



**“CONSUMER AWARENESS, RIGHTS AND REDRESSAL SYSTEM UNDER
CONSUMER PROTECTION ACT IN INDIA”**

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ABSTRACT

The present paper examines the Consumer awareness, Consumer rights, Consumer redressal system under consumer protection laws. In India, majority of the people are not even aware of consumerism which is closely related with the protection of their rights and interests. Consumer movement is a socio-economic movement which seeks to protect the rights of consumers in relation to the goods purchased and services availed. One of the most important milestones in the consumer protection and consumer movement in India has been the enactment of the 'Consumer Protection Act, 1986' (CPA). The Consumer Protection Act provides protection to the rights of consumers and makes adequate provision for simple, speedy and inexpensive machinery for redressal of consumer's grievances. The CPA delivers effective safeguards to consumer against unfair trade practices. This act applies to all goods and services unless particularly exempted and applicable in India. The Act provides for three-tier quasi-judicial redressal machinery at the District, State and National level for redressal of consumer disputes and grievances.



KEYWORDS: Consumer awareness, Consumer rights, Consumer redressal system.

INTRODUCTION :

The consumer has the right to reject any 'product' or 'services' in the market and can require them to produce goods of their choice. But majority of the Indian consumers are ignorant, illiterate and do not know the role of consumption. When they are ignorant of their rights, they cannot know their responsibility as consumers. At present, in India, majority of the people are not even aware

of consumerism which is closely related with the protection of their rights and interests. In our country State and Central government have established many constitutional provisions to protect the consumers. But these provisions are not much availed by the consumers well. In such a context, the present paper examines the Consumer awareness, Consumer rights, Consumer redressal system under consumer protection laws.

Consumer movement is a socio-economic movement which seeks to protect the rights of consumers in relation to the goods purchased and services availed. Government has been according high priority to better protect consumer interests. The Department of Consumer Affairs, has initiated a number of steps to promote a responsible and responsive consumer movement in the country. Such measures include the use of multi-media

campaign for promoting consumer awareness and encouraging consumers’ involvement through efforts of Government and NGOs. The objectives of the consumer protection programme are:-

- To create suitable administrative and legal mechanisms which would be within the easy reach of consumers and to interact with both Government and non Governmental Organizations to promote and protect the welfare of the consumers.
- To educate the consumers as to be aware of their rights & social responsibilities
- To generate awareness among consumers about their rights and responsibilities, motivate them to assert their rights so not to compromise on the quality and standards of goods and services and to seek redressal of their disputes in consumer for a, if required.
- To involve and motivate various sections of society including consumer organizations, women and youth to participate in the programme.

REVIEW OF LITERATURE:

1. **Patidar (2013)** - The Consumer Protection Act, 1986 and its implementation, which we can keep in the category of achievement of the Act, while on other sides there are some facts revealed for which some corrective action is needed for the betterment of the consumerism, these facts can be categorized as challenges. This Act has provided relief to the consumers but still there is a need to improve in the implementation of this Act and also to incorporate some of provisions, which can protect the interest of consumers fully in coming years.
2. **Revathi & Raja (2015)** - The authors concludes that the consumer has to be aware of his rights and play a key role. The success of consumerism is a strong function of consumer awareness and to avoid exploitation consumer must become knowledgeable. The authors discussed about the awareness of consumer production act in tamilnadu.
3. **Mukherjee & Roy (2015)** - The consumer instead of being the king in the market is victims of incredible hardships in the form of fraudulent advertisement, exorbitant prices and a host of other ills. In the light of the above malpractices, a need was felt to provide the consumer safety and protection against the various exploitations. Such feeling of unprotectedness and consumer desire for transparency has paved the way for consumerism. This academic exercise is an effort to study the consciousness of the consumer in regard to the rights and to examine the adequacy of present provisions with regard to fulfillment of the consumer’s expectation.
4. **Umadevi & Sankara Rao (2016)** -This study found that education did not create much difference in the level of awareness, majority of consumers do not have knowledge of Consumer Rights and laws. A positive correlation was found between Consumer Perceptions, buying Practices and Problems. The study identified three critical factors of Consumer Protection namely Government Initiatives, Consumer Awareness and Accessibility.
5. **Ameen (2017)** - The study concludes that proper consumer education and awareness should be imparted to consumers and proper and immediate action should be taken by government in order to enhance faith of the consumers on legislative machineries.
6. **Natarajan (2018)** - This study determine the evolution of consumer rights and the level of awareness of respondents of Dindigul district on consumer rights. The level of awareness about the consumer rights and the prevalence of various redressal machineries will be an indication of the successful performance in consumer protection movement.

OBJECTIVES OF THE STUDY:

The study is undertaken with the object to review of consumer awareness and consumer rights under Consumer Protection Act, 1986, and to study the government initiatives and Consumer Redressal System under the consumer protection act

METHODOLOGY OF THE STUDY:

The Data has been collected from the secondary sources like books, magazines, journals, articles, newspapers, annual reports, government reports, published data and website.

CONSUMER AWARENESS:

Consumers are a vulnerable lot for exploitation, more so in a developing country with the prevalence of mass poverty and illiteracy. India too is no exception to it. Instances like overcharging, black marketing, adulteration, profiteering, lack of proper services in trains, telecommunication, water supply, airlines, etc are not uncommon here. From time to time, the government has attempted to safeguard consumer's interests through legislations is considered as the most progressive statute for consumer protection. Procedural simplicity and speedy and inexpensive redressal of consumer grievances as contained in the CPA are really in India. Implementation of the Act reveals that interests of consumers are better protected than ever before. However, consumer awareness through consumer education and actions by the government, consumer activists, and associations are needed the most to make consumer protection movement a success in the country. Consumer awareness refers to the combination of

1. The knowledge of the product purchased by the consumers in terms of its quality.
2. The education about the various types of hazards and problems associated with marketing of a product.
3. The knowledge about 'Consumer Rights.'
4. The knowledge about consumer's own responsibilities.

THE UN GUIDELINES FOR CONSUMER PROTECTION:

- Distribution facilities for essential consumer goods and services;
- Measures enabling consumers to obtain redress; Education and information programmes;
- Measures relating to specific areas like water, food and pharmaceuticals
- Physical safety;
- Promotion and protection of consumers' economic interests;
- Promotion of sustainable consumption; and
- Standards for safety and quality of consumer goods and services;

CONSUMER PROTECTION ACT 1986:

One of the most important milestones in the consumer protection and consumer movement in the country has been the enactment of the 'Consumer Protection Act, 1986'. This Act has been necessitated because the well organized sectors of manufacturers, traders and service providers with the knowledge of market and manipulative skills often attempt to exploit the consumers, in spite of the existence of various provisions of different laws for protecting their interests. Moreover, the increase in population has resulted in enormous pendency and delay in disposal of cases in the civil courts. The Consumer Protection Act, 1986 was enacted to better protect the interests of consumers. It is one of the most progressive and comprehensive pieces of legislation and is umbrella legislation covering all goods and services.

Consumers are the beneficent group around whom all commercial activities are concentrated. As an individual all are aware of the fact, that the moment one comes in contact with this world he/she enjoys the status of a consumer. Thus, consumer indicates an individual who avails goods and services for valuable consideration for his livelihood and not for any commercial purpose. India experiencing multifaceted development in the recent years has molded the nature of the market economy and these breakthroughs no doubt have led to influx of a variety of consumer goods into the Indian market. The thrust of corporate entity has gradually shifted from the consumer to profiteering thereby enabling the consumer to face incredible hardships in the form of adulterated goods, substandard products, black marketing and a host of other ills. Thereafter, a need was felt to provide the consumer safety and protection and hence the Consumer Protection Act of 1986 came into being. The Consumer Protection Act provides protection to the rights of consumers and makes adequate provision for simple, speedy and inexpensive machinery for redressal of consumer's grievances.

CONSUMER RIGHTS AS PER THE CONSUMER PROTECTION ACT:

The Consumer Protection Act delivers effective safeguards to consumer against unfair trade practices. This act applies to all goods and services unless particularly exempted and applicable in India. This law provides following rights to consumers:

1. **Right to be heard:** The right to be heard and to be assured that consumer's interests will receive due consideration at appropriate forums' is the definition of the right to be heard. This right aid to empower the consumers of India for putting forward their grievances and concerns fearlessly and raising their voice against products or even companies and guarantee that their issues are taken into consideration as well as handled immediately.
2. **Right to Be Informed:** The right to information is defined as 'the right to be informed about the quality, quantity, potency, purity, standard and price of goods or services. The main reason is to protect the consumer against unfair trade practices' in the Consumer Protection Act of 1986.
3. **Right to Choose:** The meaning of Right to choose as per the Consumer Protection Act 1986 is 'the right to be assured, wherever possible, to have access to a variety of goods and services at competitive prices.
4. **Right to Consumer Education:** Consumer education may refer to formal education through college and school curriculums as well as consumer awareness programs being run by nongovernmental and governmental agencies both. Consumer NGOs, having slight endorsement from the government of India, basically undertake the task of ensuring the consumer right throughout the country.
5. **Right to Safety:** The consumer right is referred as 'right to be protected against marketing of goods and services which are hazardous to life and property'. It is applicable to specific areas like healthcare, pharmaceuticals and food processing; this right is spread across the field having a serious consequence on the health of the consumers or their wellbeing.
6. **Right to seek redressal:** The right to seek redressal against unfair trade practices or restrictive trade practices or unscrupulous exploitation of consumers' is referred to as the right to redressal according to the Consumer Protection Act 1986. The Consumer courts like District Consumer Disputes Redressal Forums at district level, State Consumer Disputes Redressal Commissions and National Consumer Disputes Redressal Commissions have been incorporated with the help of the consumer protection act.

CONSUMER REDRESSAL SYSTEM IN INDIA:

There is legal and administrative machinery working in the field of consumer education in our country. It is important to understand it. Consumer redressal system is a system under which the consumers can file a complaint in a consumer court and demand justice when they are cheated by the sellers or manufacturers of the commodity or service they buy. It comprises of the Laws to protect the interest of the consumers and the Institutions to enforce the laws to uphold consumers' rights. We have consumer laws made through legislations in our country with a special focus on consumer education. The purpose is to help the people understand their rights and responsibilities as consumers and to redress their grievance. There are also existences of Institutions in the form of government departments and consumer courts to deal with the grievances of the affected consumers. The Act provides for three-tier quasi-judicial redressal machinery at the District, State and National level for redressal of consumer disputes and grievances. The District Forum has jurisdiction to entertain complaints where the value of goods / services complained against and the compensation, if any claimed, does not exceed Rs.20 lakhs, the State Commission for claims exceeding Rs. 20 lakhs but not exceeding Rs. 1 crore; and the National Commission for claims exceeding Rs.1 crore.

CONCLUSIONS:

In India, majority of the people are not even aware of consumerism which is closely related with the protection of their rights and interests. Consumer movement is a socio-economic movement which seeks to protect the rights of consumers in relation to the goods purchased and services availed. One of the most important milestones in the consumer protection and consumer movement in India has been

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