APPENDIX-1. QUESTIONNAIRE FOR LEARNED JUDGES

Note:—

1. This questionnaire is designed to elucidate your considered original ideas about the areas set in.

1) Which legal approach out of caveat emptor versus caveat venditor is reasonable within Indian context so far consumer protection is concerned in co-ordinated economic growth?

2. Why consumers should be protected when they are not inclined about their rights?
   Is UBI Jus IBI remedium a requisite corollary for social progress in a country like India? In what specific areas?

3. Is Consumers' interest sufficiently protected as per Indian Consumers laws? According to your Lordship?

4. Is the existing legal redressal system through civil/criminal courts
   - Adequate
   - Expeditious
   - Immature
   - Unwise

5. What kinds of consumer cases were heard and decided by your honour during last five or ten years? How many of those were contested by party in person or through legal aid? How many were decided on merit, technical grounds or value-judgements? If necessary kindly attach separate sheet.

6. Is it possible to handle consumer complaints through consumer counsellor as matrimonial courts appoint marriage counsellor?
7. What role can be played by consumer organisations or consumer ombudsmen or consumer guidance society of India or social action groups in obtaining legal redressal for aggrieved consumer?

8. What are the major obstacles in devising a cheaper and time-bound adjudicatory process in cases of consumer litigation contested by consumers organisations or parties in person?

9. What type of consumer penal policies are commendable in Indian context?
   - Reformative
   - Deterrent
   - Compensatory
   - Punitive
   - Exemplary

10. Can Indian consumer be protected better if they are given help under the legal aid programme?

11. Do you think that some substantial changes are needed in the undermentioned Acts for protecting consumers? If yes, on what lines?

**Names of the Acts**

6) Drugs & Cosmetic Act, 1940.
8) Indian Contract Act, 1872.
12. Do you feel it proper that the consumer protection Act 1966 will cope its object in a cluster of gigantic manufacturers having political background?

13. Have your honour ever decided or came across or do you remember any important case connected with any of the above mentioned Acts? If yes, please give the undermentioned details:
   a) Name of the Act
   b) Year
   c) Cause of Complaint
   d) Result

14. Do you feel that in order to protect consumer to ensure that honest traders are able to make a living on equal terms, criminal contract will be more effective than the civil remedies?

15. Do you feel that District Forum, State Commission and National Commission of the consumer protection Act, 1986 will serve the purpose for which the said Act enacted by the Indian Parliament?
QUESTIONNAIRE FOR CONSUMER ORGANISATIONS

Notes:--

1) This questionnaire is designed to obtain information about the areas set herein and the role your organisation has been playing in Indian Consumer Movement.

2) Please be specific and lucid.

1. Please give following information about your Organisation point-wise:-
   a) Name and location/Areas served:
   b) Year of founding and Registration date:
   c) Name of the Chief Executive/Managing Trustee:
   d) Main Aims and objects as per memorandum. (If possible send copy of the memorandum).
   e) Do you entertain individual consumer problems? Number of complaints received year-wise. How disposed? Within what time?
   f) Did authorities or businessman approach for consumer redressal, respond favourably? (Please give a general assessment of their attitudes in carefully worded, word-picture).
   g) Did you come across with any unusual or significant case? (Details Please).

2. Do you organise consumer symposia or conferences? If yes, how many, year-wise? For how long duration? What type of consumers attend this? Is there sufficient response? Please name the topic on which conference or symposia was organised.
3. Do you publish some magazines on consumer protection? Please mention the name.

4. Do you test products and reports for consumer? What is the utility of your test reports? Has it been relied upon for action by any public authority?

5. Have you been utilising cinema slides, newspapers, radio, sponsored programmes, T.V., advertisement, Local leaflets distribution, emergency assistance in cash or kind or like measures to popularise your organisation amongst public?

6. What are your main handicaps in such programmes?

7. How do you finance your organisation? Do you enrol corporate members? What is your system of a membership?

8. Do you extend legal aid to indigent consumers? How many lawyers are on your panel/management for this task?

What is their standing in profession? Are they generalist or specialist? If yes in which branches of law?

9. Do you take help from academics also in your efforts to protect consumers?

10. How many consumer cases did you contest in court? Year-wise and court-wise details be given. Also, the time taken for decision, total cost incurred, whether effective relief given to aggrieved consumer or not and whether the case was decided on merits.

11. Do you find any trouble while processing with the case in the court, procedural substantial?

12. Have you faced any special communicational problems with authorities/business man?
13. What are your main difficulties: and aspirations?

14. Do you feel that some change is necessary in the existing legislation for better protection of consumers? If yes, on what lines?

15. How do you educate the consumer to avoid buying spurious drugs, adulterated foods, and cosmetics?

16. Do you agree that an intelligent and educated consumer does not need help from the Government?

17. Do you agree that proper production and distribution policies will solve the burning problem of consumerism to satisfy their needs without any sort of cheating?

18. Do you agree that the shift from "Buyer beware" to "Seller beware" has increased the significance of protection of consumer rights?

19. Consumer protection in the market place be secured through:
   a) Business self-regulation
   b) Consumerism
   c) Consumer legislation
   d) Consumer education.

   Please tick which is the best agencies for consumer protection with brief elucidation.

20. Do you feel any change is required in the undermentioned Act:

21. How many cases have been conducted by you in the court? Please give the list along with the judgement declared by the court.
QUESTIONNAIRE FOR PROFESSORS, ACADEMICIANS, CONSUMERS &
INDIVIDUALS ETC.

1. This questionnaire is designed to bring out your experiences about the areas set in. In case space is not sufficient you may reply on separate sheet.

2. Please answer briefly but neatly.

1) a) Please list seven of your basic consumer rights.
   b) What more do you feel should be?

2) a) Please list major problems faced by you as consumer in day to day shopping.
   b) How did you resolve them? (Please tick)
      i) By Acquiescence?
      ii) Not knowing what to do?
      iii) Not knowing whom to approach?
      iv) By combating or self-support
      v) Through friends or sympathisers
      vi) By stopping to shop from the trader
      vii) By telling other customers of the traders
      viii) By moving court through forums and Councils or consumer education and Research Centres, or Lok Adalat.
      ix) Any other (Please specify)

3) Please list those factors which you consider important as responsible for creating such consumer problems as are faced by you?

4) Please list five major consumer protection laws against most common business malpractices which of these are criminal laws?
5) In case of consumer malpractices like cheating would you take the matter to court, if, unresolved, otherwise?

- a) Of your own motion
- b) Through Advocate
- c) Through Consumer Guidance Society of India or Consumer Education and Research Centre.
- d) On your own costs
- e) On state costs
- f) Particularly if a reasonable time limit for deciding the case is set.
- g) Through District Forum and State/National Councils.

6) Please list your recommendations for consumer protection measures.

7) Please list the name of any consumer organisation or social action group, whom you can approach in case of a problem.

8) Did you/Any friend/relative has held an occasion to seek redressal on consumer problem through (a) Courts or (b) consumer organisation.

9) If yes, please furnish following information.

- i) Names of parties
- ii) Exact cause for complaint
- iii) Commodity/Service
- iv) Forum
- v) Date of complaint
- vi) Approximate expenses incurred
- vii) Who met the opxn expenses
- viii) Date of decision
- ix) Result of decision
10) Whether, according to you, a consumers' interest is adequately protected as per the existing Consumer Protection Act 1986? If not, in which areas reforms are necessary.

11) What are the alternatives to solve the problem of business frauds and dishonesty in the market?

12) In Government giving response to consumerism?
   Please comment.

13) Can consumer movement and consumer pressure reduce such unfair trade practices?

14) What are the measures to provide consumer protection against spiralling of prices in India?

15) Are you a buyer impulse? If so, how can you become rational buyer?

16) Please enlist the use and abuse of consumer education?

17) Please narrate the ingredients of better buymanship.
13) Please briefly state the role of Consumer Affairs Department of an enlightened company.

19) Have you ever published any article: book on consumers? If "Yes" mentioned the particulars with little title, year and name of the journal.

20) Do you feel the need of Consumer Protection Organisation or Social Action Group in your area? If yes, on what line should it be constituted.

21) Are you willing to give free services for such organisation or social action group?

22) Do you feel any change as required: in the undermentioned Acts

1) Consumer Protection Act, 1986:

2) Indian Sale of Goods Act, 1930:

3) M.R.T.P. Acts, 1969:

4) Indian Contract Act, 1872 and onwards.