INTRODUCTION

It is common knowledge that 'every one is a consumer, all the time' and to add-'all his life time till his mortal frame is consumed in flames or buried' involving considerable expenses now-a-days. With the techno-economic and social progress in the country under five year development plan, with increasing financial outlay, plan after plan over the last three decades and a half, and explosion of population so to say, bulging demand not only of consumer goods and services thereto for bare subsistence of a large majority of consumers, but also urge for sophisticated consumer goods and luxuries with a considerable section of the people having increasing purchasing power have resulted in shortage, scarcity and spiralling price rise and their increasingly diverse concomitant problems. The demand, for other services, such as transport, communication, electricity, pure drinking water, housing, sanitation, etc., essential to make life worth living in the modern society is increasingly be set with the problems. Indeed, problems of consumers are mounting up and assuming a 'hydra-headed' size to say.
Consumers are in need of protection against such problems, such as, tremendous price rise continuing unabated, adulteration, malpractices of the unscrupulous section of the trade and industry, environmental pollution, problems of transport, electricity, pure drinking water and housing which are making living very difficult, as stated above. In advanced countries elaborate legal and administrative measures have been introduced and implemented by concerned government agencies.

THE PRESENT STUDY

The problem of consumerism is complex and calls for an indepth study. Consumerism has not reached the take-off stage in India yet. Consumer protection is one of the new horizons emerging in Indian sphere. Laws relating to consumer protection are being enacted and administrative measures devised and implemented at different levels of the government. There are even government departments mainly dealing with matters connected with consumer protection. Inspite of the plethora of measures, legislative and administrative, consumer protection still remains a mirage and consumer sovereignty a myth. The consumer is exploited quite often. A consumer is a captive of our society and of our peculiar economic system, a victim of the interplay of the conflicting forces in our society and an easy pray in the hands of the commercial and industrial sleuths wielding economic and political power. Therefore, the increasing consumer problems motivated the researchers to find out the problems faced by the consumers and to see their perceptions regarding justice through legislative measures.

Consumerism in India is gaining rapid strides. Consumer is the centre of business activity. Consumer's satisfaction is also set to be the goal of business. But in
practice consumers are cheated, exploited and dismayed in several ways by the business sector. Hence, there is a need for supporting consumer movement through such relevant research studies in our country.

The study is explorative in character as it seeks to make an indepth as well as an extensive study of consumerism, and also significantly covers the whole gamut of historical growth of consumer movement in India as well as abroad. Further it intends to explore some of the recent trends in consumerism and also attempts to provide necessary solutions to eliminate the weaklinks in India's consumer movement.

The present study, though covers a long period, it mainly deals the developments that have taken place in the area of consumerism since 1960's during which this movement gain momentum with the legislative sanctions approved by American Senate. It has been expected that this data pertaining to the period (1960 - 1994) will reveal the trends of various aspects of the emerging consumerism especially in India. It may be of interest to note that very few studies of similar nature have ever been undertaken in this country.

OBJECTIVES OF THE STUDY

The following are the important objectives of the study

a) To trace out the growth and origin of consumer movement in India as well as abroad.

b) To describe the concept of consumerism and to study the need for consumer protection in India.

c) To explain the changing pattern of consumer markets in India.

d) To describe the history of consumer legislation and to highlight the various consumer legislations in India.
e) To study the role of government and non-government organisations in the promotion of consumerism in India.

f) To study the scope and objectives of Consumer Protection Act and its jurisdictional conflicts with other civil acts.

g) To study the role of business in the realisation of marketing concept.

h) To probe into the recent trends in India's consumerism.

i) To identify the weaklinks and offer suggestions and solutions for making consumer movement strong.

SIGNIFICANCE OF THE STUDY

The study assumes all pervasiveness since every one in the society is a consumer. The study is highly relevant in the contemporary times since there has been a wave of awakening of and rising upsurge of interest for the rights of consumers all over the world. The study assumes significance since it deals with the various aspects of a crusade for better quality of goods and services and thus aiming at ensuring high standard of living for people.

The study is of paramount importance because it deals with such matters as of self regulation and control on the part of manufacturers in order to deliver better services and products of quality nature. The study seeks to enlighten the rights of the consumers against the notorious and various unfair trade practices indulged in by the producers and the middlemen. Hence, it is significant.

The study has a social concern and thus, it deals with the various aspects like healthy environment, safety standards and other emerging interests of the present day. The study assumes further significance since it touches several parameters as that of
forces generated by industrial and technological evolutions witnessed in the developed countries and their consequent impact on the interests of developing countries.

The study is important because it clearly reveals the role of government and non-government organisations in consumer protection and thus it helps in finding new ways and means for further intervention of these organisations in gearing up consumer movement. Role of voluntary organisations in a social movement is most important. No law can serve the society if it is not invoked and administered properly. The study specifies all these aspects. The study assumes greater significance in view of the facts that consumption is the sole purpose of all production activities and interest of the producers ought to be attended only so far as it may be necessary for promoting that of the consumer. This is a theory on which consumer should be based but in reality this does not happen, as large corporations and entrepreneurs controlling the economy do not let this happen, which necessitates enaction of the consumer protection laws.

The study reveals the manner in which the administration of the Act has brought out some major deficiencies of the Act. Studies of this type in general provide guidelines for future research works on consumerism and it also signifies the need for making further amendments to the consumer laws. The study assumes greater significance in the light of liberalisation policies from the government that may have favourable as well as unfavourable consequences to the consumers since the study seeks to support the idea of not going back from the liberalisation policy, but the strengthening of the consumer movement and the regulatory mechanism. With the changing economic and industrial policy as well as the market place the role of consumers is much more important than earlier.
The study of this sort reveals the importance of spreading consumer movement to rural areas since the message of the movement is slowly perculating to the gross root end. The study also assumes significance since it deals with certain pertinent questions like apathy of Indian consumers and government officials towards consumer rights. The study questions hitherto the unutilised potential of consumers in safeguarding their own rights when the workers who constitute only three per cent of the nation's population can paralyse the system, and thus are able to bargain for the cause.

This work is an attempt for building up consumer awareness to resist the existing malpractices in the market, hence it is important. The study has far reaching implications. The Consumer Protection Act is a step in the direction of fulfilling the constitutional commitments envisaged in the Preamble and the Directive Principles of State Policy of the Indian Constitution and to re-build the confidence of the people about the capability of the judicial system to deliver quick, inexpensive and time-bound consumer justice. As a matter of fact, the Indian Judicial System had recently come under severe attack from various quarters and even alleged to be on the verge of collapse, primarily because of the mounting arrears of cases which had accumulated due to the tardy and lengthy and complicated decision-making procedure of civil court. Through the enactment of the statute, the law makers seem to have made an earnest endeavour to dismiss the impression and to take justice to the consumers' door steps.

The systematic enquiry is possible through the study as it endeavours to present an integrated view of the various facets of consumerism. The study attempts to give a comprehensive ex-post-facto view of the concept of consumerism.
METHODOLOGY

The data and other relevant information were collected through the following sources, viz.,


b) Various reports submitted by the Working Groups on Consumerism.

c) Secondary sources such as commercial journals, economic dailies, books, proceedings of various work shops, records etc.

d) Consultations with the experts in the area at the Consumer Education and Research Centre (CERC), Ahmedabad, concern officials in the Ministry of Civil Supplies, Consumer Affairs and Public Distribution, Indian Institute of Consumer Studies (IICS), Bangalore and various other consumer councils in the country. Thus the data is mainly collected from the secondary sources.

SURVEY OF LITERATURE

The literature of consumerism throws enough light on various aspects such as the concept of consumerism, growth and origin of consumer movement, history of consumer legislations, the concept of marketing, various methods of consumer exploitation, rural consumer problems and the various recent trends comprising the controversies relating to the application of Consumer Protection Act, to medical and educational professions, investors and environmental interests, and the various consumer issues interwoven with the recent liberalisation trends including GATT. While different view points can be found on the growth, origin and the present status of consumerism in the form of numerous articles, books and news items, comprehensive
studies with research orientation are a very few. The important aspects of available literature are presented here under.

ORIGIN AND GROWTH OF CONSUMERISM

The noteworthy works that provide a close up view about the historical development of consumer movement, emergence of the concepts like consumerism and consumer movement are as follows.

Mona Mehra\(^1\) stressed that consumerism in India should be developed as a social phenomenon and influence the business, cultures, management attitudes and governments, legislative and executive actions. Nabi\(^2\) concludes in his study that as time passes, more businesses are learning that consumerism is not a passing and as the concept of buyers' market is no longer considered a taboo in India. Anthony\(^3\) stressed the need for a strong consumer movement to stand up to 'distortions' in a free economy in the form of cartelisation and unfair trade practices.

Sastry\(^4\) concluded in his study that only a strong consumer movement would be able to exercise the needed pressure and get for the consumer, the protection and consideration which is rightfully due to him. Grant\(^5\) concluded that the Indian consumer movement is still groping in the dark, and is nowhere near the take-off stage. Kumar\(^6\) concluded that consumer movement continues to struggle to carve out a niche for itself in the Indian market. It lacks resources, testing facility, competent leadership and price-control mechanism. Soma Basu\(^7\) reported on the state of the consumer movement in the country today that the Indian consumer, by and large, continues to be ignorant about his or her rights, even though there is a perceptible change for the better.
now, as compared to a few years back, much needs to be done still. Anthony⁸ stressed that consumer movement should be a people's movement and not government sponsored.

Patwardhan⁹ in his study observed that the co-operation has been recognised as one of the important systems of an Indian economy. The Indian Co-operative Movement is perhaps comparatively stronger and oldest among the developing countries. Sexsena¹⁰ observed that consumer co-operative is a reaction capitalistic retailing having as its object the elimination of middlemen and their profits. Tripathi¹¹ concluded that the battle of the co-operative consumer movement in helping every human being to live up co-operatively by enjoing all co-operative benefits is great. Sahu¹² opined that the consumer co-operation should not only be confined to the field of distribution but also be extended to the areas of production.

Khusro¹³ warned in his study that if Public Distribution System is weakened by harmful policies and burdened with over regulation, the blame lies surely on the policy makers and the regulators. Mukundan¹⁴ concluded that perhaps a realistic analysis will lead to the conclusion that democratic management failed due to the interruption, interferences, and vested interests of the state level/local politicians of our blessed democracy.

The solution of many political, social and economic problems vest in price control. This problem could be solved by way of increasing production and making available the quality of goods to the masses at reasonable prices from the nearest distribution point through Public Distribution System and co-operatives.¹⁵ Kaul¹⁶ identified links between consumerism and the public relations and marketing man who took the keen interest in customer relations.
Satya Sundaram\textsuperscript{17} in his study identified a major obstacle to consumer movement in India, that is existing of different classes of consumer's and that very often sectional interests of these classes clash with each other.

CONSUMER PROTECTION ACT, CONSUMER FORUMS, CONSUMER PROTECTION, CONSUMER RIGHTS AND AWARENESS

Following are the important works related to Consumer Protection Act, Consumer Forums, consumer protection, consumer rights and awareness.

Gurbux Singh\textsuperscript{18} observed that the Consumer Protection Act seems to be in tandem with the provisions relating to unfair trade practices in the M.R.T.P. Act, 1969. The Consumer Protection Act came as a fresh breath of air to democracy.\textsuperscript{19} T.N. Pandey\textsuperscript{20} concluded in his study that within a short period since the Consumer Protection Act came into existence, there has been a tremendous impact, and the new legislation has restored in a significant way, the prestige of the consumer who cannot be taken for a ride now.

V.S. Manium\textsuperscript{21} observed in his study that 'India's Consumer Protection Act of 1986 is revolutionary piece of legislation, since no where else in the world had astatutory body been created, as has been done under this legislation, to hear and settle consumers' grievances not just against producers and manufacturers but even against Government which is responsible for several major infrastructural services.

The Promulgation of the control ordinance that brings into law the modifications to the Consumer Protection Act envisaged under a bill pending before the Rajya Sabha should by itself deemed to reflect the Governments anxiety to make the seven year old statute more effective.\textsuperscript{22}
Mehta in his study stated that Copra is really a simple piece of legislation, and requiring more commitment to interpret it. The poor masses need to be protected from both the devil and the deep sea. Therefore, advocacy can sometimes prove more useful than litigation. Venkatesan has traced controversy on the scope of applicability of Consumer Protection Act, 1986. In other words at a time when consumer courts have firmly established the roots, there is a feeling among certain groups that the Consumer Protection Act is being misused by consumers.

R.S.Pandit opined that the laws need to be made more stringent and the enforcement machinery should be made to perform its function honestly and diligently. Desikan while acknowledging the efficacy of the Consumer Protection Act, questioned whether the government servants, public sector workers and management, and private industrialists take the gauntlet.

Kumar opined that Consumer interest is integral to any socio-economic order especially under the M.R.T.P. Act and therefore what deprives the consumer as a body or a fairly large number of them of the benefits from market affluence and competition may be regarded as injurious to the consumer within the meaning of Section 36-A of the Act. John Kenneth have expressed the notion that the consumer is sovereign in the market economy will serve only those who believe in fairytales. Swarup concluded that the amended Consumer Protection Act has made resolution of grievances easier but it has also clogged court rooms with exaggerated claims. Venkatesan felt that at a time when consumer courts firmly established their roots, there is a feeling among groups that the Consumer Protection Act is being misused by consumers.

Shah expressed confidence that Consumer Protection Act, 1986, is expected to play a key role, as, unlike the existing laws, which are either punitive or preventive
in nature, the provisions of the new Act are compensatory. Pradeep\textsuperscript{32} opined that the existence of a good law like COPRA is not sufficient. What is required is awareness assistance from people well versed in consumerism or committed to the cause, who while advocating their case, will not impose the client-lawyer relationship.

Raghavan\textsuperscript{33} opined that the Consumer Protection Act is a mismash of good intentions and bad draftsmanship. Its most objectionable feature is the creation of cumbersome hierarchy. Desikan\textsuperscript{34} ask 'will government servants, service sector workers and management and private industrialists take up the gauntlet?' as the Consumer Protection Act tells the provider of service and product to change its attitude to provide a good service at same price and good service at fair rates. Desikan\textsuperscript{35} stated that it is right to bring to play, emotion and sentiments, while deciding upon the compensation. The time has come for the consumer courts in India to award adequate compensation and but not as a dole considered under sympathetic circumstances.

Sandhya\textsuperscript{36} suggested that whenever a consumer files a complaint before a consumer court against an individual or an organisation, he has to claim specific reliefs or compensation for the inconvenience caused to him by the opposite party. Agarwal\textsuperscript{37} decreed in his study the tardy implementation of the Consumer Protection Act and the slow phase of the appointments of Judges in different courts in the country. Desikan\textsuperscript{38} suggested that the decisions of the District Fora, State Commissions and National Commission should not be challenged in court, for the purpose of COPRA is to give quick relief to the consumer. Whincup\textsuperscript{39} opined that consumer protection is a cause which only a comparatively wealthy nation can afford to worry about a country which has already answered its citizens more pressing needs for food and shelter, and which begins to offer them the element of choice. Parigi\textsuperscript{40} suggested that the entire range of consumer products may be subjected to safety test and a mark of approval on the lines of the ISI mark developed by the commission.
Of course, there are many more steps which need to be taken before the consumers can get the protection they need. But, each step, small though it be, takes us closer to the ideal of an egalitarian society. The success of the campaign for quality can succeed only when there is a readiness on the part of the consumer to give a wide berth to any product that does not meet the standards expected of it. Sundaran called for consumers resistance and they must get-together, must refuse to buy farm products which are raised by the use of dangerous pesticides, must know how in-secticides can damage health and must know that many pesticides leaves residues in the food chain.

Shenoy identified the two biggest enemies of consumers are the absence of true competition in the market place for many products and services and the continuation of high level of deficit financing. Harish concluded that a consumers in India are highly dis-organised, illiterated, scattered vast and many. Donappa concluded that the legal forums created have been moving in their own way, combining violation of consumer rights along with other grievances transgressing into other statutory laws and courts. The consumer councils have not been able to screen the cases arising out of consumer right violations for processing them before the legal authorities. Often they are lost in general grievances which are expected to be dealt by other agencies. Mahesh opined that being competitive is the art of introducing a product needed by the customer, pricing is right, providing incentives to the customer, and to the distribution chain, making it available at the right place. Mahapatra concluded that unless the consumers give up the temptation of saving on sales tax by not taking/offering cash memo’s, they would continue to be party to the generation of black money.
Seetha\textsuperscript{49} opined that today consumers are becoming increasingly aware of their rights and the apathy of manufacturers towards quality, service and pricing policies. They are exploring every channel to make their woes heard. But their rights have yet to be taken seriously. Kher\textsuperscript{50} concluded in his study that with competition hotting up in the market, it is undoubtedly the consumer who is having the last laugh. Anthony\textsuperscript{51} called for combating lack of awareness of consumers rights. M.R.Pai\textsuperscript{52} stated in his study that unlike other movements, which place stress on only rights, the consumer movement is based on rights balanced by responsibilities.

Karan Singh\textsuperscript{53} concluded in his study that consumer awareness is pathetically lacking both in rural as well as in urban population. Valaries\textsuperscript{54} developed a means and model and synthesis of evidence on consumer perception of price, quality and value. V.K.Agarwal\textsuperscript{55} concluded in his study that the subject of consumer protection has not received much attention from the academicians. Leelakrishnan\textsuperscript{56} stated that one may find it difficult to give an affirmative answer. In spite of the plethora of measures legislative and administrative, consumer protection still remains a mirage and consumer sovereignty a myth.

\textbf{STUDIES ON MARKETING CONCEPTS AND CONSUMER RESPECTABILITY}

Anupam Kwatra\textsuperscript{57} discussed in his study the relationship between consumerism and communication aspect of marketing and prescribed increased product information for the consumers has a remedy for consumerism and towards fulfillment of marketing concept. Scaria Meledam\textsuperscript{58} warned in her study that the vendor can't escape responsibilities, and they will have to pay heavy prices for delay tactics in their dealings with consumers. Swaminathan\textsuperscript{59} stated that consumers make mistakes, but
given enough choice and competition, they will soon learn the real merits of different products.

Pradip Kar\textsuperscript{60} concluded that the customer is looking for more value at the same price, so the companies are being forced to provide more benefits, concessions, discounts etc., to attract the customers. Stauley\textsuperscript{61} stated there are too many examples where self-regulation doesn't work and one would like to see governments as the instrument for defining the main rules of operation, but without the co-operation of business, enforcement can present a problem. Deolankar\textsuperscript{62} concluded that the role of retailing is to serve the consumers through service and thereby acts as a fulcrum in our social and economic system. In other words its contribution has a significant effect on consumeristic economy. Lal\textsuperscript{63} called for a well defined standard quality management system by which suppliers are able to demonstrate their ability to meet customers requirements and thereby gain the confidence of the purchaser. Bilgram\textsuperscript{64} exposed the dichotomy of middle class consumers especially a country like India where consumers were to confront with two forms of markets: 'open' (unadministered price market) and 'controlled' (administered price market). Rass Cranston\textsuperscript{65} opined in his study that there is an imbalance of power when the consumer confronts a business with his grievance.

\textbf{WEAKNESSES}

Significant among studies that throw light on weaknesses relating to India's consumer movement are as follows.

Manubhai Shah\textsuperscript{66} concluded that the greatest factors inhibiting the growth of consumer movement in India is lack of adequate money, inability of consumer groups
to come together to tackle consumer issues. Shantaram\textsuperscript{67} traced the indifferent nature of consumers who never retaliate for the sake of a rupee or two (the excess amount charged by the trader) the amount involved is so small that one would certainly not like to take up the matter with the authorities or take it to the court.

Israni\textsuperscript{68} stated that there must be a hardly a consumer in the country who would not have experienced the inefficient and poor service rendered by most of the banks, particularly Nationalised Banks. Mukhi\textsuperscript{69} called for an improvement in the quality of services with a rapid expansion in banking industry to avoid deficiencies and delays. Rao\textsuperscript{70} stated that customer service will come into its, only when there is a fierce competition for the rupee which the customer is prepared to spend. Sivram\textsuperscript{71} concluded their study that exploitation, malpracticing, fleecing and cheating have become the order of the day in respect of different category of consumers. Patnaik\textsuperscript{72} assessed the magnitude of the problems of consumer exploitation and it work out viable measures of consumer protection. Rama Murthy\textsuperscript{73} has observed that the Indian consumer is cheated to the tune of Rs.1600 crores every year through deceptive and defective weights and measures.

Shriniwas\textsuperscript{74} traced the problem of food adulteration in India is so widespread that from 25% to 70% of most of the food stuffs consumed in this country are adulterated and contaminated. Kuruvilla\textsuperscript{75} lamented about the inadequate lab-testing facilities as a result of which many cases of adulteration with the result the courts has to acquit many offenders under the relevant acts including the Consumer Protection Act. Anthony\textsuperscript{76} dealt in his study with the instructions of unfair trade practices which are not fully covered by the law of contracts. Gyan Pandit\textsuperscript{77} in his study lamented that for the most part, commercial interests in India have concerned themselves solely with making a
fast buck and have refused to shoulder their social responsibility for ensuring quality, purity and safety in their products.

VOLUNTARY CONSUMER ORGANISATIONS

Some very prominent studies that highlight what should be the role of voluntary consumer organisations are as follows.

Scaria Meledam\textsuperscript{78} concluded that the biggest hurdle for voluntary organisations especially at the initial stages of their existence, is paucity of funds. Shrinivas\textsuperscript{79} stated that the need of the hour is the organisation of the consumers into powerful unions at various levels to protect their rights and privileges and safeguards themselves against the exploitation of the fraudulent businessmen and industrialist. It is only then that the consumers in any country in the world can find solution from their problems.

Subramanium\textsuperscript{80} cautioned in his study that care must be taken so that vested interests do not infiltrate into the consumer bodies and spoiled the whole game. Narayana\textsuperscript{81} suggested in his study that there is a need to strengthen voluntary organisations to protect the consumers. Rebello\textsuperscript{82} suggested that consumer organisations should work towards specialisation in a particular area of consumer protection and should also work towards financial institution.

Sivaraman\textsuperscript{83} called for formation of active consumer groups to tackle the consumer problems in an efficient and organised way in order to strengthen the consumer lobby as an economic force to be reckoned with. Puspha Girimaji\textsuperscript{84} opined that it is now time for consumer organisations and consumer courts to go deeper into
the question of qualifying and quantifying the compensation that an aggrieved consumer is entitled to under Consumer Protection Act.

Rebello opined it is upto consumers and consumer associations to awake, become more alert and make a noise in order to see that their rights are ascertained and really granted to them - if they want the movement to catch on fast. Rama Rao concluded in his study that the concerted, united and organised stand by all consumer councils at all levels alone can really ensure the people, the goods are services worthy of the price they pay and keep them happy in the long run, then only consumer protection becomes a reality, otherwise a myth.

Rao concluded in his study that consumer protection bodies should not contend themselves sentinels on the ‘qui vive’ and raise their voice where consumers rights are in danger of being indirectly whittled down. Seetha forecast that the strategy of the consumer groups will shift from lobbying with the government to litigation in consumer courts. Gurjeet Singh identified in his study that ‘boycott’ is a powerful tool in the armoury of consumer organisations, and if used intelligently and peacefully, it can act as an effective deterrent against consumers’ exploitations by unscrupulous traders and businessmen.

GENERAL

The studies relating to some general aspects of consumer movement are as follows.

Swaminathan questioned whether consumerism can be used to defeat communalism in India. Pandit concluded that if the ethical sense dies in the heart of
the business men, no constitution, no law, no court, can save it. It is only within yourself that you have to find the ideals you are struggling to establish.

Bettadalli\textsuperscript{92} stated that the welfare of the society depends on the satisfaction levels of its consumers. In a wider concept, the welfare of the society at large depends on the wise choice of the consumer. Seshia\textsuperscript{93} concluded that no enterprise on the globe, at any movement can provide the full satisfaction even to one consumer and thus consumer satisfaction is a myth. Dilip Thakore\textsuperscript{94} stated that in economy of shortages the producer and the distributor who were given relatively free access to national resources rather than the numerically larger number of consumers were transformed into economically powerful and influential forces within the country. Mahajan\textsuperscript{95} in his study dealt with the problem of whether the public authorities have any legal duty during strike-bundh periods towards citizens to ensure their right to mobility for exercising their fundamental right to life and livelihood.

Revathi Sampath\textsuperscript{96} in his study dealt with the crucial role of social advertising in educating, informing, inspiring and motivating people on many subjects, things including consumer protection. Stephen and John\textsuperscript{97} developed a four stage model of consumer learning about products from sources other than the product itself. Kusey\textsuperscript{98} cautioned in his study that though consumer benefits from international trade through lower prices, greater choice of products and services and generally increased product quality they should not be taken lightly or taken for granted. P.B.Mukherjee\textsuperscript{99} in his study concluded that unreasonable costs, unreasonable prices, unreasonable restrictions, limitations of competitions in supply or distribution of goods and services are sensible considerations of a general character.
RECENT TRENDS

Though few, there are some special studies on the applicability of Consumer Protection Act to some of the controversial issues like environmental interests, investors' interests, medical profession, rural consumers etc., which are of issue to native nature.

Shenoy\textsuperscript{100} stated that it is high time that we realised that the two biggest enemies of the consumers are the absence of true competition in the market place for many products and services and continuation of high level of deficit financing. Sinha\textsuperscript{101} stated that the present economic and technological developments have, no doubt, made perceptible, social and economic changes but the consumers control over the market mechanism has gradually diminished. Sawhney\textsuperscript{102} stated that the need of the hour is not a going back from the liberalisation policy but the strengthening of the consumer movement and the regulatory mechanism.

Kalidas\textsuperscript{103} held in his study that with liberalisation there has been a marked change in the advertising scene. Huge foreign investments have given that consumer a wide choice, increasing the competition in the market. Rama Chudarama\textsuperscript{104} advised the investors and investor protection organisations to demand modern systems which would reduce the number of grievances, help provide more transparency of transactions and efficient settlement of accounts. Rangamani\textsuperscript{105} observed that the government's commitment to investors protection and support for reforms depends not merely on enacting laws, but it has to allow the agencies real autonomy and resources to realise their full potential. Sundararamaiah\textsuperscript{106} suggested that the brokers should not be remunerated for the services in the form of commission but by way of fee for each transaction.
Narasimhan¹⁰⁷ advocated investors education since it is the sure way for mitigating their hardships. Padmanabhan¹⁰⁸ commented that while SEBI speaks loud about its role in protecting the interests of small investors, it is silent on the interests of other investors. Narasimhan¹⁰⁹ identified some of the obstacles and suggested some of the says to tackle the problems of delayed settlements in order to render physical movements of securities redundant and thus paved the way for speeder settlement. Sundararamaiah¹¹⁰ concluded in most of the investors grievances relate to delaying issuing or returning the share certificates after registering the transfer.

Krishna Murthy¹¹¹ found in his study that as a result of the recent plans for internationalising of the Indian economy, the investing public today range from a multi-national company to an individual buying the minimum number of shares, putting his year long savings into it. Sucheta Dalal¹¹² stated that all this activity to protect the investor has led to mixed results. On one hand, SEBI’s action of publicising investor complaints and forcing disclosures of a company’s trade record in this regard at the time of its next issue hasted to companies sorting out grievances much faster. Investors have also turned vigilant and the number of the complaints has turned into a flood. Paromita Mishra¹¹³ stated that with interference reduced to a minimum, the brokers, under writers and bankers are now forced to discipline themselves or else face the consequences, in this case, loss of capital and credibility. Free pricing has also motivated investors to increase their awareness and knowledge of the market companies and industry as a whole.

Getting the refunds has posed serious probe to the investing public. With more and more public limited companies coming out with equity shares, investors have to run from pillar to post to get their application money back in the event of their not getting the allotments.¹¹⁴ Paromita Mishra¹¹⁵ attributed the slow pace of SEBI’s achievements
with the coincidence of securities scam which not only took the spotlight away from the need for reforms in the capital market but also glowed their progress. Kotian\textsuperscript{116} appraised the recent procedure adopted by SEBI's in respect of investor's protection towards ensuring the security and safety of the investors rights and privileges on their investments in the shares of any given company. Moorthy\textsuperscript{117} observed that the government has enacted various investor protection legislations-seeking to protect the interests of the investing public and these have not proved to be result oriented, they are litigation prone. Such measures hoodwink the investor. Suparna\textsuperscript{118} reported that investors forums all over the country are taking up the small investors cause.

No one has the right to use the investors' monoy even for a day without giving them appropriate compensation.\textsuperscript{119} Pushpavanam\textsuperscript{120} in his study made it clear that doctors have never objected to their being tried in civil courts but now they object to their being tried in consumer fora. In other words, if it could take a patient seven years, it is okay for them wherever if the redress is within six months or a year, they object it. Shakuntala Narasimham\textsuperscript{121} examine through her study the various pros and cons of bringing medical services under the Consumer Protection Act, 1986.

Venkataraman\textsuperscript{122} in his study pointed out a major lacuna i.e., lack of proper medical audit system both in private and public hospitals. Sandhya Karnad\textsuperscript{123} concluded that inclusion of the doctors under Consumer Protection Act, 1986 will no doubt protect the consumer patient, but on the other they may have to take a steep price for this protection as it will create more procedural thing between the doctor and patient. Mehta\textsuperscript{124} argue not to equate a doctor, a lawyer, to that of a domestic or a chauffeur. The subtle distinction is in the fact that the earlier category involves a "contract for service" while the letter is a contract of service. Pitambar Shatapathy\textsuperscript{125} suggested that
the anomalous and very serious situation arising out of this judgment must be recognised and corrected forthwith, if dangerous malfunctioning of the medical services is to be averted. The corrective stop, may I be permitted to suggest could be one of the following.

Masilamani concluded in the recent past, a number of cases of doctors being prosecuted and fined by district consumer councils for alleged negligence on complaints by patients or other relatives hit the headlines. Das stressed his study that organised medical profession will therefore have to undertake the task of formulating standards of ethical and scientific practice under different social settings in right earnest and at the same time bring pressure on the government to include state medical service within the jurisdiction of COPRA. Arun Bal opined that doctors themselves are to be blamed for the turn of events because they have failed to exercise self-regulation, especially during the last two decades indulging in malpractices by overcharging, unnecessary tests, referrals and operations have increased beyond limits. Pushpa Girimaji opined that in fact, the vociferous protests by medical practitioners on being brought under the Consumer Protection Act have succeeded in making more and more consumers aware of their rights vis-a-vis the health care services.

Shankar concluded in his study that the vast expansion of the television network which still has very limited reach in rural areas might have contributed in a small measure to the explosion in the rural demand and its impact is increasingly/slowly contribute to making rural India an increasingly consumerist society. Zinat Imam concluded that the consumer movement which is still urban-oriented has taken off in India. But it still has a long way to go to reach the levels of awareness and organisational skills as displayed by consumers in the West. Aneja opines that the next decade will witness a major spurt for all types of products in the villages, with increased
prosperity, literacy and awareness, the villager will be the key target consumer in the future. Devarajan concluded in his study that rural India was slowly responding to massive investment by the government in the last ten years, as a result rural areas were taking to consumerism. Jena concluded in his study that the average consumer in rural/tribal areas is poor, illiterate, ignorant, apathetic and defeatist and continues to be in the receiving end. Maria Lourdes Suplido stated that Rural People of Asia and other developing regions have, an average, less than half the income opportunities and social services which are available to smaller urban populations, states the Human Development Report 1993 (UNDP).

Saraf concluded that all the legislative measures lead us to the inescapable conclusion that there is a growing concern for preserving the quality of environment. The legal framework has come into existence and it is our duty to ensure that it works effectively. Max de Lotbiniera dealt with the success of the green consumerism and changing attitudes among the consumers in western countries, and its likely impact on third world consumers. Saraf dealt in his study about the various legislative measures available for environmental protection. Manubhai Shah opined that the term 'Consumer Protection' has a wider connotation. He divided consumers into voluntary and involuntary groups. The former group buys goods and services and the latter belongs to the consumer of fresh air and clean water. Like wise there is a need to protect the mankind and other life against pollution of air, water and noice. Paras Diwan concluded in his study that one of the task of consumer movement should be to create awareness among the people since environment can't be maintained free of pollution without the active co-operation and involvement of the people. Priya Gupta in his study dealt with the growing green awareness and other pressing environmental problems facing in India.
REFERENCES


120. Pushpavanam, S., They have Nothing to Worry, *The Hindu*, October 5, 1993.


