

CONSUMER RIGHTS

CHAPTER COVERAGE

- ◆ Consumer Exploitation
- ◆ Consumer Rights and Duties
- ◆ Standardisation
- ◆ Consumer Awareness
- ◆ Various measures under Consumer Protection Act, 1986
- ◆ Consumer Movement

CONSUMER

Any person who buys anything in the market or pays for any service is a consumer.

CONSUMER EXPLOITATION

When a consumer is cheated in any way, either by the shopkeeper or the producer, by giving him poor quality or adulterated goods or by charging more price for a commodity or a service, it is called consumer's exploitation.

◆ Consumers are cheated by the manufacture by the following ways :

1. **High Prices** : Traders can charge a price higher than the price prevailing in the market because of the ignorance and urgency of the customer.
2. **Underweight and under measurement** : By their cleverness, some traders scoop so low that they cheat the consumer by resorting to under weight and under measurement tactics.
3. **Sub standard quality** : Some traders sell substandard quality products to the consumer. Now a days markets are full of duplicate products.
4. **Adulterated and impure products** : In edible items such as oil, ghee and spices adulterated is made in order to earn higher profits.
5. **Improper information** : Companies spend a considerable amount on advertisement alone to attract consumers and feed information that they want the consumers to know but not the information the consumers should know about the products.
6. **Lack of safety devices** : Some producers try to produce things of poor quality without caring for the standard safeguard norms.

7. **Poor after sale service** : Many things need adequate after sale service. But most of the sellers do not provide it.
8. **False Claims** : Sellers make false claim about the durability & quality of their products mainly through advertisements.
9. **Hoarding & blackmarketing** : To make more profit sellers indulge in creating artificial scarcity through hoarding & black marketing.
10. **Rough Behavior & undue conditions** : Consumers are often harassed and undue conditions are put before them to get their requirement fulfilled.

➤ **MAJOR FACTORS RESPONSIBLE FOR THE EXPLOITATION OF THE CONSUMER**

1. **Limited information** : In the absence of information about different aspects of the products namely price, quality, composition, condition of use etc., the consumers are liable to make a wrong choice and loss money.
2. **Wrong information** : In the absence of full and correct information a consumer may get exploited.
3. **Shortage of supply** : Due to under development of industry there is a shortage of supply. This gives rise to hoarding and price rise.
4. **Limited competition** : Due to under development of industry there is a lack of competition in the market. This may lead to exploitation of the consumers.
5. **Illiteracy and ignorance of the consumers** : In most of the developing and under developed economies illiteracy rate is very higher consumers can be easily cheated by the producer.

➤ **NEED FOR RULES AND REGULATIONS TO SAVE THE CONSUMERS**

1. Producers are spending a lot of money to influence the consumers which makes difficult for the consumers to make a correct choice so there is need for consumer awareness.
2. Producers do not provide sufficient information to the consumers and even some times harass them.
3. Consumer awareness is also must because at times greedy traders begin to play with the health of the people by indulging in adulteration of edible oils, milk, butter etc.
4. There is need for rules and regulations because most of goods and services are being produced by private sector with profits as main motive.

➤ **CONSUMER MOVEMENTS**

The consumer movement arose out of dissatisfaction of the consumer as money unfair practices were being indulged in by the sellers. Before 80's there was no legal system available to consumers to protect them from exploitation in the market place for a long time.

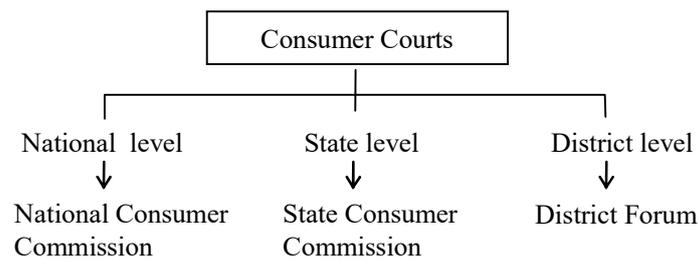
In India, the consumer movement as a 'social force' originated with the necessity of protecting and promoting the interest of consumer against unfair trade practices. Food shortage, hoarding, black marketing high prices gave birth to consumer movement in an organised form in the 1960s. More recently, India witnessed an upsurge in the number of consumer groups. This is because more & more cases of the consumer exploitation by the private sector. The activities of various consumer forms forced the government to enact the Consumer Protection Act 1986, popularly known as COPRA.

◆ **Main features of the Act.**

1. The act applies to all goods and services.
2. It covers all the sectors whether public, private or Co-operative.

➤ **RIGHTS OF THE CONSUMERS**

- ◆ **Right to safety :** The consumers have right to be protected against marketing of goods and services which are hazardous to life and property.
- ◆ **Right to be informed :** The consumers have the right to know about the quality, quantity and price of goods, date of manufacture, expiry dates etc. This right has been provided to the consumer so that consumer can approach the courts if cheated.
- ◆ **Right to choose :** Consumers have the right to check the variety of goods and services at competitive prices. This right gives the consumer assurity that no producer can force him/her to purchase a particular brand.
- ◆ **Right to seek redressal :** The consumer has the right to seek redressal against unfair trade practices and exploitation. If any damage has been done to the consumer, he/she has the right to get compensation depending upon degree of damage.
- ◆ **Consumer Courts :** Most important feature of the Consumer Protection Act is the provision of three tier system popularly known as consumer courts.s



1. These courts look into the grievances and complaints of the consumers against the traders and manufactures and provide the necessary relief and compensation.
2. These courts are required to dispose off each complaint with in three months.
3. These courts reduce burden on other courts.

➤ STANDARDISATION

For maintaining the minimum standard, government has created various institutions :

1. Through standardisation of product, the government tries to protect the consumers from lack of quality and varying standards of goods.
2. Government of India has established two agencies to check the quality and standard of the products.
 - (a) **Bureau of Indian Standards** : It has the responsibility of laying down the standards for industrial and consumer goods on a scientific basis and certifying the goods that meet the standard quality.
 - (b) **Agmark** : It is implemented under the Agricultural Produce Act, 1937, as amended in 1986. This scheme is run by DMI in the Ministry of Agriculture, Government of India. Products such as honey, masala and spices carry such marks.
3. Confirmity of the specification is ensured by regular surveillance of the licensee's performance by surprise inspections but testing of samples.
4. If any consumer is dissatisfied with the quality of a certified product, he/she can complain to the nearest office of the BIS.

➤ DUTIES OF A WELL INFORMED CONSUMER

1. While purchasing the goods, consumer should look at the quality of the product, the marked price, guarantee or warrantee card/period.
2. Consumer should preferably purchase standardise products which contain seal of ISI or Agmark.
3. Consumer should ask for a cash-memo and warrantee card.
4. Consumer must be aware of his rights and duties.
5. Consumer should form consumer awareness organisation, which can be given representation in various committees formed by the government.
6. He should know the method how to proceed if he is cheated.

GLOSSARY

1. **Adulteration** : It is a process by which the quality of food substance is lowered through the addition of other inferior substances to make higher profits.
2. **Consumer Awareness** : Consumer's consciousness towards their right and social and legal obligation of the business and the government towards consumers is known as consumer awareness.
3. **Consumer Exploitation** : It is a situation in which consumer is cheated by the producer.
4. **Consumer Courts** : These are courts which have been established under the consumer Protection Act, 1986 at different levels for the protection and promotion of consumer interest.
5. **Consumer** : Any person who buys any thing in the market and uses it.
6. **Consumer Protection Act, 1986** : It is one of the most important legal measures in protecting the rights of the consumer.
7. **Agmark** : It is meant for the agricultural product.