CHAPTER-VII

CONCLUSIONS, EDUCATIONAL IMPLICATIONS AND SUGGESTIONS FOR FURTHER RESEARCH

7.0.0 INTRODUCTION

The present chapter deals with the findings, conclusions and suggestions for further research. These are described in brief in this chapter. The findings of the present study are related to the objectives which are as under:

(1) To study the decisions given by various district fora, state commissions and National commission.
(2) To derive judicial trends based on these decisions.
(3) To study the awareness of consumer protection law among students and teachers.
(4) To compare the awareness of consumer protection law among male and female students.
(5) To compare the awareness of consumer protection law among rural background and urban background students.
(6) To compare the awareness of consumer protection laws among male and female teachers.
(7) To compare the awareness of consumer protection laws among teachers belonging to rural and urban areas.

7.1.0 CONCLUSION PERTAINING TO DECISIONS GIVEN BY DISTRICT FORA, STATE COMMISSIONS AND NATIONAL COMMISSION AND JUDICIAL TRENDS

Divergent views have been expressed by the State Commissions regarding the nature and functions of educational institutions. The functions of Universities/Boards/Institutions have been divided into two categories:
1) Administrative;
2) Educative/Statutory

As for as deficiency in administrative functions is concerned, the students have been treated as consumers and have been given reliefs in case of late declaration of results, wrong dispatch of role numbers, error in mark-sheets etc. in some cases. However, as far as educative functions are concerned, educative part has not been treated as ‘service’ availed by students for consideration. There was confusion due to conflicting views expressed by various commissions. The controversy has been settled by the decisions of Supreme Court given in *Bihar School Examination Board v. Suresh Prasad Sinha*,¹ and *M.D. University, Rohtak v. Surjeet Kaur.*² It was held by Supreme Court in the first case that when board conducts an examination in discharge of its statutory function, it does not offer its ‘services’ to any candidate. Nor does a student who participates in the examination conducted by Board, hires or avails any service from the Board for consideration. The examination fee paid by student is not consideration for availment of any service, but the charge paid for privilege of participation in the examination. The Board is not a ‘Service Provider’ and a student who takes an examination is not a ‘consumer’. Now, it has been clearly established that a student is not a consumer and the educational institutions do not fall within the purview of the consumer The Consumer Protection Act, 1986. Though these decisions can’t be treated as progressive and are against the interest of the students. To protect the interest of the students more realistic and progressive views should be taken by courts/commissions.

¹ IV (2009(8)) SCC 483.
² V(2010) SLT 545.
7.2.0 CONCLUSIONS PERTAINING TO GENERAL AWARENESS ABOUT CONSUMER PROTECTION LAWS AMONG STUDENTS

(i) Only 47.5% students have general awareness about consumer protection laws, consumer rights and consumer specific rights.

(ii) The percentage of male students having awareness about consumer protection laws, consumer rights and specific rights is 55% while the remaining 45% students have no awareness in these areas.

(iii) Only 40% female students are aware to these aspects, the remaining 60% female students are not aware to general laws, consumer rights and consumer specific rights.

(iv) The male students are more aware about these aspects as compared to female students.

(v) Post graduate student’s percentage (66%) is higher than the percentage of undergraduate students who are aware above these aspects. In their case the percentage is only 29%.

(vi) The postgraduate students are more aware than undergraduate students about these aspects.

(vii) Only 32% students of rural area are aware while in case of urban area this percentage is 63.

7.2.1 CONCLUSIONS RELATED TO STUDENTS AWARENESS ABOUT CONSUMER PROTECTION COUNCILS CONSUMER FORA ETC.

(i) Only 57% percent students are aware about councils, consumer fora, procedure and qualification for selection of president and members. The remaining 43% have no awareness in this respect
(ii) Only 45% female students are aware about these aspects.
(iii) Only 37% rural students have awareness about consumer protection councils, district fora and selection procedure. In case of urban students this percentage is 65%.
(iv) The post-graduate students are more aware as compared to undergraduate students. The awareness, among postgraduate students is 72% while only 28% college students are aware.
(v) Only 37% rural students are aware above consumer protection councils consumer fora and procedure of their selection etc. while in case of urban students the percentage is 65%.

7.2.2 CONCLUSIONS RELATED TO AWARENESS AMONG STUDENTS ABOUT PROCEDURE, FEE, REMEDIES AND PUNISHMENT.

(i) Only 30% students are aware about procedure, fee, punishment and remedies available. The remaining 70% students are not aware about these aspects.
(ii) In case of male students this percentage is 35 while only 25% female students are aware about these aspects.
(iii) Only 20% rural students are aware while remaining 80% students are not aware of these aspects.
(iv) Only 40% urban students are aware about these aspects while remaining 60% urban students are not aware.
(v) Only 24% undergraduate students have awareness about procedure, fee and remedies and remaining 76% students are not aware about these aspects.
(vi) Post-graduate students are more aware in this regard. Only 36% postgraduate are aware about these aspects while remaining 64% students are not aware.

7.3.0 CONCLUSIONS RELATED TO GENERAL AWARENESS ABOUT CONSUMER LAWS AND CONSUMER RIGHTS AMONG TEACHERS

(i) Only 68% teachers are aware about consumer protection laws, consumer rights and specific rights. The remaining 32% teachers are not aware about these aspects.

(ii) Only 72% male teachers are aware about these aspects while in case of female teachers this percentage is comparatively low (64%).

(iii) In case of rural background teachers, 66% teachers are aware to consumer protection laws, consumer rights and specific rights, the remaining 34% are not aware in these areas.

(iv) seventy percent teachers with urban background are aware while remaining 30% teachers are not aware about laws, related to consumer protection, specific rights and consumer rights.

7.3.1 CONCLUSIONS RELATED TO AWARENESS ABOUT CONSUMER PROTECTION COUNCILS AND CONSUMER FORA AMONG TEACHERS

(i) Only 64.5% of teachers are aware about consumer protection councils, district fora, qualification and procedure of selection of president and members. The remaining male teachers have no awareness.
(ii) only 68% male teachers are aware about these aspects and remaining 32% male teachers are not aware. While in case of female teachers 61%, female teachers are aware and remaining 39% are not aware above these aspects

(iii) The percentage of teachers having urban background is 66% while in case of rural area background teachers, 62% teachers are aware of consumer protection councils, consumer fora and procedure and qualification of president and members of District Forum/State Commission.

7.3.2 CONCLUSIONS RELATED TO AWARENESS AMONG TEACHERS ABOUT PROCEDURE, FEE, PUNISHMENT AND REMEDIES

(i) Only 62% teachers have awareness about the procedure of filing complaints, fee, punishment and remedies under consumer protection laws. The remaining 38% are not aware about these aspects.

(ii) In case of male teachers 66% teachers are aware about these aspects while only 59% female teachers are aware about procedure, fee etc.

(iii) The percentage awareness of teachers with urban background is 64% while the percentage of rural background teacher is 61%.

(iv) The remaining 39% rural background teachers and 36% urban background teachers are not aware about procedure of filing complaints, fee, punishment and remedies under The Consumer Protection Act, 1986.

7.4.0 IMPLICATION OF THE STUDY

The quantitative and qualitative findings of the present study have been reported in discussion. However, some of its practical implications can be pulled together to consider its importance. On the basis of findings of the
present study the investigator feels that an attempt should be made to develop awareness among students and general public about consumer protection laws.

The findings of the present study has a bearing for researchers, planner, administrators, parents and legal councillors working for developing awareness about consumer protection laws. The exploitation of the consumers can not be avoided without developing consumer protection movement. This can be possible with awareness among general public, students, teachers and other professionals.

The present study pointed out two streams of divergent views in case law under the Consumer Protection Act, 1986 as regards nature and functions of educational institutions. The students are considered as consumers by some decisions of state commissions. However, the contrary view is expressed by other state commissions. The Supreme Court has held that a ‘student’ is not consumer within the meaning of The Consumer Protection Act, 1986. The study has also shown that the students belonging to rural area are less aware about these laws. Similarly the percentage of aware female students is also low as compared to aware male students. So different steps should be taken to develop awareness among females and rural areas students about consumer protection laws so that they may not be exploited.

The findings of present study has educational implications for educational planning, curriculum development and dissemination aspects. The educational planners and curriculum developers should introduce consumer education as a subject or subpart of other subject at school and college level. This will help the students to know the history of consumer movements, the consumer rights and laws. The individual attention may also be given for
developing awareness among rural areas and female students. Seminars, workshop, symposium should be organized in schools and colleges. By celebrating consumer protection day, displaying the relative material on wall magazine and notice boards, inviting imminent persons for giving extension lectures on these laws are some measures to develop the awareness. The colleges and schools can organize some co-curricular activities and students can be taken for visits to district consumer form to impart practical knowledge. The schools and colleges administrators should co-ordinate in activities of district councils, and state council and proper liaison should be maintained so that proper guidance and help may be available from time to time. The schools and college should organize awareness programmes with the help of government and non-government organisations at panchayat level to make people at grass-root level aware of their rights as consumer. Therefore, the findings of present study have large number of educational implications.

7.5.0 SUGGESTIONS FOR AWARENESS

1. In the present competitive age the consumer disputes redressal agencies must adopt a broader outlook towards the problems faced by the students due to apathetic attitude of the University/Board/other Institution. Their problems should be considered liberally.

2. The ‘Student’ should be treated as a ‘consumer’ for educative parts also. If the basic infrastructure facilities are not available in the institutions as given in prospectus and advertisement, the students should have right to claim reliefs under the Consumer Protection Act, 1986. Heavy fees are charged from students to impart education and are being cheated by catchy advertisements.
3. No special attention is given for consumer education in schools and colleges. Special efforts be made in this regard.

4. N.G.O’s can play very important role in consumer awareness programmes. Consumer Association can play a more positive role in this regard.

5. The Govt. should provide liberal funds and grants for consumer awareness programmes. Serious efforts should be made by government to educate the people. Otherwise the object of the Act will be frustrated.

6. The consumer education must be made compulsory part of curriculum in schools and colleges. Serious steps must be taken in this direction.

7. Information should be disseminated on important public places, regarding location of consumer courts.

8. Consumer awareness programmes be linked with legal aid and literacy programme. There is urgent need to educate the people in this regard otherwise the object of the Act will be frustrated in absence of knowledge about reliefs available under the Act.

9. That the Governments (Central as well as States) should develop or encourage the development of general consumer education and information programmes, bearing in mind the cultural tradition of the people of this country. The aim of such programmes should be to enable people to act as informed consumers, capable of making an informed choice of goods and services, and conscious of their rights and responsibilities. In developing such programmes, special attention should be given to the needs of disadvantaged consumers, in both rural
and urban areas, including low-income consumers and those with low or non-existent literacy level.³

10. That the Consumer’s education should become an integral part of the basic curriculum of the educational system. In every District and Block there should be well equipped Libraries-cum-consumer education and advocacy centres.

11. That the Governments (Central as well as States) should encourage consumer organisations and other interest groups, including the media to undertake education and information programmes. Mass media can prove a strong weapon in spreading consumer education. Mass media can play supportive role in awakening the consumers.

12. That the Businessmen should, where appropriate, undertake or participate in factual and relevant consumer education and information programmes. This will help in building confidence of consumers.

13. Bearing in mind the need to reach rural consumers and illiterate consumers, Governments (Central as well as States) should start special drive to educate the people. Volunteers consumer organisations be set up at village level to take up cases of illiterate consumers.

14. Government (Central as well as States) should organize or encourage training programmes for educators, mass media professionals and consumer advisers, to enable them to participate to carry out consumer information and education programmes.

15. Consumer education and information programmes should cover such important aspects of consumer protection as the following:

a) Health, nutrition, prevention of food-borne diseases and food adulteration: b) Product hazards; c) Product labeling; d) Relevant legislation, how to obtain redress, and agencies and organizations for consumer protection; e) Information on weights and measures, prices, quality, credit conditions and availability of basic necessities; and f) Pollution and environment.

16. Orientation programmes should be organized at Panchayat level in aid with persons responsible for administration of justice to make the people at grass root level aware of their rights as Consumers.

17. The definition of ‘service’ should be suitably amended to include educational services within its scope, so that confusion in this regard may be removed and the students be able to get relief under the Act.

18. The role of consumer protection councils should be encouraged for ensuring better protection of the interest of consumers and protect the rights of consumers given in section 6 of the Act. It has been observed that their role has been relegated to the background. Establishment of such councils at Blocks and Tehsils levels be considered.

19. The activities of the District Councils State Councils and central council should be coordinated and proper liaison should be maintained. The councils have no right to be heard in any proceeding before a form or commission. Such a right be given to them, if the proceeding involves the larger interest of consumers.

20. Under section, 11, the territorial jurisdiction for instituting a complaint is specified with reference to the opposite party but not the complaint although the legislation is for the welfare of consumers. The territorial
jurisdiction should, therefore, be specified with reference to the complaint not the opposite party.

21. The consumer movement can be winner movements only with our active involvement by knowing our rights and enforcing them. Formation of consumer associations in every town would be the first step in this path. In these days of competitive market and every increasing price of consumer goods and services, it is necessary that consumers should put up collective resistance to the high-handedness on the part of unscrupulous traders and businessmen or on the part of the officers of the government departments or government owned corporations supplying goods and services. It can take the form of collective bargaining or even refusal on the part of the consumers to buy the goods and services which are substandard or high priced till their standard is not increased or the prices are not brought as the case may be.

22. We must take a firm step towards educating the consumer for creating awareness, active consumer involvement, imbibing social responsibility and showing consumer solidarity. Our Government is not serious to protect the health, economic and educational interests of the consumers. In the west consumer interests are given statutory recognition in form of protective laws and supervisor and regulating institutions. For consumers protection there are protections through quality control, a definite price policing, price labeling and certification marks. This is also in India but it is hardly effective. Education institutions should be directed to follow guidelines strictly issued by regulatory authorities.
23. India has a second largest population in the world. On account of this have a large number of consumers. But the percentage of getting the benefit of consumer protection Law is very low. Majority of population of India are living in the villages and huge percentage of the population are illiterate. So it is very difficult to make those people aware who are living in the villages. In this regard Panchayats Raj System can play very effective role among the masses in their respective villages. Liberal grants should be given to Panchayats for this purpose.

24. The Consumer Movement has to be four dimensional viz. business, government, voluntary organizations and consumers. If all the four can work in close cooperation with each other then the government will have no problem to provide for better protection to the interest of consumers. The consumer’s voices which are the weakest in this process must be heard in appropriate manner and in appropriate time.

**SUGGESTIONS FOR FURTHER RESEARCH**

The study could not be conducted on large sample due to shortage of resources. Investigator has recommended the following suggestions for further research.

i) The study was delimited to Rohtak district only. Further study can be conducted on larger sample from Rohtak district and other districts of Haryana state.

ii) Further studies may be conducted to compare the awareness among general public of different districts.

iii) The present study was delimited to role of consumer protection laws in education. The further studies may be conducted to study the judicial trends in
consumer protection cases in other areas like banking, insurance, electricity department, transport etc.

iv) The present study was delimited to study the awareness among undergraduate and post-graduate students of traditional courses. Similar studies can be conducted on students of medical colleges, engineering and management colleges.

v) Further studies may be conducted to compare the awareness about consumer protection laws among students of medical, law, journalism and engineering.

vi) Further studies may be conducted to see the impact of advertising, and mass media to develop awareness about consumer protection laws among general public.

vii) Further studies may be conducted to study the role of NGO’s in developing awareness about consumer protection laws among general public.

viii) The present study was delimited to comparison of awareness about consumer protection laws among male and female and rural-urban background of respondents. Further studies can be conducted to study the correlation between awareness and other variable like socio-economic state, and demographic variables.