

Consumer Protection- Why and How?

Consumers have been at the receiving end. They have been exploited by the businessmen and dealers because businessmen and dealers not only indulge in unfair trade practices but also carry on grossly anti-social activities like creating artificial scarcity, hoarding, over charging, black marketing, adulteration of food stuffs, etc. In the light of these practices' consumers need to be protected. In recent years consumer awareness and consumer movements have gained momentum. Consumer Protection Act of 1986 is a welcome and positive development to protect the rights of consumers.

Current public awareness of consumer activity dates back to 1962 when John F. Kennedy delivered a consumer message to Congress which took cognizance of several facts that affluence alone had not necessarily generated quality and service in the consumer goods market; that greater product information was either inadequate, misleading or false, that some products were dangerous; and that consumers had rights in these directions, including the right to be heard. As a result, new breed of consumer activities emerged as consumerists. Moreover, the UN General Assembly laid down guidelines not only covering the rights but adding its very own as well, right to form consumers groups or organizations and recognition of the right of such organizations to be consulted and have their views represented in the decision making process. It asked governments to provide "institutional and financial facilities, including the setting up of appropriate public bodies to develop, implement and monitor consumer protection policies".

In theory the Indian consumer has all the rights that U.N. Charter guarantees, but in practice his rights are hardly enforceable because, basically ours is a sellers' market. So both trade and industry do not have to worry about the consumers, while state enterprises and the government generally behave as if they are doing a favour to him rather than serving him or respecting his rights. Ultimately consumers are exploited as the poor consumers have been given little purchasing power and hardly any meaningful protection is there.

It is said that consumer is the king but they are not able to

realise their strength due to lack of consumer awareness and consumer education. The biggest enemy of the consumer of India is his own apathy due to which he is not able to fight even for himself. While the consumer has the power of veto of not buying the product but he is not always fully equipped to exercise that power in his best interest. This may be due to the result of lack of

information, over information or even misinformation from one or several competing producers.

In order to overcome these problems The Consumer Act of 1986 laid down certain basic rights for consumers. They include firstly the right to be protected against marketing of goods which are hazardous to life and property. Secondly, the right to be informed about the quality, quantity, potency, purity, standard and prices of goods, to protect the consumer against unfair trade practices. Thirdly, the right to be heard and to be assured that consumers' interests will receive due consideration at appropriate forum. Fourthly, the right to seek redressal against unfair trade practices or exploitation of consumers and lastly, the right to consumer education. It also provides for redressal machinery which will be available within the easy reach of the consumers. It provides for a Quasi-Judicial machinery with 3-tier set up, i.e., at the national, state and district level.

But mere statutes and legislative acts will not help the consumers unless the consumer movement gets strengthened. Consumer awareness and consumer education can increase through these movements. Consumer cooperatives and forums can check anti-social activities like hoarding, adulteration, black marketing, overcharging, etc. New consumer institutes can be opened with consumer thrusts and expanded consumer education courses and programmes. Consumers can protect their interest by various ways. Firstly, by self regulation on the part of business. But in our country this assumption on the part of business seems to be a distant reality in view of the perpetual exploitation of consumers by the business community. Secondly, by the united and organized action of consumers, commendable work has been done by voluntary agencies in many countries including India in extending the rights of the consumers by keeping the producers conscious of consumers' rights and interest. And also the laws need to be implemented properly.

But in a country where most of the people are illiterate and living below poverty line it is too ambitious to expect adequate knowledge of legislative provisions, and their rights on the part of the consumers. It is the honesty, sincerity and integrity/on the part of the business and the greater awareness, understanding, knowledge and education on the part of the consumers that will make the consumer protection movement more effective, meaningful and purposeful. The need of the hour is the organization of the consumers into powerful unions at various levels to protect their rights and privileges and safeguard themselves against the exploitation of the fraudulent businessmen and industrialists.