



CONSUMER PROTECTION – AN OVERVIEW

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ABSTRACT

The present study investigates the comparison between B.T.C Teachers and other teachers (untrained) in relation to their job motivation. Survey method is used to select a sample of 211 primary school teachers. Work motivation questionnaire by K.G Agrawal is used to study. The results of the statistical analyses show no significant difference between B.T.C teacher and other teachers in taking to job motivation. No significant difference is found between teachers in relation to gender difference

KEYWORDS

motivation, job satisfaction, performance of teachers

INTRODUCTION

Consumerism centers around the problems of buyers in a world of sellers. To say that business is incompatible with ethics is nothing but a travesty of truth. But the socio-economic conditions of the modern society encourages the haves to earn much more than they need for their decent standard of living, forgetting altogether that the surplus income really belongs to the society, where the have-nots outnumber the privileged haves.

The Consumer Protection Act, provides protection of the interests of consumers, it may also be utilized to remove at least to certain extent the proverbial red tapism or inefficiency of the Government or semi Government machineries application of the Principle of vicarious liability the Government, Bank, Insurance Company, Airlines, Corporation, Railways, Electricity board and the like, have been held liable for the laches and commissions or omissions of their employees, without holding the defaulting employee jointly and severally liable, the reason being that the consumer does not hire the service of an employee of any of these institutions. Consumer has not reached the take-off stage in India yet, the consumer has not become organized unlike in many other countries in the West. Consequently the exploitation to which the consumer is subjected to by the organized class continues unchecked. The exploitation of consumer is greater in the case of a tariff-protected economy which reduces the import of goods from abroad and gives a near-monopolistic advantage to goods within the country. The position goes from bad to worse in the case of protection that has long passed the stages of infancy. Sugar industry is a glaring example in India.

The role of the government in protecting the consumer is obviously the enacting of suitable laws and enforcing them effectively. These are however other ways in which the government can ensure the protection of the consumer interest. The most important of these is by acting as a model for other producers to emulate. Our government is the largest producer of consumer services. In a country of India's size and still with an explosive rate of population growth and chronic shortages, the running and maintenance of these services with a minimum of satisfaction is indeed a Herculean task. It is important for the morale of the country that the government should not only do its best at all times. But it should be seen to be doing best.

Legislative enactments aimed at protecting the consumer are increasing each year and cover wide and varied areas. In India the position is that neither the manufacturers nor the retailers are under any legal obligation to supply goods which attain defined standards of quality, composition, durability or performance except a few items such as matches, methylated spirit and some drugs. The principal legislative enactments which seek to protect the consumer are –

1. Essential commodities Act,
2. Sale of Goods Act,
3. Drugs Control Act,
4. Prevention of food Adulteration Act,
5. Weights and measures Act, and
6. Monopolies and Restrictive Trade Practices Act

The provisions of these enactments taken together do not come anywhere near the extent of protection that is provided by similar legislation in some of the countries. Ultimate interest of the consumers can be protected adequately only by organized action on the part of consumers. The consumers must get together, establish their own organizations and press for their rights, raise their voice and make their voice heard wherever necessary. Such organizations should spring up all over the country not only in every town and city but also in every village.

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The Molony Committee in its report observed that consumer protection is an amorphous conception that cannot be defined. It consists of those cases where law intervenes to impose safeguards in favour of consumers. From another point of view, consumer protection may be viewed as, those measures which contribute directly to the assurance that the consumer will buy goods of suitable quality to his purpose. In a country like India, where majority of the people are subject to base poverty and misery, because of ignorance, illiteracy, social backwardness, lack of social awareness and a passive outlook on life, there is a great need to protect consumers from exploitation by the traders.

For the purpose of exercising all the consumer rights effectively by the consumers, the understanding of the meaning of each of the rights in the correct perspective is essential. Because unless they are aware of the actual meaning of each of the consumer rights, they may not enjoy those rights and protect themselves from the unfair trade practices of the business community

Right to Safety

It means that every consumer has a right to be protected against marketing of goods and services, which are hazardous to life and property. Products should not cause any physical danger to consumers or put them in difficulty due to sudden failure. Consumers must have assurance regarding quality, reliability and performance. The complexity in the features of the products due to advanced technology may result in some kind of hazardous to the consumers. While the consumer tries to exercise his right to safety, there is a dilemma whether he should proceed against the producer and distributor or not. Now, the ultimate responsibility for the hazardous goods is fixed on the producer. The consumer now has the right to proceed against the producer for any

damages or defects in the marketing of goods and services. This is also applicable to any kind of misleading advertisements given by the producer about the quality of the products. In this regard, it is absolutely essential on the part of the Government to insist the producers to involve themselves in the voluntary certificate scheme for all the products produced by them.

Right to be Informed

It means the right to be informed about the quantity, quality, purity, standard and price of goods to protect consumers against unfair trade practices. This is the second right of a consumer as per the Act. The Packaged Commodities Order made it obligatory to provide information on the package about the identity of the contents, name and address of the manufacturer, net weight, maximum retail price inclusive of local taxes, month and year of manufacture and expiry so as to enable consumers to exercise intelligently their decision to buy before they part with their money in exchange of goods. Supply of adequate information about the product would enable the consumers to be better educated to take an effective purchase decision and to create confidence in their mind about the products and services.

Right to Safety Products should not cause any physical danger to consumers or put them in difficulty due to sudden failure. Consumers must have assurance regarding quality, reliability and performance. These are so many common household items now available to consumers containing potentially harmful substances. Food additives, food colouring, drugs and pesticides further add new potential dangers. President Kennedy observed that thousands of common household items, now available to consumers, contain potentially harmful substances. The consumer now has the right to proceed against the producer for any damages or defects in the marketing of goods and services. This is also applicable to any kind of misleading advertisements given by the producer about the quality of the products. In this regard, it is absolutely essential on the part of the Government to insist the producers to involve themselves in the voluntary certificate scheme for all the products produced by them.

Right to Choose

The right to choose refers the option on the part of the consumers to choose a particular brand or to decide about the quantity for which existence of competition and availability of variety of products are essential. To enable the consumers to exercise the right to choose, the Government should insist the producers to produce such of those goods which are able to satisfy the changing needs of the consumers. Heavy advertisements of a leading brand along with the offer of free gifts, prices and so on create confusion in the minds of the consumers to take a wise decision with regard to the choice of the goods. Hence, they should be checked so as to have freedom to exercise the right to choose by the consumers effectively. Yet, collusion among sellers, price fixing, understanding among leading competitors, cartel movement should be properly checked and regulated by the Government through anti-trust laws so as to allow the consumers to enjoy this right freely.

Right to be Heard

Consumer has a right to register dissatisfaction and get his complaints heard and weighed. The main aspect of the consumer right is to be heard is representation of consumer interests for advising those concerned regarding product quality, prices, consumer preferences and the like. The right to be heard is denied to consumers when there would be nobody to listen to their complaints and the very purpose of granting them other rights would be simply defeated. The right to be heard implies the existence of a legal frame work and Government intervention to safeguard consumer interest. That is why now big business concerns have started consumer cells in their organization for effective communication from consumers. The Consumer Day is observed on 15th March every year. Consumer interests and representations, if they are genuine, will receive full and sympathetic consideration in the formulation of Government policy and fair and expeditious treatment in the Government's

Administrative Tribunals.

CONCLUSION

From the perception of difference parties dealing with the Consumer redressal mechanism, it is inferred that the Consumer Redressal Mechanism is functioning effectively and efficiently in spite of some short comings. The short comings may be attributed to the innate nature of the legal system and it could be tide over by taking the corrective steps by the monitoring authority.

The awareness of the consumers about their rights and legal protection is not quite encouraging. If proper steps are taken by both the Consumer Organisations and Government in educating consumers to make them realize their rights and encourage them exercise these rights, definitely the consumers' interests will be protected and at the same time unethical and unfair trade practices adopted by the unscrupulous business will definitely be checked and curbed. This is what is expected at present in India.