



Consumer Protection – Issues and Impediments In Rural Areas

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ABSTRACT

Since ancient times consumer are being exploited by the business men in many ways. It would be either in price or quality or the utility of the product. In olden days goods were sold by traders and business men for at a price fixed by them. There was no competition from the sellers point. The consumers i.e., the public were not conscious about the quality, price and utility of the product. They used to ask the product that was required to them. They did not ask for any product with specific brand or trade marks. They had the practice of buying the product when it was affordable. They did not compare the price and quality of the product. Taking this as a privilege most of the sellers and business people fixed high prices for their products. In many cases the quality and the price of the product would not match each other. In rural areas many of the public were illiterate or having limited knowledge in education. So the consumers were exploited more in olden days. This was possible as the public did not get consciousness and awareness about various products with same quality available in the market. For example, in the case of textiles products the dyes which were utilized in the production had no guarantee of long life. Within a short span of time the shade would get damaged. The consumer could not exchange the material. This was the situation prevailed all over the nation till 1985, because there was no separate Act to safeguard the interest of the consumers. During the year 1986 the Consumer Protection Act was enacted. After that apart from this Act some more Acts have been enacted by the Governments to safe guard the interest of the consumers. The consumers are given the right to file suits against the vendors through Consumer Court. As a result, during for the past 15 years many cases have been filed by the consumers whenever they felt that they were exploited by the vendors. Today due to the development in technology and awareness among the public majority of consumers know about the price, quality and utility of the products which are available in market for their consumption. They are able to identify the quality products for their uses. All information about the products are available to the public with freely. But still many consumers are exploited by the sellers in all parts of the country because of the lack of awareness about the Acts which are available to safeguard them. Further most of the consumers are afraid of the court procedures and formalities. Many consumers in many situations tried through court and succeeded. India a country which has more than 65% of its population depending on agriculture and allied industries of agriculture who are living in rural areas. Even though there are many acts to safeguard the consumers, in many situations consumers are exploited. What are the reasons behind this? Why it is happening frequently? To find the reasons for the problem and remedial measures a thorough research is immensely required. By keeping the above views in mind the writers presents an article on "CONSUMER PROTECTION - ISSUES AND IMPEDIMENTS IN RURAL AREAS".

Keywords :

INTRODUCTION

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malities. Many consumers in many situations tried through court and succeeded. India a country which has more than 65% of its population depending on agriculture and allied industries of agriculture who are living in rural areas. Even though there are many acts to safeguard the consumers, in many situations consumers are exploited.

EVALUATION OF THE CONSUMER PROTECTION ACT

First effort to safeguard the consumers was taken by Labour Party in England with the slogan of "Battle for the consumers". By lapse of time this movement became stronger and under pressure, British Government established Molony Committee. On the recommendation of this committee Consumer Council was constituted and thereafter various legislations were enacted in England.

The United Nations Organization (UN) has passed a resolution in April 1985 indicating certain guidelines under which the Government could make law for better protection of the interest of the consumers. Such laws are necessary in the developing countries to protect the consumers from the hazards to their health and safety and to make them available speedier and cheaper redressals. This was a great step in the movement of consumerism.

The frame work for the Consumer Act was provided by a Resolution dated 09 – 04 - 1985 of the General Assembly of the UN. This is known as "Consumer Protection Resolution No. 39 / 248". India is signatory to the said resolution.

In India, it was at the end of twentieth century the Consumer Protection Act was enacted. The Consumer protection Act, 1986 received the assent of the President on December 24, 1986, but came into force on 15th April, 1987.

The consumer protection Act was enacted to provide a simple and quicker access to redressal of consumer grievances.

OBJECT OF THE ACT

The object of the Act is given in the Preamble of the Act. It says "An Act to provide for better protection of the interest of consumers and for that purpose to make provision for the establishment of consumer councils and other authorities for the settlement of consumer' disputes and for matter connected there with".

RIGHTS OF THE CONSUMER AS PER THE ACT

1. The right to be protected against marketing of goods which are hazardous to life and property.
2. The right to be informed about the quality, quantity, potency, purity, standards and price of goods to protect the consumer against unfair trade practices.
3. Right to be assured, wherever possible, access to variety of goods at competitive prices.
4. The right to be heard and to be assured that consumer's interest will receive due consideration at appropriate forums.
5. The right to seek redressal against unfair trade practice or unscrupulous exploitation of consumers and
6. The right to consumer education Virtually, this is the consumer charter which has been provided under section 6 of the Act.

The following rights have been added by the Amendment Act 1993 and 2002 respectively.

7. The right to be protected from unfair trade practices as defined under section 36 A of MRTP Act 1969, and
8. Protection from spurious goods or offering such goods for sale or adopting deceptive practice in the provision of services.

ROLE OF CONSUMERISM

1. CONSUMER EDUCATION

The consumer is given information about various consumer goods and services. This relates to prices, what the consumer can expect, standard trade practices, etc.

2. PRODUCT RATING

In order to guide the consumer in his choice of products, some of the agencies carry out tests and submit reports on them.

3. LIAISON WITH GOVERNMENT AND PRODUCERS

Another important role of the consumer organizations is to maintain liaison with producers on the one hand and Government authorities on the other. As the Government is the key factor in meeting most consumer needs in India, these organizations have to realize that they have a larger role in that direction, especially in India.

DISPUTES REDRESSAL AGENCIES

Chapter III of the Act makes provision for the establishment of Remedial Agencies i.e., consumer courts for settlement of consumers' disputes and for matters connected therewith. There is a three – tier system in the Act. They are:

1. A Consumer Disputes Redressal Forum known as the "District Forum", CDRF
2. A Consumer Disputes Redressal Commission to be known as the "State Commission", SCDRC and
3. A National Consumer Disputes Redressal Commission known as the "National Commission", NCDRC.

PLIGHT OF THE INDIAN CONSUMERS

The following factors make consumer's plight miserable.

1. Due to short supply of goods and services, especially of essential items, the consumers are influenced to buy the available goods even though they are very poor in quality.
2. Lack of effective competition among the sellers particularly in rural areas, the quality, service and price of the goods are influenced highly. Ultimately it will affect the consumers.
3. Many products with which consumers in advanced countries are quite familiar are still new to a very large segment of the Indian consumers. The unfamiliarity of the consumers with product features makes the sale of substandard, inferior or even defective products easier in India than in advanced countries.
4. Due to low literacy levels and unsatisfactory information flows, the Indian consumers particularly in rural areas by and large, are not conscious of all their rights. This encourages irresponsible and unscrupulous business attitudes and tactics.
5. It has been said that the legal process in India is comparatively time consuming and cumbersome. This discourages the consumers from seeking the redressal of their grievances by means of the judicial process.
6. Consumerism in India is not well organized and developed.
7. In certain areas the poor performance of the public sector monopolies has made the plight of the consumer more miserable. Some of them are even charged with unfair trade practices. For instance, electricity consumers are compelled to pay service charges for the service they never or hardly receive. Such is the plight of the telephone consumers also. In State – owned road transport corporations, it is common that passengers who have paid fares for luxury or express services are compelled to travel in ordinary coaches.
8. Though there are a number of Acts to safeguard the inter-

est of consumers, they are not effectively implemented and enforced to achieve the objectives.

SUGGESTIONS

1. The Government should intervene effectively to ensure the rights of consumers in all possible areas.
2. Awareness programmes should be organized for consumers particularly in rural areas by both Government and non – Government organizations to inform about various Acts available to safeguard them and to explain about the availability of various products with same quality in the market.
3. Illiteracy is the main cause for exploitation of consumers. So both the Central and State Government should take steps to quickly eradicate this evil.
4. Before giving Brand or Trade Mark and AGMARK to the products or company the authorities concerned should verify thoroughly the quality, and price of the products. Further follow up should be carried at fixed intervals by the authorities concerned to maintain quality throughout.

5. Government should take necessary steps to implement all the provisions in the Act to safeguard the interest of the consumers.

6. More number of consumer courts should be established throughout the country to provide speedy and cheaper redressal to the consumers.

CONCLUSION

In modern scenario all the goods are designed and manufactured to satisfy the needs and wants of the consumers. All the marketers are aware about consumer satisfaction but most of them try to do some malpractice in all possible ways. In most of the products we could see adulteration, duplication and substandard products. These practices should be controlled by the Government efficiently and the manufacturers should try to follow business ethics and values of human beings, which will pave the way for the betterment of the citizens and country as a whole.