

Consumer Protection in India: *Ground Realities*



Management

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ABSTRACT

For protecting the interests of the consumers it is imperative for an economy to attain the status of a buyers' market with true and successful democracy and armed with various consumer protection laws. However, despite possessing the favourable features, the ground reality is not as per the expectations. This paper is thus an attempt to fathom the significant reasons behind this sorry state of affairs.

1: Background:

An explanation of the mundane understanding of consumer protection suggests that if the market of a country has attained the status of a buyers' market, especially in a welfare state economy, groomed under true and successful democracy and armed with various consumer protection laws, the consumers will probably look least towards the sympathy or advocacy of any group be it academicians, researchers, bureaucrats, journalists or jurists or even the consumer protection groups and organisations for explaining their side and/or spearheading movement(s) to ensure the protection of their interests.

However a thorough and careful scan of the matter, especially in case of developing economies experimenting democracies, the known ground reality is not as per the expectations despite the fact that a good number of such economies and democracies are studded with the favourable features like buyers' market and the welfare state economy armed with requisite consumer protection laws. What then are the reasons for this sorry state of affairs?

2: Ground Realities:

The case of the countries like India if probed thoroughly will confirm the hypothesis that one of the most powerful reasons behind this bleak scenario has been and still is the lack of education and requisite awareness among a vast majority of consumers regarding their rights and interests. If probed in more micro manner it will not be difficult to understand the reasons behind their poor education and awareness. Their rural or in some cases semi-urban background coupled with poor purchasing power are significant reasons behind their inappropriate awareness. It is because of all these that more than half of the country's population is only first generation consumers of industrial products and services.

Needless to remind that if the consumers are not duly aware of the products/services in terms of its appropriate price, quality, durability, function and performance, warranty, after-sale service and discounts and concessions etc., it will only be over ambitious to expect them to be knowledgeable about their rights and consumers as per the provisions of the laws.

The picture relating to semi-urban and urban consumers barring those from metropolises is also not very encouraging. They too in many cases, despite being educated are not aware of their rights. Interestingly even in those cases when they are aware of their rights, a good number of them are apathetic and callous, in addition to being pessimist, to insist upon their such rights. In many cases their this callousness and apathy is the result of their bitter experiences in the past on account of corrupt, expensive, tiresome, tardy and time consuming justice delivery system of the country.

If argued that a good number of rural customers of the country live in the sellers' market even today, it may evoke a sharp reac-

tion from certain quarters. Nonetheless the fact remains. Villages in far-flung areas/hill areas, tribal belts and having small population are not in all the cases well linked with motorable roads resulting into difficulty in transporting the goods, specially the perishable ones. Poverty forces them to purchase on credit and they under the circumstances enjoy fewer choices to select the brands or even the seller of their choice thus turning the market into a sellers' market as opposed to buyers' market which is available to urban customers in the form of Malls and Shopping Complexes of metropolises and big cities.

Academicians may find it difficult to accept but the ground reality does suggests that one of the very interesting reasons behind the exploitation of the customers in the country by the businessmen has been that the Indian customers have got a remarkable capacity to forget and forgive the businessmen for their lapses sometimes on account of personal relations, while on others because of their hesitation, laziness and not being able to spare time to even make a primary complaint to the concerned trader, what to say of approaching consumer courts and engaging themselves for follow-up actions. Indian customers generally react and raise their voices only when they feel that they are cheated repeatedly by the same trader/manufacturer.

4: Conclusion:

In developed countries where market forces shape the destiny of the business, marketing strategy becomes sensitive to the moods of the consumers. Consumer is sovereign there. However, the fate of the consumers in developing countries like India depends on the sympathy and advocacy of the academicians, researchers, bureaucrats, journalists, and the consumer protection groups for explaining their side and spearheading the movement to ensure the protection of their interests due to their lack of education, awareness, last but not the least 'forget and forgive attitude'.

If the individual consumers are not aware and accountable in safeguarding their own rights and interests, can the scenario be changed by the organised voices of the general public/consumer groups or by Government policies and if yes to what extent? Becomes the million dollar question!

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