



CONSUMER RIGHTS AND ROLE OF SOCIAL WORKERS

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Introduction

In a dynamic world, we find no time to raise our voice against irregularities. We don't want to face any consequences. If we cheated by ignorance is excusable. But, we cheated knowingly, it is unbearable. Consumer organisations are emerged to create awareness among the consumers. We should know our rights and duties in the society. We have Fundamental rights, Human Rights, Political rights, Economic rights, etc. Among them, Consumer rights get prominent place.

War against rights

The human element is facing a number of hurdles in every stage. In olden days, the stone age human beings fight against the nature. After this, the man fights for his betterment of his life. Till now, it continues. The suppressed and oppressed people fight for their rights for long time. In the fight, we shall face success or failure. But, we don't bother about it. We should see the genuinely of the fight. French revolution had paved way for betterment of working class people. In modern marketing economic world, the voice of the consumer rights become stronger.

Consumer

All of us are Consumer. We are all consumers of goods and services. From ordinary citizen to the President of the nation is consumer. Whether child or old, everyone is consuming things and getting services for their livelihood.

Meaning of Consumer from various Dictionaries

- One who purchases goods or services.
- One who purchases goods or pays for services.
- A person who buys goods or uses services.
- A person who purchases goods and services for his own personal needs.
- A person or an organisation that uses a commodity or service.
- Consumer transaction involves Consumer, Supplier and Goods/ Services.

According to Consumer Act, "One who buys any goods, hires any service or services for consideration which has been paid or promised or partly paid and partly promised or under any system of deferred payment".

A person is not a consumer, if he purchases goods for commercial or resale purposes. Eg. Dealers/Agents of particular products.

Consumer Movement

In U.S., Ralph Nader was called as Father of Consumer Movement. The first voice raised for the consumer rights in U.S. in 1962. The then President of U.S. John F. Kennedy declared March 15 as Consumer Day.

First, he declared the following rights as consumer rights:

1. Right to Safety
2. Right to Information
3. Right to Choose
4. Right to hear

Later, the rights were modified as follows:

Right to Safety	Right to Consumer Education
Right to information	Right to Compensation
Right to Choose	Right to Environmental Safety

Right to redress grievances Right to basic amenities

In India, Former Prime Minister Rajiv Gandhi was very interested to enact the Consumer Protection Act in the Parliament in December 1986. The word "Consumer" was pronounced among the citizens only from 1970. But, till today, no one come forward to raise their voices for the consumers. The minimum numbers of people are only interested in consumer issues. Now a day, we or our friends or relatives are hugely cheated by the business people.

In India, the following are prescribed as rights of consumer:

1. Right to be Protected
2. Right to be Informed
3. Right to be Heard
4. Right to Choose
5. Right to Redress
6. Right to Consumer Education

This Consumer Protection Act has come as panacea (remedy for any kind of disease) for consumers all over the country. It is a milestone in the history of socio-economic legislation in the country. It was enacted for the protection of consumers after consultation with representatives of consumers, trade and industry and extensive discussion within the Government. Other laws are punitive and preventive nature. But, it paves way for compensation to the consumers. This Act was amended in 1993 & 2002 to extend its coverage and scope and enhance powers of the redressal machinery.

Procedures to be followed in purchasing goods:

In Packing materials – Name address of the company, Details of ingredients, weights, date of manufacturing, date of maturity, M.R.P.

Medicine: If the drug is supplied below the rate of M.R.P., it might be duplicate. We should not purchase the matured/outdated drugs. If we find changes in colour, appearance, taste, we should complaint to the Drug Inspector, State Drug Controller.

I.S.I. – To avoid adulteration, we should purchase products with Ag-marg. Purchase I.S.I. products to avoid low standard goods.

Service Deficiencies:

Bank Service – Refusal of Payment to D.D. Delay in Payment of F.D. Delay in obtaining mail transfer. Refuse to pay, if enough money. Discrepancies in issued Demand Draft.

Society Loans – Delay in sanctioning the loan, even though we have submitted relevant records.

E.B. – Fault Meter. Excess Meter reading. Delay in Electricity connection. Stoppage of Supply without notice. Delay in Electric connection. Death due to broken wire.

Insurance – Refused to pay compensation to accident vehicle or delay in payment of compensation. Refused to pay compensation for death in L.I.C.

P & T – Delay in delivery of letters and telegrams. Delay in payment of Savings Bond.

Railway – Insufficient Fans, lights. Confusion in Rail reservation. Inconvenient journey.

Hospital – Surgery made by mistake. Supply of Drug, which are not related to disease. Excess amount collected for the treatment.

Bus – Worn out seats and ugly and not fit for smooth journey. Im-movable shutters. Rainy water inside the bus in leaky buses.

Cinema Theatre – Black ticket. Excess charge collection. Ugly and un-hygienic environment. Non functioning of A/C, Fan.

Education – Recent judgment award tells that Parents and school chil-dren are consumers. Delay in sending the certificates by University. Students are compelled to pay the fees for whole in the beginning of the academic year.

Local bodies – Deficiency in water service.

Procedure for complaint grievances to appropriate au-thorities:

Who can file a Complaint?

- A Consumer
- Regd. Consumer Organisation
- Central Government
- State Government

One or more consumers on behalf of numerous consumers, who are having the same interest

When can a complaint be filed?

In the following circumstances:

If you have suffered loss or damage as a result of any Unfair trade practices adopted by the trader.

If the goods purchased suffer from any defect.

If the services hired/availed of suffer from deficiencies in any respect.

If you have been charged a price in excess of the price displayed or fixed by or under any law for the time being in force.

If the goods hazardous to life and safety, when used, are being of fered for sale to public in contravention of any law for the time in force.

Where can you File?

District Forum – Compensation asked for up to Rs.20/- lakhs

State Forum – Compensation for up to 1 Crore

National Forum – More than 1 Crore

How can you file?

The Complaint to be filed within 2 years.

No Fee for filing a complaint. Even an affidavit does not need stamp papers. Complaints can be sent by post or presented in person by complainant or his authorised agent.3 to 5 copies of complaint re quired.

Detailed information to be given with regard to goods such as ad dress, date, quantity, copies of the bill, the relief sought, etc.

Relief available to consumers:

Redressal Forums may give orders for one or more of the following:

Removal of defects from the goods.

Replacement of the goods.

Refund of the price paid.

Award of compensation.

Removal of defects or deficiencies in the services.

Discontinuance of Unfair trade practices or restrictive trade practices or direction not to repeat them.

Withdrawal of the hazardous goods from being offered to sale (or)

Award for adequate costs to parties.

Appeal against the

Decision of:	Time Limit	In
District Forum	Within 30 days	State Commission
State Commission	-do-	National Commission
National Commission	-do-	Supreme Court

No Fee for filing appeals in State and National Commissions.

Composition of Redressal Forum:

I District Forum

President & Two Members President must be District Judge, prefera-bly Rtd. District Judge is appointed as President.One member to be a person of eminence in education/trade, other member be a Lady Social Worker

II State Commission

President & Two members President must be a High Court Judge One member to be a person with ability, knowledge/experience with the problems of economics,Other shall be a woman

III National Commission

President & Four members President in the rank of Supreme Court Judge appointed by Central Govt. Other Four members should be well versed in the problem of economics,law, commerce, industry, ac-countancy, etc. One among them should be a woman.

The Latest Amendment Act 2002 paves way for collection of fee for filing of cases in Consumer Forums as follows:

I District Forum:	CompensationAmount	Fees
1 People from below poverty line	Up to 1 lakh	Nil.
2 People from above poverty line	-do-	Rs.100/-
3-do-	Up to 5 lakhs	Rs.200/-
4 -do-	Up to 10 lakhs	Rs.400/-
5-do-	Up to 20 lakhs	Rs.500/-
II State Forum:		
6 Filing Fee	Up to 50 lakhs	Rs.2000/-
7 -do-	Up to 1 Crore	Rs.4000/-
8 -do-	Above 1 Crore	Rs.5000/-

Role of Social Worker in promotion of Rights of the Con-sumer

- Social worker gives assistance to individual in regard to the dif-ficulties they encounter. He helps to raise the standard of living and to bring about social, economic, political and cultural well being of the individual,
- Social Worker is a professionally trained person and he can use his scientific knowledge to take the problem to the appropriate forum and help to solve the problem in legitimate way.
- social worker is to remove social injustice and illiteracy and ig-norant of poor people about Consumer Acts and rights of con-sumer.
- The social worker can integrate and coordinate the consumers to help them in a right way. He can protect them for safety pur-chase of consumable goods by demonstrating the other side the bad evils of the product.
- The social workers and counselors can extend their helping hands in conducting various programmes to the consumers and avoid consumerism especially by the poor people.
- The social worker should give assistance to individuals in regard to difficulties they encounter in exercising the rights of the con-sumers
- Social workers and voluntary organizations are vigilant which involve affairs of consumer would yield fruitful results in bring-ing the consumer as an active man.
- Social Worker could advocate for the rights of Consumer and condemn policies and practices.
- He could introduce mandatory training on the application of Consumer Protection Acts in proper way by the authorities con-cerned and to take disciplinary measures against those who fail to implement this law.
- He could work to prevent and eliminate against all forms of exploitation of Consumers by the profit minded business men

Conclusion

Though we have Consumer Protection Act 1986, the voices of con-sumers are not stronger through out the nation. The minimum num-

ber of people are only interested in consumer issues. If we do not care about all unlawful activities of the traders, we would be cheated.. If we happen to meet any loss in purchasing goods, the attention of the authorities concerned and claim for compensation. Social Workers can play as mediators between consumers and consumer organizations. Legal provisions, however do not always work, unless the public insist that they do. The Governments [Central and State] should also educate the public about consumer rights and consumer acts which are enacted mainly for the welfare of consumer through all medias.

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