

Scenario of Consumer Protection and Awareness through Government Channels

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ABSTRACT: Looking at the growing interdependence of the economy of the world and taking into consideration of the international character of many business practices, it is nowadays important to notice that the consumer rights protection and promotion is becoming a very high necessity. Consumers, all over the world are demanding value for their precious money in the form of quality goods and better services in true sense. Modern technological developments and innovations have no doubt made a great impact on the quality, accessibility, availability and safety of goods and services; but the fact of life is that the consumers are still victims of unscrupulous and exploitative practices prevailing since many years. Consumer's exploitation assumes numerous forms like adulteration of food, spurious drugs, dubious hire purchase plans, high prices, poor quality, deficient services, deceptive advertisements, hazardous products, black marketing and so on and so forth. Therefore, the aim of paper is to assess the mechanism of consumer awareness in India and Government has which initiatives or channels for protect, educate and awareness of consumers with consumer forum and redressal machinery. There are two aspects of Consumer Awareness. One about Consumer Grievance Prevention and the other is Consumer Grievance Redressal. Government of India has taken appropriate initiatives for both. But, the question still remains about its effective implementation. There is lack of effective machinery to check and control the effectiveness of these activities.

Key Words: Consumer Protection, Exploitative practices, Awareness.

INTRODUCTION

In India, the concept of consumer protection is not new. References to the protection of consumer's interest against exploitation by trade

and industry, underweight and measurement, adulteration and punishment for these offences, were made in Kautilya's 'Arthashastra'. However, an organized and systematic movement to safeguard the interest of consumers is a recent phenomenon. The consumers have to be aware not only of the commercial aspects of sale and purchase of goods, but also of the health and security aspects. Food safety has become an important element of consumer awareness these days. In case of food products, its quality depends not only on its nutritional value, but also on its safety for human consumption. Consumption of contaminated or adulterated food is a major cause of human illness suffering. This called for strong legal measures to ensure that the manufacturers and sellers observe uniformity and transparency in prices, stocks and quality of their goods. Today, an average Indian consumer is poor, illiterate, ignorant, apathetic or just defeatist and he continues to be at the receiving end. The manifestations of consumer neglect are evident in the adulterated food he eats, the spurious, unsafe and sub-standard products he buys. That is very important for the consumer to be aware about these own rights, responsibilities & any other things about protection.

Therefore consumer is an important component of society and business has an obligation to him. But, when the goods are short in supply the producers charge high prices and consumers have no choice other than to purchase what is available. Therefore, consumer is to be protected from unsafe products, poor quality of goods and services, high prices, unfair trade practices and misleading advertisements. Therefore, it is necessary for consumer rights awareness to prevail amongst the consumer to protect them from unscrupulous trade practices and to give them the idea of the utility of money spent

by them. Consumer occupies a supreme position in a free economy. But, he never received the attention he deserves. In a country like India, he is not the sovereign but a slave. The welfare of the consumer lies in the fulfillment of his normal and legitimate expectation with regards to the goods and service.

It should be noted that consumer awareness is not just only about consumers' rights. It is a well-known fact that many consumers around the world have been mindless and wasteful consumption because of their money power. This has divided the society into rich consumers and the poor. Similarly many consumers are also not bothered about the safe disposal of wastes after consumption is over which causes environmental pollution. By agreeing to pay a lower price for the product without asking for the bill, many consumers indirectly help the sellers to avoid paying tax to the government. Hence there is also need for consumer awareness to educate the consumers about their responsibilities. Market resources and influences are growing by the day and so is the awareness of one's consumer rights. These rights are well-defined and there are agencies like the government, consumer courts and voluntary organizations that work towards safeguarding them. While we all like to know about our rights and make full use of them, consumer responsibility is an area which is still not demarcated and it is hard to spell out all the responsibilities that a consumer is supposed to shoulder.

NEED OF CONSUMER PROTECTION AND AWARENESS IN INDIA:

Consumer movement in India has moved forward over the last 25 years, yet it has a long way to go. In a country like India, where the demographic changes of the past decades are showing that it is moving towards a younger population, educating the consumers remains a gigantic task. Young Consumers have a vital role in the economic system of a nation because they are the future of our country and economy. They do not understand the unfair, unethical market practices of businesses and the harm of being exposed to junk foods that have become both popular and dangerous. It then becomes an urgent task for parents, society and also for our policy makers to educate our children about consumer protection. It is possible only if we educate them about consumer rights.

They need to be aware of their rights as consumers and use them promptly. Consumer rights awareness is about making the consumer

aware of products or services; however, this is largely unknown to many citizens irrespective of whether they are educated or uneducated. With an enormous population along with high levels of poverty, unemployment and poor literacy levels, consumer rights awareness continues to remain low. Education is a lifelong process of constantly acquiring relevant information, knowledge and skills. Consumer education is an important part of this process and is a basic consumer right that must be introduced at the school level. Consumers by definition include all citizens who are, by and large the biggest group, who are affected by almost all government, public or private decisions. The most important step in consumer education is awareness of consumer rights. However, consumer education is incomplete without the responsibilities and duties of consumers, and this influences individual behavior to a great extent. The Government has launched a number of activities and schemes to create consumer awareness.

CONSUMER AWARENESS:

In this age of capitalism and globalization, the main objective of each producer is to maximize his profit. In each and every possible way the producer are trying to increase the sale of their products. Therefore, in fulfillment of their aim they forget the interests of consumer s and start exploiting them. Consumer rights awareness is about making the consumer aware of products or services; however, this is largely unknown to many citizens irrespective of whether they are educated or uneducated. The Government has been conducting a countrywide multimedia awareness campaign since 2005 on various issues related to consumer rights and responsibilities across diverse subjects. "Jago Grahak Jago" [Awake Consumers awake] has today become a household axiom. More recently, joint publicity campaigns have been launched in partnership with the related Government Departments/ Organizations that deal with a mass consumer.

For instance, on food, with the Food Safety & Standard Standards Authority of India (FSSAI); on financial services with the Reserve Bank of India (RBI); and on medicines with the National Pharmaceutical Pricing Authority (NPPA) through various electronic and print media such as Television, Radio, Newspapers and outdoor advertising. The consumer awareness campaign is implemented through the Directorate of Audio and visual Publicity (DAVP). In order to create awareness among the people living in rural and backward areas, the Government has decided to take part in important fairs/festivals of various

states/UTs, in view of the fact that such fairs/festivals draw a large number of people from rural and backward areas.

INITIATIVES BY GOVERNMENT TOWARDS CONSUMER PROTECTION, AWARENESS AND EDUCATION IN INDIA:

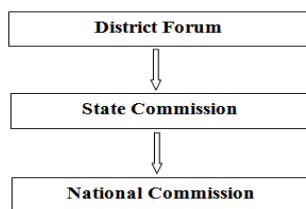
In a country like India, despite numerous efforts, consumer protection and consumerism is still in at infancy, given the scenario of economic disparity and level of education and ignorance, educating consumers, remains a gigantic task. Government of India has taken up number of initiatives for providing protection to consumers through law and creating consumer awareness in the country, some of them are:

1. Consumer Protection Act:

India has been a pioneer in consumer advocacy with the Consumer Protection Act, 1986, a path breaking legislation. The existing Act provides the legislative framework to promote and protect the rights of consumers and three-tier quasi-judicial consumer disputes redressal machinery at the District, State and National levels, popularly known as Consumer Courts. The consumer courts adjudicate complaints relating to defects in goods and deficiencies in services and are meant to provide simple, inexpensive and speedy redressal of consumers' grievances. The existing Act also provides for establishment of Consumer Protection Councils at the Central, State and District levels to function as Advisory Bodies on consumer advocacy. These bodies assigned some objects to promote and protect consumer rights; among them consumer educations is also one of the rights. It is interesting to note that the Act doesn't seek to protect every consumer within the literal meaning of the term. The protection is meant for the person who fits in the definition of consumer given by the Act. Even today to get protection one should depend on judicial interpretations for proper understanding of the word consumer.

2. Consumer Redressal Forums:

Three – Tier Grievance Redressal Machinery and Forums



To provide cheap, speedy and simple redressal to consumer disputes, quasi-judicial machinery is set up at each District, State and National levels called District Forums, State Consumer Disputes Redressal Commission and National Consumer Disputes Redressal Commission respectively. There are 659 District Forums, 35 State Commission and States and Union territories and an apex body of National Consumer Disputes Redressal Commission (NCDRC) having its office at Janpath Bhawan, A Wing, 5th Floor, Janpath, New Delhi. The National Commission was constituted in 1988. It is headed by Sitting retired Judge of Supreme Court and other members chosen by Government in consultation with Chairperson. At least one member should be a Woman. Similarly, while State Commission is headed by a setting retired High Court Judge and at least 3 members, one woman. Similarly, District Consumer Forum is headed by District Court Judge and at least 3 other members and one of them should be a woman.

• Redressal Mechanism:

A written complaint can be filed the District Consumer Forum (Value up to Rupees twenty lakhs), State Commission (Value up to One Crore), National Commission (Value above Rupees One crore) in relation to a product or in respect of a service, but does not include rendering of any service free of cost or under a contract of personal service. Under the Act there are consumer courts at the District, State and National level. The District for a have jurisdiction upto Rs 20 lakhs, the State for a have jurisdiction upto Rs. one crore and beyond that cases come to the National Commission. The Act lays down the type of practices against which consumers can seek relief. These courts have played a very important role in ensuring that the rights of the consumers are protected. Proceedings are summary in nature and endeavor is made to grant relief to the parties in the quickest possible time keeping in mind the sprite of the Act which provides for disposal of the cases with in possible time schedule prescribed under the Act, preferable within 90-150 days. If a consumer in not satisfied by the decision of the District Forum, he can challenge the same before the State Commission and against the order of the State Commission a consumer can come to the National Commission.

The consumer forums have proven to be very effective. As of 31-12-2019, the details regarding the total no of consumer complaints field/disposed under the CPA are as follows:

Sr.no.	Name of Agency	Cases Filed since Inception	Cases Disposed of Since Inception	Cases Pending
1	National Commission	65849	57626	8223
2	State Commission	515527	407143	108384
3	District Forums	2875132	2622983	252149
	Total	3456508	3087752	368756

(Source: Government of India Department of Consumer Affairs)

3. Department to Consumer Affairs:

Department of Consumer Affairs (DCA) is one of the two Departments under the Ministry of Consumer Affairs, Food & Public Distribution. It was constituted as a separate Department in June 1997 as it was considered necessary to have a separate Department to administer the policies for consumer cooperatives, monitoring prices, availability of essential commodities, consumer movement in the country and give a fillip to the consumer movement in the country. This department is also responsible to educate and to create awareness among consumers in India for that purpose the department of consumer affairs had taken numerous initiatives and implementing them in an appreciable manner. Some of them are:

A. Multi Media Publicity Campaign: It campaign is being undertaken through print and electronic media by the Department of consumer affairs creating awareness through advertisements:

- Advertisements in Print and Electronic media
- Advertisements in journals
- Advertisements in Exhibitions and Trade fairs
- Advertisements during Sports events

B. Meghdoot Postcard Scheme

C. Use of Internet to Generate Consumer Awareness

D. Introduction of Confonet Project

E. Introducing Core Centre Concept

F. Introducing National Consumer Helpline and Consumer Care Guidance Centers

G. Establishment of Centre for Consumer Studies (CCS)

H. Special Scheme on Assistance to State Governments/UTs

I. Consumer Clubs

4. The Consumer Protection Councils:

The Act provides for establishment of Consumer Protection Councils at Centre, State and District levels. The purpose of these Councils are to review consumer related policies of the government and suggest measures for further improvements for protecting and promoting rights of the consumers. The composition of these councils is broad based. The Minister In charge of Consumer Affairs in the Centre is the Chairman of the Central Consumer Protection Council and it has other official and non-official members. The State Consumer Protection Council is headed by Minister In-charge of Consumer Affairs in the State and the District Consumer Protection Council is headed by the Collector of the District. These Councils are advisory in nature and their object is to protect the rights of the consumers enshrined under the Act.

5. Plan Programme under Department Consumer Awareness:

The XIII plan has been seen a quantum jump in the planned activities of the Department of Consumer Awareness. This can be readily gauged from the table below:

	Twelveth Plan (Rs crore)	Thirteenth Plan (Rs crore)
Planned Outlay	55	1083
Revised Outlay	283.27	NA
Actual Expenditure	257.42	268 (Expected UPTO 31/03/20)

(Source: <http://planningcommission.nic.in/aboutus/committee>)

Table show that, the first two years of the plan itself we would have spent more than what was spent in the entire XII Plan period. In the XII

plan itself the expenditure was far in excess of what was originally planned. Now in the remaining part of the XIII Plan we would be spending, on an

average, every year more than what was spent in the entire stepped up XII plan period.

shows increasing of expenditure from 2015-16 to 2019-20.

• **Budget and Funds for Consumer Education and Awareness:**

The following Table reveals the expenditure for consumer awareness and education is as under: It

Year		Amount
I	2015-16	100 Crores
II	2016-17	120 Crores
III	2017-18	135 Crores
IV	2018-19	150 Crores
V	2019-20	160 Crores
Grand Total		665 Crores

(Source: <http://planningcommission.nic.in/aboutus/committee>)

The details of funds demanded and allocated to Department of Consumer Affairs for the year 2019-20 are as under:-

Sr. no.	Scheme	2019-20	
		Demanded Budget Estimates	Allocated Budget Estimates
1	Consumer Protection (Strengthening Consumer Fora / ICGRS/ CONFONET/Consumer Protection Cell)	70.79	35.00
2	Consumer Awareness (Publicity)	110.00	62.00
3	Strengthening of Price Monitoring Cell (PMC)	2.99	2.00
4	Strengthening of Legal Metrology Infrastructure (Weights & Measures)	124.80	50.00
5	Strengthening National Test House (NTH)	74.24	25.00
6	Bureau of Indian Standards (BIS)	2.00	2.00
	Total	384.82	176.00
7	Price Stabilization Fund	2850.00	2000.00
	Grand Total	3234.82	2176.00

(Source: <http://planningcommission.nic.in/aboutus/committee>)

6. Working Groups:

On the recommendation of the 23rd meeting of Central Consumer Protection Council held on 16.7.2003 following six working groups

have been set up in the Ministry to consider ways and means of protecting interests of the consumers in these critical areas:

National Action Plan

Sr.no.	Name of the working group	Constituted on
1	Food Safety;	10.10.2003
2	Misleading Advertisements;	1.1.2004
3	Drugs, Pharmaceuticals and Medical Devices / Equipments;	7.1.2004
4	Consumer Health & Safety concerning Tobacco Products;	8.1.2004
5	Counterfeit, Fake, Spurious, Contraband products;	12.1.2004
6	To formulate the following New Acts/for including the proposals for amending in the existing Acts relating to Consumer Interest, e.g. a. Product Liability Act; b. Unfair Terms of Contract Act; c. Builders Licensing Boards Act; d. Whistle Blowers Protection Act	16.1.2004

(Source: <http://planningcommission.nic.in/aboutus/committee>)

7. Other Initiatives:

a. Bureau of Indian standard (BIS): set up by government of India to maintain quality standards particularly in case of electrical appliances, electronic, IT and telecom products, medical devices, helmets, plastic industrial safety, material used for food packaging. This initiative was another edge which strengthens the provisions of consumer protection act and safeguard through hazardous products.

b. Establishment of CONFONET: With the growth of information and technology the government started online system to provide information regarding details of the case and case status.

c. Standard Marks and Labels: Standardization mark is a mark or symbol given to a product, which meets certain standards with respect to the quality in terms of material used, methods of manufacturing, labeling, packaging and performance. These marks are FPO, AGMARK, ECOMARK, ISI, and HALLMARK.

d. Consumer Awareness Programmes: The Department of consumer affair has been taking a number of steps to strengthen consumer movement in the country involving the State Governments. These programmes are: Jago Grahak Jago, Grahak Dost, Upphokta Jagran, video programs at school

level, advertisement on “National Consumer day” and “World consumer rights day”. Meghdoot programmes for far flung area is also one of remarkable initiative by the consumer affair department.

e. National Consumer Helpline and CORE centre: The Department has launched National Help Line and the Toll Free Number 1800-11-4000 which is being operated by Delhi University for counseling the Consumers to redress their grievances. The Department has launched on 15-3-2005 “Consumer on Line Resources and Empowerment (CORE) Centre” web site www.core.nic.in for consumer advocacy and online redressal of consumer grievances.

f. Quality Enhancement through legislation in various sectors: The Central Government Health Scheme (CGHS) has made it compulsory for hospitals to be National Accreditation Board for Hospitals & Healthcare Providers (NABH) accredited if they are empanelled under the CHS scheme (Central Government Health Scheme). This has propelled hundreds of hospitals to get the coveted International Society for Quality in Health Care (ISQHC) approved NABH mark. In order to provide relief to the common man in the area of healthcare, a countrywide campaign in the name of 'Jan Aushadhi Campaign' has been initiated by the

Department of Pharmaceuticals, Government of India, in collaboration with the State Governments. The aim behind this initiative is to make available quality generic medicines at affordable prices to all.

CONCLUSION

There are two aspects of Consumer Awareness. One about Consumer Grievance Prevention and the other is Consumer Grievance Redressal. Government of India has taken appropriate initiatives for both. But, the question still remains about its effective implementation. In prevention of consumer cheating in purchases, steps are taken for increasing awareness among consumers (present and potential both) about their rights and methodologies of avoiding the cheating in their purchases. Annual budget flow down till District Collectorate Offices to District Consumer Forums for conducting seminars/ meets/ visits/ programs for increasing consumer awareness. But, sad to note that, these activities have just become the rituals of the International consumer rights day and National consumer day to “jago grahak jago” movements! Budgets are booked with expenditures to justify provisions made.

There is lack of effective machinery to check and control the effectiveness of these activities. The later part of Consumer Redressal Mechanism is in place through its speed of settlement is again a question. The fees of advocates and judiciary process are always a factor raising reluctance among aggrieved consumers to

file his grievance under this system. The need of the hour is to take both aspects at priority to improve overall environment of Consumer Safety.

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