settlement of complaints are widely accepted both by the consumers and the business community to avoid future confusion and problems. In many cases the VCOs take
much pain and efforts to settle the complaints informally. They try to make to compromise between the complainant and traders.

3.2.6 Other functions

VCO undertake a variety of functions such as product testing, organizing price rise resistance, many effort for the smooth functioning of consumer courts, representing consumer’s interests before the government and pressurizing the government to enact new legislations favourable to the consumers.

The VCOs undertake tests of different products and inform their findings to consumers and business organisations. Some of the VCOs in India have their own laboratories for carrying out the analysis of any goods with a view to determining whether such goods suffer from any defect.

Representation in state legislature and local bodies to the VCOs will help them to act as spokesmen of consumers while enacting rules and laws for protecting the interests of the consumer and the general public at large.

3.2.7 Voluntary Agencies

The consumer movement in India is still in its infancy. More than 40 percent of the people of the country live below the poverty line and the rural public have not been brought into the mainstream of consumerism. They don’t have access to information and infrastructure concerning consumer protection provided by the Government. There are about 10,000 voluntary consumer associations in the country, of which 45 percent are in Gujarat, Karnataka, Andhra Pradesh and Tamil Nadu.
The most important function of a consumer association is accelerating consumer awareness. This could be done through a well planned propaganda campaign which could ensure that the message, “Consumer, awake and be aware of rights and remedies” reaches every nook and corner of the country.

### 3.2.8 Consumer Guidance Society of India

The consumer guidance society of India was established in 1966 by nine housewives and some social workers. It is a voluntary, non profit and non - political organization registered under the societies registration act and the Bombay Public Trust Act. The purpose of the society was to protect and promote the rights and interests of the consumers, provide them with information and counsel, take up their complaints with the authorities against the offending party and help them to select goods and services which are a fair return for the money they spend. “Quality at fair price” seems to be the society’s motto.

The CGSI creates consumers awareness through Annual exhibitions, talks, demonstration and through media like the radio and television. It addresses school students, women’s groups and social organisations to make them understand their rights and responsibilities as consumer.

### 3.2.9 Consumer Unity and Trust Society

Consumer Unity and Trust Society is an independent, non-political, non- profit making and voluntary organization. It was founded on 15th March 1984 at Jaipur, Rajasthan. It has 5 branches in the various states of India and a network of over 100 independent voluntary organisations. A majority of them are located in the rural areas of Rajasthan.
Among the various committees the CUTS is represented by the Central Consumer Protection Council and the National Road Safety Council of the Government of India among other state bodies in Rajasthan and West Bengal. CUTS has also been recognized as a “Registered Consumer Association” by the Government of India.

3.2.10 Akhil Bharatiya Grahak Panchayat (ABGP)

On January 27, 1978 the ABGP was formed in New Delhi in a meeting of 23 representatives of consumer organisations from all over the country. It concentrates on activities in four fields i.e. LTC, drugs, textiles and taxation structure.

It is a matter of great satisfaction that after the steering committee meeting of the ABGP at Pune on July 14-15, 1984, its work has received a fillip, a new impetus which ensures greater scope to local initiative. The meeting decided to after the form of ABGP constitution, give up its current unitary character and develop it into a federation of different autonomous units. With the implementation of this decision, there has been a steady growth in the number of its registered affiliates, their activities and the projects undertaken by them and it protection against exploitation.

3.2.11 Mumbai Grahak Panchayat

It is a twenty year old Mumbai based consumer group which has taken up cases of medical negligence and malpractice. It has filed a number of cases. An attempt to form a national level confederation was made by Mr. John Joseph of Kerala. The First All India Consumers Conference was held at Kochi in 1990. The idea was endorsed by all the delegates in the conference of Indian consumer organization. It was formed with more than 140 consumer organisations.
3.2.12 Voluntary Organization in Interest of Consumer Education (Voice)

VOICE has its roots in the Delhi University where students and teachers floated the organization during the beginning of 1983-84. Three years later it was registered. Noted Jurist Mr. V.M. Tarkunde and Prof. P.K. Ghosh of the Delhi School of Economic because its founder donors and its office bearers.

One of the services rendered by voluntary consumer association is educating the consumers. Consumer Education is necessary when the market places varied and numerous consumer goods and services demanding adequate information regarding safety and performance or correct use of the products. Consumer awareness and education will be necessary to bring about balanced control among buyers and sellers.

The consumers guidance society of India in 1974 started a project consumer education for low-income groups with the help of trained social workers of 48 community centres in Mumbai. They have been given instruction through a series of talks, films and demonstrations for consumer education and action. Mass media like the radio and the television are also employed for imparting consumer education.

A national consumer education campaign with the active participation of Government agencies, mass media of communication and voluntary organisations including the fair trade practice associations, is possible with Government sponsorship.

Exhibitions, seminars, workshop and surveys are good media to arouse consumer awareness and to inform the public about important consumer issues. They are very good for the mass education of consumers.
Voluntary Organization has taken up several cases and advocated consumer causes before courts of law.

a) The main objectives of the society are:
b) Promoting consumer education
c) Making the market places better and safer
d) Lobbying with policy makers and the Government.
e) Extending support to consumer advocacy activities.
f) Networking globally and linking with other consumer groups.
g) Generating awareness among consumers of their rights and responsibilities.
h) Enabling the consumers to exercise the right choice in the purchase and use of goods and services.

3.2.13 Consumer Protection Council

All the provisions of the Consumer Protection Act 1986 came into effect during 1987. The provisions of this act ensure the establishment of consumer protection councils at the national and state levels. Most of the states and union territories have constituted state level consumer protection council in their respective state capitals.

3.2.14 Central Consumer Protection Council

The Central Government constituted the central consumer protection council on 01.06.1987 for a period of 3 years and it is reconstituted from time to time. The term of the council reconstituted for the present term expired on 23.11.1996, so far, 17 meetings of the central consumer protection council have been held.
Sec.6 of the Consumer Protection Act provides for the establishment of a central consumer protection council to promote and protect the rights of the consumers.

The central consumer protection council may consist of 150 members drawn from relevant areas. The minister in charge of the department of civil supplies shall be the chairman of central consumer protection council. The term of the council shall be 3 years and it should meet as and when necessary. It should meet at least 3 times a year.

3.2.15 State Consumer Protection Council

Each State Government is empowered to establish a consumer protection council constituting of such members as may be specified by the State Government. The object of every state council, like the central council, shall be to promote and protect the rights of consumers within the state. The Tamilnadu Government has reconstituted the state consumer protection council with the Food and Public Distribution minister as chairman and the secretary to the Government co-operation. Food and Consumer Protection Department as its member, secretary, consists of 44 official and non-official members.

3.2.16 Consumer Protection (Amendment) Act 1993

The Consumer Protection Act 1986 is one of the effective and powerful steps taken for protecting the interests of the consumer. A high power working group was set up to suggest suitable amendments to the Act so as to make it more effective and powerful. The Government promulgated an ordinance on 18th June 1993 and it was replaced by an Act of the Parliament on 27 August 1993.
The salient features of the Amended Act 1993 are:

i) To enlarge the coverage of the Act by way of including complaints relating to restrictive trade practices and consumers who buy goods for earning their livelihood by means of self-employment; complaints against goods which are hazardous to life and safety of the consumers and where information hasn’t been given about the contents, usages and effect of the goods in accordance with the law.

ii) Specifically the ‘service’ relating to housing construction under the Act.

iii) File class action complaints on behalf of consumers with the same interest.

iv) To provide selection committees for the selection of non-judicial members and the district forums.

v) Monetary jurisdiction of district forums, state commissions and national commission increased.

vi) To confer additional powers on the consumer disputes redressal agencies.

vii) To provide or to award punishment to the complainant in cases of frivolous or vexations complaints and

viii) To provide a limitation period of 2 years for filing complaints.

3.2.17 Publicity Measures

Jago Grahak Jago “Weekly radio programme: Radio being the cheapest medium with the widest reach, a 15 minute weekly programme, “Jago Grahak Jago” is broadcast through to stations in 20 regional languages. To make the programme popular, a prize of Rs.500/- per programme in every language is given.
3.2.18 Voluntary Consumer Organisations

There are a large number of Consumer Associations which have came up in the country. But only a handful of them have achieved any prominence. Some of the prominent consumer organisations are:

1. Consumer Guidance Society of India, Mumbai
2. Citizens Action Group, Mumbai
3. Consumer Education and Research Centre (CERC), Ahamedabad
4. Common Cause, New Delhi
5. Consumers Action Forum, Calcutta, Delhi, Chennai
6. Consumer Protection Association, Himmanthagar (Gujarat)
7. Consumer Unity and Trust Society (CUTS), Jaipur
8. The Citizens’ Forum, Hubli
9. Consumers’ Forum, Udupi
10. Indian Federation of Consumer Organization, New Delhi
11. Karnataka Consumer Service Society Bangalore
12. VOICE, New Delhi (Voluntary Organisation in the Interest of Consumer Education)
13. FEDCOT, Thanjavur (Federation of Consumer Organization in Tamilnadu)\(^1\)

3.2.19 Registration of Consumer Associations

Consumer Associations are by the VCO for the promotion of and protection of welfare of consumers. As they are only voluntary bodies, registration of their units is not legally necessary. It is left to the option of the organizing groups. When they are registered with the Government, they can get official identity and legal recognition.

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3.2.20 Procedure of Registration

Any consumer council/Association with a minimum membership of 100 is allowed for registration. Moreso, 30 per cent of the total members must be women. In Tirunelveli District VCOs are to be registered at

District Registrar Office,

Tirunelveli.

A fee of Rs.500/- is charged for the initial registration of consumer organisations. Afterwards, yearly renewal fee of Rs.25/- is payable by the consumer organisations.

3.3 FUNCTIONING OF DISTRICT FORUM

Tirunelveli District level consumer court commencement date, location address court timings and procedures.

3.3.1 Court Timings

The district court functions from 10.00am to 5.30 p.m on all working days.

The nature of work done during this timing is given below:

- 10.00 a.m. to 1.30 p.m : Receiving cases, filing cases conducting court proceedings
- 2.30 p.m to 4.00p.m : Entering details of the court proceedings in the diary, discussion among the Judges and the members.
- 4.00p.m to 5.30p.m : Other administration work like recording the details of hearing in the case notes, typing work and planning for the next day work.
3.3.2 Judge

The district forum is headed by a Judge / President. The Judge is appointed by the State Government. Usually judges are retained in service upto 65 years or 5 years of service, which ever is less. Normally retired District Court Judges are appointed Consumer Court Judges.

First Tirunelveli district forum judge name is Mr. V. Jeyaraman.

The Current Judge Name M. Ramachandran has been appointed the Consumer Court Judge.

3.3.3 Panel of Working Group

The district forum is headed by the Judge. He is the president of the Forum. He is assisted by two other members. Of them, one is a lady member.

The present male member is A. Bala Subramanian

The present female member is V. Jesintha,

These members are also appointed by the State Government. Normally they are the personalities associated with social work. These members are getting a monthly honorarium of ₹3000/-

The awards are finalized by the majority of the working group. The case is not finalized at the individual power of the president of the forum.

3.3.4 Staff

The District Consumer Court of Tirunelveli is manned by the following categories of staff members.

Head clerk - 1

Junior Assistant - 2 (Tirunelveli, Tuticorin)
Stenographer - 1
Office Assistants - 2 (Tirunelveli, Tuticorin)

The work of head clerk involves the following activities:

a) Supervising the office work
b) Clearing doubts of the consumers.

c) Keeping office accounts and preparing pay bill
d) Receiving the cases

The nature of the work of Junior Assistants with the following affairs:

a) Carrying on court bench work
b) Briefing the case details
c) Speed up the court proceedings
d) Helping the speedier process of court proceedings

The work of stenographer involves the following duties:

a) Noting the dictation by the Judge
b) Doing typing work

Two office assistants render help to the official activities of the office staff.
3.3.5 Procedure to Lodge Complaint

A consumer can file a case in the consumer court by writing the issue even in an ordinary white paper. It is not absolutely necessary to attach the documentary evidences along with the complaint. They can be produced in the court during the trial. No fees need to be paid by the complainant.

After receiving the complaint, the case details are entered in a separate note/register. This register is called Civil Register One (CR1). This register has the following important particulars among the others:

a) Name of the plaintiff, address
b) Name of the dependent, address
c) Small description of the case
d) Date of registration of case
e) Date wise details of hearings
3.3.6 Format of the Complaint

“Before the Hon’ble District Redressal Forum

Op. No............... of 20

Complainant’s Name and Full Address

Vs

Opposite party’s Name and full address; complaint filed under section 12(a) of the Consumer Protection Act, 1986.

1) The complainant is ............... The address for service of this complaint as above.

2) The opposite party is ............... The address for service of the opposite party as above.

3) Facts of the complaint.................

4) The cause of action for complaint.

5) The place where the complaint originated to explain the jurisdiction of the forum applied to.

6) The complainant therefore prays that this Hon’ble District Forum may be placed to direct the opposite party to whatever remedy is needed.

Place:

Date : 

COMPLAINANT

Source: Record of District Forum
3.3.7 Specimen of CR1 Register

1. Ordinary Suit No. of 20

2. Date of Presentation
   Date of Filing

3. PLAINTIFF - Name, Description and place
   of abode

4. DEFENDANT - Name, Description and
   place of abode

5. Particulars of claim - claim for

6. Date of Defendants’ first appearance

7. Date of Judgement & Result

8. Number of application for review (or
   rehearing) with result and date.
   Fresh Judgement if any with date

9. First Appeal No. ______ of 20
   Result with date
   Second appeal No. ______ of 20
   Result with date

Source: Records of District Forum
3.3.8 Consumer can file a case, if he satisfies the following norms

a) Incident must have taken place within the Judicial area of the Court.

(or)

b) The applicant must have a permanent residential address within the Judicial area of the Court.

Consumers can file cases for claims upto ₹20 lakhs only. For claim above ₹20 lakhs the case must be filed with the State Consumer Disputes Redressal Forum, 212 RK. Mutt Road, Chennai - 600 004.

Some of the key observations of the researcher in respect of filing the complaint and mode of conducting the enquiry are presented below.

a) In many cases, the consumer files complaint individually. Only in certain cases they have acquired the help of the lawyers and nearby consumer protection councils.

b) If both the parties agreeing, the case will be decided within 90 days.

c) If the concerned issue has taken place inside Tamil Nadu, within 15 days (after lodging complaint) first hearing will be held.

d) If the related issue has taken place outside Tamil Nadu, within 2 months first hearing will be held.

e) Normally 20 hearings are required by the court to run the trial and give verdict in a particular case. These 20 hearings have become essential because on many hearings either the plaintiff or the defendant has not turned up.

f) Normally 4 - 6 cases are filed in a week.
3.3.9 Analysis of Court Dealings

The researcher has taken 2008, 2009, 2010, 2011 and 2012 Calendar years as the study period. During the study period, the researcher has dealt with the following areas:

a) Details of cases filed.
b) Nature of cases
c) Duration for disposal of cases
d) Note on locality, from where the applicant has filed the case.
e) Number of cases filed.
f) Details of assistance by consumer councils
g) Number of re-appeal cases

There particulars are narrated in the following pages.

3.3.10 Number of Cases Filed

At first, the researcher has brought out the number of cases filed with the District Forum in the three calendar years of 2008, 2009 and 2010. The District Forum, on the basis of the following two reasons, does not take up all the cases filed with the District Forum for further enquiry:

a) In cases where the Consumer Protection Act does not apply.
b) When both the parties agree for the settlement outside the court, immediately after filing of the case.

Except the above instances, all other cases were taken up for further enquiry. The study reveals that in 2008 the number cases filed were appointment of President and no cases were filed only in 2008 for the reason of non president in 2010 the number of cases filed was 184, in 2011-12 and in the year 2012 it was 216.
The above number of cases was sorted out into two categories namely, cases taken up for further enquiry and cases not taken up for further enquiry.

3.3.11 Number of Cases Decided

After the examination of the total number of cases taken for the enquiry the researcher has also analysed the number of cases decided and undecided. It has revealed the following details.

Of the 62 cases taken for enquiry in the year 2008, 51 cases were closed and verdicts were given. Of this 30 cases re-appeared in the year 2009. In 2009, the number of cases dealt with was 73 and of this only 71 cases were closed. In the year 2010, of the 263 cases dealt with and verdicts were given for 383 cases and the remaining 166 cases were pending. In the year 2011 of the 261 cases dealt with and verdicts were given for 192 cases and the remaining 95 were pending. In the year 2012 of the 311 cases dealt with and verdicts were given for 226 cases and the remaining 85 were pending. These details are neatly sorted out in Table 3.1

<table>
<thead>
<tr>
<th>Table 3.1</th>
<th>Number of Cases Decided and Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Category</strong></td>
<td>2008</td>
</tr>
<tr>
<td>No. of Cases applied</td>
<td>51</td>
</tr>
<tr>
<td>No. of Pending cases</td>
<td>9</td>
</tr>
<tr>
<td>Total cases dealt with</td>
<td>62</td>
</tr>
</tbody>
</table>

Source: Records of District Forum.

3.3.12 Mode of Filing of Cases

According to Consumer Protection Act, any individual consumer can file a case in the District Forum on his own. He can write in the plain paper about the nature
of complaint and gets its registered for further enquiry. In some cases, the consumers seek the help of lawyers or the consumer protection councils to file their cases and conduct the proceedings. Law does not prevent these two parties from the helping the consumers.

In a further enquiry the researcher has analysed the extent of help availed by the consumers in filing their cases with the District Forum. It has brought to light that 97 of the total cases were filed by individual consumers. Majority of the remaining cases 424 of the total cases were filed in the court with the help of the lawyers. Table 3.2 portrays the above particulars along with the year wise statistics.

### Table 3.2

<table>
<thead>
<tr>
<th>Category</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filed by the consumers themselves</td>
<td>2</td>
<td>-</td>
<td>15</td>
<td>17</td>
<td>63</td>
</tr>
<tr>
<td>Filed with the help of Lawyers</td>
<td>7</td>
<td>-</td>
<td>169</td>
<td>95</td>
<td>153</td>
</tr>
<tr>
<td>Total</td>
<td>9</td>
<td>-</td>
<td>184</td>
<td>112</td>
<td>216</td>
</tr>
</tbody>
</table>

Source: Records of District Forum.

#### 3.3.13 Details of Re-appeal made

If anyone of the parties is not satisfied with the award given by the District Forum, he can go for re-appeal to the State Commission, Chennai. The award given by the State Commission would be the final one.

He can also re-appeal to the National Commission, New Delhi. According to the provisions of the Consumer Protection Act, only one re-appeal is allowed.

The researcher has dealt with this aspect also in course of the investigation. In 2008, only 30 consumers out of 51 consumers went for re-appeal. This figure works

**TABLE 3.3**

<table>
<thead>
<tr>
<th>Category</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-appeal made</td>
<td>30</td>
<td>43</td>
<td>54</td>
<td>72</td>
<td>84</td>
</tr>
<tr>
<td>No Re-appeal made</td>
<td>21</td>
<td>28</td>
<td>163</td>
<td>120</td>
<td>142</td>
</tr>
<tr>
<td>Total No. of cases disposed</td>
<td>51</td>
<td>71</td>
<td>217</td>
<td>192</td>
<td>226</td>
</tr>
</tbody>
</table>

Source: Records of District Forum.

3.3.14 Nature of Cases Filed

In a further enquiry, the researcher examined the nature of cases filed by the complainants during the study period. This analysis made the researcher classify the number of cases into 12 major categories. They are listed below:

3.3.14a Private Business and Industrial Houses

a) Tyre Dealers
b) Two wheeler agencies
c) Couriers services
d) Pump-set dealers
e) Welding works
f) Dealers in white goods
g) Lorry service
h) Sugar company
i) Machine tools manufacturers
j) Tea company
k) Fire works
l) Beverage Agencies
m) Hotel
n) Computer spares
o) Theatre
p) Building contractor.

3.3.14b Government Departments and Companies

a) Cement company
b) Refinery
c) Education Department
d) Taluk Office
e) Postal Department
f) Municipality
g) Panchayat Union Office
h) Social Welfare Department
i) Public Works Department
j) Provident Fund Office
k) Employment Exchange
l) Road Transport Office
m) Government Gas Agencies
n) Railways

3. Telephone Exchange

4. Electricity Board

5. Commercial Banks
6. Non-Banking Finance Companies
7. Insurance (LIC & GIC)
8. Housing Board
9. Co-operative Stores
10. Bus Service
11. Service Deficiency of Lawyers
12. Service Deficiency of Doctors

3.3.15 Concluding Remarks

1. The consumer court in the study area has a good situation with all required infrastructure.
2. In majority of cases the court took reasonable time only for the trial and giving verdict.
3. Most of the aggrieved consumers filed the cases individually. Since the mode of filing the suit is very easy.
4. In majority of the cases, the plaintiffs made no re-appeal.
5. Majority of the cases are filed against private business and industrial houses.
6. The sample analysis of the verdicts awarded brings to light the efficacy of the district forum in awarding justice to the aggrieved plaintiffs.

Thus, the analysis made on the functioning of the District Forum in the study area helps the researcher to conclude that sound consumerism could be enhanced by the operation of the forum through justice to the aggrieved consumers.

3.3.16 Conclusion

1. Organising consumer awareness meetings.
2. Improving road condition.
3. Distributing note books to the school children.
4. Organising Blood donation camp.
5. Organising eye check up camp.
6. Regulating drinking water supply.

3.4 PROFILE OF TIRUNELVELI DISTRICT

Tirunelveli District is a district of Tamil Nadu state in southern India. The city of Tirunelveli is the district headquarters. A unique feature of this district is that it encompasses all five geographical traditions of Tamil Literature; Kurinji (mountains), mullai(forest), marudham(paddy fields), neithal(coastal) and palai (desert). Tirunelveli District was formed on September 1, 1790 by the East India Company (on behalf of the British government), and comprised the present Tirunelveli and Thoothukudi districts and parts of Virudhunagar and Ramanathapuram districts. It is the second-largest district, after Villupuram.

3.4.1 Origin of the District

The founding date of Tirunelveli District is commemorated as Tirunelveli Day. The British East India Company named it as Tirunelveli district; its headquarters was first located in Palayamkottai (an adjacent city), where it had its military headquarters during its operations against the Palayakars. There are three reasons attributed for naming the district Tirunelveli. The primary reason is after the largest city of the district; another reason is that it was called Tirunelveli Seemai under the Nayaks and Nawabs. Finally, it served as the southern capital during the Pandyan Empire. Both Tirunelveli and Palayamkottai grew as twin cities in the district. In the early 20th century, parts of Tirunelveli district were separated into Ramanathapuram and
Virudhunagar Districts. In 1986, Tirunelveli district was further split into two districts for administrative purposes: Chidambaranar (present-day Thoothukudi) Kattabomman and present-day Tirunelveli Districts and Nellai-Kattabomman (later and Tirunelveli-Kattabomman and present-day Tirunelveli Districts.

3.4.2 Geographical Data

Tirunelveli District having geographical area of 6759 sq.kms, in the Southeastern portion of Tamil Nadu is triangular in shape. It lies between 8°.05’ and 9°.30’ of the Northern latitude and 77°.05’ and 78°.25’ of Eastern longitude.

3.4.3 Topography

The district is located in the southern part of Tamil Nadu and surrounded by Virudhunagar District on the north, Western Ghats on the west, Kanniyakumari District on the south, Tuticorin District on the east. The lifeline of the district river Tamiraparani feeds the district and quenches the thirst of the residents of Tuticorin District too.

3.4.4 Administrative Setup

This district has 3 Revenue Divisions comprising of 11 Taluks, 60 Firkas, 19 Development Blocks, 616 Revenue Villages and 425 Village Panchayats.

3.4.5 Demographic Details

The population of this district was 27,23,988 as per 2001 census and 30,72,880 as per 2011 census. The Density of Population per sq.km. was 399 as per 2001 census and 455 persons as per 2011 census. Tirunelveli, Tenkasi and Ambasamudram are the most density populated Taluks in the district as per 2001 census. The Sex ratio is 1024 females for every 1000 males in the district as per 2011 census. The Literacy rate is 76.09 per cent in the district as per 2001 census. Out of
the total population, males are 13,33,939 and females 13,90,049 as per 2001 census. Out of the total population, males are 1518595 and females 15,54,285 as per 2011 census. The district having Schedule caste population of 4,81,052 which represents 17.66 per cent to total population as per 2001 census. Schedule Tribes are found to be very small in numbers 8358 which is 0.31 per cent of the total population. 4.36 per cent of state population lives in Tirunelveli district. 14,15,742 live in rural area and 13,08,246 live in urban area forming 52 per cent and 48 per cent respectively as per 2001.

3.4.6 Occupation

Agriculture plays a vital role in the district’s economy. The total cropped area was 1,71,155 hectares, which worked out 25.32 per cent of the total area of 6,75,850. The important food crops are Paddy, Cholam, Ragi, Cumbu Maize and other minor millets. The commercial crops are Cotton, Chillies, Sugarcane and Groundnut. Of the total cultivated area of 1,45,047 hectares in the district, 26,108 hectares are shown more than once.

3.4.7 Irrigation

The district is blessed with the Western Ghats from which all the perennial rivers follow and drain towards the east. The surface water of the district is drained into major river basins namely, Thamiraparani, Vaippar, Nambiar and Hanumanathi. Thamiraparani is the major river basin in the district. The other streams which are seasonal in nature are Servallar, Manimuthar, Ramanathi, Pachayar, Chittar and Uppodai rivers which drain into the Tamiraparani basin. The sources of irrigation are Canal, Tank and Well, which covers 1,33,106 hectares. Among the total area
irrigated, well irrigation covers 50,096 hectares, Tanks 55,382 hectares and Canal 27,128 hectares.

3.4.8 Industry

There are 25 medium and major industries such as Cement, Cotton yarn, Calcium carbide, Sugar, Cotton seed oil, Printing papers and flour Mill etc. Among the other industries in the district Pin, Clip, Matches, Beedi, Vessels making and Engineering industries are important. The important village industries functioning in the district are Handloom, Poultry farming, Brick making, Jaggary production. The Handloom products Lungi, Sarees etc are marketed in north India. So also the fine Korai mats from Pathamadi have world fame. Kallidaikurichi Pappads, Karukurichi mud pots, also Tirunelveli “Halva” are specialities which earned many laurels to the district.

3.4.9 Agriculture

Tirunelveli District is predominantly an agricultural district. The district has mainly two cropping seasons, namely, Kar, the first crop (June to September) and Pishanam, the second crop (October to February).

3.4.10 Cropping Pattern

Tirunelveli has fertile soils only in scattered regions. Less fertile red soils are found distributed over most of the regions. The network of the irrigation system marks full use of the water resources; the natural deficiency has been overcome to a greater extent. The cropping pattern of the district is essentially of the type characterizing dry regions. It normally varies from taluk to taluk. In dry regions, diversified cropping patterns exist and no single crop claims a large share of the gross cropped area. Dry cultivation which characterizes these regions is also basically millet
and cash crop cultivation. Even in dry regions wherever water is available, it is the
paddy crop that is sown by the farmers. Paddy occupies the largest area of cultivation,
followed by cotton. Paddy is cultivated mainly in Tirunelveli, Palayamkottai, Tenkasi,
Shenkottai, Ambasamudram and Nanguneri taluks. Other crops grown in the district
are cumbu, ragi, pulses, groundnut, gingelly, coconut, chillies and indigo. Portions of
Sankarankoil taluk have the rich, fertile black soil which is highly suitable for cotton
cultivation. Factors such as type of soil, climatic conditions, irrigation facilities etc.,
determine the cropping pattern in a region. Most of the rain fed areas are cultivated in
both the seasons. Most of the crops are on the ground for three or four months except
chillies and cotton which take more than five months.

3.4.11 Tourist Spots

Courtallam is situated at the Western Ghats in Tenkasi taluk. The famous
waterfalls on rocks and tiny droplets are sprinkled in the air. The waterfalls of
Courtallam have medicinal value as they run through forest and herbs before their
decent. Pappanasam Agasthiar falls also attracts tourists and pilgrims. There is a wild
life sanctuary at Mundanthurai and in Kalakadu, Spotted deers, Liontailed monkeys,
Elephants and Tigers are plenty.

3.4.12 Religious Significance

The Nellaiappar temple at Tirunelveli, Sankaranainar temple at Sankarankoil,
Kasiviswanathar temple at Tenkasi and Vanamamalai Temple at Nanguneri are the
landmarks of the district signifying the Hindu Culture. Palayamkottai has many
Christian missions and Athankaraipallivasal and Pottalpudur Darga have considered
to be important sacred places for Muslims.
3.4.13 Climatic Condition

The district has peculiar climate and receives rainfall in all the seasons which represent 947.6mm in 2010-2011. The maximum precipitation is contributed by the monsoon (189.6mm) and the Summer (127.7mm) and the Winter (74.5 mm) North- East Monsoon (555.08mm)

3.4.13a Temperature

In the day time the coastal regions are cooler than the interior parts by about a degree in summer and southwest monsoon seasons and warmer by one to two degrees during the rest of the year. From about the middle of February, temperature increases steadily. In May, which is usually the hottest month in the interior, the mean daily maximum temperature is 37.1 degree celsius. The weather is quite hot in May and June and the maximum temperature some times reaches 45 degree celsius. With the onset of the southwest monsoon by the end of May or beginning of June, there is some drop in temperature. By about the middle of October, both day and night temperatures decrease appreciably. The period from November to January is the coolest period of the year with the mean daily maximum temperature of about 30 to 31 degree celsius in the interior parts. The mean daily minimum in these months is about 22 to 23 degree celsius in the district in general.

3.4.13b Humidity

The relative humidity, in general, during the year is between 55 and 65 percent in the interior parts of the district, except during the northeast monsoon season, when it is over 65 per cent. The coastal parts are comparatively more.
3.4.13c Cloudiness

During the months of April and May, the skies become heavily clouded and threatening in the afternoons on many days when thunderstorms follow. In the southwest and northeast monsoon seasons, the sky is heavily clouded or overcast.

3.4.13d Winds

Winds are generally light to moderate in strength. Between May and September winds are mainly north westerly or westerly. From October to February winds are mainly north easterly or northerly.

3.4.13e Rainfall

Main rainy season is from October to the middle of January. During these southwest monsoon seasons the rainfall is more in the western parts of the district. November is generally the rainiest month. The heaviest rainfall in 24 hours recorded in the district was 371.5 mm at Sivagiri on 29.10.1929. The average rainfall in the district is 814.8 mm per annum.

3.4.14 Mineral Resources

3.4.14a Limestone

It is available at several places in the district. The major part comes from the crystalline limestone deposit occurring near Ramayanpatti, Talaiyuthu and Padmaneri. A total reserve of 4.06 million tonnes limestone up to a depth of 15.2 metre in Ramayanpatti band and 5.08 million tonnes up to a depth of 15.25 metre in Talaiyuthu band has been estimated. The limestone available here contains Calcium Oxide (CaO) from 34.97 to 55.49 per cent, Magnesium Oxide (MgO) from 0.31 to 7.24 per cent. The Padmaneri band consists of six limestone quarries with an aggregate strike length of about 800 metre. The average width is 4.75 meter, 0.199 million tonnes of
cement grade limestone is estimated from this band. The Singikulam band extends over a strike length of 17 km. It contains seven limestone quarries with an aggregate strike length of about 6.4 km and average width of 13 metre. About 3.160 million tones of cement grade limestone is estimated from this band. Six bands of good quality limestone occur near Pandapuli and 4,34,000 tonnes of limestone suitable for the manufacture of cement and chemical industries have been estimated.

3.4.14b Sulphides

Light traces of sulphides occur in and around Pattankadu and Munradaippu. This mineral is of no economic importance.

3.4.14c Ilmenite – Garnet Sands

Occurrence of red garnet sands in the beds of the river Nambiar and Uvari has been recorded. The proportion of garnet is 75 per cent in the rich deposits and 45 percent in the surface sands. Local concentrations of limonite sands are noticed near Vijayapatti and Kuttankuli.

3.4.15 Forest, Fauna and Flora

The total area of forest of the district is 1,22,055 hectares of which 81,700 hectares is set apart for Tiger reserve of Mundanthurai and Kalakadu. The entire forest of the district stretches along the Western Ghats. Various types of forests from luxuriant tropical wet evergreen forests to southern thorn scrub forests occur in the district owing to its diverse geographical factors. The forests in the district are technically classified as Southern hilltop tropical evergreen forests, West Coast tropical evergreen forests, Southern moist mixed deciduous forests, Ochiandra reed forests, Carnatic umbrella thorn forests, Southern Euphorsia scrub and Southern thorn scrub.
3.4.16 Rivers in Tirunelveli District

There are a number of rivers in Tirunelveli district. The following are the rivers flowing through this district. Tamiraparani, 100 Pachaiyar, Korayar, Chittar, Aluthakanniar, Aintharuviar, Jambunathi, Ramanathi, Gadananathi, Harumanthathi, Karuppanathi, Gundar, Mottaiyar, Manimuthar, Nambiyar, Karunaiyar, Vedamaliyar, Kothaiyar, Rajasingiyaru and Mundhal Odai.