

**CONSUMER PROTECTION WITH SPECIAL  
REFERENCE TO THE ROLE OF WOMEN  
IN KERALA**

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## Chapter 1

### Introduction

#### 1.1 General

The complexities of modern industrialisation, mass production and distribution have accentuated the problems of consumers all over the world. This made the conventional swords and shields and antiquated bows and arrows of the consumers unequal to the modern armoury of the modern marketing system. The glamorous products with their corresponding evils replaced the earlier concept of the market which became the centre of adulterated goods, short-weights and measures, deceptive packing, hoarding, profiteering etc.. The consumers choice was influenced by misleading and false advertisements which mainly lured women, resulting in gross exploitation of the consuming mass.

Vigilance is needed in such a market place to protect consumers from the unethical, unfair trade practices of the traders, resulting in the consumer protection movement. Consumer protection movement is referred to as the efforts of individuals and groups acting more or less in concert to solve consumer problems. It is voicing of discontent of consumers and furtherance of corrective actions for which the consumers, the government and/or independent organisations should jointly strive. This collective movement is called consumerism.

## 1.2 Consumerism

Consumerism has been defined in general as a social movement which seeks to safeguard and strengthen the rights of consumers in relation to the producer or the supplier of goods and services.

Philip Kotler defined consumerism as an "organised movement of concerned citizens and Government to enhance the rights and powers of buyers in relation to sellers".<sup>1</sup>

Cravens and Hills identified consumerism as "a Social force within the environment designed to aid and protect the consumer by exerting legal, moral and economic pressure on business".<sup>2</sup> Therefore consumerism is the consumer protection movement which can be referred to as the range of activities which is not only vocal and vociferous, but also robust and overpowering enough to put fright in the businessmen.

As a concept, consumerism is as old as the market economy itself since this type of economy rests on the principle that consumers can eliminate anti-consumer sellers. In other words, consumers are presumed to have built-in protection for their interests. But, as a movement, consumerism is a recent phenomenon. The word is defined as the movement seeking to protect the rights of consumers by requiring such practices as honest packing, labelling, advertising, fair pricing and improved safety

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<sup>1</sup>Oommen, P.T. & Nair N.S. Industrial Organisation and Management, Lions Publications, Madurai, 1986, p.C.P.11

<sup>2</sup>Engel, James, F., Kellat, David, T. & Blackwell, Roger, D., Consumer Behaviour, Dryden Press, Illinois, 1973, p.616.

standards . It is currently used to describe concerted efforts by consumers to influence the nature of information provided with goods and services to extend regulation over these items as well as over their producers at a time when full value for money is denied.

According to Jermy Potter "consumerism involves more than being nice to consumers.....it demands a searching review of the relationship between providers and those for whom the services are provided".<sup>3</sup>

Robin Hambleton argues that "consumerism has so far been primarily a managerial phenomenon and that its full benefits will only accrue if it is combined with participation through a strategy for local democracy and decentralisation".<sup>4</sup> Consumerism is a process through which the consumers seek redress, restitution and remedy for their dissatisfaction and frustration with the help of their all organised or unorganised efforts and activities.

According to Singh (1994) consumerism, a concept of wider amplitude and implications is no more confined to the restricted aspects of duties and liabilities of the producers and providers. It has a direct bearing on the techniques which are essential to make the state and its sub-system responsible and responsive. In its wider perspective, it seems as an item on the agenda of administrative reforms for accountability and responsiveness through the technique of decentralisation of power,

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<sup>3</sup>Potter, Jermy, "Consumerism and the Public Sector: How well Democracy", Public Administration, U.K., 1988, vol.66, p.149.

<sup>4</sup>Hambleton Robin, "Consumerism, Decentralization and Local Democracy", Public Administration, U.K., 1988, vol.66, p.125.

debureaucratisation and devolved planning process which are of direct concern to consumerism.<sup>5</sup>

In short consumerism means nothing more than people's search for getting values for their money. These consumers are worried about high prices, inadequate quality and safety of goods and poor quality of service facilities needing improvement.

In spite of the above definitions consumerism had developed into a strong force aimed at protecting the consumer by exerting legal, moral and economic pressures on producers and providers in the developed nations.

The government can protect consumer interests by designing and implementing legislative measures, the business enterprises can take steps for self-regulation and the voluntary organisations can organise resistance movement against the nefarious activities of the business seeking to protect and augment the rights of consumers. The rationale for consumerism stems from the humanistic or Judaic - Christian belief that people who live on earth ought to treat each other as they expect to be treated themselves.<sup>6</sup>

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<sup>5</sup> Singh, S.S, Consumerism Concept, Concern and Consumer Care, I.I.P.A., New Delhi, 1994.

<sup>6</sup> Engel, James, F, Kollat, David. T & Blackwell, Roger, D. Consumer Behaviour, Dryden Press, Illinois, 1973, p.618.

### 1.3 Genesis of Consumer Protection Movement

The first consumer protection efforts began with the development of early Mosaic and Egyptian Laws governing the handling of meat and Greek and Roman Laws prohibiting the adulteration of wine. In 300 B.C. India imposed punishment upon adulteration of grains and oil. The standardisation of measures for ale, wine and corn in England was set by King John in the Magna Carta (A.D. 1215).<sup>7</sup>

Before the emergence of the modern civilization our forefathers lived a highly individualistic life. They were basically self-sustaining and the welfare of the consumers depended greatly upon the honesty and buying skill of the few local producers. Even though goods had no trademarks and brandnames consumers knew their merchandise and avoided shoddy products since the goods were locally manufactured. Hence the exploitation was minimum and also the need for protection. Then the consumers were the sovereigns in the market place.

Later modern civilization with its evils began to exploit consumers by adulteration, short-weights and measures, substandard products etc.. Industrialisation and mass production brought in a stream of new varied products which delighted the consumers and at the same time confused them regarding the quality, performance and utility. The fast pace of technological change has brought information gaps for the consumers and accentuated their problems making them rely on the massive advertising campaigns of

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<sup>7</sup>Ramakrishna, P. "Consumerism calls for consumer Education", Yojana, vol.33, No.4, March 1-15, 1989, p.26.

the producers. Thus the consumer's sovereignty over the market place has been eroded due to the prevalence of a seller's market. The concept of Adam Smith that the market is the pillar of strength and the guarantor of the best interests of the consumers<sup>8</sup> began to change at a faster pace.

#### 1.4 Growth of consumer Protection movement

##### 1.4.1 International

The organised activity in the form of legislations on the part of the government, consumer movement on the part of the consumers and self-regulating efforts of business for uplifting the standard of living of consumers in an organised form started in early 1900s. The Consumer Directory published by the International Organisation of Consumers Unions (hereafter IOCU) is a source of information regarding the year of origin of consumer movement in different countries of the world as detailed in table 1.1.

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<sup>8</sup>Smith, Adam, The Wealth of Nations, The Modern Library, New York, 1937.

Table 1.1

## Consumer Movement in different countries of the World

Period of Origin	Country
1900 - 1909	United States of America
1910 - 1919	Britain
1920 - 1929	Netherlands (1926)
1930 - 1939	Norway (1939)
1940 - 1949	Ireland (1942), Denmark (1947), Federal Republic of Germany (1948), Switzerland (1948), Japan (1948).
1950 - 1959	Kenya (1951), France (1952), Hungary (1953), Iceland (1958), Israel (1955), Italy (1955), Canada (1956), Belgium (1957), Sri Lanka (1958), Australia (1961), New Zealand (1959).
1960 - 1969	Austria (1961), South Africa (1961), Luxemburg (1962), Phili- ppines (1962), Korea (1963), Yugoslavia (1963), Trinland (W.I, 1964), Nigeria (1965), Poland (1965), Puerto Rico (1965), Malaysia (1965), India (1966), Jamaica (1966), Mauritius (1967), Pakistan (1968), Venezuela (1968), Taiwan (1969), Spain (1969).

1970 - 1979

St.Lucia (1970), Barbados (1970),  
Guyana (1971), Singapore (1971),  
Turkey (1971), Fiji (1971), Guam  
(1972), Mexico (1972), Greece  
(1972), Mont Serrat (W.I. 1972),  
Indonesia (1973), Thailand (1973),  
Sweden (1973), Iran (1974),  
Hong Kong (1974), Egypt (1974),  
Bangla Desh (1978).

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Source: Consumer Directory, IOCU, Netherlands, 1978.

#### 1.4.1.1 United States

United States has been designated as the cradle of consumer protection movement where Women's organisations such as the American Home Economics Association, Chicago Housewives League, American Association of University Women, the National League of Women voters, the General Federation of Women's clubs and the Y.W.C.A took initiate. The American Home Economics Association (AHEA), founded in 1908 under the leadership of Mrs. Ellen H. Richards, concentrated on standardising consumer goods and informative labelling for simplifying the complexity of buying; published the Journal of Home Economics and appeared before the congressional committees to testify issues of consumer interest.<sup>9</sup>

Later educators stimulated the consumer movement by formulating

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<sup>9</sup>Beem, Eugene, R., "The Beginnings of the Consumer Movement" in Kelley, William, T. (Ed.), New Consumerism: Selected Readings, Grid Inc; 1973, p.15.

education programmes and courses. Subsequent to the women's movement the administration recognised the consumer rights only when President Kennedy presented his "consumer message" in the Congress requesting legislative actions for solving consumer problems in 1962. At present the Consumer Products Safety Commission provides strong and explicit support to consumer interests.

#### 1.4.1.2 United Kingdom

The consumer protection system in U.K. threw light to the fact that the principles of common law and legislative enactment protected the consumers from the fourteenth and fifteenth centuries. Attempts were made by the Crown to control the unfair trade practices in the field of essential commodities of everyday life Viz., grain, cloth, wine, cheese, fish, honey, coal, salt and butter; also punished the traders who used unjust balances with a fine, flogging or the pillory.<sup>10</sup> In the early sixties of this century the pressure of public opinion and consumer groups accelerated the pace of legislation to provide better safeguards to the consumers. In U.K. with greater social consciousness protection is well done by consumer councils by testing validity of claims made by manufacturers through laboratories organised by them.

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<sup>10</sup>Harvey, Brian, W. & Parry, Deborah, L., The Law of Consumer Protection and Fair Trading, Butter worths, London, 1987, p.6.

#### 1.4.1.3 Scandinavian Countries

The common consumerist tendencies are found in highly industrialised and market-oriented countries such as New Zealand, France, Puerto Rico, Sweden, Belgium, Netherlands, Finland, Israel and Norway.<sup>11</sup> The National Institute of Consumer Information and the important bodies like the False and Deceptive Marketing Practices of Goods Act, Consumers' Ombudsman (KO) and the Market Court formulated in 1971 in Sweden ensured the enforcement of fair marketing practices by imposing fines and forbidding the erring manufacturers from indulging in unfair trade practices. The Danish Government Home Economics Council (1948), The Housewives Consumer Council in Denmark, The Belgium Consumer Council (1964), National Commission on Consumer Problems established under the auspices of the Ministry of Finance and Economic Affairs in France etc.<sup>12</sup> concerned themselves with the consumer problems. The consumer protection system in these Scandinavian countries is a concerted effort of voluntary organisations and Government.

#### 1.4.1.4 Japan

The consumer movement in Japan differed considerably from that in other countries because they were increasingly well organised and largely made up of women. 'Shuferen' is the biggest organisation made up of 500 housewives' groups which informs its

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<sup>11</sup>Mayer, Robert, N., The Consumer Movement - Guardians of the Market Place, Twayne Publishers, Boston, 1990, p.140.

<sup>12</sup>Ranganadha, Sripati, Textbook of Marketing Management, S, Chand & Co., New Delhi, p.243.

members, of policy decisions and the names of the manufacturers who are on its black list.<sup>13</sup>

Consumer education and consumer information were given due importance in America, Europe and Japan which led to their socio-economic changes.

#### 1.4.1.5 Developing Countries

Developing nations have as much claim to effective consumer protection laws as that of developed nations like U.K., Australia, U.S. etc; but the problem is centred around proper implementation and enforcement of those laws. Consumer movement in developing countries is shaped by two broad factors:

- 1 Indigenous characteristics of markets and consumers.
- 2 They import goods, views and consumer policies from other developed nations.<sup>14</sup> But what they need is a voluntary activism suitable to their economies because in more advanced countries educational attainments are high and consumer expectations are greater and they exhibit stronger discontent with the products markets offer. Therefore in developing nations where the consumer education is almost non-existent, both businesses and government have the opportunity and obligations to

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<sup>13</sup>"Consumer Movement in Japan", Social Welfare, March, 1989, vol.XXXV, No.12, p.27.

<sup>14</sup>Mayer, Robert, N., The Consumer Movement - Guardians of the Market Place, Twayne Publishers, Boston, 1990, p.149.

participate in consumer protection movement to emancipate their citizens, which they shun off in the absence of a powerful consumer protection movement.

The preconditions for a network of consumer protection in developing countries are (1) a government sponsored consumer council which acts as a watchdog and initiator (2) effectively drafted statute covering main areas of weights and measures, food and drugs, product safety, consumer credit etc. (3) courts or tribunals to which litigants have realistic access and which operate a quick and inexpensive redressal mechanism and (4) a properly trained and adequately staffed Trading Standards and Metrology Department of Government to enforce the law.<sup>15</sup>

#### 1.4.2 National

Due to the absence of powerful and effective consumer protection movements at the time of independence and post-independence period, the obligation of our government to protect its citizens has been fulfilled by enacting enough consumer legislations. But these legislative measures did not come to the rescue of consumers in solving their problems because of the wide gap between the law on paper and its enforcement. The major problem is the lack of a strong consumer movement to assert the consumer rights through the enforcement of legal measures. The Indian Contract Act 1872 and the Sale of Goods Act 1930 cover

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<sup>15</sup>Harvey, Brian, W.& Parry, Deborah, L., The Law of Consumer Protection and Fair Trading, Butterworths, London, 1987, p.38.

misdescription, misrepresentation and fraud. The spirit of tolerance and sympathetic attitude did not help us to achieve the intention of these Acts.

A digression into history unearthed that India was one of the pioneer countries to protect the consumer interests.

As early as 300 B.C. India imposed punishment upon adulteration of grains and oils. In Kautilya's Arthashastra there were severe strictures against careless treatment by doctors, careless laundrymen and traders who used faulty weights and measures.<sup>16</sup> Later when foreigners invaded our country they began to import low quality products which led to the fall of marketing ethics among our businessmen and slavery under the British helped to create a craze for foreign goods. The legislative measures prevailed in India during pre-independence day included Agriculture Produce (Grading and Marketing) Act, 1837, The sale of Goods Act 1930 and the Drugs and Cosmetics Act, 1940.

Gandhian way of consumerism is a new dimension in the discovery of human consciousness which gives stress to utilisation of the naturally available resources towards the wellbeing of mankind. Gandhiji was an apostle of consumer protection who showed inroads to innerawakening of consumers through his aesthetic concepts of Swadhikar, Swadeshi, Swavalamban, Swabiman and Saksharata.

Indian Government supported by the then weak consumer activists took initiative to enact legislative measures to protect the legitimate rights and interests of consumers on par with the

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<sup>16</sup>Kautilyan, Arthashastra, 300 B.C

developed countries, where the consumer movement and pressure groups gave impetus to the legislative measures. In addition to the pre-independent legislations, there are more than 40 Acts to protect the consumer interests. The important ones among them are the Prevention of Food Adulteration Act, 1954, Essential Commodities Act, 1955, The Monopolies and Restrictive Trade Practices Act, 1969, Standards of Weights and Measures (Packaged Commodities) Rules, 1977, The Bureau of Indian Standards Act, 1986 etc. But these laws are either preventive or punitive in approach and did not provide speedy redressal to the aggrieved consumers. In the absence of provisions to establish a machinery to deal with the complaints the MRTP Act was also made ineffective. The redressal machinery set up by the Railways, Telephones, Insurance etc. in addition to the Department of Administrative Reforms and Public Grievances (DARPG) set up in 1985 did not provide quick and inexpensive remedy to the common man. It was in this context that the consumer Protection Act, 1986 (COPRA) was enacted.

The COPRA, 1986 (Act 68/1986) received the assent of the President of India on December 24, 1986. Section 1(3) of this Act provided that it shall come into force on such date as the Central Government will provide by notification. Since different dates could be appointed by different states and for different provisions, the provisions of the Act did not come into force on a single date in the entire country. In order to protect the rights of consumers a Central Consumer Protection Council was set up with the Minister in charge of the Department of Food and Civil Supplies in the Central Government as its Chairman and members representing

such interests and State Consumer Protection Councils one in each state were set up to promote and protect the rights of consumers within the state. Moreover, to provide speedy and inexpensive redressal of consumer disputes, quasi-judicial machinery viz., National Commission at the National level, State Commission at the state level and District Fora at the district levels were set up respectively. These bodies are known as Consumer Dispute Redressal Agencies (CDRAs). But two years after the enactment, the implementation of the provisions of the Act was tardy and sluggish. So Common Cause, a registered consumer organisation exposing the cause of consumers moved two writ petitions under article 32 of the Constitution for a direction to the appropriate State Governments for urgent implementation of the Act. After going through the counters filed by most of the states, Supreme Court on January 17, 1990 passed an order directing that every district shall have a District Forum with the District Judge as the president as a stop gap agreement. The statement prepared at the end of December 1990 revealed that only 233 Fora were functioning in the whole country.<sup>17</sup> Only in Andhra Pradesh, Arunachal Pradesh and Nagaland the state governments took proper initiative to set up Fora in proportion to the number of districts. In certain states the District Fora were claimed to be functioning even though no separate Fora had been set up. In fact Bihar did not have even a single Forum in any of the districts, Harayana had only two for 11 districts. Himachal Pradesh had one for 12 districts, Karnataka had four to serve all its districts, Kerala had three for the 14

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<sup>17</sup>"Boost to Consumer Movement", Common Cause, New Delhi, October 1991, vol.X, No.4, p.3.

districts, Madhya Pradesh had nine for 45 districts, Maharashtra had three for 26 districts, Rajasthan had six for 21 districts, Punjab did not set up any Forum at all, Tamil Nadu had set up six for 15 districts and West Bengal had three for 17 districts.<sup>18</sup> Therefore the District Fora, which are the pillars of the implementation of the Act, were neither proportionately established nor of satisfactorily operational, which resulted in the continued deprival of the consumers.

Thus even after four years the mandatory requirement that the state governments should set up Fora in each district was not fully observed. They set up the consumer protection councils which are merely advisory bodies which alone could not provide any effective solution to the problems of consumers. Hence on 5<sup>th</sup> August 1991 the Supreme Court issued orders directing all the State Governments to set up the District Fora within two months and to report to the court.<sup>19</sup> The missionary zeal of the consumer organisation, Common Cause, in this connection in the satisfactory implementation of the COPRA was remarkable.

Finally in its order dated 7.1.1993, the Supreme Court directed the Chief Secretaries of each state to take steps to meet with its statutory obligations under the Act within the time-frame fixed by the court to ensure that the interest of the consumers is fully protected. The Writ Petition No.1141 of 1988 was thus disposed of after five years, wherein the judges also quantified the costs at Rs.5000/- per state government for the default in this regard.

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<sup>18</sup> Ibid, p.3

<sup>19</sup> Ibid, p.8

In addition, there were other handicaps to the effective redressal of consumer complaints such as lack of separate offices for the fora, political considerations at the time of appointment of the members, financial constraints and their administrative control by concerned State Department of Civil Supplies.

#### 1.4.3 Kerala

In Kerala the State Consumer Protection Council was set up as per G.O.(P)21/88 F.B.C.S dated 20<sup>th</sup> September 1988 with the minister for Civil Supplies as president and several official and non-official members, with powers to make policies for promoting and protecting consumer interests. But to the utter disappointment of enlightened citizens, the State Governments set up State Commission at Thiruvananthapuram and only three Fora one each at Kollam, Ernakulam and Kozhikode districts for southern, central and northern regions respectively, in May 1990. Kollam Forum redressed the disputes filed at Thiruvananthapuram, Kollam, Alappuzha, Pathanamthitta and Kottayam districts. Ernakulam Forum redressed the disputes filed at Ernakulam, Thrissur, Palakkad, Idukki and Ernakulam districts and Kozhikode District Forum redressed disputes filed at Kozhikode, Wynad, Kannur, Malappuram and Kasaragode districts.

These three regional Fora continued to function till the Supreme Court Order in August 1991 directing all the State Governments to set up Fora in all the districts according to which 14 Fora were established in the 14 districts of Kerala with effect from 1<sup>st</sup> November 1991.

During the period from May 1990 till 30.10.1992 the total number of disputes redressed were only 46.02 per cent and 53.98 per cent were pending disposal at the various Fora.<sup>20</sup> This may be due to the inadequate number of Staff members, increased number of adjournments of hearings etc.

It is found that the District Fora is not adhering to the Rule 4(9) of the Consumer Protection (Kerala) Rules, 1987 that the District Fora have to give their verdict within 90 days from the date of notice received by the opposite party where the complainant does not require analysis or testing of the goods and within 150 days if it requires analysis or testing of the goods. According to the VCOs 58 per cent of the cases filed by them in the Fora were disposed of only after six months, and according to consumers 31 per cent of cases took six months, 47 per cent took between 7 and 12 months, 22 per cent took 13 and above months for disposal in the Fora.<sup>21</sup> The reasons for the delayed disposal may be attributed to the operational weaknesses.

The COPRA, inter alia, seeks to protect

- 1 The right to know about the price, quality, quantity, potency, purity and standard of goods.
- 2 The right to choose
- 3 The right to consumer education
- 4 The right to safety

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<sup>20</sup>LIZZY, E.A., "Consumer Redressal Agencies: How Effective? Kerala Experience", Economic and Political Weekly, Vo.28, Nos.32 and 33, August 7-14, 1993, p.1639.

<sup>21</sup>George, Bajju, "Structure and Functioning of Consumer Forums in Kerala", M.B.A. Project, University of Kerala, 1992.

- 5 The right to be heard and
- 6 The right to get redressed.

In a society where majority are ignorant and trained to be silent sufferers they are not even aware of the existence of the COPRA, 1986 and the rules, 1987. Print media, every week, publish consumer grievances under various headings such as - "Citizens Voice" of the Indian Express, "Action line" of the Hindustan Times, "Pillar to Post" of the Times of India, "Our readers complain" of the Tribune, "Grievances" of the Statesman etc. They give us a new revelation that the so-called well-educated citizens are neither aware of their consumer rights nor of the establishment of three-tier Consumer Dispute Redressal Agencies.

#### 1.5 Role of Women

The Act recognised the very significant role women can play in the movement by entrusting an official position in the C D R As. Under section 10 of the COPRA in each District Forum, State Commission and the National Commission one of the members shall be a woman having adequate knowledge or experience of, or shown capacity in dealing with problems relating to economics, law, commerce, accountancy, industry, public affairs or administration.

Women as decision-makers, consumers and voluntary activists can contribute a lot to the consumer protection movement.

As a consumer, her function is indisputable. Her voice in the family in decision-making and purchasing has become significantly notable since the emergence of nuclear family,

education and economic independence. The nuclear family composition and the employment status gave a new status to the urban-educated women in Kerala.

The broad objectives of women's role in promoting consumer welfare can be identified as providing healthy and standardised food to the family for which consumer awareness is inevitable. While decision-making and purchasing she has to exercise her consciousness regarding the quality, quantity, price, standard, potency, purity etc. A National Food Survey conducted by the Indian Market Research Bureau (IMRB) throws light to a very interesting fact that very few housewives - even in the upper income groups - allow their servants to cook the main meal of the day and most of them found packaged items inferior to home-made food items.<sup>22</sup>

Since women became economically independent with employment they have a dominating role in decision-making. The study conducted in Haryana State on employed women with one school-going child substantiated this. The findings revealed that the role in decision-making and participation in various activities related to family life are independent of each other. They had monopoly over purchase of clothes.<sup>23</sup> But when they are being exploited by the unscrupulous traders they silently suffer the exploitation without

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<sup>22</sup>Ravi, V.B, Bhosle, Smita, "Looking for the Right Recepte", The Best of Brand Equity, An Economic Times Publication, 1992, p.24.

<sup>23</sup>Joshi, Uma "Working Women and Household Decisions", Social Welfare, Vol.XL, 4.10.1994, p.14.

taking up the case to the trader or to the redressal machinery. They do not even protest against these social evils.

The reasons can be attributed to lack of awareness of their consumer rights, existence of the redressal agencies and the functioning, influence of advertisements, lack of facilities to make sure of the quantity, quality, standard, potency, purity etc., lack of time, non-co-operative attitude of traders etc.

The study conducted in Hissar District of Haryana State revealed a disturbing and disappointing fact that 90 per cent of the rural respondents were ignorant about all their rights as a consumer and only around 60 per cent of the urban respondents were aware of their rights as consumers. The cent per cent rural respondents and 90 per cent of the urban respondents had never heard about consumer protection laws although 2 per cent of the rural and 10 per cent of the urban respondents were aware of the COPRA, but ignorant as to its implications and use.<sup>24</sup>

A study conducted on awareness in Kerala revealed that 60 per cent of the respondents were aware of the redressal agencies, only 18.66 per cent were aware of the location of the CDRAs, 14 per cent were aware of the functions of the Fora and 44 per cent had an idea about lodging complaints.<sup>25</sup>

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<sup>24</sup> Singh, Kiran, Yadav, Lali, Sangwan, Veena & Gandhi, Sudesh, Consumer Awareness - A Survey, Consumer Confrontation, (Vol.12, No.3, May-June 1992, p.13).

<sup>25</sup> Jacob, Johnson, "A study on Awareness Regarding Consumer Protection Movement among the Housewives in Kalamassery Municipality", M.S.W.Dissertation, Rajagiri Institute of Social Sciences, 1994.

Even when they realise that they are being exploited mercilessly by the traders, women do not take the initiative to complain to the traders or file cases in the CDRAs, which is evident from the number of complaints filed by women at the various Fora as shown in table 1.2.

**Table 1.2**

**Number of complaints filed by women at the District Fora  
with total number of complaints**

District Fora	No. of Complaints	
	Total	Filed by Women
Ernakulam	4075	441
Kozhikode	3926	349
Thiruvananthapuram	1889	252
Kottayam	2157	235
Thrissur	1876	233
Alappuzha	1406	241
Kollam	1785	217
Pathanamthitta	695	78
Idukki	770	67
Palakkad	1059	64
Kannur	1385	64
Wynad	512	31
Malappuram	912	43

Source : Secondary data collected from the Fora

This may be due to the socio-cultural problems faced by women.

The educated unemployed women were 15.09 lakhs in March 1990 which was 48.62 per cent of the total unemployed job seekers in Kerala.<sup>26</sup> Even though there are a lot of educated unemployed women they do not come for doing voluntary work for the welfare of the consuming mass. The reasons may be the attitude of the society, men and the traditional, cultural and religious taboos.

#### 1.6 Voluntary Consumer Organisations (VCOs)

There is no authentic definition of voluntary consumer organisation in the Consumer Protection Act, 1986. Since voluntarism is the basis on which voluntary organisations function it may be an organisation whether its workers are paid or unpaid, which is initiated and governed by its own members without external control.<sup>27</sup>

According to the National Institute of Public Co-operation and Child Development, a voluntary organisation is often interpreted as an "organised entity set up by a group of persons on their own initiative or partly on outside motivation to promote social welfare and also help the people of a locality to undertake activities in a self-reliant manner, partially or wholly, to satisfy their felt needs and also to bring them and the public

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<sup>26</sup>Economic Review, Government of Kerala, Thiruvananthapuram, 1990

<sup>27</sup>Kumar, Vinod, "What Restricts Voluntary Organisations from Spreading fast?", Kurukshetra, Vol.XLII, No.8, May 1994, p.30.

sector extension services closer to one another for more equitable and effective development of various sections of 'the rural poor'.<sup>28</sup>

A voluntary consumer organisation functions mainly for the promotion and protection of consumers' interest with well-defined objective and area of operation. It should be under non-proprietary management free from political, official and government control.

In India VCOs should be registered under the Societies Registration Act, 1860 or Indian Companies Act, 1956.

It should not be run for profit or to the benefit of any individual or group of individuals, but should serve the public without any distinction of caste, creed, colour or religion.

Its statement of accounts should be audited regularly by a competent authority.

Women should be given importance in the affairs of the VCO. Therefore a voluntary consumer organisation can be defined as a registered consumer association, formed for rendering selfless and yeoman services to the consumers in the matter of educating consumers, free from any political, official and government control, with women's participation with an ultimate object of consumer welfare.

C G S I, Bombay, formed in 1966 by nine housewives, to inform, educate and organise consumers was the first women's organisation established in the field of consumer protection.

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<sup>28</sup>Ibid.

The Supreme Court observed that "it is conceivable that the consumer protection movement is gaining ground in other countries because of strong consumer bodies having succeeded in organising the consumers, such powerful bodies are far and few in this country and they are unable to exert sufficient pressure on the powers that be as compared to the pressure brought by vested interests because the consumers in this country are not organised as one would like them to be".<sup>29</sup> This observation in 1993 is an eye-opener for all.

Women's organisations such as Association of Women Against Rising Prices (AWARP), Bombay and Consumer Guidance Society of India (CGSI) resisted the rising prices and fought to improve product quality and service performance. But these organisations failed to grow into a mounting force. At present there are 684 VCOs in India. Only a few of them have women's units.

A research survey conducted by CERC, Ahamedabad,<sup>30</sup> enunciated following eight activities on the basis of preference ranking as

- 1 Handling of complaints
- 2 Education
- 3 Advocacy
- 4 Litigation
- 5 Media
- 6 Publication
- 7 Lobbying and
- 8 Research

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<sup>29</sup>Common Cause Vs Union of India, Writ Petition No.1141/1988 (SC)

<sup>30</sup>"A Directory of Voluntary Consumer Organisations in India", CERC, Ahamedabad, 1993.

The VCOs in developed countries are mainly engaged in research and dissemination of information to the consumers, whereas in India research is given least preference.

The workshop on "Management and Resource Mobilisation for Voluntary Organisations" expressed that the major problem of the VCOs was related to the financing of their activities. Sri H.D.Shouri (Common Cause) suggested a matching contribution to strengthen the VCOs in the National Seminar held on 17.3.1990.

#### 1.7 Statement of the Problem

A perusal of the print media viz., newspapers publishing news items on consumer grievances, every week, draw our attention to the innumerable grievances by harassed and dissatisfied consumers regarding annoyance and negligence caused to them as a result of inadequate and insufficient services and unfair trade practices. This gives a new revelation that the so-called, well-educated and elite citizens are neither aware of their consumer rights, nor of the establishment of three-tier CDRAs. The maximum relief awarded to these consumers are limited to the minimum benefit without cost or compensation. Also public sector undertakings do not care for above grievances. Hence the question remains why these people hesitate to approach the CDRAs which can provide quick, inexpensive, monetary compensation for the harassed and agony. The answer is simple and straight pointing out the total lack of awareness among the educated as well as the illiterate Indians.

CDRAs are expected to dispose of the complaints within a period of three months. But this mandatory requirement remained in paper without materialising this objective. On completion of the first year of functioning of all the 14 District Fora the statistics revealed that the impact in terms of quick redressal has been poor and more than 50 per cent of the total cases were pending disposal at the various Fora. This high pendency rate was due to many operational weaknesses. Removal of these operational weaknesses is necessary for providing quick and speedy redressal to consumer complaints. The present study was undertaken to make an assessment of the time taken by the Fora for disposal and the constraints that caused the delay in disposal.

Women as mothers and housewives experience the consumer exploitation much more than men. Since the emergence of nuclear family her voice in decision-making and the purchase has become stronger.

According to the Census Report 1991 the female literacy rate is as high as 87 per cent in Kerala compared to 39 per cent at the national level. They constitute more than half i.e. 50.8 per cent of the population which is also different from the national trend. Kerala is the only state in the country where the sex ratio is favourable to females. Even though they are more educated, enlightened and employed than their counterparts in the country, their participation and involvement in the consumer protection movement is almost nil. The number of cases filed by women in the Fora was very few compared to the total number of cases. Only those who are more aware of their consumer rights file their complaints in the Fora.

Women can do a lot for consumer protection and for increasing consumer awareness since there are many educated unemployed women. In the West, women and women's organisations were the first to take initiative against consumer exploitation. They started consumer education in schools and universities in 1900s. But women in India are not awakened enough to fight against the social evils of consumer exploitation. The Consumer Guidance Society of India (CGSI) Bombay, established in 1966, is doing remarkable work in the field of consumer protection. There is only one women's Voluntary Consumer Organisation which is not doing any commendable work due to its inability to get more involvement of women. The reasons for this are lack of awareness and the constraints due to the outlook of the society. A matter to reckon with is that the growth and success of consumer protection in our country is squarely dependent on the socio-economic conditions of women, the effective implementation of the COPRA and the role played by Voluntary Consumer Organisations in educating consumers.

Voluntary Consumer Organisations also are in a position to redress consumer complaints as well in educating consumers by providing useful information. There are 49 registered Voluntary Consumer Organisations with branches all over Kerala state. Only a few of them are engaged in research works and intensive education. Therefore it is highly useful to probe into the problems faced by Voluntary Consumer Organisations in this matter.

Researcher proposes to conduct an exploratory study in this context.

### 1.8 Objectives of the study (Key Research Areas)

- 1 To assess the working of the District Fora with regard to the speed with which they dispose of the disputes -- i.e. time taken for the disposal.
- 2 To identify the major limitations with regard to the speedy redressal of consumer disputes.
- 3 To find out the awareness among women of their consumer rights and the factors contributing to it.
- 4 To identify the role of women in decision-making for purchases.
- 5 To identify the constraints that restrict women from coming forward to protect their consumer interests.
- 6 To identify the constraints of voluntary consumer organisations with regard to consumer education and research.

### 1.9 Hypotheses

- 1 There is inter-district variation in the time taken for the disposal of disputes filed in the District Fora.
- 2 Speedy redressal of consumer disputes depends on the staff members, number of complaints, adjournments of cases, vacancies in the District Fora and financial facilities.
- 3 Education and nuclear type of family are positively related to the awareness of consumer rights among women.
- 4 Employed women have more participation in decision-making for purchases than the unemployed.
- 5 Participation of women in consumer protection movement depends on time, willingness and attitude of the family members and society.

## Chapter 2

### Methodology

#### 2.1 Data and Methodology

The study has incorporated both secondary and primary data. The secondary data were collected by way of personal visits to Consumer Education and Research Centre, Ahmedabad, Indian Institute of Management, Ahmedabad, Jawaharlal Nehru University, New Delhi, Pondicherry University, Centre for Development Studies, Kerala, Official publications of Ministry of Food, Civil Supplies and Consumer Affairs, New Delhi and Kerala.

In addition, the author visited offices of prominent Voluntary Consumer Organisations of Kerala, as listed in the Directory of VCOs published by Government of India for discussion and collection of completed questionnaires wherever possible.

Details of complaints filed at the 13 District Fora were collected for analysing the disposal time taken by the Fora. For collecting the data from the three categories of respondents viz., (1) presidents and members of CDRAs (2) Voluntary Consumer Organisations and (3) urban and rural women from Thrissur and Ernakulam Districts, survey instruments were structured (Appendix II, III & IV).

2.2 A multi-stage sampling procedure was followed for the field survey of women. In the first stage of sampling the selection of the districts was done on the basis of the number of cases filed by

women in the District Fora as shown in Table 1.2. The districts were grouped into three viz.,

1. Districts where the number of female complainants were above 300 (Ernakulam and Kozhikode)
2. Districts where the number of female complainants were between 301 and 100 (Thiruvananthapuram, Kottayam, Thrissur, Alappuzha and Kollam)
3. Districts where the number of female complainants were below 100 (Pathanamthitta, Idukki, Palakkad, Kannur, Wynad and Malappuram).

One each from the first and second groups, were selected at random. They were Ernakulam and Thrissur districts. Since the third group had a very few female complainants they were considered as atypical units, and hence not included in the study.

In the second stage one taluk each from the selected districts viz., Ernakulam and Thrissur was chosen. There are seven Taluks in Ernakulam District and five Taluks in Thrissur District. Of these taluks one was selected at random by lottery method. The selected taluks were Paravur and Thrissur from Ernakulam and Thrissur Districts respectively. In the third stage one municipality and one Panchayat each were selected from the selected taluks as the urban and rural areas respectively. In Paravur taluk there are two municipalities viz., Paravur and Eloor. Of these, one was selected at random. The selected urban area from Paravur Taluk was Paravur Municipality. In Thrissur Taluk there is only

one Municipality viz., Thrissur Municipality. Hence it was the chosen urban area from Thrissur. For the rural sample one Panchayat from each selected Taluk was chosen at random. The selected Panchayats were Chittattukara Panchayat and Vilvattom Panchayat from Paravur and Thrissur Taluks respectively.

### 2.2.1 Universe and Sample

The universe constituted the women in Ernakulam and Thrissur districts. The details of the female population in the selected municipalities and panchayats are shown in the table 2.1.

**Table 2.1**

**Female Population and Ratio of Women to Men in the selected  
Municipalities and Panchayats with the  
number of complainants**

Districts	Rate of women to men	Women	No.of Complai- nants
Ernakulam			
Paravur Municipality	1.0002:1	15865	441
Chittattukara Panchayat	1.0167:1	12766	
Thrissur			
Thrissur Municipality	1.087:1	38849	233
Vilvattom Panchayat	1.0002:1	8453	

In the fourth stage the sample size was selected. To make the sample size manageable it was limited to 320 women. From the selected municipalities 110 women each and from the selected panchayats 50 women each were chosen for the study. Since majority of the complainants belonged to the urban area both complainants and non-complainants were included in the urban sample. 50 complainants from both the selected urban areas were identified from the list of complainants at the District Fora and included in the urban sample of 110. The remaining 60 non-complainants were selected at random. 50 women each from the selected rural areas were selected at random to constitute the rural sample.

For studying the Voluntary Consumer Organisations, all the 49 VCOs in Kerala as identified by the researcher were included in the study. For studies regarding the functioning of the District Fora, all the 14 District Fora were included.

### **2.3 Socio-economic Characteristics Studied**

The Socio-economic characters such as age, education, employment, marital status, type of family and income affecting wise, value-oriented consumer decisions. The importance of socio-economic background as a variable in consumer research is unique. The rationale in analysing the social background in surveys is that the respondent's thinking is conditioned by their socio-economic experiences. Karl Mannheim commented that "the opinions, statements, prepositions and systems of ideas are not taken at

their face but are interpreted in the light of the life situation of the one who expresses them".

#### 2.3.1 Age

Age, a biological component of human personality, has its own effect on the response patterns of the respondents to a great extent. According to Gaur (1968) "Seniority in age or in generational status may give women a higher symbolic rank in relation to certain men in the family".

#### 2.3.2 Education

According to Gaur (1983) the position of women as conceived by women themselves is equal to men due to the spread of education. It is expected that the personality pattern of an educated respondent distinguishes itself from that of an illiterate and among the educated the level of education has a significant role.

#### 2.3.3 Employment

Women in the past has been excluded from the decision-making process in the family and had to obey men as a matter of duty. Since women became economically independent wives' earnings became important to family expenditure decisions.

#### 2.3.4 Marital Status

The importance of marital status is that it is supposed to confer special status on women in taking purchase decisions along

with men. By single status it is meant either unmarried or widowed. According to Gaur (1983) a significant shift in the value orientation - trend of divergence from the traditional thinking, form and belief - take place with regard to marital consideration.

#### **2.3.5 Type of Family**

In this study the structure of family was analysed under two types viz., nuclear and joint. While a nuclear family has been conceived as a household comprised of parent and their unmarried children, that of the joint family was taken as a group of consanguineous kins of one or more than one generation where everything is common. The joint family system is organised on the principle of subordination of all members to the head, not on the principle of co-ordination or equality.

#### **2.4 Statistical Methodology**

The analysis was performed using statistical techniques such as Multiple Linear Regression Analysis, Kendall Co-efficient of Concordance etc.

##### **2.4.1 Multiple Linear Regression Analysis**

To identify the factors that influence the consumer awareness among women Multiple Linear Regression Analysis was performed using the awareness index as the dependent variable and the socio-economic characteristics as the independent variables.

For generating the awareness index the principle of Principal Component Analysis (PCA) was used. Principal Component Analysis is a statistical technique used for reducing the dimensionality of the data and seeks to resolve a large set of possibly related variables into a few sets of linearly independent variables. These linearly independent variables are called principal components. The maximum number of principal components is equal to the number of variables. Only few of the principal components that explain the maximum variance are retained in the analysis.

For generating the awareness index through the Principal Component Analysis, the six consumer rights were taken as the indicator variables. The covariance matrix of the indicator variables was computed. Then latent vectors and latent roots were extracted through the PCA. Using the latent vectors and latent roots the indicator variables were converted into Principal Components.

The principal component which explained the maximum variance was selected as the awareness index. The first principal component would serve as an effective index for measuring the consumer awareness provided it explains a substantially high amount of variance.

Since the objective is to identify the socio-economic factors that influence consumer awareness the principal component which explained the maximum variance was selected as the awareness index. This awareness index was used as the dependent variable for

### Multiple Linear Regression Analysis.

This awareness index was correlated with the socio-economic characteristics of the respondents for identifying the factors that contributed to consumer awareness.

#### Formula for constructing Principal Components

$$P_i = \sum_{j=1}^k a_{ij} x_j$$

where  $P_i$  : Principal Component

$k$  : Number of variables

$a_{ij}$  : Coefficients of the  $i^{\text{th}}$  latent vector

$x_j$  : Standardised value of the  $j^{\text{th}}$  independent variable

#### 2.4.2 Rank Difference Method of Correlation

When the direct measurement of the phenomenon under study is not possible rank difference method is applied for finding out the extent of correlation. The formula for computing rank correlation is

$$R = 1 - \frac{6 \sum D^2}{N(N^2-1)}$$

When  $R$  denotes coefficient of rank correlation between paired ranks,  $D$  denotes the differences between the paired ranks and  $N$  stands for the number of pairs.

### Kendall Coefficient of Concordance

Kendall Coefficient of Concordance was computed to determine the agreement among the respondents. It is used when there are variations among the various sets of rankings made by the respondents.

#### Method

Let  $W$  be the Kendall Coefficient of Concordance. To compute 'W' we first find the sum of ranks viz.,  $R_j$  in each column. Then we find the sum of  $R_j$ s of all the columns and divide that sum by  $N$  to obtain the mean value of all  $R_j$ s. Each of the  $R_j$  may then be expressed as a deviation from the mean value. Finally 'S' the sum of squares of these deviations is found. After computing these values we may compute the value of  $W$  by using the formula,

$$W = \frac{S}{\frac{1}{12} K^2 (N^3 - N)}$$

Where  $S$  = sum of squares of the observed deviations from the mean of  $R_j$ ,

$$\text{ie, } S = \sum \left( R_j - \frac{R_j}{N} \right)^2$$

$K$  = Number of sets of rankings

$N$  = Number of objects of entities ranked

$\frac{1}{12} (N^3 - N)$  = Maximum possible sum of the squared deviations, i.e.

the sum  $S$  which would occur with perfect agreement among  $K$  rankings.

This method was applied to measure the degree of agreement among the members of District Fora regarding the functioning of the Fora and in locating the constraints on women in the consumer protection movement. The statistical significance was tested using Student's t-test, F-test and chi-square to prove or disprove the hypotheses.

## 2.5 Limitations of the Study

Since the consumer protection movement is still in its infancy in Kerala the number of research studies is very limited and the researcher developed the study mainly on her investigations and interviews with the persons concerned. Even though the

business enterprises can play an important role in consumer protection through self-regulation they are not included in the study.

## 2.6 Period of the Study

For assessing the time taken for the disposal of complaints details of complaints filed from May 1990 till 30.11.1992 and disposed of till 30.4.1993 were collected from the various Fora.

## 2.7 Significance of the Study

Even though the social welfare Act, 1986 was enacted as a measure of protection to the downtrodden and aggrieved citizens no visible improvement could be detected so far. Hence it was thought that the need of the day is to locate the shortcomings and weaknesses in the set up and workings of the CDRAs so that corrective measures may be taken up. The sufferings of Indian citizens being the outcome of failure of governmental-judicial and administrative-machinery, can be alleviated by the involvement of Voluntary Consumer Organisations could not achieve the targeted aim. Hence an indepth study on Voluntary Consumer Organisations, their composition and working etc. is supposed to unearth the constraints so that corrective steps can be taken.

India comprising 15 per cent of world population and among them 50.8 per cent being women and their backward position as revealed by socio-economic research studies, a study on women's role in consumer movement will throw light to their problems the removal of which is necessary for their upliftment.

The outcome of the above studies can be an important guideline to those in government, Voluntary Consumer Organisations and the CDRAs associated with policy making and implementation in addition to safeguarding consumer interests.

## 2.8 Scheme of the Study

The thesis is divided into 10 chapters.

Introductory chapter highlights the definitions, growth and development of consumer protection movement at international level and enforcement of the COPRA, 1986 in India and Kerala. It also highlights the problem, objectives of the study and hypotheses.

Data and methodology, tools of analysis, limitation, period, scheme and significance of the study are elaborated in the second chapter.

A survey of related literature is portrayed in the third chapter.

The fourth chapter gives a critical study of the Consumer Protection Act, 1986.

In the fifth chapter the socio-economic profile of women and women's movement for consumer protection etc. are portrayed.

In the sixth chapter the author attempted to trace the origin and development of the Voluntary Consumer Movement in India with special reference to Kerala.

The seventh, eighth and ninth chapters analyse the responses collected from the presidents and members of the CDRA, women and VCOs respectively.

Findings, conclusions and suggestions are given in the tenth chapter.

## Chapter 3

### Review of Literature

3.1 The present study utilised a variety of documents and literature, which touched upon consumerism in India and abroad, aimed at gathering a rich source of insight into its various aspects. Special care was taken to bring together information on consumer protection as it is practiced today along with the research investigation carried out with emphasis on role of women.

### 3.2 Journals and Periodicals

A number of exclusive Journals and Publications from different VCOs were reviewed. They are 'Consumer Confrontation' by CERC, Ahmedabad, 'Common cause' by Common Cause, New Delhi, 'Consumer Highlights' of Consumer Information Centre, Hyderabad, 'Consumer Protection' from ERICA, New Delhi, 'Consumer' by Consumer Co-ordination Council, New Delhi, 'The CUTS Newsletter' by Consumer Unity and Trust Society, Calcutta, 'Upabhakta Jagaran' Ministry of Civil Supplies, Public Distribution and Consumer Affairs, New Delhi, 'Consumer Guard' by Consumer Protection Council of Kerala, 'Consumer Protection' by the Kerala State Consumer Co-ordination Committee etc.

### 3.3 Grouping of the literature

Going through the available literature in the field of consumer protection the relevant literature is reviewed by grouping them into

- 1 international scene
- 2 consumerism in India
- 3 voluntary consumer movement and
- 4 studies on women

#### 3.3.1 International Scene

Munshi<sup>1</sup> (1972) in his article 'Time to Protect the Consumer' examined the plight of consumer movement in the U.S., U.K and Japan and came to the conclusion that the U.S model consumerism is not suitable for India because our market economy cannot be compared with that of the U.S and suggested the adoption of the British or Scandinavian model because our market economy is more

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<sup>1</sup>Munshi M.C., 'Time to Protect the Consumer', Commerce, May 27, 1972, p.1384-1385.

suitable to that of Scandinavian countries. He enlightened us stating that the U.S Congress formulated regulatory agencies of government as early as 1872. With the multifarious activities of the Inter-State Commerce Commission, Federal Power Commission, Federal Trade Commission and National Bureau of standards and other regulatory agencies the U.S government tried to protect consumers.

Cron, Rodney<sup>2</sup> (1974) in his book 'Assuring Customer Satisfaction' stated that the nation-wide research of consumer problems led to the over-riding conclusion that consumer complaints were increasing because the business has not organised to respond to the needs of consumers. According to him a customer is like a child, often needing a continuing demonstration of attention, affection and special consideration, at the same time neither responsible for anything which happens nor liable for any mistakes he makes pushing the responsibility as far from himself. Therefore business must be able to provide their potential consumers with the demonstrated assurances that they have the consumer's best interests in mind.

Garman and Eckert<sup>3</sup> (1974 & 1979) have made valuable contributions to help people to become well-informed and better consumers. 'The consumer's world - Buying, Money Management and Issues'(1974) and 'The Consumer's World - Economic Issues and

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<sup>2</sup>Cron, Rodney, L., Assuring Customer Satisfaction, Van Nostrand Reinhold Company, New York, 1974.

<sup>3</sup>Garman, Thomas, E & Eckert, Sidney, W., The Consumer's World- Buying, Money Management and Issue, Mc Graw Hill Book Co., New York, 1974.

Money Management<sup>4</sup> (1979) highlighted the basic consumer problems, consumers' attitudes and ability to analyse critically. According to them attitudes and views have changed, in four stages before the 1890s, from 1890s to 1929, during the early consumer movement from 1930 to 1959 when there is a renewed consumer interest and during the 1960s with the modern views of the current consumerism. They explained an effective and appropriate educational programme.

The beginnings of the fourth era of consumer interest in 1960s developed a greater social conscience with John F. Kennedy's presidential message requesting legislative action for protecting consumer interests.

Reynolds and Wells<sup>5</sup> (1977) have conducted remarkable studies in the field of consumer behaviour and written a book 'Consumer Behaviour' which explained the different kinds of characteristics that form a general-specific continuum, running from demographic and socio-economic characteristics at one end and purchasing and consumption characteristics at the other end. Specific consumer characteristics represent consumer responses which can be classified into two such as observable and non-observable. Observable responses are behaviours which can be directly observed by another person such as purchasing, consuming and communicating while non-observable responses are internal responses which cannot be directly ascertained by others but can only be inferred.

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<sup>4</sup>Garman, Thomas E. & Eckert, Sidney, The Consumer's World - Economics Issues and Money Management, Mc Graw Hill Book Company, New York, 1979.

<sup>5</sup>Reynolds, Fred, D and Wells, Williams, 'Consumer Behaviour', Mc Graw Hill Book Co., U.S.A., 1977.

Therefore identification of the consumer response variables that reveals the basis of interactions at the market place is needed for improving the practices of marketers, public policy administrators, educators and even consumers.

Cranston<sup>6</sup> (1979) in his book 'Regulating Business Law and Consumer Agencies' explains the background of consumer agencies in U.K., the impact of consumer Law and its enforcement on business. The consumer protection law in Britain is enforced by the consumer agencies which fall within the ambit of local government and founded on what were weights and measures departments. The central government is the source of consumer legislation and its administration is almost entirely in the hands of local authority consumer agencies. At the national level the Department of Prices and Consumer Protection has the major responsibility for reviewing existing consumer protection programmes and for proposing new initiatives. Enforcement of the consumer protection legislation depends upon the county councils of England and Wales, the regional councils of Scotland. The bureaucrats of Greater London have either established consumer agencies or made arrangements with other local authorities regarding the enforcement procedure of the law. These agencies became inert and complacent over the years because of insufficient resources and began to rely on the co-operation and assistance of business. These agencies gradually became dependent on business houses and began to advise them about acceptable quality control systems but never prosecuted them

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<sup>6</sup>Cranston, Ross, Regulating Business Law and Consumer Agencies, The Macmillan Press Ltd., London 1979.

although statutory infringements were detected. The change in the general climate of opinion in favour of consumers, the pressure exerted by organised consumer movement and growing awareness of consumers of their right began to change the attitude of businessmen which led to the implementation and enforcement of the law by the businessmen in U.K.

"Safety of Consumer Products Policy and Legislation in OECD Member Countries" - Report by the Committee on Consumer Policy<sup>7</sup> (1980) highlighted the variety of safety regulations controlling a wide range of product groups. The main issue was to improve product safety policy with regard to minimising the potential detrimental impact of product related safety regulations on international trade in O E C D member countries.

The regulation through legislative measures in those countries are

Australia	- Trade practices Act, 1974 (amended 1978)
Canada	- Hazardous Products Act, 1969
France	- Law on the Information and Protection of Consumers, 1978
Japan	- Consumer Product Safety Act, 1973, Law on Control of Household Products Containing Harmful Substances, 1973
Norway	- Product Control Act, 1976
Netherlands	- Commodities Act, 1919

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<sup>7</sup>Safety of Consumer Products Policy and Legislation in O E C D Member Countries - Report by the committee on Consumer Policy, O E C D, Paris, 1980.

- New Zealand - Dangerous Goods Act, 1974
- Sweden - Marketing Act, 1976, Act on Products Hazardous to Health and to the Environment, 1973
- United Kingdom - Consumer Protection Act, 1961 and Consumer Safety Act, 1978
- United States - Consumer Product Safety Act, 1972 (CPSA)

A comprehensive product safety policy with 'product recall procedures' as a legal requirement is only applied in the United States and in Japan. In the U.S under section 15 of the CPSA for substantially hazardous products, after a hearing, the manufacturer, importer, distributor or retailer can be required to recall unsafe or dangerous products from the market place, modify them or render them safe, or refund the purchase price with proper adjustment for depreciation.

In Japan under Articles 35 and 82 of the Consumer Safety Law the competent ministry may order the seller to recall unsafe products sold in the market in order to prevent the spread of such hazards. Moreover in the U.S., Canada, France and Netherlands the authorities have the power to seize and detain unsafe products. In the U.S they ensure that the dangerous products are withdrawn from the market and not again produced and marketed again without modification whenever such products are found on the market.

Ranganadha<sup>8</sup> (1983) in his book 'A Text Book of Marketing Management' observed consumerism as an enduring political and social force necessitating an organised effort of concerned citizens and government who endeavour to secure worthwhile goods and services for their money to improve their standard of living. He has brought about valuable informations about growth of consumer movement in U.K., U.S.A., Scandinavian countries and in India. The Scandinavian countries are noted for their efforts to protect the consumers. As early as 1971 Sweden formulated three important measures viz; (1) the False or Deceptive Marketing Practices of Goods Act, (2) the Consumers' Ombudsman (KO) and (3) the Market Court. The aggrieved consumers in Sweden turn to 'KO' for help whenever they are faced with "unfitting marketing practices". Due to the effective working of the 'KO' there were fewer complaints in regard to size and shape of packaging, deception on or misleading in text or decoration. The Ministry for Consumer and Family Affairs in Sweden enacts bills and regulations to protect the interests of the consumers. The Institute for Informative Labelling and National Institute for Consumer Information provide requisite information to Swedish Consumers.

In Denmark the aggrieved customers can lodge complaints with the House Wives Consumer Council which will see that the customers get either replacement or free repair or money back immediately.

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<sup>8</sup>Ranganadha, Sripati, A Text Book of Marketing Management, S.Chand & Co., Ltd., New Delhi, 1983.

In France there is a National Commission on Consumer Problems, established under the auspices of the Ministry of Finance and Economic Affairs comprising representatives of consumer organisations, manufacturers, distributors, educators and government.

The Dutch Ministry of Economic Affairs has a one-man Division of consumer Affairs and in Norway the Royal Ministry for Consumer and Family Affairs give representation to the consumer interest in the Federal Government.

Indian Consumers have made attempts through organisations such as Association of Women Against Rising Prices (AWARP) and Consumer Guidance Society of India (CGSI), to fight against the rising prices and consumer exploitation.

"Consumers in chains"<sup>9</sup> (1986) is an article which calls for consumer protection other than through parliament in U.K. The Audit Commission in U.K has proved a lively inquisitor of local government drawing on independent staff and sound research support with more effectiveness than the lay monopolies commission appointed by the government to regulate the public utilities. Therefore a "Utilities efficiency audit" to which the consumer councils and parliament could make reference would be a useful way of bringing outside scrutiny to bear on public and private monopolies.

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<sup>9</sup>"Consumers in chains", The Economist, Vol.300 No.7549 August 16-22, 1986, p.11.

Harvey and Parry<sup>10</sup> (1987) in their book "The Law of Consumer Protection and Fair Trading" gave the origin and development of the consumer protection movement in U.K. According to them the concept of consumerism throughout the eighteenth century meant protection from excessive prices and short measures.

Saraf<sup>11</sup> (1990) has written a book "Law of consumer Protection in India" evaluating the COPRA, 1986. The author tried to give an overview of the consumer Protection movement in U.K., U.S.A. etc. He gave a list of the legislative measures enacted by the Congress in U.S.A., since the "Consumer Message" delivered by President Kennedy in 1962. They were wholesome Meat Act, 1967, National Gas Pipelines Safety Act, 1968. The Occupational Safety and Health Act, the Safe Water Drinking Act, Fair Credit Reporting Act, 1970, the Consumer Product Safety Act, 1972 etc. The consumer protection system existed in 1977 included the regulatory agencies viz., Federal Trade Commission (FTC) Food and Drug Administration (FDA), Consumer Product Safety Commission (CPSC) etc.

Mayer, Robert<sup>12</sup> (1990) in his book "The Consumer Movement - Guardians of the Market Place" has analysed the consumer movement in U.S.A. along with a historical overview of consumerism. According to him there were three eras of consumer movement in the

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<sup>10</sup>Harvey, Brian, W & Parry, Deborah, L, The Law of Consumer Protection and Fair Trading, Butterworth, London, 1987.

<sup>11</sup>Saraf, D.N, Law of Consumer Protection in India, Tripathi Pvt., Ltd., Bombay, 1990, p.5

<sup>12</sup>Mayer, Robert, N, The Consumer Movement - Guardians of the Market Place, Twayne Publishers, Boston, 1990.

U.S. at the turn of the century, between 1920s and 1930s and between 1960s and 1970s. The first wave of consumer movement was an outgrowth of the massive charges brought by the early stages of the industrial revolution. The second wave was eclipsed by World War II. During the second era consumer protection legislations were resulted from a combination of long-term lobbying efforts, a political climate supportive of change, muckraking authors and fortuitous scandals. The third era was led by Ralph Nader who played an irreplaceable role in awakening public regarding their consumer problems.

Garg<sup>13</sup> (1990) in his book "The Consumer Protection Act, 1986" gave an overview of consumer problems, consumerism in U.K., U.S.A and Sweden. He detailed one of the best methods of product labelling may be the Varudeklarationsnamde (Quality Labelling Board) adopted by Sweden which is financed by the Swedish government in conjunction with various national business and consumer organisations. In this system labels must describe the most important characteristics of the products in explicit words. Price labels are of further importance to the consumers.

The Council of Ministers of the European Economic Community<sup>14</sup> has adopted a programme for consumer information and

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<sup>13</sup>Garg O.P, The Consumer Protection, Act, 1986, Vinod Publishing House, Delhi, 1990.

<sup>14</sup>Harries, John, Consumers: Know Your Rights, Third Edition, Gyez Longman Publishing Ltd., London, 1983.

protection for protecting the basic rights of consumers in all the member countries. These rights were

- 1 The protection of health and safety
- 2 The right to protect the consumers' economic rights
- 3 The right to redress
- 4 The right of information and education and
- 5 The right to consumer representation.

The most important consumer protection body within the EEC is the Consumer's Consultative Committee established in 1973 to make sure that the consumers' voice is heard within the European Commission. The European Commission has taken an attitude that any one who spends money becomes a consumer irrespective of the nature of the commodities or service he or she buys. The services, products or practices which have come under the scrutiny of the Commission are

- 1 public transport
- 2 the labelling of household products
- 3 doorstep sales
- 4 correspondence courses
- 5 consumer credit
- 6 advertising
- 7 cosmetics
- 8 food and drink labelling
- 9 packaging
- 10 wine

- 11 aerosols
- 12 coffee
- 13 toys
- 14 after sales services and repairs etc..

Fortunately the consumer's position is strengthened enormously by the attempts of the EEC Consumer Law, because of the working of the Consumers' Consultative Committee in close association with the European Consumer Organisations such as the European Bureau of Consumers' Unions.

On 1<sup>st</sup> January 1993 Europe has emerged as a single unified market which is bigger than the combined size of U.S.A & Japan.

### 3.3.2 Consumerism in India

The publication on "Consumer protection in India" by Sathya Sundaram<sup>15</sup> (1985) is worth mentioning as it highlighted the state of art of consumer protection before the enactment of COPRA, 1986. Therein the author has highlighted the importance of educating the consumers to make a rational choice as he is dominated by seller's strategies. He has advocated converting the Restrictive Trade Practices Commission into a consumer prosecution Ombudsman as in Finland to quickly deal with all lapses in consumer protection laws.

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<sup>15</sup>Satya Sundaram, I, Consumer Protection in India, B.R. Publishing Corporation, Delhi, 1985.

In his article on "AGMARK for Consumer Protection", Verma<sup>16</sup> (1985) had dealt with the adulteration, labelling, testing, packing etc.. He has cautioned about the susceptibility of edible oils to adulteration, emphasising the need for AGMARK certification followed by a review of testing methods and sealing procedures so that the grading systems will be fool - proof.

Cochin University of Science and Technology has conducted two seminars on consumerism, one in August, 1981 and the other on March 18, 1989. Leela Krishnan<sup>17</sup> (1985) edited all the papers presented in the first seminar and published a book 'Consumer protection and Legal Control' which gives a clear picture of consumer protection before the enactment of the COPRA, 1986. It also gives the global aspect of consumer movement. In the second seminar, "Consumer protection: Evolving Norms and Institutions"<sup>18</sup> the orators recommended the following:

- 1 Setting up of long-awaited Consumer Grievance Redressal Forums without delay
- 2 need for the state's assistance for voluntary consumer organisations preferably through a statutory autonomous corporation
- 3 setting up of Consumer Assistance and Service Centres in rural areas

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<sup>16</sup>Verma R.J., "AGMARK for Consumer Protection", Kurukshetra, Vol.33, No.9, June 1985, p.20-22

<sup>17</sup>Leela Krishnan, P. Consumer Protection and Legal Control, Eastern Book Co., Lucknow, 1985.

<sup>18</sup>Consumer Confrontation, Vol.9, No.2, March - April, 1989, p.15

- 4 Review of the role of state-owned public utility services in the national economy, rate fixation, safety measures and dispute settlement etc. to make them more responsive to the needs of the public
- 5 The review of inadequacies in the existing law, Sale of Goods Act, 1930 which requires the consumer to prove negligence.

Oommen and Nair<sup>19</sup> (1986) have explained in their book "Industrial Organisation and Management", why there should be consumer protection stressing the fact that the government regulation alone is not the only or universal remedy to cure the ills of consumer exploitation but the consumer organisations, the business community and the consumer should go hand in hand to generate consumer awareness by providing consumer education through school curriculum as well as mass media.

The author explained the definitions of consumerism as follows:

Philip Kotler defined -

"Consumerism is an organised movement of concerned citizens and government to enhance the rights and power of buyers in relation to sellers".

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<sup>19</sup>Oommen, P.T and Nair, N.S. Industrial Organisation and Management, Lion's Publications, Madurai, 1986.

"Need for consumer movement" authored by Narain<sup>20</sup> (1987) was a deliberation on various legislative measures enacted for consumer protection. The main thrust of the article was to suggest the improvements for the effective implementation of the COPRA, 1986 and the need for a strong, effective and popular consumer movement.

Sastry<sup>21</sup> (1987) in his article "Protecting consumers' Interest" strongly expressed his view that as a tax payer, citizen and as a buyer the consumer should have the right to expect that he will get the right type of goods, of right quality, at the right time and at the right price. The basic aims of consumer protection laws have been summarised by the author as follows.

- 1 Prescription of standards of goods and services to be provided to consumers
- 2 Prohibition or regulation of undesirable practices
- 3 Prescription of terms of contracts made with consumers
- 4 Establishment of bodies to receive complaint from consumers, to investigate these complaints and to take action and
- 5 Establishment of a machinery to promote the education of consumers.

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<sup>20</sup>Narain, Om, "Need for Consumer Movement", Yojana, Vol.36, No.6, April 1-15, 1987, p.21-22.

<sup>21</sup>Sastry, K.P., "Protecting Consumers' Interest", Yojana, Vol.30, No.24, January 1-15, 1987, p.22-24.

He detailed the legislative measures for consumer protection enacted in India viz.,

- a Fruit products Order (as amended in 1955)
- b ISI certification Marks Act, 1952
- c The Agricultural Produce (Grading) Marking Act, 1937
- d Central Packaged Commodities (Regulation) Order, 1975
- e Essential Commodities Act amended in 1974
- f Monopolies and Restrictive Trade Practices Act, 1969
- g The Drugs and Magic Remedies Act, 1954
- h Prevention of Food Adulteration Act, 1954
- i The dangerous Drugs Act, 1930
- j Drugs and Cosmetics Act
- k The Emblems and Names (Prevention of Improper use) Act, 1950
- l The Drugs Control Act, 1950
- m Sections 9 and 73 of the Indian Contract Act, 1872
- n The Indian Penal Code, 1860
- o Sections 14 to 16 of the Indian Sale of Goods Act, 1930 and
- p The prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980.

As a citizen consumer has the right to invoke the provisions of Articles 32 and 226 of the Constitution of India to approach the Supreme Court or the High Court by filing writ petitions for protection.

In spite of the above regulations, the Indian consumer continues to suffer because as a consumer he has failed to develop consciousness and organise himself to fight against the exploitations.

Malhotra<sup>22</sup> (1988) in his article which was awarded second prize in Indian Institute of Public Administration's (IIPA) Annual Essay Competition, 1988, "Redress of public Grievances" has brought out the following reasons for the failure of administrative machinery in our country. Grievance officers merely act as a passive agency and considerable time is taken to provide redress. The Department of Administrative Reforms and Public Grievances which was set up by the government received around 10-11 lakh complaints and disposed around 9 to 10 lakh leaving at least over one lakh of people every year dissatisfied just on account on non-disposal of their complaints. Unfortunately the figures of disposal for the years, 1978-79, 1979-80 and 1980-81 are not available as shown in the table 3.1.

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<sup>22</sup>Malhotra, M.L. "Redress of Public Grievances", The Indian Journal of Public Administration, Vol.34, No.4, October - December, 1988, p.950-973.

Table 3.1

Complaints received and disposed of by the  
Central Government Departments

Year	No. of Complaints	
	Received	Disposed of
1975-76	12,27,691	10,07,724
1976-77	9,13,687	8,26,422
1977-78	9,75,606	9,32,809
1978-79	10,64,030	N.A
1979-80	10,44,198	N.A
1980-81	11,63,959	N.A
1981-82	12,49,024	9,31,617
1982-83	11,94,973	9,80,878
1983-84	11,40,024	9,30,472
1984-85	9,49,348	8,68,628

"Consumers, Beware of these Traders", an article by Garg<sup>23</sup> (1988) has expressed his views that quality goods at a fair price in right quantity and clean environment are the fundamental rights of every citizen; but these rights are infringed upon by the traders by supplying adulterated and substandard quality of goods. He has opined that the government had enacted the consumer protection Act, 1986 and amended the MRTP Act in 1986 for protecting consumer interests. Further a fool-proof self-regulating mechanism will have to be evolved by the business men to save the consumer from being fleeced at the hands of the unscrupulous traders.

<sup>23</sup>Garg, R.B.L., "Consumers Beware of these Traders", Yojana, Vol.32, No.8, May 1-15, 1988, p.27-29.

"Consumer Protection Legislation: A Critique" written by Singh<sup>24</sup> (1988) is a critical appraisal of the Consumer Protection Act, 1986. The author narrated the special feature of the Act, that it is applicable to enterprises in the public sector, financial institutions and Co-operative Societies, and also pointed out the drawbacks of the Act. One among them is the absence of provision for giving interim relief or issuing interim injunction which may become necessary in some cases. There are a large number of consumer protection legislations to exercise powers in many areas which would also fall within the purview of the Consumer Protection Act, 1986. So Singh calls for the need to harmonise the functioning of all the adjudicatory bodies so that one will not hinder the functioning of the other.

Saraf<sup>25</sup> (1989) in his article "Monopoly and Restrictive Trade Practices Commission in Action - Some Reflections on Consumer Protection" has brought out the most serious lacuna of the MRTP Act in relation to consumer protection as its omission in laying down specific procedure for the filing of applications to recover compensation for the loss or damage caused by monopolistic, restrictive or unfair trade practices. Moreover the MRTP Commission has failed to compel the erring business enterprises that misled consumers by faulty advertisements to issue corrective

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<sup>24</sup> Singh, S.N., "Consumer Protection Legislation: A Critique", Yojana, Vol.32, No.21, November, 16-30, 1988, p.15-17.

<sup>25</sup> Saraf, D.N., "Monopoly and Restrictive Trade Practices Commission in Action - Some Reflections of Consumer Protection", Journal of the Indian Law Institute, Vol.31, No.3, July - September 1989, p.289-311.

advertisements or to notify the findings of the commission in this regard to the public.

Antony<sup>26</sup> (1990) in his book "Consumer Rights" has dealt with major legislations directly concerning consumer protection such as the MRTP Act, 1969, Standards of weights and Measures Act, 1976, Consumer Protection Act, 1986 etc. The author has pinpointed the fact that the functioning of the government undertakings is far inferior to the private sector and has expressed his anxiety that unless the government enterprises are prepared for a thorough revision of the laws covering the public utilities the very meaning of governing i.e. serving the people will be a farce.

Garg<sup>27</sup> (1990) after a close study of the COPRA revealed the need for rethinking of some of the provisions. The relevant findings of the author were as follows:

- 1 Since the adjudicatory bodies have to deal with most complicated legal terms, some more persons with sufficient legal background should be nominated to man the adjudicatory bodies in addition to the existing composition of members.
- 2 Not much progress have been made in establishing and recognising the "appropriate laboratories" as defined in clause (a) of sub-section (1) of Section 2. Except for

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<sup>26</sup>Antony, M.J., "Consumer Rights", Clarion Books, New Delhi, 1990

<sup>27</sup>Garg, O.P., "Consumer Protection Act, 1986, with State Rules" Vinod Publishing House, Delhi, 1990.

the few and scanty laboratories recognised under the Prevention of Food Adulteration Act and some other enactments, proper attention appears to have not been paid in establishing new laboratories and to the disappointment they are not well equipped to undertake the test and analysis of a variety of goods.

- 3 The protective arm of the state should reach upto the poor, ignorant, illiterate and weaker masses for which purpose the legal aid cells comprising of lawyers, cost accountants, company secretaries etc. have to be set up exclusively for the consumers.
- 4 Delay in circuitous procedures should be eliminated by injunction order. The author suggested the need for setting up a comparative testing centre to give independent informations about quality, safety and performance of products and services in India. There is a greater need to check the prices in India as the general level of income is low and millions live below the poverty line.

Since this book concentrated on the legal aspects, the operational aspects and weaknesses of the CDRAs have been ignored by the author.

Singh<sup>28</sup> (1990) in his article "Consumers' Forums-Need of the Hour" evaluated the COPRA as an effective tool to deal with these manufacturers and traders who indulge in malpractices in their trade. He pointed out that Indian consumers were cheated to the tune of 20,000/- million rupees a year by way of poor quality, quantity or overpricing. A survey conducted by the CGSI in collaboration with the Bombay Municipal Corporation's health department revealed that almost half the samples of groundnut oil collected from various parts of the city were adulterated. Another study revealed that 20 to 35 per cent of the food stuffs sold in the market were adulterated. The author stressed the need for awakening the consumer to make the COPRA successful by fighting against the deceitful vendors, traders and manufacturers.

Dhyani, Saklani and Thakur<sup>29</sup> (1990) in their article "Role of Organised and Unorganised Agencies in Consumer Protection" established that over 60 per cent consumers are dissatisfied with present day standards of durable and non-durable goods and only about half of them actually complain to retailers concerned. Of those, who complaints, a little over 50 per cent manage to obtain relief by way of product exchange or price refund. The authors pointed out that the faith of the people in the nation's judicial machinery is not strong because of the delay in disposing of complaints which they substantiated with the data given in the table 3.2.

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<sup>28</sup>Singh, Jagjit, "Consumers' Forums Need of the Hour", Social Welfare, New Delhi, Vol.XXXVII, No.7, October 1990, p.6-7

<sup>29</sup>Dhyani, A.K., Saklani, A. and Thakur, S., "Role of Organised and Unorganised Agencies in Consumer Protection", Consumer Confrontation, Ahmedabad, Vol.10, No.3, May - June, p.5-9.

Table 3.2

## Restrictive and Unfair Trade Practices received, disposed of and pending disposal by the MRTPC

Year	Particulars	Restrictive Trade Practice		Unfair Trade Practices				
		Opening balance	No. of cases disposed pending	Opening balance received	No. of cases disposed pending			
1986	Complaints	189	198	541	96	333	144	285
	Enquiries	179	125	283	89	256	87	258
1987	Complaints	541	584	1333	285	1549	513	1321
	Enquiries	283	1130	818	258	512	155	615
1988	Complaints	1333	747	2225	1321	1626	704	2243
	Enquiries	818	456	842	615	427	277	765
Total		3343	3240	6042	2664	4703	1880	5487

The table revealed that the number of complaints filed with the MRTPC is increasing rapidly each year hence the redressal machinery warranting expectation of its machinery to satisfy the consumers.

Krishnamurthy<sup>30</sup> (1990) in his article "The Consumer Protection Act, 1986: Features and Legal Analysis" gave an overview of the COPRA, 1986 and other legal remedies for the aggrieved consumers. Accordingly the remedies available to an aggrieved consumer under any other law is not affected by the COPRA. The remedy of buyer and seller under the Sale of Goods Act, 1930 regarding conditions and warranty of goods sold is left independent of the COPRA and the liability for compensation and damages under the Indian Contract Act for mis-representation, fraudulent acts and mistake of goods are not affected by virtue of the commencement of the COPRA. Any buyer of goods, even though he is a consumer, is always entitled to seek remedy against seller for defective goods, deficient quality of goods under the sale of Goods Act, Indian Contract Act or under the COPRA. He further highlighted the fact that since the MRTP Commission functions at Delhi only, consumer grievances of smaller importance can be solved easily after the enactment of COPRA. Critically evaluating the Act, the author stated that the Act could not be considered as a comprehensive piece of legislation because of the room for uncertainties and vagueness and lack of powers to pass interim

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<sup>30</sup> Krishnamurthy, N., "The Consumer Protection Act, 1986: Features and Legal Analysis", Chartered Secretary, Vol.XX, No.10, October 1990, p.834-837.

orders for preventing the trader from selling, distributing or otherwise disposing goods, about which the dispute relates and is pending in the Forum.

Sundaram<sup>31</sup> (1990) in his article "Consumer Protection" estimated that Consumers in our country are being defrauded to the tune of 20,000/- million rupees in a year. He cautioned that the success of legislative measures towards consumer protection largely depends on consumer awareness, the effective functioning of redressal machinery and the strength of consumer organisations. The failure of the consumer protection law was attributed to the poor infrastructural facilities.

"Public Accountability of public utilities : Air Transport"<sup>32</sup> (1990) is an article which debates how to ensure public accountability of public utilities like Electricity, Telephones, Transport system etc. Manubhai shah in this article raised the issue that, whether the accountability of public utility is to be achieved only by the consumers through litigation or through any of the mechanism like Public Utility Commission, Rating Committees, Air Transport Council or the Standing Committee of Public Grievances. The article stated that the Indian Airlines violates Consumers' fundamental right to information as to how long a flight is delayed, the reason for the cancellation of flight and the rights and obligations of the passengers.

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<sup>31</sup>Satya Sundaram, I, "Consumer Protection", Facts for you, ISSB-0970-2652-105, April, 1990, p.37-40.

<sup>32</sup>Manubhai Shah, "Public Accountability of Public Utilities: Air Transport", Consumer Confrontation, Ahmedabad, November - December, 1990, p.40-43.

Sebastian<sup>33</sup> (1990) in his article "Public undertakings and the Consumer" maintains that the aspiration of the socialist society like India, should be to achieve maximum welfare of the people and limited or no economic imbalance. Therefore our government should preserve and maintain the laudable ideals of free enterprise and protection of the consuming public by preventing economic concentration in the hands of a few industrialists. The public sector in India which was started tentatively with the emergence of the national economic planning after independence now meets almost 70% of the needs of consumers in respect of goods and almost 100% in respect of essential services. Therefore social responsiveness should be a part of the ongoing goals and strategy of the public sector. But the public undertakings are not made accountable for their practices and procedures towards the consumers and the public, which make their very existence detrimental to society.

"Boost to Consumer Movement"<sup>34</sup> is a written account of the persistence of Common Cause (a VCO) in the matter of securing expeditious and satisfactory implementation of the COPRA, 1986. When the state government failed to take interest and initiative in setting up the District Fora even after two years of the enforcement of the Act, the matter was taken to the Supreme Court through a Writ Petition filed by the 'Common Cause'.

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<sup>33</sup>Sebastian, V.S., 'Public Undertakings and the Consumer', Cochin University Law Review, Kochi, 1990, p.261-277.

<sup>34</sup>"Boost to Consumer Movement", Common Cause, New Delhi, Vol.X, No.4, October 1991, p.2-7.

At the end of 31.2.1990 it was reported that Andhra Pradesh, Orissa, Rajasthan and Uttar Pradesh had 23, 13, 21 and 63 District Fora with the existing District Judges having authority to preside the Fora whereas in some other districts, Fora were established proportionate to the number of districts. Bihar did not have a single Forum, Haryana had only two for 11 districts, Himachal Pradesh had one for 12 districts, Karnataka had four for 24 districts, Kerala had three for the 14 districts, Madhya Pradesh had nine for 45 districts, Maharashtra had three for 26 districts, Rajasthan had six for 21 districts, Punjab did not have any Forum, Tamil Nadu had six for 15 districts and West Bengal had three for 17 districts. Moreover the calibre of members appointed in the Fora were not of the status conducive to providing satisfaction to the consumers, vacancies remained unfilled totally disabling the functioning of the Fora, unsatisfactory staff position, lack of funds etc.. were the lacunae of the Fora.

The article further gives the verdict of the Supreme Court issued on 5<sup>th</sup> August 1991 ordering all the state governments and union territories of the country to set up Fora within two months and report to the court.

"Move for Ministry" an article by Mehta<sup>35</sup> (1991) pinpointed the need for an exclusive ministry for consumer protection.

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<sup>35</sup> Mehta, Predeep, S., "Move for Ministry", The Illustrated Weekly (Supplement) February 9-10, 1991, p.8

Advani<sup>36</sup> (1991) in the book "Effective Uses of Law" gave details about the redressal machinery set up by railways, telephones, banks, insurance etc.. The author has reviewed the working of the Department of Administrative Reforms and Public Grievances (DARPG) which was set up in 1985 to redress the grievances of the public. The details of complaints received and disposed of by the Central Government Department from 1985 to 1990 is shown (table 3.3).

Table 3.3

Details of complaints received and disposed by the  
Central Government Department from 1985 to 1990

Year	No. of Complaints	
	Received	Disposed of
1985	not available	not available
1986	"	"
1987	""	"
1988	12,34,341	9,95,323
1989-90	12,69,510	10,61,239

While analysing the details of complaints filed and disposed of by the DARPG, the author found that the categories or kinds of complaints were not clear and the purpose of offering a quick,

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<sup>36</sup>Advani, Rani, "Effective uses of Law", Consumer Education Series, Consumer Education and Research Centre, Ahmedabad, 1991.

cheap and effective remedy to the common man remains illusory because they cannot afford courts' and lawyers' fees.

George, Bajju<sup>37</sup> (1992) based on his M.B.A project report on the "Structure and Functioning of Consumer Forums in Kerala" which is preliminary in nature, has arrived at the following analytical findings. While 58 per cent of the VCOs engaged advocates, only 33 per cent felt the need to ban the advocates. When 68 per cent of respondents appointed advocates to argue their cases, only 25 per cent of consumers appointed advocates. 84 per cent of the Forum members were against banning advocates. His findings regarding the time taken for disposal of complaints revealed that 58 per cent of cases filed by VCOs and 69 per cent filed by consumers took more than 6 months for disposal, whereas only 5 per cent of Forum members stated that it would take more than 6 months for disposal.

The Forum members have made the following suggestions for minimising the disposal time such as

- a Posting of dedicated staff members instead of the present deputation basis
- b Increased number of sittings
- c No adjournments should be allowed
- d Provision for sufficient Staff and support machinery
- e Provision of adequate funds.

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<sup>37</sup>George, Bajju, "Structure and Functioning of Consumer Forums in Kerala", M.B.A Dissertation, University of Kerala, 1992.

The consumers have assessed the working of the Fora as follows. 66 per cent of the consumers interested to approach the Fora again in future while 18 per cent were reluctant to approach the Fora. 39 per cent of the consumers had specific complaints about the functioning of the State Commissions. 68 per cent of the Fora members and 83 per cent of VCOs felt the need for inclusion of free services within the purview of the Act. He recommended the following factors for strengthening the Consumer Dispute Redressal Machinery.

- 1 Services like treatment in government hospitals and services provided by local bodies where the consumers do not make any payment should be brought under the purview of the COPRA, 1986 as they affect human lives.
- 2 The National and State Commission should award interim stay only with notice to the respondent. If sufficient time is not available to issue notice to other side, the interim stay should be allowed only for some weeks and stay should be made permanent only after hearing the respondent.
- 3 Workshops should be conducted to train the officials of consumer organisations. The Government should provide grants and financial aid to strengthen the consumer organisations.

- 4 Dedicated and educated staff should be allowed to work in the CDRA.
- 5 The redressal machinery should be strengthened to ensure the execution of orders.

The name of the CDRF should be changed to 'Consumer District Court' and the designation of President and members should be changed as 'Principal Judge' and 'Judge' respectively and the members should be selected without any political consideration. Only persons with dedication and legal knowledge should be selected as members of the CDRA. They should be given periodic training so that their efficiency can be enhanced.

The Consumer Education and Research Centre (CERC) and the Friedrich Naumann Foundation (FNF), Germany, Jointly organised a three-day National Workshop on 'Consumer Interest and Monopoly Services: Postal Services'<sup>38</sup> from May 28 to 30, 1993 at Ahmedabad, CERC. The report of the seminar revealed very interesting and useful facts about the Indian Post Office Act, 1898. As per the IPO, 1898 the Department has the exclusive privilege in the matter of letters only and not in cases of parcels, money orders or savings bank. The seminar agreed that the postal service is not a sovereign function but is merely a commercial activity and the Department has a well-organised grievance redressal organisation. The seminar recommended (a) a random checking system to avoid

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<sup>38</sup> Mukherjee, P.D., Report of National Workshop on 'Consumer Interest and Monopoly Services: Postal Services', Consumer Confrontation, Vol.13, No.3, May - June, 1993, p.31-36.

delay in delivery and to find out the reasons for non-delivery of mail (b) Dak Adalats should be strengthened (c) informations in notice boards should display information in local languages etc. The seminar called for the state governments to take more interest to strengthen Consumer Dispute Redressal Fora by using the revenue collected by way fines, compensations etc. through cases settled in District Fora.

In the XIII Meeting<sup>39</sup> of the Central Consumer Protection Council, held on 26.5.1993 Jayant Kumar Mitra of the Consumer Action Forum, Calcutta said that "Kreta Suraksh Divas" should be celebrated all over the country once in a month for mobilising awareness on consumer rights and the redressal agencies. Consumer education as envisaged in the Report of the working group on 'Perspective Plan for Creating Consumer Awareness', should be started by prescribing a simple syllabus and would be introduced in the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> classes and marks should award for this subject.

Reena Boara, a consumer activist from Assam, in the meeting suggested that legal cells should be started to assist the illiterate and ignorant consumers to lodge complaints in the Fora. Consumer Welfare Fund should be utilised for producing documentary films on consumer protection.

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<sup>39</sup>Minutes of the XIII Meeting of the Central Consumer Protection Council, New Delhi, 26.5.1993.

Bains, Secretary, Food and Civil Department, Punjab alerted that the delays in the redressal of complaints in the Fora need analysis. Bains, Secretary, Food and Civil Supplies Department, Punjab alerted that the media should be used extensively for spreading the consumer movement and education. Mandana, a consumer activist, also suggested that consumer education should be made a compulsory subject and be brought under the 20-point Programme since the N C E RT has already published the books.

Verma, Secretary (F & C S), Government of Haryana suggested the funding from the Consumer Welfare Fund should be made available to the State Government for the conversion of the part-time District Fora into full-time as per the directions of the Supreme Court. He further stated that the interference of lawyers into the CDRAs is preventing the functioning of these Fora and the system of appointing judicial officers on these Fora should be changed because of their scarcity and because they are accustomed to the functioning of the Civil Courts the Court proceedings will enter into the functioning of the Fora which will delay the disposal of complaints.

Dubey, Saroj was of the view that the Fora were not working as claimed by the state governments. Fora should have sittings at different places in the district. The traders do not carry out the orders of the CDRAs, hence the very purpose of the Act is defeated. She suggested that if the Fora function like 'Lok Adalats' and the orders of the Fora are implemented spontaneously by giving compensation on the spot, it would create an impact in

the minds of the rural folks. The two non-official members of the redressal agency should be people from the public life, but not politicians.

Jayant Kumar Mitra pointed out that the Indian Civil Legislation is hijacking the COPRA, 1986 because decisions by the CDRA's are being appealed against in the High Courts. State Governments should ensure that the State Commission and the Fora are easily accessible to the consumers.

Nath, Surendra, Governor of Punjab supported the idea of Public Utilities Commission because many complaints on electricity, communications etc. could be easily looked after by it.

Nahata, Amrit, suggested that the compensations awarded by the Fora under the COPRA should be so exemplary and punitive that the traders and manufacturers should refrain from repeating malpractices and adopting unfair trade practices.

During the National Convention of Presidents and Members of the State Consumer Dispute Redressal Commissions<sup>40</sup> (1994) it was revealed that a total number of 4291 cases were filed before the National Commission since its inception from December, 1988 till 31.12.1993. Of these 2593 cases were disposed of (491 original petition 864 first appeal and 1238 revision petition) and 1698 (39.57%) cases were pending. During the period 354,039 cases were filed before the State Commissions and Fora out of which 202,923 (57.32%) cases were disposed of.

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<sup>40</sup> "National Convention of Presidents and Members of the State Consumer Dispute Redressal Commissions" - Report, New Delhi, January 1994.

The president, National Commission evaluating the working of the CDRAs highlighted the necessities as

- 1 Augumenting the staff of the National and State Commissions
- 2 Appointment of full time members to the National and State Commissions
- 3 Sitting on almost everyday of the month
- 4 Camp sittings in different regional centres for hearing and disposal of cases from each particular region
- 5 Allocation of adequate funds for the Fora
- 6 Including the expenditure for the CDRAs as "Plan expenditures"
- 7 Appointment of properly qualified committed members in the Fora and
- 8 Dealing with petitions in a more stringent manner.

The National Commission felt that it is of paramount importance that, purity of this new system of administration of consumer justice should be carefully protected and maintained.

### 3.3.3 Voluntary Consumer Movement

Morris<sup>41</sup> (1980) in his book "Economics of Consumer Protection" attempts to define the consumer interests and various agencies involved in protecting the consumer interests. Also an outline of the relevant context of the various Acts and Codes for consumer protection and their effects on the economic interests of consumers is given in this book.

Sarwate<sup>42</sup> (1980) in his article 'Consumers of India Unite' alerted the consumer community against exploitation by black marketing, adulteration, short-weight etc. Also he has called consumers to shed their passivity and tolerance and assume a degree of militancy to bring the offending producers and retailers on their knees in India.

In their article on "The Economics on Consumer Education An Approach", Madaiah and Neelakanta<sup>43</sup> (1985) stated that the major part of an individual as a consumer is to learn how to adopt and get used to the rapidly changing technological system and consumer education is the only means to gain knowledge and skills needed to manage and influence the factors that affect consumer decisions. The authors enlightened us with the observation of Paul A. Samuelson of the U.S.A that the market behaviour of a consumer is

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<sup>41</sup>Morris, David (Ed.), Economics of Consumer Protection, Heinemann Educational Books Ltd., 1980.

<sup>42</sup>Sarwate, Dilip, "Consumers of India Unite" The Illustrated Weekly, Vol.C-III 41, November 2, 1982, p.21-23.

<sup>43</sup>Madaiah, M and Neelakanta, B.C, "The Economics of Consumer Education : An Approach", Southern Economist, Vol.24, No.1, May 1, 1985, p.23-24.

the product of market education received but not on the psychological or introspective reactions connected with changed conditions in the market. Moreover to develop common and integrated consumer education some common guidelines should be framed and incorporated in our Five Year Plans.

Kautilya's<sup>44</sup> (1986) article "When they are well organised, consumers cannot be taken for a ride" explains several incidents, when consumers galvanised into action to fight against adulteration, price rise, underweight supplies etc. He stated that boycott method was very useful when the shopkeepers charged excess prices for their goods and services. The author also explained the consumer movement in U.S.A., Canada and Great Britain convincing us the need for such consumer movement for guarding our consumer rights and interests.

'Consumers sans Consumerism'<sup>45</sup> the editorial of Southern Economist, (1987) has alerted the consumer organisations that the major thrust of consumer movement in India should be on availability, purity and pricing of the essential commodities. The author had made a suggestion that all manufacturers should be compelled to establish a consumer affairs cell and the Government Department should be more alert, active and efficient in conducting raids and in dismissing corrupt officials.

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<sup>44</sup> Kautilya : "When they are well organised consumers cannot be taken for a Ride", Social Welfare, Vol.XXXIII, No.7, October, 1986, p.6-7.

<sup>45</sup> 'Consumers Sans Consumerism', Southern Economist, Vol.26, No.8 August 15, 1987 (Editorial).

In his book on "the Consumer Movement - Guardians of the Market Place"<sup>46</sup> Robert has dealt with seven important aspects of consumerism in the U.S.

- 1 Definitions of Consumerism and dilemmas faced by social movement that purport to pursue the interest of the public.
- 2 A historical review of consumerism comprising three waves
- 3 Introduction of key individuals and organisations in the consumer movement
- 4 Examination of the ideas of Consumerists
- 5 The political dynamics of consumer issues
- 6 Major criticisms of the movement
- 7 Highlights of the international character of Consumerism.

#### **International Organisation of Consumer Unions (I.O.C.U)**

As per the Directory of I.O.C.U.<sup>47</sup> (1989), from the five founding groups - Consumers Union (U.S.A), Consumers' Association (U.K), Australian Consumers' Association, Consumentenbond (Netherlands), Association Des Consommateurs (Belgium) - International Organisation of Consumers Unions' membership has grown to 170 groups in 58 countries as on 1989. Its three broad

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<sup>46</sup> Mayer, Robert, N., The Consumer Movement - Guardians of the Market Place, Twayne Publishers, Boston, 1990.

<sup>47</sup> International Consumer Directory, International Organisation of Consumers Unions, Netherlands, 1989.

areas of work are promoting co-operation amongst members through the exchange of information, experiences and joint activities, expanding the consumer movement and nurturing young consumer organisations and representing the consumer interest at international forums such as the United Nations.

The eight Consumer rights recognised namely the rights to basic needs, safety, information, choice, representation, redress, education and to a healthy environment - express the principal concerns of the I.O.C.U. The I.O.C.U networks provide other Fora for members to co-operate namely, the consumer Educators Network (CEN), Book Publishers Network (1986), Consumer Interpol (1981) and Action group to Halt Advertising and Sponsorship of Tobacco. It supports and participates with non-member action groups in international campaign networks viz., Health Action International (H.A.I), International Baby Food Action Network (IBFAN), Pesticide Action Network (PAN) etc.

The directory gave a profile of eight international consumer organisations such as Bureau European des Unions de Consommateurs (BEUC), Belgium Commission of the European Communities, Belgium, European Consumer Product Safety Association (ECPSA), Netherlands, European Research into Consumer Affairs (ERICA), U.K., International Co-operative Alliance Committee for Consumer Co-operatives, Geneva, Nordiska Ambetsmanna Kommitten for Konsument Fragor, Denmark, OECD Committee on Consumer Policy, France, and United Nations Department of International Economic and Social Affairs, U.S.A etc., in addition to 300 groups working for consumers worldwide.

"Emergence and Formation of Consumer Groups - A Perspective" : CERC Publication<sup>48</sup> (1992) has retraced the development of consumer Groups in India from the beginning of the century till 1990. The author classified the consumer movement into four periods viz. the emergence of consumer movement during 1900 and 1959, consumers questioning and fighting for their rights during 1960s, the movement spreading its roots during 1970s and the dawn of a new era in 1980s with the enactment of the COPRA 1986.

The passengers and Traffic Relief Association (PATRA) 1915, was the first known collective body of consumers in India formed with a view to ameliorate the hardships faced by railway passengers. Women Graduate Union, 1915 was formed to provide opportunities and facilities for expressing the united opinion and concerted action by University Women for the benefit of women. The Women's Indian Association (1917) Triplicane Urban Co-operative Stores (TUCS) (1947), the Indian Association of Consumer (IAC) (1956) were the other consumer groups emerged during the period.

Gayatri Charitable Trust (1960) in Gujarat, Jyoti Sangh Grahak Suraksha Vibhag (1962), Bombay Civil Trust (1963), Consumer Guidance Society of India (1966), Baroda Citizen Council (1966), All India Bank Depositors Association (AIBDA) (1968) and Surat Consumer Association (1969) were the Voluntary Consumer Organisations formed for educating and protecting consumers. In this decade the CGSI made its impact nationally and inter-

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<sup>48</sup> Mukherjee P.D., Emergence and Formation of Consumer Groups - A Perspective, Consumer Education and Research Centre, Ahmedabad, 1992.

nationally by creating consumer awareness in the society.

The Karnataka Consumer Services Society (KCSS) formed in 1970, Visaka Consumers Council started in 1973, Akhil Bharatiya Grahak Panchayat (AGBP) set up in 1976, Mumbai Grahak Panchayat (MGP) established in 1979, Trichy District Consumer Council registered in 1976, Consumers Education and Research Centre (CERC) established in 1978 and Grahak Panchayat (1977) made quite an impact in making the cause of the consumers known throughout the country. The CERC, Ahmedabad won the first prize for excellence in Consumer Protection Programme for the year 1990 from the Government of India.

In the eighties a large number of VCOs mushroomed, of them Jagrut Grahak started in 1980, Consumers Forum setup in 1980, Consumer Education Centre established in 1982, the Voluntary Organisation in the Interest of Consumer Education (VOICE), the Consumer Unity and Trust Society (CUTS) started in 1984, National Centre for Human Settlement and Environment (1984), Consumer Guidance Society (1984), Consumer Action Group (1985), etc. have shown their ability in pushing forward the cause of consuming mass.

In 1990s a concerted effort to have a unified approach was found and as a result the Federation of Consumer Organisations - Tamil Nadu (FEDCOT), was established in March 1990, the Confederation of Indian Consumer Organisations (CICO) was formed in February 1991 and Gujarat State Federation of Consumer Organisations (GUSFECO) was formed in 1992.

Garg<sup>49</sup> (1990) highlighted the need for the Government to provide adequate resources to the consumer associations as in Malaysia. There were 12 consumer societies in Malaysia and all of them received financial aid from the Government for renting out office space and for meeting out their secretarial and other related expenditure. The Consumer Association Study Groups and the consumer centres in Federal Republic of Germany were largely financed from the public purse primarily by the Federal Department of Trade and Industry and its equivalent departments in the German State Administration. The Consumer Association in Poland were funded to the extent of 60 per cent of their total expenditure by the Ministry of Finance. He said that these examples reinforce the argument that the Government of India should evolve a sound policy of extending financial aid to the VCOs.

He pointed out that the Indian Consumer Movement is desparate without having a consistent approach and well-defined priorities and lack of intra-association communication. Therefore an apex body of consumer associations to lay down clear cut programme and to evolve a concerted and co-ordinated approach for its implementation as in Malaysia and Poland is a necessity in India.

"A Guide to Sources of Consumer Information"<sup>50</sup> enumerated the four schemes under which financial assistance is provided by

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<sup>49</sup>Garg, O.P, Consumer Protection Act, 1986, With State Rules, Vinod Publishing House, Delhi, 1990.

<sup>50</sup>Shah, Pritee (Ed.), A Guide to Sources of Consumer Information, CERC, Ahmedabad, 1991, p.116-152.

the various ministries of the Central Government. They are (1) Ministry of Civil Supplies, Consumer Affairs and Public Distribution (2) Ministry of Science and Technology (3) Ministry of Environment and Forests (4) Raja Ram Mohan Roy Library Foundation etc.

Voluntary Organisations, having a legal status permitting the entrustment of public funds, with non-political, non-official and non-proprietary management, working for the promotion and protection of consumer interests, not for profits, at least 3 years from the date of its registration are eligible for the financial assistance from the Ministry of Civil Supplies, Consumer Affairs and Public Distribution.

The books has also dealt with foreign funding agencies which have come forward to support consumer protection activities such as Australian Council of Churches (ACC), Canadian International Development Agency (CIDA), Common Wealth Foundation (U.K), Community Aid, Abroad (Australia), Evangelische Zentralstelle Fur Entwicklungshilfe E.V (EZE) (Germany), High Commissioner of New Zealand for India and Bangladesh (New Zealand), International Development Research Centre (IDRC), Canada, Oxfam (India) Trust, India, Royal Norwegian Embassy (India), Swiss Aid Co-ordinator's Office (India), United Nations Development Programme (UNDP), (New Delhi) etc.

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The Workshop on Management and Resource Mobilisation for Voluntary Organisations<sup>51</sup> (1993) organised jointly by Baroda Citizens Council, United Way of Baroda and Action Aid India during June 1993 has brought out the major problems related to the financing of consumer protection activities. Important among them are lack of information about philanthropic funds available in the country, non-utilisation of upto 33 per cent of available funds, lack of philanthropic philosophy among the trusts, endemic nature of funds and religious nature of the funding organisations. It was suggested that a national survey be conducted to collect such informations.

Dubey Saroj in the XIII Meeting<sup>52</sup> (1993) of the Central Consumer Protection Council suggested that financial assistance should be made conditional that the grantee organisations would conduct meetings and workshops for rural women.

George, Bajju<sup>53</sup> (1992) found that only 9 per cent of consumers sought the help of VCOs to conduct their cases because the VCOs have not developed the necessary infrastructure to guide and help consumers or they have not become sufficiently popular. Regarding the financial position of the VCOs it was found that 8

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<sup>51</sup>Workshop on Management and Resource Mobilisation for Voluntary Organisations - A Report, 1st - 5th June, 1993, Baroda.

<sup>52</sup>Minutes of the XIII Meeting of the Central Consumer Protection Council, New Delhi, 26.5.1993.

<sup>53</sup>George, Bajju, "Structure and Functioning of the District Forums in Kerala", M.B.A Dissertation, University of Kerala, 1992.

per cent got grants from the Government of India, Ministry of Food and Civil Supplies and another 8 per cent got grant from private sources as United Nations Development Programme, the Ford Foundations, Fredrich Naumann Foundation etc. His study also revealed that establishment of 83 per cent VCOs in Kerala was before 1986.

Darley and Johnson<sup>54</sup> (1993) in their paper "Cross-National Comparison of Consumer Attitudes toward Consumerism in Four Developing Countries" provided some support for the consumerism life cycle pattern. The purpose of the study was to report on attitudes toward consumerism in Singapore, India, Nigeria and Kenya. According to them a distinction worth noting was that the consumer interest in less developed countries was fragmented; but well-articulated in more developed countries. Little analysis and discussion of consumerism in developing countries appear in the literature and several have criticized this neglect and lack of interest in consumerism and research in developing countries.

The study emphasized the need for research examining consumerist attitudes of a variety of consumers in developing countries.

"A Directory of Voluntary Consumer Organisations in India"<sup>55</sup> (1933) published by CERC, Ahmedabad based on the survey revealed that there is an uneven spread of Voluntary Consumer Organisations

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<sup>54</sup>Darley, William and Johnson, Denise, M, Cross-National Comparison of Consumer Attitudes toward Consumerism in Four Developing Countries - Journal of Consumer Affairs, Vol.27, No.1, 1993, p.37-53.

<sup>55</sup>A Directory of Voluntary Consumer Organisations in India, Consumer Education and Research Centre, Ahmedabad, 1993.

over the states and Union Territories. There are 180 consumer groups in Andhra Pradesh whereas Delhi has 35 consumer groups, West Bengal 4 groups, which is disproportionate to the size of the geographical area and the population. Moreover 10 per cent of the groups are situated in metropolitan cities, 20 per cent in larger cities and 70 per cent in smaller cities and towns. The survey further revealed that 78 per cent of the consumer groups have come into existence after 1980 whereas 13 per cent of the consumer groups were existing between 1975 and 1980.

The data regarding financial resources is dismal which showed that 47 per cent of the consumer groups had less than Rs.10,000/- as their annual expenditure and 69 per cent had annual expenditure of less than Rs.30,000/-. The major source of funding of smaller groups was found to be the subscription fees ranging from Rs.10 to Rs.100 p.a. from the members and donations.

The preference ranking of eight enunciated activities have been noted as:

- 1 Handling of complaints (96 per cent)
- 2 Consumer education (86 per cent)
- 3 Advocacy (77 per cent)
- 4 Litigation (71 per cent)
- 5 Media (70 per cent)
- 6 Publication (46 per cent)
- 7 Lobbying (43 per cent)
- 8 Research (32 per cent)

No consumer group had its own full fledged testing laboratory in India. Only CGSI had some testing equipment and arrangement for occasional testing.

70 per cent of VCOs in our country use media such as radio, newspaper and television for consumer education whereas only 46 per cent had their own publications.

Kumar<sup>56</sup> (1994) in his article "What restricts Voluntary Organisations from spreading fast?" attempted to define voluntary organisations. He said VCOs denote "an organisation, whether its workers are paid or unpaid, which is initiated and governed by its own members without external control". According to the National Institute of Public Co-operation and Child Development, a voluntary organisation is often interpreted as an "organised entity set up by a group of persons on their own initiative or partly on outside motivation to promote social welfare and also help the people of a locality to undertake activities in a self-reliant manner, partially or wholly, to satisfy their felt needs and also to bring them and the public sector extension services closer to one another for more equitable and effective development of various sections of the rural poor".

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<sup>56</sup>Kumar, Vinod, "What restricts voluntary organisations from spreading fast?", Kurukshetra, New Delhi, Vol.XLII, No.8, May 1994, p.30-32.

"Women of India - Power from Togetherness"<sup>56^</sup> (1990) is an article (author unknown) about how a national commission etches the profile of endurance of the women toiling in fields, forests, factories, mines, their homes or on mountains, roads, shores or in town markets. "Economically, she is vulnerable, afraid of losing her work in a labour - surplus economy if she asks for any more than she gets. Physically she is vulnerable to sexual attacks, to illness, to overwork. Socially she is vulnerable to caste and patriarchal oppression. She is able to survive under such crushing conditions only because of her deep faith, her courage, her love for her family and her indomitable will. She is weak as a social being in her relation to others, as a political being in her social status. However, as a person she is strong. Her social weakness requires she be strong individually. She draws on her inner resources in the rare cases when she tries to assert and to organise".

Wolgast<sup>57</sup> (1958) has found that consumer decisions were most often made jointly between husband and wife, although one or the other tended to be dominant.

Kelley<sup>58</sup> (1973) has edited a book "New Consumerism Selected Readings" which is a collection of select articles by renowned

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<sup>56^</sup>"Women of India - Power from Togetherness" - Social Welfare, Vol.XXXVI, No.12, March, 1990, p.2-3.

<sup>57</sup>Wolgast, E.H., "Do Husbands or Wives make the purchasing decision?" Journal of Marketing, Vol.23, October, 1958, p.151-158.

<sup>58</sup>Kelley, William, T (Ed.), New Consumerism Selected Readings - Grid Inc; 1973.

deans and professors detailing the history of consumerism tracing the 20<sup>th</sup> century movements and the era of protest in the late 1960s and early 1970s. Beem, Eugene, in his article "the Consumer movement, 1930 to World War II" brought out the significant role played by women for consumer protection. The time-saving mechanical devices of the 20<sup>th</sup> century and reduction in the size of families gave the housewives more leisure time to devote to problems of wiser consumption. During this period women's clubs, labour unions, educational Institutions, business agencies and others supported consumer protection efforts.

The American Home Economics Association founded in 1908 took initiative in standardising and introducing informative labellings in addition to publishing the 'Journal of Home Economics' according to Beem. The National Association of Consumers (NAC) was established during 1937-1947 to co-ordinate the activities of VCOs, to educate and represent consumers and to gain official consumer representation in the U.S.

Rosemary<sup>59</sup> (1976) has clearly illustrated the ingenuity, the strength and intelligence of the woman in the buying function. She established the fact that in Western Society, the woman's function as consumer is indomitable and indisputable as she controls the consumer expenditure indices. Food, clothing and footwear were bought almost entirely by women and the purchase of

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<sup>59</sup>Scott, Rosemary, 'The Female Consumer', Associated Business Programmes, London, 1976.

household and chemist goods and decisions to buy most goods in the consumer durable section were her responsibility. So the author alerts the consumer marketing industry to think again because without the female consumer they will be out of a job tomorrow.

De Souza, Alfred<sup>60</sup> (1980) sought to draw the traditional images and changing roles of women in India. The author stated that all over the world women are denied equal access with more opportunities for personal growth and social development in education, employment, marriage and family life. In India there was extensive discrimination because of the sex segregated character of society, the conditions of poverty and the traditionally valued system. Women are so completely tied down by child care, house-work and agricultural labour that the options open to them for personal growth were limited.

Women in Kerala were exceptionally privileged because of higher life expectancy, higher education and their participation rates in every field. Their higher education and literacy level acted as a restrictive factor in raising the age at marriage. The self-concept is the perception which women had of themselves in the light of prevailing social norms and accepted modes of behaviour showed an interesting picture. The younger women were moving away from the attitude of submissiveness and the traditional division between 'male' and 'female' jobs were not relevant since educated women could function as completely as men

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<sup>60</sup> De Souza, Alfred, Women in Contemporary India and South Asia, Manohar Publications, New Delhi, 1980.

in any type of employment. Also younger women believed that women should engage in activities outside the home and they saw themselves as equal partners with men not only in education and employment but also in family. The author J. Murickan in this article opined that education by itself was not enough to liberate women, but a strong mass-based movement organised by enlightened female leadership would be able to provide women freedom and equality with men.

Jana<sup>61</sup> (1981) has traced historical development of the women's movements in India from the late 19<sup>th</sup> to the mid 20<sup>th</sup> century. She examined the ideologies of the Indian and Western women's movements and found that there was a sharp contrast in origins but certain parallels could be drawn between them. The Indian women's movement could be classified as a bourgeois feminist movement, along with the women's rights movements of the U.S and Great Britain. Bourgeois feminist movements composed of middle class women who campaigned for the extension of educational opportunities, voting rights and property rights to women. While America and Britain concentrated on improving working conditions and increasing wages, those in India were concerned about food, medical care, working conditions and wages. Even if India has more laws designed to improve the status of women than the U.S or Great Britain, Indian women live in dire poverty, because the existing laws are not enforced effectively. Moreover the narrow

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<sup>61</sup>Everett, Matson, Jana, Woman and Social Change in India, Heritage Publishers, New Delhi 1981.

legalistic outlook of the Indian women's movement during its equal rights phase overlooked the problems of implementation of reform strategies. The higher percentage of women legislators and the existence of women leaders including a Prime Minister was not sufficient to achieve sex equality in India.

The author pinpointed the reasons for the low status of women in India as the lack of efforts to reach the common mass and expand the narrow social base of the women's movement, replacement of women labourers by men because of industrial rationalisation, the population pressures, dismissal of women by employers to avoid payment of maternity benefits, the higher percentage of female illiteracy etc. Only when the standard of living of the Indians are raised substantially, will the status of women will improve.

According to Subbamma<sup>62</sup> (1985) the very first women's movement in India was the result of the inspiring call of Mahatma Gandhi for Satyagraha which led to the formation of an all India Organisation called All India Women's Conference. They participated in prohibition by picketing shops selling liquor, and foreign goods, during pre-independence period. Later after the dissociation of the Radicals, Communists, Kissan Group and socialists from the congress, this organisation became a society of congress women. Communist women established separate women's Organisations and have agitated against price-rise and obnoxious deeds of the Government.

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<sup>62</sup>Subbamma, Malladi, 'Women - Tradition and Culture', Sterling Publishers Pvt. Ltd., New Delhi, 1985.

Kiran<sup>63</sup> (1985) in his book on "Status and Position of Women in India" revealed an interesting fact that in the ancient period girls in ruling families received administrative and military training. They were entitled to the same education as boys. Later, the joint family system with consanguinity in the male, discouraged independence and initiation of the female members. According to the author the reasons for the continuous deterioration in the status of Indian women were early marriage of girls, unequal and indifferent treatment of women by the Hindu Law in marriage, marital status, divorce, widowhood and inheritance.

Dey, Flora<sup>64</sup> (1986) in her study centred around working-wife families in Kerala found that employed women had to perform the dual responsibility of the 'traditional house-wife' and the 'modern employed women'. The opinion of over 50% husbands regarding the 'exclusive women's tasks', as revealed by the table, are cooking and cleaning, care of children such as bathing, feeding etc.

This endorsed the fact that majority of men are still traditional in their attitude towards the wife's role. She further revealed that more than 50 per cent of husbands have agreed that their wives work because of financial necessities. Even if their earnings are necessary for the family welfare and contributions to the family budget, the house-hold duties are reserved for them.

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<sup>63</sup> Devandra, Kiran, 'Status and Position of Women in India' Shakti Books, Delhi, 1985.

<sup>64</sup> Dey, Flora, M, "The changing Role of Men in the Working wife Family", M.Phil Dissertation, Mother Teresa Women's University, Kodaikanal, 1988.

Table 3.4

## Opinion of husbands regarding household tasks

Tasks	Percentage of men who feel it exclusively women's tasks
<b>1 Cooking</b>	
Bed Coffee	76
Breakfast	72
Lunch	77
Tea	68
Dinner	70
<b>2 Washing &amp; Cleaning</b>	
Washing Clothes	68
Washing Dishes	79
Moping the floor	74
Dusting	52
Highdusting	40
Cleaning the sinks	62
Cleaning the toilets	52
<b>3 Ironing</b>	18
<b>4 Shopping</b>	5
<b>5 Gardening</b>	32

## 6 Care of Children

Teaching	27
Bathing	52
Feeding	56
Care during sickness	31
Putting them to bed	40
Getting them ready to school	38

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The book on "Women's Studies : Some perspective"<sup>65</sup> (1986) edited by Maithreyi seeks to throw light to the paradigms which are necessary to be incorporated in the social sciences. This book is based on the workshop organised by the S.N.D.P Women's University. The Central themes covered by the Workshop are (1) how women's studies can lead to understanding of the place of women in our society (2) how this can build up an awareness of the social processes that inhibit or enhance women's potentialities, the extent of oppression and subordination and their reasons, evaluation of the strength and weaknesses in the system and women's responses to their situation. The book emphasises the need for women's studies and action programmes in the curriculum, commitment of teachers and students and their innovativeness which would lead to restructuring of women's status. Since the first National Conference on women's studies in 1981, incorporation of women's issues in the curriculum has been seriously considered. Later at

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<sup>65</sup> Krishna Raj, Maithreyi, Women's Studies in India - Some Perspectives, Popular Prakashan, Bombay, 1986.

the meeting of experts on women's studies and social sciences organised by UNESCO in 1982, it was specified that the major task of women's studies to make women visible in the curriculum, also care should be taken that they are not misrepresented or justified. Women studies have to start with the gender discrimination prevailing in the societies.

Bennet and Kassarian<sup>66</sup> (1987) in their book 'Consumer Behaviour' explained that the most influential group in the consumption behaviour pattern of an individual is the family group. They found that typically men have the role of 'bread-winner', the decision-maker on the purchase of tyres, batteries, power lawn-mowers and power tools etc. Women generally take the roles of cook, house keeper and decision-maker on household items. In homes it is the housewife who chooses most products and brands.

Lakshmi Devi<sup>67</sup> (1988) in a case study of Wynad District in Kerala, with reference to tribal women, revealed that 94.2% of the women were not bothered about issues of "Sexual equality" and "Gender Justice". For them, gender hierarchy was "God-decided" and that no human being could break it.

"Women and Men in Management" is a book written by Poweil in 1988 in which the author revealed that since 1960s organisations have been under legal pressure to refrain from sex discrimination

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<sup>66</sup>Bennet, Peter, D, and Kassarian, Harold, H, Consumer Behaviour, Prentice Hall of India Pvt., Ltd., New Delhi, 1987.

<sup>67</sup>Devi, Lakshmy, A case study of Tribal Women of Wynad District in Kerala, Project Report, 1988.

and to counteract the effects of discrimination. The reasons for the two types of inequality were the uneven distribution of men and women across occupations and jobs within organisations. Other factors such as education, interests, aspirations and qualifications also play a role.

Neera<sup>68</sup> (1988) in her book on "A Decade of Women's Movement in India" which is a collection of papers presented at a seminar organised by S.N.D.T University, Bombay covered the development of women's movement from east to west and north to south of the country. Indira Jaising in her article "The Legal Structure" evaluated the development of law relating to women during 1975-1984/85. She criticised the disappointingly orthodox attitude of women's organisations in India when the Marriage Laws Amendment Bill was introduced in the Parliament. They opposed the bill saying that the divorced woman would be looked down on by the society resulting in the premature death of the bill.

The author pinpointed the fact that the traditional and oppressive beliefs should be rooted out to uplift women from their doomed state inspite of the Equal Remuneration Act (ERA) 1976, Family courts Act 1984, Dowry Prohibition Act 1984 etc.

'The Status of Women Requires Greater Attention' by Sumati<sup>69</sup> (1991) is an article which examines the quantitative dimension of the need for improvement in women's status as it is

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<sup>68</sup>Desai, Neera (Ed.), A Decade of Women's Movement in India, Himalaya Publishing House, Bombay, 1988.

<sup>69</sup>Kulkarni, Sumati, "The Status of Women requires Greater Attention", The Economic Times, 18 April 1991, p.11.

reflected in the 1991 census results. The 1991 census results in respect of women's literacy are encouraging while the trend regarding sex ratio is quite disturbing. Among the states, Kerala is the only State with sex ratio favourable to women which was raised from 1.016 in 1971 to 1.040 in 1991. The better position of women as well as the out-migration of males are the factors behind this fact. The female literacy rate has improved by 10 points during 1981-91 in almost all the major states. Therefore we can say that the relative position of women has improved during 1981-91.

'Consumer Awareness - A Survey'<sup>70</sup> (1992) was based on the study conducted in Hissar district of Haryana for measuring the consumer awareness among 50 women randomly selected. It was found that 10 per cent of rural and 78 per cent urban respondents were aware of ISI marks. It was really disturbing to note that about 90 per cent of the rural respondents were ignorant about all their rights as a consumer and only around 60 per cent of urban respondents were aware of their rights as consumers. The results of the survey revealed that nearly most of the rural respondents and 90 per cent of the urban respondents have never heard of consumer protection laws, while 2 per cent of the rural and 10 per cent of the urban respondents were aware of the COPRA, 1986. The authors suggested that there is an urgent need to educate consumers as to their rights and responsibilities through simple and effective means of communication.

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<sup>70</sup> Singh Kiran, Yadav, Lali, Sangwan, Veena and Gandhi, Sudesh, "Consumer Awareness - A Survey", Consumer Confrontation, Ahmedabad, Vol.12, No.3, May-June, p.13-15.

Rajkumari<sup>71</sup> (1992) has thrown light to the pressures and discriminations to which women have been subjected and has stressed the need to change this situation through women's studies. It is a collection of essays concerning the various development aspects of women, such as education, employment, management etc. Sulochana Sekhar opines in her article 'Educating Women' that the actual work of women's education should begin with the community which in turn enriches the community itself. The physical, legal and spiritual development of women is inevitable for the upkeep of our culture, arts and erudition which would burnish bright for ever.

Moreover women as consumers play a major role in the market place. They should learn to fight for their rights and should make use of the Consumer Dispute Redressal Agencies which can help them for redressing their complaints. Women should be assertive to take action against defaulters at the time of pre-purchase, purchase and post-purchase levels.

'Social and Economic Dimensions of Women's Development' edited by Chetna<sup>72</sup> (1992) contains articles, papers, discussions and excerpts on selected aspects of women and development in this modern world of change and progress. The book contains the report of the seminar on 'Another Development with women' held in Dakar, Senegal from 21 to 25 June, 1982 which was organised by the

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<sup>71</sup>Chandrasekar, Raj kumari (Ed.), 'Womens Resoources and National Development - A Perspective', - Gaurav Publishing House, New Delhi, 1992.

<sup>72</sup>Kalbagh, Chetana, 'Social and Economic Dimensions of Women's Development' - Discovery Publishing House, New Delhi, 1992.

Association of African Women for Research and Development (AAWORD/AFARD) and the Dag Hammarskjold Foundation. It revealed the basic facts established by the United Nations World Conference of Women. "While women make up 50 per cent of the world's population and constitute one third of its work force, they put in nearly two-thirds of the world's total working hours while receiving only one-tenth of the world's income and owning less than one hundredth of the world's real estate. This shows the unjust situation prevailing in the world which should lead to an attempt to reconsider the existing economic and social systems and to promote the status of women all over the world. In the article 'Women and Education in Islam - A study of the Muslim Women in an Urban Setting' the author describes the discrepancy between the idealised concept of women and their real life situations among muslim women. As a result of socio-cultural and economic discriminatory practices, women were denied equal access with men to opportunities for personal growth and social development in education, employment, marriage and family, professional and political life. An important step to improve the position of women amongst Muslims is to break the vicious circle of poverty and high fertility; but the immutability of Islamic social codes in India acts as barriers in the advancement of education of women. Legitimation for the advancement of modern education of women in Islam should emerge from the social structure of this community in India.

The book 'Socio-Economic Backwardness in Women' written by Anindita and Neelam<sup>73</sup> (1987) a study based on the survey on the women particularly on the women of Bhagalpur in Bihar, who came under Adult Education Programme, is one of the progressive attempts of the Government to raise the status of women. This study aims to throw light on the emancipation of women by classifying the indices of Socio-Economic status into social, educational, economic and other indicators. The social indicators are caste and class, rural - urban background, marital status, size of the family and occupation. The economic indicators for backwardness in women are income nature and type of expenditure, service orientation and government since the social and economic indicators are overlapping it is very difficult to segregate them into watertight compartments. The analysis of the study reveals the following:

- 1 By caste and class women of lower strata are more backward and majority of them are below poverty line.
- 2 The greater involvement of women with the household affairs suggests that the role of housewife is more important. The employed or working women have 'a say' in their family and they are looked upon as 'Something and not as 'nothing'. Even if they are employed or highly educated it is their duty to manage the house.

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<sup>73</sup> Mukherji, Anindita & Verma, Neelam, Socio-economic Backwardness in Women, Ashish Publishing House, New Delhi, 1987.

The impact of voluntary organisations would be more fruitful if they provide 'legal' and 'functional' literacy to women.

The social status of lower class women is not affected by their marital status and due to urbanisation the women of lower class have been succeeded in improving their social status.

The unrewarding household activities and poor conception of time also contributed to the socio-economic problems of women of lower strata. Therefore household activities of women should get full recognition and should be paid minimum wages for it and the women should learn the techniques of time savings for structuring of daily routine.

Nehal<sup>74</sup> (1993) in his article "Drums, Donkeys and Women?" gives an insight into the mental state of passive resignation against wife battering. In all societies family is considered as one of society's most sacred institutions and within the family, the wife is a pivotal component. In a country like India where violence against women is now recognised as a crime by society and the Government and responsible citizens, why don't women seek a way out? According to the theory of Learned Helplessness the occurrence of some events in a battered women's life would lead to helplessness and poor self image in her. She begins to believe that she cannot escape abuse and have only themselves to blame.

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<sup>74</sup> Ashraf, Nehal : "Drums, Donkeys and Women?" - Social Welfare, New Delhi, Vol.XXXIX, No.11-12, February-March 1993, p.10-11.

Saraswati<sup>75</sup> (1993) based on her studies "Social Justice for Women" has pinpointed the factors responsible for the gap between the enactment and enforcement of social legislation for women. The factors were identified as economic dependence of women and (2) their legal ignorance. Research on the effectiveness of laws dealing with welfare of women also demonstrated their non-implementation and continuing exploitation of women. Social status of women could be considered as the typical example of the gap between the status and roles, provided by the constitution and laws, and the status and roles imposed by the social traditions. The deep-rooted traditional values and norms posed a tough resistance to the implementation of laws, creating many problems and challenges.

Fundamental changes in the social system are required to counter the effects of established double standards applied to females which have contributed to the exploitation of women. The author has called for the beginning of efforts to bring gradual changes in our deep-rooted traditions because a miraculous change overnight cannot be expected.

Our efforts should be directed towards

- 1 Alteration of social legislations which are contradictory and confusing encouraging women's participation in organised efforts for successful implementation of laws.

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<sup>75</sup> Misra, Saraswati, "Social Justice for Women" - Social Welfare, New Delhi, Vol.XXXIX, No.11-12, February-March 1993, p.12-14.

- 2 Education for women in order to teach them about their legal rights and providing legal aids to women to fight for their rights.
- 3 Adherence to social laws should be added as a clause to the conduct rules of government servants.
- 4 A proper system of inspection should be evolved by the Government to safeguard women's rights.
- 5 Voluntary Organisations should be entrusted with the enforcement of social laws.
- 6 Financial independence for girls could be ensured by parents by giving them a share in their property.
- 7 The media can educate and prepare the masses to accept modern values of social justice-equality and liberty.

'Focus on Women', an article written by Suneeta<sup>76</sup> (1993) maintained the need for women's welfare for family welfare. The author says, life begins with women every where. In our family welfare programme the parameters are directly linked with female literacy and age at marriage of the female. These linkages reflect in the growth rates of some states in India. The health of the family is enhanced when women gain participation in decision-making in the family. But the female in the Indian

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<sup>76</sup> Mukherji, Suneeta, 'Focus on Women' - Social Welfare, New Delhi, Vol.XL, No.7, October 1993, p.23-28.

sociological framework is seen in the traditional role-loving, sacrificing, giving up her requirements for others-in the family. We need to inculcate a tendency in woman to look at her interests as an individual. Our focus should be on the girl child to prepare her for tasting the fruits of development in a free, healthy and happy country. In a vast country like India with 15 languages and 400 dialects spread from Kashmir to Kanyakumari and from Kutch to Kamrup, this is a formidable task.

The issues regarding the anti-women clauses in the insurance policy are highlighted in "Life Insurance - A Consumers Handbook" <sup>77</sup>.

Before nationalisation of life insurance the insurers were charging extra on female life. Subsequently it was decided to issue policies at ordinary rates only to women with earned income charging extra premiums for others. The reasons put forward are (1) Women are exposed to hazards with child birth (2) As many women do not have income of their own there is no loss of income due to the death of a woman (3) Medical examination may not reveal past illness effectively (4) Deaths of women due to presumably dowry problems.

It is surprising to note that the LIC excluded female lives from the eligibility to term insurance till the intervention of the CERC, Ahmedabad, a voluntary Consumer Organisation.

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<sup>77</sup> Machiraju, Appa Rao, Life Insurance : A Consumers Handbook, Consumer Education and Research Centre, Ahmedabad, 1993.

Another case of sex discrimination by LIC was unearthed in CERS and Manjulaben Parmar Vs LIC where the claims of the widows were denied on technical and legalistic grounds for which LIC was guilty of lack of good faith and fair dealing.

In CERS and Virbalaben Vs LIC it was decided that the first pregnancy risk exclusion clause should be waived.

Another anti-woman condition of contract is that for double accident benefit a woman should die in a public place. It was on the rigid assumption of LIC that Indian husbands kill their wives for insurance money.

This sex discrimination was brought to light due to the intervention of the consumer Education and Research Centre. Thus women are at the receiving end of injustices in every phase of her life. Obviously VCOs and Women's Organisations can come to their aid. In the case of Jyotiben Patel of Bhilod Taluka Kalol the assured sum of Rs35,000/- by way of double accident benefit was rejected because her husband did not die within 90 days of the dog-bite but managed to die only on the 92<sup>nd</sup> day. With the dogged pursual of CERC, Ahmedabad the LIC paid her Rs.35,000/- but the LIC has still not struck down the condition in the contract. Another anti-woman condition of the LIC contract is that a woman should die in a public place. If she dies at home, on the staircase or in the bathroom, the double accident benefit available in case of male policy holder will not be available to a female policyholder. This is on the assumption that the Indian husbands and in-laws kill wife or daughter-in-law for insurance money (Kashmiraben Vs LIC).

These are the clearcut examples of discriminatory practices exercised by the Government agencies. Moreover, women were excluded from the eligibility to term insurance and they should have first class family and medical history and must be working with Government, Semi-Government or Commercial firms of Repute. These restrictive conditions, are questionable in the redressal agencies as restrictive trade practices.

Edison<sup>78</sup> (1994) in his research on "Social Stratification and Consumer Behaviours in Kerala - A Study with Special Reference to Consumer Durables" found that the wife is the need identifier in the case of furniture and cleaning devices. Social class-wise analysis relating to need identification revealed that in upper class families the female head of household is the prominent need identifier. The purchaser-role in the purchase of consumer durables is taken by both husband and wife.

Joshi<sup>79</sup> (1994) based on her studies on 100 employed women with one school-going child from Haryana State working women according to their age, education, income and type of personality concluded that more research is needed to be done in this area so as to draw generalisations related to the role of women in decision making and their participation in various activities related to family life and the variable related to these aspects. She noted high percentage of the employed respondents irrespective

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<sup>78</sup> Edison J.C., "Social Stratification and Consumer Behaviour in Kerala - A Study with Special Reference to Consumer Durables" - Ph.D Thesis, Cochin University of Science and Technology, Kochi, 1994.

<sup>79</sup> Joshi, Uma, "Working Women and Household decision", Social Welfare, New Delhi, Vol.XL, No.10, 1994, p.12-14.

of their age, education, income and personality playing a dominating role in decision making and less participation in various activities related to family life, because employment must have brought them higher status in the family and freedom of decision making. Uma also noticed significant differences in the extent of participation of the employed woman in sundry activities - education of children, saving, health and family planning and job related - middle age group women participating less. Significant differences were found in the extent of participation in testing activities - time, religions, equipment and vehicle - in relation to their level of education. As the education level increased level of activity was reduced.

Despite the dearth of literature elicited in this chapter it is clear that research studies on the subject consumer protection - regarding the working of CDRA's, Voluntary Consumer Organisations and the role of women in consumer protection - are pathetically lacking.

## Chapter 4

### Consumer Protection Act - A Critical Study

#### 4.1 Legislative measures before the Consumer Protection Act, 1986

Government has fulfilled its obligation to protect consumer interests by enacting enough and more legislative measures from time to time.

4.1.1 Most important among them are: The Agricultural Produce (Grading and Marketing) Act, 1937 empowers the Government to lay down grades and standards for various agricultural products such as wheat, atta, rice, spice, condiments, vegetable oils, ghee, butter and honey. The enforcement authorities under the Act are Directorate of Marketing and Inspection under Department of Rural Development in the Ministry of Agriculture and Rural Development. Even though products are graded under AGMARK, food adulteration is common and widespread in India.

4.1.2 Indian Standards (Certification Marks) Act, 1952 aims at ensuring quality control with the co-operation of manufacturers and traders. Later, to make the system more effective Bureau of Indian Standards (BIS) was set up under the Bureau of Indian Standards Act, 1986. The Bureau has several laboratories for testing the standards of products on the basis of which licences to use the 'ISI' Marks are granted to the producers.

4.1.3 The Prevention of Food Adulteration Act (1954) aims at protecting the consumer from the hazards of food adulteration. It is designed to curb and remedy the widespread evils of food adulteration and to ensure the sale of wholesome food to the people. The State Governments are empowered under the Act to appoint Food Inspectors for enforcement of the Act. Ministry of Health and Family Welfare is the nodal agency to ensure the relevant actions. In spite of this about 1600 people who happened to consume adulterated edible oil distributed by the Public Distribution System (PDS) in West Bengal got paralysed.

4.1.4 Essential Commodities Act, 1955 provides "for the control of production, supply and distribution of, and trade and commerce in, essential commodities", is one of the poorly implemented acts. In order to identify the essential commodities for different areas and for monitoring of products and retail prices of consumer goods, a separate Department of Civil Supplies and Co-operation was set up in 1974. The subsequent Amendment in 1980 to prevent black marketing and maintenance of supplies of essential commodities allowed strongest punishments to the guilty.

4.1.5 Standards of Weights and Measures Act, 1976 aims at the establishment of weights and measures based on International System of Units, approval of prototypes of weighing and measuring instruments and control and regulation of weights and measures and commodities in the packaged form. The act is implemented by the Controller of Legal Metrology in each state.

4.1.6 Monopolies and Restrictive Trade Practices (MRTP) Act, 1969 was enacted to enquire into monopolistic and restrictive trade practices. It was amended in 1984 to cover unfair trade practices. In 1986, the Act was further amended to enable consumers or their associations to file a complaint directly with the MRTP Commission. However the MRTP Commission being located in Delhi remained far from the reach of consumers. The Act distinguishes itself by virtue of its power to grant monetary compensation to the aggrieved for the loss or injury suffered.

## 4.2 Redressal Machineries

4.2.1 The MRTP Commission and its Director General of Investigation and Registration (DGIR) with its "Free legal aid cell" failed miserably to keep pace with the ever mounting complaints filed by consumers as shown in table 4.1.<sup>1</sup>

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<sup>1</sup>Dhyani, A.K, Saklani, A, Thakur, .S, "Role of Organised and Unorganised Agencies in Consumer Protection", Consumer Confrontation, Vol.10, No.3, May-June, 1990.

Table 4.1

Details of complaints/enquiries conducted and disposed of  
by the M R T P C

Year Particulars	Restrictive Trade Practices				Unfair Trade Practices				
	Details of Cases				Details of Cases				
	Open- ing bala- nce	Rece- ived	Dis- pos- al	Pen- ding	Open- ing bala- nce	Rece- ived	Dis- pos- al	Pen- ding	
1986	Complaints	189	550	198	541	96	333	144	285
	Enquiries	179	229	125	283	89	256	87	250
1987	Complaints	541	1376	584	1333	285	1549	513	1321
	Enquiries	283	1665	1130	818	258	512	155	615
1988	Complaints	1333	1639	747	2225	1321	1626	704	2243
	Enquiries	818	480	456	842	615	427	277	765
	Total	3343	5939	3240	6042	2664	4703	1880	5487
	Percentage			34.91	65.09			25.52	74.48

The Table revealed that the number of complaints and cases pending disposal were increasing simultaneously. Moreover the Commission failed not only in making the erring business enterprises-through misleading advertisements-to issue corrective advertisements, but also in notifying its findings in this regard to the public.<sup>2</sup>

The clause in the MRTP Act excluding the government co-operative and the public sector units including banking and insurance services, and omission regarding the procedure for filing of application to recover compensation for the loss or damage caused by monopolistic or restrictive or unfair trade practice discouraged effective consumer protection.

Consumers or consumer organisations never galvanised into action against the unethical trade practices of businessmen or against the omissions in the MRTP Act.

4.2.2 The redressal machineries set up by the Railways, Telephones, Insurance Companies etc. and the redressal agencies such as MRTP Commission and the Department of Administrative Reforms and Public Grievances (DARPG) set up in 1985 were not able to secure consumer protection because of the inordinate delay in disposal of complaints.

The Department of Administrative Reforms and Public Grievances (DARPG) receive and dispose of complaints, the details of which are shown in table 4.2.

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<sup>2</sup>Saraf, D.N., "Monopoly and Restrictive Trade Practices Commission in Action - Some Reflections on Consumer Protection", Journal of the Indian Law Institute, Vol.31, No.3, 1989, p.302.

Table 4.2

Number of Complaints received and disposed of by the DARPG from  
1975 to 1990

Year	Number of Complaints		
	Received	Disposed of	
		No.	Percent
1975	12,27,691	10,07,724	82.08
1976	9,13,687	8,26,422	90.45
1977	9,75,606	9,32,802	95.61
1978	10,64,030	N.A	-
1979	10,44,198	N.A	-
1980	11,63,959	N.A	-
1981	12,49,024	9,31,617	74.59
1982	11,94,973	9,80,878	82.08
1983	11,40,024	9,30,472	81.62
1984	9,49,348	8,68,628	91.49
1985	N.A	N.A	-
1986	N.A	N.A	-
1987	N.A	N.A	-
1988	12,34,341	9,95,323	80.64
1989-90	12,69,510	10,61,239	83.59

Source: Advani, Rani, Effective Uses of Law, CERC, Ahmedabad, 1991, p.11.

The table revealed that the statistics for the years 1978, 1979 and 1980 are partly missing and for 1985, 1986 and 1987 the details are a complete blank. The lack of spirit and dedication of the Central Government Body for the common cause of consumer protection is evident from this.

The legislative measures, but for the MRTP Act which provided for payment of compensation, are either preventive or punitive in approach and did not provide for speedy redressal to the aggrieved consumers. None of them covered public undertakings, co-operatives and service undertakings. Moreover, they failed to create awareness among consumers regarding the exploitation prevailed in the market. The root cause of this is over-centralisation of power-political and economical- in the hands of few giving scope for unhindered exploitation of consumers. Even though the Third All India Consumer Conference held in Surat in 1976 recommended a separate legislation with overall supervisory powers over the existing laws for consumer protection, such an Act came into force only in 1986 breaking the oppositions by bureaucrats and public servants.

#### **4.3 Consumer Protection Act, 1986 (COPRA)**

COPRA, 1986 is a landmark in the field of socio-economic conditions of consumers with its important provisions for protection of consumer rights and redressal of consumer grievances.

The Act is superior to other legal measures in the field of consumer protection in the following aspects.

a) It is the most expedient, least expensive and quite effective weapon in the hands of consumers; because the remedy is free from court fee and prolonged litigation which is not available under any other Act.

b) It has provided an elaborate three-tier quasi-judicial machinery in all the districts for seeking redressal for consumer grievances, whereas other redressal machineries like MRTI Commission and DARPG situated only at the capital city limit the scope to redress consumer grievances of common people..

c) The Act covers all goods and services including banking, financing, insurance, transport, processing, supply of electrical or other energy, boarding or lodging or both, housing construction, entertainment, amusement or the purveying of news or other information, but does not include the rendering of any service free of charge.

d) The Act provides for remedy by way of compensation to the aggrieved consumers, whereas in other legislative measures the offenders are punished or imprisoned which was never implemented effectively to put a stop to the unfair trade practices owing to the pressure and bribe extorted by the businessmen.

#### **4.3.1 Government Bodies for Consumer Protection under COPRA**

COPRA provides for the establishment of a Central Consumer Protection Council (CCPC) and a State Consumer Protection Council,

one in each state, for the promotion and protection of consumer rights.

Central Consumer Protection Council is the apex body consisting of the Minister in Charge of the Department of Food and Civil Supplies of the Government of India as its chairman and such number of other official and non-official members representing such interests as may be prescribed in Section 3 of Consumer Protection Rules, 1987. The council appoints working groups to investigate in detail matters relating to consumer problems, so that redressal machinery can be strengthened.

Consumer Protection Councils at the State level are established by a notification issued by the respective state governments. These councils consist of such number of members as may be specified by the state governments by notification from time to time.

#### **4.3.2 Consumer Dispute Redressal Agencies (CDRAs)**

Section 9 of the Act provides for the setting up of the CDRAs viz., District Fora, State Commission and National Commission which makes the Act unique, because in no other countries separate courts or tribunals are set up exclusively to settle consumer disputes to provide speedy and inexpensive justice to the consumers.

#### 4.3.3 Composition of the District Forum

Each district forum consists of three members, one of whom shall be the president. A person who is or has been or is qualified to be a District Judge is eligible to be the President of the Forum. The other two members shall be persons of ability, integrity and standing and have adequate knowledge or experience of or have shown capacity in dealing with problems relating to economics, law, commerce, accountancy, industry, public affairs or administration, one of whom shall be a woman. As per the original Act any lady social worker can be the lady member.

#### 4.3.4 Appointments, qualifications and terms of appointment of the members in the CDRAs

A study conducted by CERC, Ahmedabad in October 1990 on the socio-economic background of the members of the District Fora in the State of Gujarat revealed that majority were appointed on the basis of their active participation in various political parties which is on par with the appointments in Kerala.<sup>3</sup>

Apart from statutory qualifications it is an accepted norm in a "Rule of law" society that decision-makers in the courts, tribunals and quasi-judiciary bodies should be unbiased and impartial.

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<sup>3</sup>"Appointment to Consumer Forums: UDF stand criticised", The Hindu, 23, October 1991, p.3.

The existing system in India does not secure independence of the personnel of consumer adjudicating agencies from the Departments of Food and Civil Supplies. The existing system violates the basic structure of the Indian Constitution i.e. the independence of adjudicating bodies set up to settle the disputes. Thus the quasi-judicial bodies have been kept in a state of perpetual dependence on administrative departments with a view to impair their independence. There was a move for setting up a separate Directorate of Consumer Affairs in the Civil Supplies Ministry which was turned down by the Government with a view to curtail the Government expenditure.<sup>5</sup>

To ensure that the persons appointed perform judicial functions without fear or favour they should be appointed in consultation with the members of the judiciary and there should be a separate Ministry for Consumer Affairs.

#### 4.3.5 Infrastructural Facilities

Most of the Fora are ill-equipped in terms of space, staff, office equipments, library facilities and facilities for litigants.<sup>6</sup> George, Bajju (1992), recommended that sufficient staff, stationery and other amenities should be provided in the Fora.<sup>7</sup>

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<sup>5</sup>"Move for setting up government body for consumer protection rejected", The Economic Times, 28 April 1992, p.8.

<sup>6</sup>"Boost to Consumer Movement", Common Cause, Vol.X No.4, October 1, 1991, p.4.

<sup>7</sup>George, Bajju, "Structure and Functioning of Consumer Forums in Kerala", M.B.A. Project Report, University of Kerala, 1992.

Infrastructural facilities in terms of billing, secretarial staff, library and grants should be sine-qua-non for granting approval to the setting up of the Fora. The part-time nature of the Fora has brought about evils of its own which shall be put to an end as early as possible.

#### 4.3.6 Vacancies in the CDRAs

When a vacancy of the president occurs in the CDRAs it is not filled promptly leading to delayed redressal procedures.

#### 4.3.7 Procedural Justice

The procedure to be followed by the CDRAs on receipt of a complaint has been dealt with in detail in Section 13 of the Act and Rules 14 and 4 and 5 of the Central and State Governments respectively. The Fora are vested with the same powers as a Civil Court under the Code of Civil Procedure, 1908 while trying a suit in the following six occasions.

- a) Summoning and enforcing personal attendance of any defendant or witness
- b) Discovery and production of evidence
- c) Reception of evidence on affidavits
- d) Issuing of commission for the examination of any witness
- e) Requisitioning of the report of the concerned analysts or test from any relevant source
- f) Any other matter which may be prescribed.

Thus the proceedings under COPRA remain free from technicalities in cases other than the six mentioned U/S 13 (4).

This indicates that there is no legal requirement that the pleadings should be in a particular form. There are no legal technicalities regarding the amendment of the complaint, inclusion or exclusion of necessary or proper parties etc.

When a complaint is filed, one copy is sent to the opposite party, directing him/her to give a reply within a period of 30-45 days as may be granted by the CDRA. In case the opposite party denies the alleged defect, the goods are sent to an appropriate laboratory by the CDRA at the cost of the complainant. The laboratory is supposed to send the result within 45 days or within the period granted by the CDRA.

In cases where a test report is not required as is the case with services, the opposite party has only to deny or accept the complaint. A reply can be given to the CDRA giving his version of the facts. The parties will have the right to lead evidence and cross examine. In case the opposite party does not file a reply or appear in person, the CDRA is authorised to proceed ex-parte and decide the complaints on merit. The Indian Evidence Act has not been made applicable specifically. But, unfortunately, the technicalities prevailing in the civil courts have crept into the proceedings before CDRA leading to delay and abuse of the redressal system.

National Commission in 'N.K.MODI VS FAIR AIR ENGINEERS PRIVATE LIMITED' (1993)<sup>8</sup> has held that the Consumer Disputes

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<sup>8</sup>N.K.Modi Vs. Fair Air Engineers Pvt. Ltd., 1 (1993) Consumer Protection Journal, 5 (NC).

Redressal Agencies are not judicial bodies. As widely perceived, the endeavour of parliament has been to ensure that these agencies function in a totally informal manner, free from the shackles and trappings of courts.

The flexibility in procedure seems to have downgraded the status of the CDRA, which is empowered to punish a person who fails to comply with the order passed by it. Also for non-compliance of the orders, the proceedings under the contempt of Court Act can be initiated. Often CDRA's have failed in fulfilling the legislative objections because of the interference of lawyers, who took unfair advantage of the parties not represented by advocates. While the presidents appreciated the languages of their own people the poor Indian Consumer was made mute spectator of the proceedings.

#### 4.3.8 Who can be Complainants?

As defined under section 2(1)(b) the Act provides locus-standi the (right to complain) to a consumer, numerous consumers having the same interest (i.e., class action), Voluntary Consumer Organisations and State and Central Governments.

A controversial point in this regard is that a person who obtains goods for resale or commercial purposes is excluded from the definition of consumer. Another controversy is that the services rendered free of charge or under contract of personal service are not included in the definition of services. In essence it appears that services for resale or for commercial purposes fall within the purview of CDRA's, whereas goods bought for resale or for

commercial purpose remain outside the ambit of the CDRA. For instance, commercial undertakings are allowed to file disputes relating to hired services such as telephones, banking, insurance etc. while disputes regarding goods bought for commercial purpose or resale are not entertained at the Fora. Such exclusion-inclusion clauses in the definition of consumer leading to restrictive jurisdiction in respect of disputes relating to goods will defeat the objective of the legislation. Regarding the question of a buyer of goods for commercial purposes who is also a victim of unfair trade practice as per Section 2(1)(c)(i) the Gujarat State Commission held that the Commission would not consider whether an unfair trade practice had been adopted as the goods had been purchased for commercial purpose.<sup>9</sup>

However logically this decision is not correct as unfair trade practice is an independent head of jurisdiction irrespective of the fact whether the goods had been purchased for commercial purpose.

The National Commission had clarified that unfair trade practice relates not only to purchase of goods but also to deficiency of services hired.<sup>10</sup> This order is not used by the CDRA's.

Under Section 2 (1)(b)(ii) a Voluntary Consumer Organisation can be a complainant even though juristically, a complainant is a

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<sup>9</sup>CERC and Reckon Diagnostics Vs Blue Star Ltd; & Ors, Complaint No.16/90, Order dated 2.12.1990.

<sup>10</sup>Mantora Oil Products (P) Ltd; Vs Oriental Insurance Co., Appeal No.31/90, Order dated 24.9.1990, National Commission.

party to the proceedings and not a representative of the consumer who is the real complainant. Similarly the Prevention of Food Adulteration Act, Weights and Measures Act, MRTP Act, Essential Commodities Act etc. were amended to provide locus-standi to registered VCOs for vindication of rights conferred on the weaker section of the society, who are not able to make effective use of these legislative measures.

The VCOs can make use of this opportunity for public interest litigation than protecting private rights.

State and Central Governments are also able to file complaints in the CDRAs being the guarantors of public interest protection. Yet till date they have not taken up any dispute.

#### 4.3.9 Jurisdiction

The pecuniary, territorial and subject matter jurisdiction of the CDRAs has been defined U/S 11(1) and (2) of COPRA 1986.

In general the value of goods and/or services is to be decided on the basis of value of goods and services and the amount of compensation. Subsequently it was held that the complainant has the undisputed right to fix the value of the claim, and, for this purpose, it could exclude the value of goods in computing the net value of the claim. It was also held that the objection on the ground of pecuniary jurisdiction should be raised in the early stage of proceedings, failing which it cannot be raised at the appellate stage.

The territorial jurisdiction to entertain a complaint U/S 11(2) of the Act has been dealt with in three provisions which are almost identical to the Section 20 of Civil Procedure Code. Accordingly a suit against an ordinary trader as well as a corporation can be filed at any place where it has a branch office.

Subject matter jurisdiction covers five areas viz.,

- a defects in goods
- b deficiency in services
- c unfair trade practices
- d charging of excessive prices of goods and
- e goods which will be hazardous to life and safety

#### 4.3.9.1 Defects in goods

Defects in goods U/S 2(1)(i) has almost the same meaning as under section 2(f) of the Sale of Goods Act 1930. Defect has been interpreted as the deviation from the standard specified by laws or in the alternative claimed by the trader himself, either express or implied. On the other hand if the goods do not satisfy the claims made by the trader it is essentially an unfair trade practice and can be instituted as cases under unfair trade practices. Regretfully this view has not been made use of by litigants.

It is worth noting that standards are fixed and determined only for few goods. Indian market is flooded with non-standardised, non-packaged commodities, standards of which are not known. Therefore a common man who is ignorant of the interpretations of the Act is denied justice.

#### 4.3.9.2 Deficiency in Services

Service has become an integral part of modern living with comfort. COPRA compensates those who suffer loss or injury as a result of deficiency in services. The Act defines service as "Service of any description which is made available to potential users". As such almost all service-provider undertakings are amenable to CDRA.

A matter of concern is that service does not include the rendering of any service free of charge or under a contract of personal service. The rationale of the exemption granted to free services, even if the injury occurs, at a time when majority of Indians are compelled to seek free services owing to financial crisis is undigestible. Thus, service facility, in fact, is available only to rich, well-to-do sections of the society, who can buy services. As a result, for majority of Indians in a social welfare state like India receiving free services cannot get justice when providers of service cause injury or loss to poor Indians.

Services rendered under contract of personal service is excluded U/S 2(1)(0) from the definition of service. The clause allowing professional services to be exempted under the banner of contract of personal services is suicidal.

A critical study revealed a distinction between contract for services and contract of services. In the case of 'contract for services' neither master-servant relationship exists, nor sufficient freedom of action. On the other hand, in a contract of service the provider of service agrees to provide his work-skill in

the performance of some service to his master in consideration of remuneration. Then the services of doctors, lawyers etc. will fall under the "contract for services". Therefore these services come within the purview of the Act, e.g. the services rendered by the government in government hospitals.

#### **Consumer Protection Act, 1986**

This Act has excluded any service, which is availed free of cost and service of a personal nature from its ambit. But the consumer of the health care industry cannot be excluded from the Act because it is not only doctors who are involved in the health care, but the pharmaceutical industry, the medical equipment companies and other ancilliary industries also.<sup>11</sup> There is an unfair discrimination of patients as patients who pay for medical care in private hospitals are protected by the Act and those who do not pay for similar health care in government hospitals are left to suffer in silence.

In an action for negligence against a doctor the complainant has to prove that

- 1 The doctor was under a duty to take reasonable care to avoid or not to cause damage.
- 2 There was breach of duty on the part of the doctor.
- 3 The breach of duty was real cause of damage or such damage was reasonably foreseeable.<sup>12</sup>

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<sup>11</sup>Bal, Arun, "Consumer Protection Act and Medical Profession" Economic and Political Weekly, Vol.XXVII, No. 11, March 13, 1993, p.432.

<sup>12</sup>Ibid.....P 434

Since the District Fora, State and National Commission are following the same procedure of scrutiny of evidence and substantiation of claims as the Civil Courts and the president is qualified to be a judge why consumers should go to another court? In U.K and the U.S patients approach the Civil Court if they are dissatisfied with a medical practitioner because they have no other option.<sup>13</sup>

#### 4.3.9.3 Unfair Trade Practices

The CDRAs are authorised to deal with unfair trade practices having the same meaning as in Section 36 A of the MRTP Act, 1969. This means a trade practice which for the purpose of promoting the sale, use or supply of any goods or for the provision of any services, adopts one or more of the unfair trade practices (1 to 10). But the provision under Section 2(1)(c)(i) of COPRA (1986) is almost unused. The intention of this provision can be successful only if CDRAs are equipped with the powers to issue interim orders.

Even though the CDRAs can issue cease and desist orders in the same manner as under Section 36 D of the MRTP Act, in the absence of a provision similar to Section 12 A of MRTP Act, CDRAs cannot issue interim injunction which will enable an aggrieved to prevent the trader from pursuing the illegal course of action with immediate effect.

Another unfair trade practice is charging of excess price i.e. more than what is shown on the packet or fixed by law, in which case consumer can file a complaint U/S 2(1)(c)(iv). Surprisingly one cannot complain if excess charge is imposed in respect of services. But the relief is that these complaints can come under unfair trade practices. The National Commission has observed in its Order dated 24.4.1990 in a review petition No.3/1990 that "when there has not been any fixing of price of an article by law nor a display of the price on the package containing the goods or on the goods themselves, the Act does not contemplate any complaint being instituted on the ground that the price charged for the article is excessive". This order is said to be retrograde and unconvincing because there is no uniform price policy in India and in local and rural markets traders charge prices discriminately.

#### **4.3.10 Original and Appellate Jurisdiction**

The State and National Commissions have been vested with original jurisdiction (Section 17 and 21).

Unfortunately the National Commission has refused to accept the fact that "as a court of original jurisdiction it is a trial court".

Consequently the National Commission held that in cases involving elaborate oral and documentary evidence it is open to it to decline jurisdiction and refer the party to his ordinary remedy

by way of suit.<sup>14</sup> According to the Commission the procedure for disposal of complaints under the Act has been laid down in Section 13 of the Act the provisions of which are made applicable to proceedings before the National Commission by Rule 14(2) of the Consumer Protection Rules, 1987.

U/S 13(2) and (2) of the Act it is shown beyond doubt that the statute does not contemplate the determination of complicated issues of fact involving oral and documentary evidence and their scrutiny. As a result and subsequent to the National Commission's action many Fora are found evading adjudication of disputes which demand use of judicial techniques to arrive at the truth. This has caused a great deal of agitation among the consuming mass. It is nowhere mentioned that CDRAs are bodies of Summary Jurisdiction. Voluntary Consumer Organisation should act as an eye opener to the government officials in this regard. The government should take remedial actions against this consumer exploitation.

#### 4.3.11 Quantum of Compensation

Owing to the conservative, legalistic and backward-looking approach of the National Commission with regard to quantum of compensation admissible to a party has become almost non-operational. The National Commission<sup>15</sup> insisted that it is

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<sup>14</sup>Special Machines Vs P.N.Bank and Ors, (1) [1991], Consumer Protection Journal, 78, National Commission.

<sup>15</sup>CERC Vs Canara Bank, 1 (1993), Consumer Protection Journal, 174, National Commission.

necessary for a party to prove that due to the wrongful act of the opposite party he has suffered actual loss or injury. Grant of compensation only on the basis of the expenditure incurred is not at all justifiable.

#### **4.4 Remedies under the Consumer Protection Act:**

The remedies under the Act are stated U/S 111 (1) a, b, c and d, (2) and (3).

Clauses a, b & c are as per with civil law remedies and in some cases superior to those provided by the Sale of Goods Act, 1930, as the repair/replacement/return of price are dependent also on the imperfection or shortcoming or purity or standards fixed by law in addition to those dependent up on breach of condition or warranty alone.

The most applauded one is that mentioned Under Section 14 (1)d by which a complainant gets compensation for any loss or injury suffered by the consumer due to negligence of the opposite party. The award of compensation often rests upon proving that loss or injury was caused due to negligence of the opposite party.

#### **4.5 Judgement Writing**

Studies on Fora judgements indicated that, the absence of specific provisions with reference to the form and contents of judgements of Fora in the COPRA 1986, good judgement writing has become a rare phenomenon.

The important functions of a judgement can be enumerated as under:

- 1 In the particular case for litigation the judgement represents the climax of the process of adjudication.
- 2 The psychological aspect is that it is intended to satisfy, the natural curiosity of the parties to litigation to know what happened to their cases.
- 3 The contents and the form of judgements and the manner in which it is written assume a practical importance when and if it is appealable. The court of appeal can more easily confirm, modify or set aside the judgement of a trial forum if the the mental process of trial judge is intelligently reflected in the judgement. Since the question of law decided by a District Forum or a State Commission can be a precedent for the future in general it possesses a legal importance. This necessitates the need for adequate discussion in support of the conclusions as these are more vigorously challenged in appeal than pure conclusions of facts.

As per the provisions in the Civil Procedure Code 1908 in the case of courts which are not courts of small causes, Order 20 Rule 4(2) of the Code provides that the judgement shall contain:

- a a concise state of the case
- b the points for determination
- c the decision on those points and
- d the reasons for such decisions.

Therefore the amendment of the Act is the need of the day. The Supreme Court has observed that "The Provisions of the Act have to be construed in favour of the consumer to achieve the purpose of enactment as it is a social benefit oriented legislation. The primary duty of the Court while construing the provisions of such an Act is to adopt a constructive approach subject to that it should not do violence to the language of the provisions and is not contrary to attempted objective of the enactment".<sup>16</sup>

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<sup>16</sup>Lucknow Development Authority Vs M.K.Gupta III (1993), CPJ, 7 (SC).

## Chapter 5

### Role of Women Inside and Outside Home

5.1 Women make up 50 per cent of the world's population constituting one-third of its work force and put in nearly two-thirds of the world's total working hours.<sup>1</sup> Earlier to sixties women were considered more as consumers doing the house work, child-bearing and child-rearing duties which were not quantified as productive labour; since sixties women entered into managerial positions in the area of public relations, personnel management and professional jobs.<sup>2</sup> Rural women also engage themselves in economically meaningful non-market works such as fuel collection, fetching water, unpaid farm work etc. An estimate showed that male labour time disposition to be 8.7 hours a day and female labour time disposition to be 11.3 hours with 5.7 hours as marketable and 5.6 hours as non-marketable work.<sup>3</sup> A survey revealed that in developing countries women are responsible for the support of nearly 30 per cent of rural families.<sup>4</sup> The employed status raised the status of women in the family and they, irrespective of their age, education, income and personality, are playing a dominant

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<sup>1</sup> Kalbagh, Chetana, Social and Economic Dimensions of Women's Development, Discovery Publishing House, New Delhi, 1992, p.3.

<sup>2</sup> Nagarajan, V., "Women and Management - I", in Chandra Sekar, Rajkumari, (Ed.), Women's Resource and National Development A Perspective, Gaurav Publishing House, New Delhi, 1992, p.31.

<sup>3</sup> Acharya, Sarthi, "Women's Work and Economic Development' in Maithreyi, Krishna Raj (Ed.), Women's Studies in India, Popular Prakashan Pvt. Ltd., Bombay, 1986, p.114.

<sup>4</sup> Rao, H.S. "Appropriate Technology Delivery System and Skill Upgradation for Women Entrepreneurs" in Kalbagh, Chetana (Ed.), Social and Economic Dimensions of Women's Development, Discovery Publishing House, New Delhi, 1992, p.227.

role in decision-making due to their earning power which give them higher status in the family.<sup>5</sup> Moreover women have monopoly over the purchase of clothes etc.

When women become employed they tend to reside nuclearly, shifting residences and acquiring material possessions. A survey conducted in urban Gujarat revealed that 50 per cent of the employed women revealed a growing dislike for joint families and opted for nuclear families.<sup>6</sup> The reasons highlighted were the maltreatment of women by their in-laws, difficulties in the proper care of children and imposition of rigid traditional discipline.<sup>7</sup>

With the advent of nuclear families women have secured an important role in decision-making, proper care of health and needs of the family. In nuclear families the adults - the husband and wife - share duties and responsibilities and women take care of the duty of running their houses.<sup>8</sup>

Education played a key role in the welfare of women not only because it enabled them to become economically independent, but also increased her self-confidence necessary to affirm her dignity and rights.

<sup>5</sup>Joshi, Uma, "Working Women and Household Decisions", Social Welfare, Vol. XL., No.10, 1994, p.14.

<sup>6</sup>Kaur, Inderjeet, Status of Hindu Women in India, Chugh Publications, Allahabad, 1983, p.101.

<sup>7</sup>Ibid.....

<sup>8</sup>Ramanamma, A & Bambawale, Usha "Family Mobility and the Position of Women in the Indian Family", in Augustine, John, S. (Ed.), The Indian Family in Transition, Vikas Publishing House Pvt. Ltd., Delhi, 1982, p.144.

The demographic scenario of Kerala is unique because of the sex ratio (1000 : 1036) favourable to women, high literacy rate (87 per cent as against the national rate of 39.29 per cent) and higher life expectancy than men.<sup>9</sup> Yet most women in Kerala continue to live under male dominance and hampered by religious, cultural and traditional taboos. Only a strong mass-based movement organised by enlightened female leadership will be able to provide women freedom and equality with men.<sup>10</sup>

5.2 The factors that influence buyers as illustrated by Philip Kotler is shown below.<sup>11</sup>

Inputs (buying influence)	Channels	Processor	Outputs (Purchasing Responses)
Price-----	Advertising Media		Product Choice
Quality-----	Salesmen Acquaintances		Brand "
Availability---	Family	Buyer psyche	Dealer "
Service-----	Personal		Quantities"
Style-----	Observations		Frequency "
Options-----			
Images-----			

<sup>9</sup>Census Report, 1991.

<sup>10</sup>Murickan, J, "Studies on Women in Kerala: their Socio-Economic Status and Self image" in De Souza, Alfred (Ed.), Women in Contemporary India, Manohar Book Service, New Delhi, 1977, p.95.

<sup>11</sup>Kelley, Eugene, J. & Lazar, William, Managerial Marketing - Perspectives and View Points, Richard D. Irwin, Inc., Illinois, 1972, p.132.

According to Kotler buyer's psyche is a "black box" whose workings can only be partially deduced. The marketing strategists try to exploit the women consumer. Even if the buyer's psyche is not known attempts were made to study the role of women in decision-making.

Whatever be the motivation, the decision-making regarding purchases, women are mostly influenced by the advertisements through mass media like T.V., radio, newspapers, magazines etc. Notwithstanding the fact that the buyer's psyche is a "black box", women can seek remedies for their grievances arising out of exploitation in the market place, since the enactment of the Consumer Protection Act, 1986.

Bennet and Kassarian found that in homes the housewives choose most products and brands. Women have the roles of cook, housekeeper and decision-maker on household items.<sup>12</sup>

A research study conducted in Kerala with special reference to consumer durables found that wife is the need identifier in the case of furniture and cleaning devices. Social class-wise analysis relating to need identification revealed that in upper class families the female head of household is the prominent need identifier.<sup>13</sup>

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<sup>12</sup>Bennet, Peter, D & Kassarian, Harold, H, Consumer Behaviour, Prentice Hall of India Pvt., Ltd., New Delhi, 1987.

<sup>13</sup>Edison, J.C., "Social Stratification and Consumer Behaviour in Kerala - A Study with Special Reference to Consumer Durables", Ph.D Thesis, Cochin University of Science and Technology, Kochi - 22, 1994.

As housewives, decision-makers and purchasers women can help in consumer protection. As Pramila Dandvate, eminent social worker, pointed out in the National Seminar on Consumer Protection organised by the Ministry of Food, Public Distribution and Consumer Affairs held in Delhi in 1990, women should be more concerned about removal of adulteration, hoarding, corruption etc.<sup>14</sup>

The studies revealed that women are not only ignorant of their consumer rights, but also are not actively involved in the consumer protection movement as voluntary activists owing to the socio-economic constraints to which they are exposed.

"A study on awareness regarding Consumer Protection Movement among the Housewives in Kalamassery Municipality" (Johson Jacob, 1994), in Ernakulam district has brought out the following facts.

**Table 5.1**  
**Awareness of Consumer Rights among Women in**  
**Kalamassery Municipality of Ernakulam District.**

Consumer Rights	Awareness among	
	Employed Housewives (Per cent)	Unemployed Housewives (Per cent)
1 Right to choose	61.53	60.00
2 Right to know	43.59	47.14
3 Right to education	10.00	0.76
4 Right to safety	41.02	31.42
5 Right to be heard	51.42	58.97
6 Right to redressal	32.85	43.58

<sup>14</sup> National Seminar on Consumer Protection, New Delhi, 17.3.1990, A Report.

Even though the awareness of women is more than their counterparts in the country, the right to consumer education is not known to a great majority of consumers. Moreover, employed housewives stand ahead in awareness than the unemployed housewives only in three rihts<sup>15</sup>.

Johnson further reported that only 14 per cent of the respondents were aware of the functions of the Fora which may be acting as a deterrant for filing complaints in the Fora.

Moreover the society abhors a woman who goes to court to protect herself.<sup>16</sup> Further Indian women have to assert their own rights for their own well-being as they have equal status before law. The Constitution of India directs the state that women shall not only have equal rights and previleges with men, but also that the state shall make provisions-both general and special-for the welfare of the women considering the legal status of women from various points of view. Since it is not possible to bring about change in the status of women through legislative action alone the importance of an effective legislative policy cannot be underestimated.

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<sup>15</sup>Jacob, Johnson, "A study on Awareness Regarding Consumer Protection Movement among the Housewives in Kalamassery Municipality", M.S.W. Dissertation, Rajagiri College of Social Sciences, Kochi, 1994.

<sup>16</sup>Subbamma, Malladi, Women - Tradition and Culture, Sterling Publishers Pvt. Ltd., New Delhi, 1985, p.5.

### 5.3 Sex discrimination in Insurance

Anti-women clause in the insurance policy is a glaring instance of sex discrimination in India. Life policies are issued at ordinary rates only to women with earned income. Life Insurance Corporation is cautious in accepting proposals on lives of women as

- 1 women are exposed to hazards of child birth
- 2 in the absence of income, there is no loss of income on the death of a woman and
- 3 effective medical examination of women is not possible.

Above restrictions in essence leads to denial of parity of women's life to that of men.

In the case of Kamalbhai N. Shah Vs L.I.C, the claim was refused on the ground that death did not occur in a public place.

Gandhiji said "Woman is the companion of man gifted with equal mental capacities. She has the right to participate in the minutest details of the activities of man, and she has the same right of freedom and liberty as he....."

### 5.4 Socio-economic - traditional discrimination against women

Even though women have overcome the gross social evils such as 'Sati', ill-treatment of widows, the ban on widow-remarriage, the practice of polygamy, child-marriage, denial of property rights etc. with the spread of education and employment, they are

yet to overcome the hurdles of inequality and discrimination.

Even though foeticide and infanticide of female children are not prevalent in Kerala, gender preference for male children had gained momentum as a result of 'scan'.

Women have internalised "self-sacrificing" and "expressive" values and developed a "false consciousness" which force them to accept male domination passively. As revealed in a case study of Wynad district in Kerala, 94.2 per cent of the women were not bothered about issues of "Sexual equality" and gender justice.<sup>17</sup> For them gender hierarchy was 'God decided' and that no human being could break it. This is a revelation to the blind acceptance of the cumulative inequalities arising from the socio-cultural and economic discriminatory practices prevailing in Kerala.

The atrocities and violence against women as revealed by the Department of Women and Child Development, Ministry of Human Resource Development revealed that a woman is raped somewhere in India, every 54 minutes, a molesation taken place every 26 minutes, one dowry death every 102 minutes and one act of criminal offence against women committed every seven minutes.<sup>18</sup> Women in Kerala are not free from this type of atrocities. The National

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<sup>17</sup>Devi, Lakshmy, "A case Study of tribal Women of Wynad District in Kerala", 1988.

<sup>18</sup>Mittal, L.N. "Crime Against Women", Social Welfare, Vol.XXXIV, No.11-12, February-March, 1993.

Crime Records Bureau, in its report on violence Against Women-Trends and Magnitude of Crime Against Women (1987-1991),<sup>19</sup> revealed an increasing trend in the violence and atrocities against women as shown in table 5.2.

Table 5.2

## Statistics on violence against women in Kerala

Atrocities	No. of Victims		
	Year		Per cent of increase
	1987	1991	
Rape	188	203	8.00
Eve-teasing	505	675	33.70
Molestation	488	580	18.90
Kidnapping & abduction	120	75	-37.50
Dowry deaths	220	423	92.30
Cruelty by husbands and relatives	515	1409	173.6

<sup>19</sup>"Violence Against Women - Trends and Magnitude of Crime Against Women", Report of the National Crime Records Bureau, 1991.

Except in the case of kidnapping and abduction there is an alarming rate of increase in violence against women which make women submissive and subordinate to men. This submissive attitude will persist till the men achieve liberation from the clutches of the old beliefs and practices which prejudice the role of women at home and outside. Moreover the criminals escape unscathed using their influence over political parties, bribe etc. Such a society and administration deny awakening and enlightenment of women. So what is the use of so many legislative measures unless and until they are implemented and enforced effectively?

The origin of women's subjugation lies in the fact that as a result of the weakness caused by child-bearing, women become dependent on men for physical survival. An ideal woman is one who is submissive, dutiful, loving, loyal and totally dependent upon her husband. The unimaginable customs such as, a wife should eat only after her husband has eaten and if the husband is standing the wife should not sit etc., are still prevalent in Kerala.

If a wife is barren the society blames her and the husband is free to marry again. In the case of debauchery the woman is described as fallen while the man goes unabused, thus she is a slave to double morality. The so-called women's organisations, which should act against this social evil, are not only remaining passive, but indulge in oppressive actions. When the Marriage Laws Amendment Bill was introduced in the Parliament they opposed it saying that the divorced woman would be looked down upon by the

society resulting in the premature death of the Bill.<sup>20</sup> The reason is clear that women nurture their deep-rooted traditional belief that they should not raise their voice against violence. These oppressive beliefs should be rooted out to uplift women from their doomed state.

Women are economically exploited by way of lesser wages than men for the same jobs. They have lesser access to employment and comparatively lesser access to training and skill formation in spite of the Equal Remuneration Act (ERA), 1976. Owing to the lack of awareness, deliberate silence of the trade unions and women's organisations only a few have complained against this discrimination.<sup>21</sup> Dey, Flora (1986) in her study centred around "working-wife families in Kerala" found that employed women have to perform the dual responsibility of the 'traditional housewives' and the 'modern employed women'. The opinion of husbands regarding the "exclusive women's tasks", as revealed by the table 5.3 cooking and cleaning and care of children such as bathing, feeding etc. are also considered as exclusively women's tasks according to more than 50 per cent of men.<sup>22</sup> This endorses the fact that majority of men are still traditional in their attitude

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<sup>20</sup>Jaising, Indira, "Women and Law" in Desai, Neera (Ed.), A Decade of Women's Movement in India, Himalaya Publishing House, Bombay, 1988, p.48.

<sup>21</sup>Ibid.....

<sup>22</sup>Dey, Flora, M, "The Changing Role of Men in the Working Wife Family", M.Phil Dissertation, Mother Teresa Women's University, Kodaikanal, 1986.

towards the wife's role. She further revealed that more than 50 per cent of husbands have agreed that their wives work for financial gains. Even if their earnings are necessary for the family welfare as contributors to the family budget, the household duties are reserved for them.

**Table 5.3**

**Opinion of husbands regarding household tasks**

Tasks	Percentage of men who feel it exclusively women's tasks
<b>1 Cooking</b>	
Bed Coffee	76
Breakfast	72
Lunch	77
Tea	68
Dinner	70
<b>2 Washing and Cleaning</b>	
Washing Clothes	68
Washing Dishes	79
Moping the floor	74
Dusting	52
Highdusting	40
Cleaning the sinks	62
Cleaning the toilet	52

3	Ironing	18
4	Shopping	5
5	Gardening	32
6	Care of children	
	Teaching	27
	Bathing	52
	Feeding	56
	Care during sickness	31
	Putting them to bed	40
	Getting them ready to school	38

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 Source: Dey, Flora, M. "The changing Role of Men in the working-wife Family", M.Phil Dissertation, Mother Teresa Women's University, Kodaikkanal, 1986.

There are enough legislative measures viz., Dowry Prohibition Act, 1984 and Criminal Law (Second Amendment) Act, 1983, to protect women from the cruelty inflicted on them by their husbands and relatives. 'Above all, the Family Courts Act, 1984 is yet to be implemented properly to curb the abnormal increase in the atrocities on women as shown in table 5.2.

The findings of the study on socio-economic backwardness in women revealed that in most cases women resent changes because they are more 'socially bounded' to their old values and they are not at all aware with their existence in the society.<sup>23</sup> The lack

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<sup>23</sup> Mukherji, Anindita & Verma, Neelam, Socio-Economic Backwardness in Women, Ashish Publishing House, New Delhi, 1987, p.63.

of clarity in women about their status, exploitation and economic deprivation contributed to this socio-economic backwardness.

### 5.5 Government's Role

The Government of India constituted a separate department in the Ministry of Human Resources Development for improving the status of women in rural area forming Balwadis or Anganwadis which are not functioning properly now. The National Perspective Plan for women A.D. 1988-2000 prepared by a core group, constituted by the Department of Women and Child Development - an effort at uplifting women-is yet to come out with practical solution. The relentless battle of Women's Organisations and Voluntary Groups resulted in the formation of the National Commission for Women (NCW) in 1992 which is the apex body for the assertion of women's rights.<sup>24</sup> Unfortunately the NCW has confined itself to holding seminars without making recommendations or doing any follow-up and acting as a litigating body by taking up individual cases of atrocities without focussing on macro issues. The NCW became ineffective because of the absence of powers and mechanisms to do things more effectively.

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<sup>24</sup>Yusuf Khan, Sakina, "Blighted Since Birth", The Sunday Times of India, April 10, 1994, p.17.

### 5.6 Women's Movement for Consumer Protection

One cannot negate the fact that the consumer protection movement was initiated by women in the developed nations such as U.S., Japan, etc. Consumerism in the West earmarked the social awareness of women when they boycotted supermarkets because of high meat prices through consumer education programmes and organised consumer action groups against the unscrupulous traders. In India attempts have been made by women to protect consumer interests in the mid-sixties by the Association of Women Against Rising Prices (AWARP), Bombay and the Consumer Guidance Society of India and Grahak Panchayats in Bombay.

It started with artificial scarcity of foodgrains. Sky rocketing prices of mass consumption goods infuriated middle class and poor men. Militant rallies and demonstrations with participation of thousands of women were organised which enthused women of Baroda and Madhya Pradesh.<sup>25</sup> Later on anti-price rise women's front started with great gusto in August 1974. Even when we proclaim to be the educated, enlightened and privileged of all, Kerala women never raised a voice when prices shot up day by day. The statistics revealed that the annual average consumer price index during 1991 was 497 which

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<sup>25</sup>"A Profile of the Women's Struggle in the Recent Past",  
The Rally, Vol.68, No.4, January, 1992, p.17.

increased to 553 in 1992 which again spiralled up to 597 in 1993.<sup>26</sup> No women's organisation raised voice against this price rise in Kerala.

The anti-price rise movement of Madhya Pradesh, Gujarat and Maharashtra in 1974 and other protest movements concerning consumer problems died a sudden death during the International Women's Year in 1975 and the Emergency period, because during this period the mass media, policy makers, academicians etc. began to create a stir on atrocities on women like rape, dowry-killing, bride-burning etc.<sup>27</sup>

#### 17 Women's Voluntary Consumer Organisations

At present there are 28 exclusive women's VCOs which are doing spectacular job in consumer protection. In Kerala there is only one such VCO viz., Cochin Mahila Consumer Vijyan Kendra. This organisation is not very effectively functioning because it had to encounter difficulties such as

- 1 inability to mobilise large number of women
- 2 the so-called elite class is not willing to work as voluntary activists and
- 3 financial constraints.

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<sup>26</sup>The Economic Review, 1993, State Planning Board, Thiruvananthapuram, p.19.

<sup>27</sup>Patel, Vibhuti, "Emergence and Proliferation of Autonomous Women's Groups (1974-1984)" in Desai, Neera (Ed.), A Decade of Women's Movement in India, Himalaya Publishing House, Bombay, 1988, p.121.

Even though there are other women's organisations such as All India Women's Conference, Mahila Federation, Mahila Congress, Y.W.C.A., Muslim Women's Association, Nair Stree Samajam etc. which are bound with political or religious interests and spirits they are not doing any work in the field of consumer protection. Instead, their contemporary ideas and activities subjugate women, strengthen traditional roles and values.

The reasons for this disease of lethargic and passive attitude have to be diagnosed and treated urgently so that the next generation will grow with more consumer awareness and responsibilities .

Women's organisations can at least protest against the unethical methods used by sellers by complaining to the Advertising Standards Council of India, to the MRTP Commission or to the CDRAs. They can voice their protest and disapproval by publicising in the media, mobilising public opinion against misleading and harmful advertisements, boycotting the dangerous products etc.

It is high time that the women's organisations came to the rescue of consumers on par with that of the U.S.

Present study showed that women, though economically independent and educated, continue to suffer. Since it is a suffering caused by fear, misplaced devotion and scandals - the outcome of a foul distorted social system - the need of the day is a fundamental change in the attitude of men and society.

Mere education is of no value for women unless they are made economically independent and aware of their political, consumer and fundamental rights. This must be followed by inculcation of a feeling of security in women. Until then only a feeble consumer protection movement of women can be expected in India.

## Chapter 6

### Voluntary Consumer Movement - International and National

#### 6.1 International

The development of 'Westernism' in the consumption habits of people and the development of uniform business techniques throughout the world with the growth of multinational corporations pinpointed the need to formulate international codes of business conduct to protect consumers from dangerous products. As a result, several consumer organisations began to pool their resources for achieving co-ordination among consumerists in various nations such as Organisation for Economic Co-operation and Development (OECD), the European Consumer Product Safety Association (ECPSA), International Organisation of Consumer Unions (IOCU), Bureau European des Unions de Consommateurs (BEUC), Commission of the European Communities (CEC), European Research into Consumer Affairs (ERICA), International Co-operative Alliance Committee for Consumer Co-operatives, Nordic Senior Officials Committee for Consumer Affairs, United Nation Department of International Economic and Social Affairs and the European Economic Community (EEC).

### 6.1.1 Organisation for Economic Co-operation and Development (OECD)<sup>1</sup>

OECD Committee on consumer policy is composed of consumer policy officials of the 24 OECD member countries with its headquarters in France. It reviews consumer policy developments in the various countries and within international and regional organisations and examines and comments upon specific aspects of consumer policy, in particular, with regard to measures relating to international traders. Also it publishes reports and develops recommendations to governments on consumer policy matters.

### 6.1.2 European Consumer Product Safety Association (ECPSA)<sup>2</sup>

This association, set up in Netherlands, is affiliated to Commission of the European Communities. Its main areas of work are consumer information, consumer advocacy and also promotes scientific research and educational programmes.

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<sup>1</sup>Shah, Pritee (Ed.), A Guide to Sources of Consumer Information, Consumer Education and Research Centre, Ahmedabad, 1991, p.100.

<sup>2</sup>Ibid, p.98

### 6.1.3 International Organisation of Consumer Unions<sup>3</sup>

IOCU was set up in Netherlands by five consumer groups in U.S (Consumers' Union), U.K. (Consumers' Association), Australia (Australian Consumers' Association), Netherlands (Consumentenbond), and Belgium (Association des Consommateurs) in 1960. From the five founding groups it has now grown into nearly 170 groups in 58 countries.

The objectives of IOCU are:

- 1 To bring together member groups, support them and promote co-operation among them through education, information, protection, research and testing.
- 2 To act as a clearing house and information centre.
- 3 To represent consumer interests at international bodies like the U.N.

The five principles of consumer education delineated by the IOCU are critical awareness, active involvement, social responsibility, ecological responsibility and solidarity. Along with the charter of consumer rights, it formed a concise summary of consumer needs—an aim and an ideal.

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<sup>3</sup>International Consumer Directory, International Organisation of Consumers Unions, Longman Group, U.K. Ltd., 1989.

#### 6.1.4 Bureau European des Unions de Consommateurs<sup>4</sup> (BEUC)

Consumer information, consumer education, consumer advocacy, consumer research, complaints handling and conferences are the main activities of this organisation set up in Belgium.

Following the European Economic Community programme for consumer protection and information policy adopted by the Council of Ministers in 1975, 1981 and 1986, this Commission in Belgium endeavours to take consumers' interests into account while framing policy relevant to consumer welfare.

Consumer advocacy, consumer information and consumer advice are the main activities of this organisation.

#### 6.1.5 European Research into Consumer Affairs (ERICA)<sup>5</sup>

It is a research-oriented organisation which is situated in U.K. for consumer information through research reports and consumer research in the underprivileged areas.

#### International Co-operative Alliance Committee for Consumer Co-operatives<sup>6</sup>

This organisation is situated in Switzerland with objectives of consumer information, consumer advocacy and consumer research.

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<sup>4</sup>Shah, Pritee (Ed.), A Guide to Sources of Consumer Information, Consumer Education and Research Centre, Ahmedabad, 1991, p.96.

<sup>5</sup>Ibid, p.98

<sup>6</sup>Ibid,

**Nordic Senior Officials Committee for Consumer Affairs**

This organisation in Denmark is financed by Governments of the Nordic countries, which is a co-operative organisation between the Governments of Denmark, Finland, Iceland, Norway and Sweden in the consumer field.

**6.1.6 United Nations Department of International Economic and Social Affairs<sup>7</sup>**

This organisation is situated in U.S.A and is responsible for consumer affairs within the U.N. The U.N Guidelines for consumer Protection (1986), Consolidated List of Products whose consumption and/or sale has been Banned, Withdrawn, Severely Restricted or Not Approved by Governments prepared by U.N Secretariat in accordance with General Assembly resolution 37/137 and published in 1984 is one among the important publications.

**6.1.7 U.N. Guidelines<sup>8</sup>**

The global consumer protection movement received an impetus when in April, 1985, the General Assembly of the U.N adopted by consensus, a set of general guidelines for consumer protection and requested the Secretary General to disseminate them to governments and other interested parties.

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<sup>7</sup>Ibid., p.100

<sup>8</sup>The U.N Guidelines for Consumer Protection (1986).

According to Harland, the document annexed to the resolutions is divided into following four sections:

- 1 Objectives
- 2 General Principles
- 3 Guidelines and
- 4 International Co-operation.

The guidelines themselves cover seven areas. They are

- a Physical safety
- b Promotion and protection of consumers income interest
- c Standards for the safety and quality of consumer goods and services
- d Distribution facilities for essential consumer goods and services
- e Measures enabling consumers to obtain redress
- f Education and information programmes and
- g Measures relating to specific areas (principally food, water and pharmaceuticals)

All the 184 Governments in U.N are urged to "develop, strengthen or maintain a strong consumer protection policy, taking into account the guidelines". But regreably those guidelines are still on paper only.

### 3.1.8 European Economic Community (EEC)<sup>9</sup>

The E.E.C purports to solve the common problems of all the member countries, since the consumer protection laws among the member countries vary considerably. The Commission has the power to draw up directives to the governments of the member countries requesting them to pass laws in their own countries. The E.E.C Council of Ministers has adopted a programme for consumer information and protection in order to protect the basic consumer rights such as

- 1 The protection of health and safety
- 2 The protection of the consumers' economic rights
- 3 The right to redress
- 4 The right to information and education and
- 5 The right to consumer representation.

The consumers' position is strengthened enormously by the attempts of the E.E.C Consumer Law because of the working of the Consumers' Consultative Committee which is designed to make sure that the consumers' voice is heard within the European Commission.

On 1<sup>st</sup> January 1993 Europe has emerged as a single unified market which is bigger than the combined size of U.S.A and Japan.

A close scrutiny of the consumer protection system movement the world over and the functions of the consumer organisations highlights the following facts:

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<sup>9</sup>Harries, John, Consumers : Know Your Rights, Oyez Longman Publishing Lt., London, 1983, p.212.

- 1 In developed countries consumer movement was initiated by women when the economy was prospering and when they become affluent as a result of mass production and distribution of goods and services.
- 2 The movement started with consumer education and information. Hence they believed more in prevention than in cure by giving product informations regarding how and what to purchase.
- 3 The movement is very effective because the government is with the people and for the people to fight against the malpractices of the traders.
- 4 Advocacy, lobbying and public litigation are very widely and effectively practised by the voluntary consumer organisations.
- 5 In most of the countries pressure by the organisations preceded the legislative measures.
- 6 The Voluntary Consumer Organisations give thrust to consumer research and disseminations of facts.

## 2.2 National

The movement, seeking to protect the rights of consumers with qualities of dedication to a cause and selfless service that professes to offer for the good of the community through education, litigation, lobbying etc., can be called voluntary consumer movement.

In India more than 50 per cent of the population are living under poverty line and 30 per cent, barely breaking-even have to concentrate on their mere existence.<sup>10</sup> The remaining 20 per cent better off, in their life of affluence through influence and bribes are indifferent to the consumer rights and responsibilities. In other words, Indian consumers are neither concerned about their rights and responsibilities nor protected from the exploitation of the traders.

The important factor that contributed to this consumer apathy is their ignorance and lack of awareness owing to the high illiteracy rate (64 per cent as per the World Factbook 1990) prevailing in India.

The present Indian system, with concentration of political power in a few hands as a result of the power of attorney being entrusted to the politicians through the election process, is systematically misused for exploitation of consumers and for protection of businessmen. Gandhiji was always afraid of entrusting too much power with the Government.

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<sup>10</sup>Shenoy, Bhamy, V, "Consumer Movement in India: Are we Going Anywhere?" unpublished paper.

This calls for the need of a third war of independence to ensure in real freedom of choice, knowledge, information, redressal and representation that should be fought by the VCOs with the support of consumers as a mass consumer movement, so that we can win the independence that is denied to the consumers.

### 6.2.1 Origin and Growth (numerical abundance and area-wise)

Since the enactment of the Consumer Protection Act (1986) voluntary consumer organisations were emerging in all parts of the country, even though we had a few VCOs before that as shown in table 6.1.

Table 6.1

Table showing the year-wise distribution of voluntary consumer organisations

State	Period of Establishment					Total VCOs
	Before 1975	Between 1975-80	81-85	86-90	91-93	
	Andhra Pradesh	1	2	12	32	3
Bihar	3	4	6	4	-	17
Chandigarh	0	0	0	1	-	1
Goa	1	-	-	-	1	2
Gujarat	3	11	8	5	2	29
Haryana	-	-	1	2	-	3
Himachal Pradesh	-	-	-	1	-	1

Jammu & Kashmir	-	-	1	0	-	1
Karnataka	1	6	8	9	2	26
Kerala	-	4	5	6	1	16
Madhya Pradesh	-	-	1	4	-	5
Maharashtra	4	2	1	6	-	13
Manipur	-	-	-	1	-	1
New Delhi	1	1	4	1	1	8
Orissa	1	1	5	4	-	11
Pondicherry	-	-	1	2	-	3
Punjab	-	-	1	3	-	4
Rajasthan	-	1	2	8	-	11
Tamil Nadu	1	4	8	18	4	35
Tripura	-	-	-	1	-	1
Uttar Pradesh	-	1	4	10	1	16
West Bengal	1	-	-	1	-	2
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Total	17	37	68	119	15	256
Per cent	6.64	17.45	26.56	46.48	5.86	
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Source: Data collected from "A Directory of Voluntary Consumer Organisations in India", Consumer Education and Research Centre, Ahmedabad, 1993.

The growth of the VCOs in India can be studied in three stages: before 1960, from 1960 to 1985 and from 1986 till 1993.

### 2.1.1 Consumer Movement before 1960

The consumer protection movement had its beginning in the early part of the 20<sup>th</sup> century. The first known consumer group was set up in 1915 with the Passengers and Traffic Relief Association (PATRA) in Bombay with a view to ameliorate the hardship faced by passengers travelling by railways and steamers. In spite of the national outlook and character of this organisation, even now after 79 years of existence it continues as a regional organisation representing the problems of Bombay commuters.<sup>11</sup>

'Women Graduate Union' is an organisation started in 1915 with the principal object of providing opportunities and facilities for the expression of united opinion and concerted action by University Women for the benefit and welfare of the members of all or any class and community of women. This organisation is affiliated to the 'Indian Federation of University Women' and 'International Federation of University Women' and is a member of the central as well as the Maharashtra State Consumer Protection Council and the Advisory Board of 'Council for Fair Business Practices' (CFBP).<sup>12</sup> In 1917 another pioneer woman's organisation viz., 'Women's Indian Association' was started in

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<sup>11</sup>Shah, Pritee (Ed.), Emergence and Formation of Consumer Groups - A Perspective, Consumer Education and Research Centre, 1992, Ahmedabad, 1992, p.3.

<sup>12</sup>Ibid, p.4.

Madras with the prime objective of bringing together women and girls of the middle class families who are whiling away their time without any purpose. It started cottage industries for such women.

The 'Triplicane Urban Co-operative Stores (TUCS)<sup>13</sup> was started in the late forties, when the residents of Triplicane felt the pinch of profiteering methods adopted by retail trade in food commodities. This has grown into a Co-operative Consumer Society with nearly 150 branches spread all over the city. The Consumer Protection Council in Madras, founded by Rajaji is still in existence. The 'Indian Association of Consumers' (1946) was set up in Delhi in 1956 as an All-India Association for Consumer Interest with government support. This IAC did not make any headway in spite of the lead taken by eminent personalities and the financial backing of the Planning Commission.<sup>14</sup> Above-mentioned organisations offered only advice, voiced feeble protests, held discussions, seminars, conferences etc. but made no lasting impact and restricted to certain areas.

#### 6.2.1.2 Consumer Movement from 1960 to 1985

The sixties is a very unique period in the history of Indian consumer movement. This is a take off stage in the movement when consumers began to assert themselves. The Bengalis' refused to

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<sup>13</sup>Ibid, p.5.

<sup>14</sup>Ibid, p.7.

by fish - their staple diet - when the price of fish and staple food shot up in late sixties, which is a case of boycott of products. Gayatri Charitable Trust, Gujarat (1962) and Jyoti Sangh Grahak Suraksha Vibhag founded in 1962 in Ahmedabad are very active in the field of consumer protection in addition to educational and mahila activities.

Bombay Civil Trust (BCT) established in 1963 is still in existence and persistently active in consumer protection. The president of BCT J.B.D' Souza revealed a very sorrowful fact that in spite of the organisation's doggedly persistent efforts to redress grievances of the citizens and to promote a synergistic approach to the civic problems of Bombay, he failed miserably to achieve this end.

The drought and the war with Pakistan which resulted in scarcity of essential commodities and goods leading to rampant black-marketing and food adulteration by dealers acted as an eye-opener to the consuming mass especially among housewives. As a result, late 1960s saw the birth of more consumer organisations viz. Consumer Guidance Society of India (CGSI), Baroda Citizen Council, All India Bank Depositors Association (AIBDA) and Surat Consumer Association. In 1966 the Consumer Guidance Society of India was formed by nine housewives to inform, educate and organise consumers to protect their consumer interests as a non-profit, non-political organisation registered under the Societies Registration Act and the Bombay Public Trusts Act.<sup>15</sup>

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<sup>15</sup>Thengadi, D.B, Consumer - A Sovereign Without Sovereignty, Pajabhau Pohali, Nagpur, 1986, p.16-17.

The purposes of the society were to protect and promote the rights and interests of consumers, to provide them with information and counsel, take up their complaints with the offending party and/or the authorities and to help them to ensure quality at fair price. Its publication "Keemat" provide informations to the consumers. CCSI is an Associate Member of the International Organisation of Consumers Union (IOCU).

In 1970s the Karnataka Consumer Services Society, Visaka Consumers Council (VCC) in Andhra Pradesh, Akhil Bharathiya Grahak Panchayat in Poona, Mumbai Grahak Panchayat in Bombay, Trichy District Consumer Council, Consumer Education and Research Centre in Ahmedabad, Grahak Panchayat in Jamshedpur and Bihar were established. Akhil Bharatiya Grahak Panchayat formed in 1974 in Poona received a new momentum in 1984 when it gave greater scope to local initiative and developed into a federation of different autonomous units.<sup>16</sup>

The movement gained a fillip especially after the setting up of the Indian Federation of Consumer Organisation in Delhi, the Consumer Education and Research Centre (CERC) at Ahmedabad, the National Consumer's Protection Council and Voluntary Organisation in the Interest of Consumer Education (VOICE). The Consumer Education and Research Centre, now recognised as a research institute was born in 1978, has contributed many useful research works. The Voluntary Organisation in the Interest

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<sup>16</sup> Ibid, p.18

Consumer Education (VOICE) was founded by some teachers and students at the Delhi University Campus in the academic year 1983-84.<sup>17</sup>

The Consumer Unity and Trust Society (CUTS), which started in Jaipur, Rajasthan in March 1984 made its impact by effectively making use of the media and through publicity.<sup>18</sup>

National Centre for Human Settlement and Environment in Bhopal was formed in 1984. Its monthly news letter and quarterly journal 'Vachan' spreads consumer news among the public. Its main area of work is health, environment, legal redress, food adulteration and consumer advocacy. Its activities include workshops/seminars, educational and promotional talks and distribution of pamphlets, kits, campaigns and writing articles in newspapers.<sup>19</sup>

Consumer Guidance Society of Jamshedpur, which was founded in 1984, aims to inform, educate and organise consumers in order to enable them to protect and assert their consumer interests.

The Consumer Action Group, Madras was founded in 1985. Its main concern is regarding civic amenities, health and environment such as water shortage, chemical pollution in the Adayar river, causing health and environment hazards, stoppage of air conditioners in movie theatres in 1986, problem of loudspeakers in residential areas, obscene hoarding etc.

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<sup>17</sup>Ibid, p.19

<sup>18</sup>Shah, Pritee (Ed.), Emergence and Formation of Consumer Groups - A Perspective, Consumer Education and Research Centre, Ahmedabad, 1992, p.22.

<sup>19</sup>Ibid.

### 1.1.3 Since 1986

Even though the number of VCOs mushroomed after the enactment of the COPRA, 1986, attempts by organisations like Common Cause (Delhi) failed miserably to form a central organisation.<sup>20</sup> The various organisations existed in an atmosphere of friendly indifference without any coordinated efforts to emphasise major issues avoiding contraversial activity.

As time passed, VCOs in India tried to organise themselves in order to coordinate and voice their opinions against the government and act as a cohesive force to defend and foster their interests leading to formation of central organisations in Tamil Nadu (FEDCOT, 1990) Delhi (CICO, 1991), Gujarat (GUSFECO, 1992) and Delhi (CCC, 1992).

The specific programmes of the Federation of Consumer Organisations (FEDCOT) include holding seminars, conducting workshop and training programmes. The Confederation of Indian Consumer Organisations (CICO) was formed in February, 1991 in the Second National Convention of consumer activists held in Delhi with the primary objective of making the CICO a popular grassroot movement. The Gujarat State Federation of Consumer Organisations (GUSFECO) provided a common platform to help consumer groups to strengthen the movement. The Consumer Co-ordination Council (CCC) was formed in 1992 in Delhi to work as one body and raise one voice on issues related to consumer interests and various

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<sup>20</sup> Ibid....p.28

government policies affecting the consumer. CCC was registered in March 1994, the membership of which is open to members of the Central Consumer Protection Council established under COPRA and few invited organisations. The priority areas for working are training, lobbying, campaigning, advocacy, information dissemination and education. The above activities are on par with the main objectives of the National Association of Consumers in the U.S., an agency to co-ordinate the activities VCOs, established prior to Indian independence. Even in our belated attempt to coordinate the activities we lack the clear objectivity of the westerners.<sup>21</sup>

In most of the states there are no well structured co-ordinating organisations to act as a cohesive force.

## 6.2.2 Growth of VCOs

### 6.2.2.1 Numerical Abundance

Consumer movement in India gained momentum only since the enactment of the COPRA, 1986. Table 6.1 regarding the year-wise distribution of VCOs reveals that only 6.64 per cent of VCOs were in existence before 1975, where as 17.45 per cent emerged between 1975 and 1980 and 26.56 per cent were established between 1981 and 1985. 46.48 per cent of VCOs were formed between 1986 and 1990 and after 1990 till 1993 only 5.86 per cent were established.

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<sup>21</sup> Report, Consumer Co-ordination Council, 1992.

## 6.2.2 State-wise Growth

The number of VCOs in the country are on the increase year after year as per the records. The Directory of VCOs published by the Ministry of Civil Supplies, Consumer Affairs and Public Distribution (1991) and by the CERC, Ahmedabad (1993) showed the number of VCOs as 507 and 684 respectively. Table 6.2 shows the state-wise break-up of VCOs.

Table 6.2

## State-wise break-up of VCOs in India

States/U.T	No. of VCOs as per the directory of	
	CERC	Department of Civil Supplies
1 Andaman & Nicobar	4	5
2 Andhra Pradesh	180	187
3 Assam	3	5
4 Bihar	33	26
5 Goa	3	2
6 Gujarat	79	28
7 Haryana	5	6
8 Himachal Pradesh	2	2
9 Jammu & Kashmir	3	2

11 Karnataka	55	39
12 Kerala	37	18
13 Madhya Pradesh	7	5
14 Maharashtra	35	23
15 Manipur	2	1
16 Missoram	2	1
17 Orissa	30	20
18 Pondicherry	13	11
19 Punjab	10	10
20 Rajasthan	40	38
21 Tamil Nadu	68	34
22 Tripura	2	2
23 Uttar Pradesh	28	14
24 West Bengal	4	4
25 Chandighar	4	4
26 New Delhi	35	20
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Total	684	507
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Table 6.2 reveals that these two records either show an increase or decrease in the number indicating that the VCOs are increasing in number at the same time cease to exist because of the difficulty in mobilising the public into action groups. Moreover, this difference in the number pinpoints the need for a coordinating machinery for all the VCOs at state and national levels.

Table 6.3

Distribution of Voluntary Consumer Organisations according to  
size of city/town

S. No.	Category of city/town	Voluntary Organisations	
		No.	Per cent
1	<b>Metropolitan Cities</b>		
	Bombay, Calcutta, Delhi, Madras	68	10
2	<b>Larger Cities</b>		
	Ahmedabad, Bangalore, Hyderabad, Poona, Chandigarh, Lucknow, Pondicherry, Kanpur, Allahabad, Dehra Dun, Agra, Jaipur, Udayapur, Kochi, Thiruvananthapuram, Indore, Mysore, Bhopal, Aizawal, Agartala, Imphal, Coimbatore.	135	20
3	<b>Smaller Cities and Towns</b>		
	Baridam Hubly, Visakhapatnam, Mangalore, Port Blair, Nazik, Cuttack, Ajmir, Thanjavur, Kodinar, Mhuda, Dandeli, Ratlaw, Hapur and other similar cities and towns.	481	70
	<b>Total</b>	<b>684</b>	<b>100</b>

Source: Directory of VCOs, CERC, Ahmedabad (1993)

The distribution of the consumer groups on an all-India basis is not uniform. Of the 684 VCOs existing in India at present 10 per cent are in Metropolitan cities, 20 per cent in larger cities and 70 per cent in smaller cities and towns (Table 6.3). This 70 per cent have not succeeded in spreading consumer awareness among the rural mass.

The State to State distribution as evident from table 6.2 indicated that states like Andhra Pradesh, Gujarat, Karnataka and Tamil Nadu house a large number of consumer groups compared to the largely populated states like Madhya Pradesh, Uttar Pradesh and Bihar. This situation may be due to the fact that the consuming mass at large are not aware of their rights and the need for protection as a result of high percentage of illiteracy. Being a welfare state only a concerted effort of the government and citizens will be able to launch an effective consumer movement. In Japan consumer association was sponsored jointly by government, business and several women's groups.<sup>22</sup> Confederation of VCOs like CICO with the primary objective of making a grass root movement, proposed to constitute "Consumer Advice and Complaints Bureaus" in every district, funded by the Department of Civil Supplies, Public Distribution and Consumer Affairs is yet to materialise.<sup>23</sup>

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<sup>22</sup>"Consumer Movement in Japan", Social Welfare, Vol.XXXV, No.23, March 1989, p.27.

<sup>23</sup>Shah, Pritee (Ed.), Emergence and Formation of Consumer Groups - A Perspective, Consumer Education and Research Centre, Ahmedabad, 1992, p.28.

### 6.3 Functions of the VCOs

The nature of activities of most of the VCOs are complaint-handling, education, advocacy, litigation, lobbying and research. The percentage distribution of activity pattern of VCOs is shown in table 6.4.

**Table 6.4**

**Activity Pattern of VCOs in India (In percentage)**

Activity	VCOs Percentage
1 Complaint-handling	96
2 Consumer Education	86
3 Advocacy	77
4 Litigation	71
5 Media	70
6 Publication	46
7 Lobbying	43
8 Research	32

Source: "A Directory of VCOs in India, Consumer Education and Research Centre, Ahmedabad, 1993.

Handling of complaints was found to be the main function of the VCOs, research was not given due importance. It is true that the VCOs were capable of increasing awareness for social accountability by way of their close association with the public interest.

### 6.3.1 Complaint Handling

Complaint handling centered around solving the individual grievance by the informal methods of settlement wherever possible is the most welcome process by all complainants, failing which the disputes can be taken up in the CDRAs. 96 per cent of VCOs as shown in table 6.4 are engaged in this activity. Considering this as a major source of finance most charge exorbitant amounts as service charges making it beyond the reach of ordinary consumers. In addition, this amounts to restrictive trade practice punishable under the Act as VCOs insist on membership before they entertain the complaints. This violates the fundamental objective of providing cheap, inexpensive remedy to the consumers guaranteed through COPRA. Also a sizable part of the compensation awarded, if any, also has to be parted with to the VCOs for rendering this service.

A matter of concern for all is that the private member bill entitled "The Consumer Associations (Registration) Bill, 1991" introduced in Lok Sabha on 22.2.1991 is yet to see light.

### 6.3.2 Consumer Education

86 per cent of the VCOs in India (table 6.4) are engaged in consumer education. The modalities used are mainly workshops, seminars, exhibitions, print and electronic media and publications of pamphlets, brochures, guides and periodicals. These organisations should be able to disseminate and supply informations related to

- a Various legal protection measures available
- b Information on the enforcement authorities
- c Unfair, restricted and hazardous trade practices including misleading labelling and advertisements
- d Judicious choice of consumer products and services at competitive prices leading to wise purchase decisions
- e Assessment of qualities of goods and services relevant to their needs and on adulteration of goods.

The periodicals published by the VCOs in the U.S and the yeoman's services in testing of products rendered in U.K are the important sources of information regarding consumer products which are systematically tested in laboratories.<sup>24</sup> But in India the VCOs are not able to provide such information to the consumers; because only two VCOs viz. CGSI and CERC own product testing facilities and dissemination mainly through their publications

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<sup>24</sup> Saraf, D.N., Law of Consumer Protection in India, N.M.Tripathi, Pvt., Ltd., Bombay, 1990, p.231.

which are not affordable to the vast majority. The attempts to make maximum use of the media for creating consumer awareness are yet to be successful owing to the apathy of newspapers.

Seventy per cent of VCOs in India use media such as radio, newspaper and television for consumer education, whereas only 46 per cent had their own publications. Consumers Union, U.S.A circulates 5.6 million copies of its magazine "Consumer Reports" per month and it is one million in U.K and two lakhs in Australia per month.<sup>25</sup> But it is difficult to achieve a similar level of circulation in a developing country like India, where majority of Indians strive for their existence.

Therefore the most suitable methods for consumer education are:

- a Educational institutions and social organisations should undertake consumer education.
- b State agencies actively involve themselves in educating the consumers by providing information about common hazards and the precautions to be taken from time to time.
- c Wide use of mass media for creating consumer awareness among consumers.
- d Active involvement of women's organisations of the women, by the women and for the women.

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<sup>25</sup>

A Directory of Voluntary Consumer Organisations in India,  
Consumer Education and Research Centre, Ahmedabad, 1993, p.349.

### 6.3.3 Advocacy

Consumer advocacy can be defined as a problem solving tool by making the administration accountable through proper implementation of the law and campaign to build broadbased support for an issue. VCOs have to convince the authorities to use their discretionary powers in the interests of consumers and, if necessary, to make amendments in the existing laws or enact new laws to serve the consumer interests better. In the U.S Ralph Nader and his so-called 'Raiders' unearthed malpractices and abnormalities done by corporations and government regulators and set up action-oriented programmes. Moreover, mobilising the public was not at all difficult in the U.S; because every individual was also a consumer activist.

On the contrary in India even though 77 per cent of the VCOs claimed to engage in consumer advocacy, we have not seen any mass movement when the government exempted 25 items from the Packaged Commodities Order, 1977. Only Common Cause alerted all the VCOs in the country and fought against the delay in enforcing the implementation of the COPRA. Advocacy before rule-making administrators will be effective if the VCOs are successful in using the manpower judiciously and effectively.

#### 6.3.4 Lobbying

Lobbying as carried out by 43 per cent of VCOs involves influencing the law-makers to influence policy-decisions. In the U.S lobbying is extensively and effectively done as the elected representatives are directly responsible to the people, whereas in India this tool is still in a rudimentary stage as the elected representatives are under the control of political parties. In addition, consumer movement is yet to pick up and emerge as a viable force, consumer organisations need activism, and the inability to lobby for introducing 'Private Members' Bill' are the deterrants in this area.

By lobbying VCOs have to take up an adversarial role with government, industry and other economic and bureaucratic institutions which warrants acquisition of knowledge and skills. But the VCOs in India are not in a position to seek professional or expert help because of the financial constraints. This throws light to the fact that almost all VCOs engage in the activities without any preference or priority to any particular area of work. These groups have to identify their work and action areas alongwith expanding and diversifying their existing activities.

#### 6.3.5 Litigation - Public/Private Interest

Public interest litigation should predominate even when fighting for private interest litigation. 71 per cent of VCOs are engaged in this as per table 6.4. These opportunities, if

properly utilised, the VCOs in India will be of greater value in improving the efficiency of the respondent contributing to general welfare of the public, e.g. fight for increased voltage, supply of potable water, better road conditions etc.

In advanced countries consumers have been able to wrest concessions and secure their valuable rights through public interest litigation. Litigation becomes very effective if an immediate stay order or injunction is obtained from the court. If advocacy is effectively made litigation can be avoided.

While the VCOs in advanced countries adopt the policy of "Prevention is better than cure" through publications, product testing and education, the VCOs in India opt for redressal at the CDRA after the exploitation of consumers.

#### **6.4 Financial Status**

Based on the annual budget of the VCOs, as given in the Directory of VCOs in India published by CERC, Ahmedabad, 1993, the VCOs were regrouped under four heads viz.

- 1 Poor (upto Rs.10,000 annual budget)
- 2 Moderate (annual budget between 10,000 and 1,00,000 Rupees)
- 3 Rich (annual budget between one lakh and 5 lakh Rupees)
- 4 Very affluent (annual budget more than five lakh Rupees)

Table 6.5 shows that rich and very affluent VCOs can afford high gear functions like lobbying and research. All VCOs, irrespective of the budget, are engaged in complaint-handling, consumer education, advocacy and litigation.

A close study revealed that the 'rich' and 'very affluent' VCOs are receiving state and central Government grants in addition to funds from foreign funding agencies. All of them are located in Gujarat.

**Table 6.5**

**Relation between annual budget and functions of VCOs**

Annual Budget ('000 Rs)	Total No. of VCOs	Number of VCOs in Percentage doing											
		Complaint handling		Consumer education		Advocacy		Litigation		Lobbying		Research	
		No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Upto 10	84	84	100.0	68	80.95	67	79.76	63	75.00	31	36.70	20	23.81
10 - 100	78	74	94.87	71	91.03	65	83.33	61	78.21	36	46.15	34	63.59
100- 500	13	13	100.0	12	92.31	10	76.92	12	92.31	9	69.23	9	69.23
500	4	4	100.0	4	100.0	4	100.0	4	100.0	4	100.0	3	75.00

Source: Data Collected from A Directory of VOCs in India, Consumer Education and Research Centre, Ahmedabad, 1993.

### **Financial Constraints**

There appears to be an enormous disparity in sources and methods of mobilisation of financial resources. The survey conducted by the CERC, Ahmedabad revealed that 47.0 per cent of the VCOs had less than Rs.10,000 as their annual expenditure and in all 69 per cent had an annual expenditure of less than Rs.30,000. This finance is raised mainly from subscription fees ranging from Rs.10 to Rs.100 p.a from the members and donations. These VCOs need to identify the sources of funding, raising and management of funds, since majority of them had a meagre annual budget of upto Rs.10,000.

#### **6.4.1 Sources of Financial Assistance**

Most VCOs are unaware of the assistance and schemes offered by the Central Government. There are four schemes available under the various Ministries of the Central Government.

- 1 Ministry of Civil Supplies, Consumer Affairs and Public Distribution.
- 2 Ministry of Science and Technology
- 3 Ministry of Environment and Forests
- 4 Rajaram Mohan Roy Library Foundation (For libraries only)

1 Ministry of Civil Supplies, Consumer Affairs and Public Distribution.<sup>26</sup>

The policy guidelines of the schemes are:

- a Organisations should have specific areas of operation capable of assessment of the impact of the programme undertaken.
- b Societies including Mahila Mandals which perform welfare activities for undertaking consumer protection work.
- c Only one VCO per state/U.T will be considered for financial assistance.
- d Preference will be given to VCOs working in rural and tribal areas.

2 Ministry of Science and Technology give grants for specified purposes only.

3 Ministry of Environment and Forests gives grants to identify, investigate and propose solutions for the problems of improving the human environment in contact with the growth and distribution of population and economic development.<sup>27</sup>

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<sup>26</sup>Shah, Pritee (Ed.), A Guide to Sources of Consumer Information, Consumer Education and Research Centre, Ahmedabad, 1991, p.128.

<sup>27</sup>Ibid, p.138

4 Raja Ram Mohan Roy Library Foundation gives assistance for purchase of books, furniture and equipments and for construction, including additions/alterations, of building of library.<sup>28</sup>

The conditions and procedure required for getting sanction of the grant is tiresome and expensive because of the attitude of the authorities. Hence it is a difficult task to get financial assistance from these sources.

#### 6.4.2 Foreign Funding Agencies

The foreign agencies which are likely to support consumer protection activities are Australian Council of Churches (ACC), Australia, Canadian International Development Agency (CIDA), Commonwealth Foundation U.K., Community Aid Abroad (Australia), Evangelische Zentralstelle Fuer Entwicklungshilfe E.V (EZE), Germany, Friedrich Naumann Foundation (FNF), Germany, International Development Research Centre (IDRC), Canada, Oxfam (India) Trust, Royal Norwegian Embassy, Swiss Aid Co-ordinator's Office, The Ford Foundation, United Nations Development Programme etc.<sup>29</sup>

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<sup>28</sup>Ibid, p.142

<sup>29</sup>Ibid, p.116-118

Even though paucity of funds is a major stumbling block for the effective functioning of the VCOs, they do not actively campaign for raising funds either from foreign sources or from our Government. Therefore lack of funds severely inhibits the spread of their educational, research and legal activities. This calls for the intervention of Government to take appropriate steps to make sure that the VCOs are financially sound in a reasonable way.

#### **6.5 Women's Voluntary Consumer Organisations**

Of the total 258 VCOs surveyed by the CERC, Ahmedabad there were 107 which worked with female participation either as Head, Operating Head or as members in the Board of Directors/Executive Committee. There were only ten exclusively women's VCOs in a vast country like India where more than half of the population constitutes women. The distribution of VCOs with female participation and exclusively women's organisations over the different states in India is shown in table 6.6.

Table 6.6 revealed that in some states such as Jammu and Kashmir, Tripura, Goa, Pondicherry and Manipur there were neither women's VCOs, nor their participation in the activities of the existing VCOs. Only an average of 28.29 per cent VCOs had female participation all over the country and only 3.87 per cent of exclusively women's VCOs which is very weak and shameful.

Table 6.6

Distribution of VCOs with female participation in Management and exclusive Women's Organisations over different States

States	Voluntary Consumer Organisation				
	Total	With female participation		Exclusively Women's Organisations	
	No.	No.	Per cent	No.	Per cent
1 Andhra Pradesh	50	8	16.00	-	-
2 Bihar	17	1	5.88	1	5.88
3 Chandigarh	1	1	100.00	-	-
4 Gujarat	29	11	37.93	2	6.90
5 Haryana	3	1	33.33	-	-
6 Himachal Pradesh	1	1	100.00	-	-
7 Jammu & Kashmir	1	-	-	-	-
8 Karnataka	26	10	38.46	-	-
9 Kerala	16	5	31.25	1	6.25
10 Madhya Pradesh	5	2	40.00	-	-
11 Maharashtra	13	4	30.77	-	-
12 New Delhi	9	5	55.55	22	22.22
13 Orissa	11	2	18.18	1	9.09
14 Punjab	4	1	25.00	-	-
15 Rajasthan	11	4	36.36	1	9.09
16 Tamil Nadu	35	9	25.71	-	-
17 Uttar Pradesh	17	6	35.29	2	11.76
18 Tripura	1	-	-	-	-
19 West Bengal	2	2	100.00	-	-
20 Goa	2	-	-	-	-
21 Pondicherry	3	-	-	-	-
22 Manipur	1	-	-	-	-
Total	258	73	28.29	10	3.87

Source: Data collected from Directory of VCOs in India, Consumer Education and Research Centre, Ahmedabad, 1993.

This pinpoints the need to create awareness among women at the grassroot level about their rights and responsibilities. Even though we had some women's organisations such as Women's Graduate Union (1915) and Women's Indian Association (1917) organised for the benefit and welfare of women they failed miserably in spreading consumer education as they did in the west. We have to explore and find out the reasons for the tolerant attitude of women.

#### 6.6 VCOs in Kerala

In Kerala a VCO can be registered under the Travancore-Cochin Literary, Scientific and Charitable Society's Act, 1955 (12/1955) or Societies Registration Act, 1860 (21 of 1860) and the Companies Act.

In all 54 registered VCOs with branches/units all over Kerala have been identified. These organisations are mainly engaged in complaint-handling by charging a fair amount for handling their cases, thus exploiting the consumers. As a result VCOs have become a source of livelihood for a handful of activists. It is in this context that the Supreme Court's observation is valid. It states that "it is conceivable that the consumer protection movement is gaining ground in other countries because of strong consumer bodies having succeeded in organising the consumers. Such powerful bodies are far and few in this country and they are unable to exert sufficient pressure on the

owers that be as compared to the pressure brought by vested interests because the consumers in this country are not organised as one would like them to be".<sup>30</sup> This holds true in Kerala as revealed in the present study.

#### 6.6.1 Number of VCOs

As per the Directory of Voluntary Consumer Organisations published by Ministry of Civil Supplies, Consumer Affairs and Public Distribution there are 18 VCOs in Kerala. One of them viz. Kerala State Consumer Guidance Society, Ernakulam is not existing now. In 1993 the number increased to 34. In the absence of an authority or a coordinating body the VCOs in Kerala are remaining as entities as far as the consumers are concerned.

#### 6.6.2 Weaknesses

- 1 Dedicated and good leaders who are able to tide over consumer constraints is lacking in the consumer movement of Kerala.
- 2 Selecting appropriate issues to give the organisations visibility or image is another weakness.
- 3 Publications that provide information to the general public are very few and they have not succeeded in creating reverberations among the consumers.

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<sup>30</sup>Common Cause Vs Union of India & Ors, 1141/1988, Supreme Court.

To be more effective and to help more and more people, the consumer groups need to set their priorities for action on national and regional basis with the co-operation of sister organisations.

Financial constraint is the major problem faced by the VCOs in Kerala as other organisations in the country. It was found that only eight per cent of VCOs in Kerala were getting grants from the Government of India and another 8 per cent were getting grants from private sources as United Nations Development Programme, the Ford Foundation etc.<sup>31</sup>

#### 6.6.3 Registration

Most important among the rules and regulations of the VCOs registered under the Societies Registration Act, 1860 are:

- a Membership of the VCO shall be open to all persons, organisations and institutions interested in the work relating to protecting the interests of consumers.
- b Membership fee can be charged from members.
- c Members should not have affiliation to any political party. Thus it is clear that the members should not belong to any political party and should be interested in protecting the interests of consumers.

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<sup>31</sup>George, Bajju, "Structure and Functioning of Consumer Forums in Kerala", M.B.A Dissertation, University of Kerala, 1992.

But, in Kerala, the majority of the VCOs are organised by political parties who encourage the members of the political parties to set up more and more VCOs in disguise.

Major VCOs with a wide network of activities are Consumer Protection Council of Kerala and the Kerala State Consumer Co-ordination Committee.

The Consumer Protection Council of Kerala, Tiruvananthapuram, founded by a woman is engaged in research and dissemination of information among the consumers regarding the consumer products, forcing the manufacturers and producers to improve the quality and utility of their products and educating the consumers about the unfair trade practices.

The Kerala State Consumer Co-ordination Committee, Kochi, a trust, is a misnomer, since it is not coordinating independent organisations, but establishing only branches/units all over Kerala on the lines of political parties with a central control over the branches/units. The objects of the Trust are almost identical with that of the COPRA in addition to publication of books and periodicals for educating the consumers and conducting training programmes. In Kerala there is no confederation of VCOs to coordinate their activities.

#### 6.6.4 Governing Body

The governing body of the VCO shall consist of not less than nine and not more than 12 members consisting of a Chairman or President, Vice-Chairman or Vice-President, Secretary,

ent Secretaries and a Treasurer and two members.

#### 6.5 Activities of VCOs

Activities of the VCOs in Kerala are mainly complaint-handling, consumer education, advocacy, litigation, research etc.

Objectives of the VCOs should be as follows:

1. To promote and protect consumer interests particularly to concretise consumer rights and remedies through consumer education, dissemination of information etc.
2. To provide a common platform to the consumers of the area for highlighting common consumer problems to the people.
3. To facilitate, organise and enable activities in the nature of seminars, conferences and lectures for discussing consumer problems.
4. To sponsor and undertake research in the field of consumer education programmes on advocacy and campaigns relating to problems of consumers and to set up study circles and groups in such fields.
5. To publish journals for dissemination of information and for providing a forum for discussion of such common problems.
6. To take legal recourse in the defence of rights and lawful interests of any consumer or class of consumers.

To do all non-political, legal and peaceful acts and undertake other activities which may help to promote the welfare of consumers.

The hurdles faced by the VCOs in Kerala can be grouped under major and minor heads. Prominent among the major ones are communalism, demoralisation in the sphere of political activities, wide-spread corruption and unemployment. These can be solved only through political policy decisions. Once this is done, majority of the consumer grievances will automatically disappear. Only through drastic changes in the present system it will be of help to us.

Minor hurdles are mainly due to non-implementation and non-enforcement of existing laws resulting in unfair restrictive and hazardous trade practices with regard to goods and services. An earnest intervention of the VCOs can easily rectify this to a certain extent. Owing to the prevalence of provincialism and regionalism the Keralites have miserably failed to undertake a united action aimed at the welfare of entire Keralites till date.

#### 3.6.6 Requirements for Consumer Organisations in Kerala

1. Establishment of a consumer product testing laboratory for the protection of consumers beginning with food products.

Purchase and installation of sophisticated domestic and imported scientific equipment and computer equipments for testing programmes.

Grant for import of testing equipments, appointment of consultants, consultancy charges and training of technical people abroad.

2 To acquire facility for E-Mail for inland and overseas communication and access to data bases by becoming a member of Education and Research Network (ENERT) initiated by Department of Electronics.

3 a Publication of Consumer Education Series Special Subject Bibliographies/Directories.

b Preparation of Audio-visuals.

c Research projects - testing results.

d To mobilise public opinion through workshops/seminars/public meetings.

Opening up a centre for investor protection, recognised by SEBI, complaints cell, Legal Cell etc.

## Chapter 7

### Studies on CDRAs

#### 7.1 Data Collection

Since the redressal machinery is functioning under the Ministry of Food, Civil Supplies and Consumer Affairs the Staff are deputed from the Civil Supplies Department. These Staff members are not familiar with the judicial procedures which resulted in poor recording and filing systems. In some Fora there are duplication in numbers, some disputes were just allotted numbers without recording the nature of the complaint, and even the original complaints were missing. Locating the original complaints was still more difficult. Therefore only those complaints which were recorded and could be located were taken up for the present studies.

A large number of complaints were missing from the records of the State Commission and there was no register of cases for the year 1990. Further the original complaints were missing and only the disposal dates were available for the year 1990. Hence the classification of disputes on the basis of goods and services was not possible. Hence it was thought appropriate to exclude the disputes disposed of by the State Commission. The researcher visited all the 14 Fora and the State Commission in Kerala while, one president even refused access to the record, another president gave permission with great reluctance. The

superintendents of certain Fora insisted on various bureaucratic hurdles in furnishing the details. As a result, data from the Kasaragod Forum could not be included in the study.

In all, the author was successful in going through 22447 disputes filed at the 13 District Fora in Kerala, which took a long time of six months. Subject-wise classification was also a laborious task.

Establishment of a three-tier adjudication machinery consisting of District Fora, State Commission and National Commission on an all-India basis was mandatory under the provisions (Section 9) of the COPRA, 1986. However, after a considerable delay of four years, Kerala Government in May 1990 set up three regional (district) fora to deal with disputes in its 14 districts. Subsequently, based on the Supreme Court Verdict on 5<sup>th</sup> August 1991, 14 Fora were set up at the rate of one in each district, since November 1991. The records concerning disputes disposed of and pending were then redistributed accordingly on the basis of districts.

## 7.2 Numerical abundance

An estimate of disputes dealt with by these Fora as per the records made available as on 31.10.1991 and collected personally are given in table 7.1.

Since these Fora were started on different dates, the dates of filing and disposal as per the records of the Fora were considered as the best method for the analysis.

Table 7.1

Number of disputes registered at the Fora from May 1990 to 31.10.1992 with literacy rates of the respective districts

Name of the Fora	Disputes registered			Literacy rates of districts Per cent
	Collected data from State Commission No.	Collected perso- nally from CDRAs		
		No.	Per cent	
1 Ernakulam	4071	4075 *	18.15	92.35 *
2 Kozhikode	3906	3926 *	17.48	91.10 *
3 Kottayam	2077	2157 *	9.61	95.72 *
4 Thiruvananthapuram	1893	1889 *	8.42	89.22 *
5 Thrissur	1876	1876 *	8.36	90.18 *
6 Kollam	1762	1785 *	7.95	90.47 *
7 Alappuzha	1405	1406 *	6.26	93.87 *
8 Kannur	1385	1385 *	6.17	91.48 *
9 Palakkad	1057	1059	4.72	81.27
10 Malappuram	857	912	4.06	87.94
11 Idukki	769	770	3.43	86.94
12 Pathanamthitta	695	695	3.10	94.86 *
13 Wynad	361	512	2.28	82.73
Total	22114	22447+	100.00	

\* Districts where the literacy rate is equal to or greater than State average.

+ 333 disputes missing in the data collected from the State Commission.

As per the findings Ernakulam Forum topped with maximum number (18.15 per cent) of disputes. A look at table 7.1 with descending number of disputes revealed that districts where the literacy rate is equal to or more than the state average of 89.81 per cent, the number of complaints are comparatively higher. Thus Ernakulam, Kozhikode, Kottayam, Thiruvananthapuram, Thrissur, Kollam, Alappuzha and Kannur districts with over 89.22 per cent literacy rate as per the Census 1991 had registered more disputes. Strangely Pathanamthitta Forum received only 695 (3.1 per cent) disputes even though the literacy rate of 94.86 per cent was more than the state average.

Compared to the total population of Kerala viz. 2.9 crores as per the Census Report 1991, the number of disputes filed by Keralites is negligible clearly indicating that the people are not enlightened enough to make use of the redressal machinery.

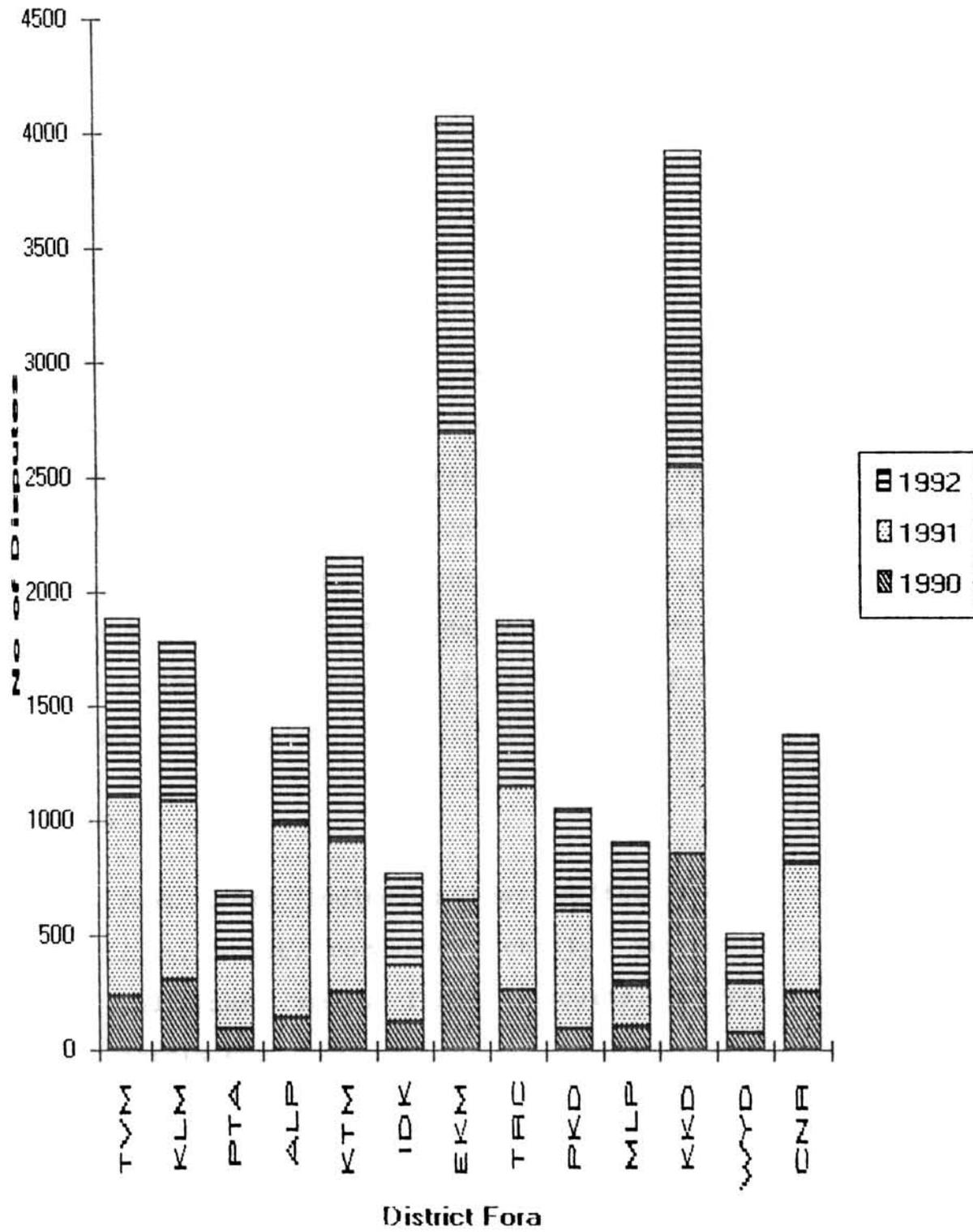
The year-wise break-up of the complaints filed in the Fora is shown in table 7.2 and Bar diagram I. The number of disputes filed in the Fora steadily increased year after year in Kottayam, Idukki, Malappuram, Wynad and Kannur districts.

Table 7.2

## Year-wise break-up of disputes filed in the Fora

Name of the Fora	Number of disputes registered			
	in 1990 (8 months)	1991 (12 months)	1992 (10 months)	Total
Thiruvananthapuram	237	867	785	1889
Kollam	311	770	704	1785
Pathanamthitta	96	307	292	695
Alappuzha	146	836	424	1406
Kottayam	250	659	1248	2157
Idukki	127	243	400	770
Ernakulam	648	2050	1377	4075
Thrissur	259	889	728	1876
Palakkad	100	503	456	1059
Malappuram	102	179	631	912
Kozhikode	855	1691	1380	3926
Kannur	74	215	223	512
Kannur	250	559	576	1385
Total	3455	9768	9224	22447

BAR DIAGRAM - I  
Year-wise breakup of disputes filed at the Fora.



### 7.3 Classification of disputes

The disputes registered in each Forum were classified under three heads as in table 7.3.

- a Disputes pertaining to goods - food, clothes, household and consumer durables.
- b Disputes pertaining to services - household, institutional and financial services.
- c Others (Other than those under a and b)

Close scrutiny of the disputes filed in these Fora revealed that they were multifarious pertaining to everything, regardless of the fact whether the disputes came under the jurisdiction of the COPRA or not. Hence a proper classification under specific heads was very difficult and the dilapidated state in which the Fora had kept the records made such a classification tedious. Yet, the author was successful in classifying the disputes under the following heads.

#### A - Goods

- 1 Food items including tea, coffee, sugar, egg, bread, rice, wheat, coriander, chilly, turmeric, cooking oil, medicines, meat, fish, biscuits, prepared food from hotels etc.
- 2 Clothes including saree, blouse, frock, jeans, dhothis, shirts, shorts, bed-spreads etc.

- 3 Household consumer durables including T.V., vehicles such as car, motor cycle, scooter, cycle etc.

**B - Services**

- 1 Household services such as telephones, gas, electricity, drinking water, postal etc.
- 2 Institutional services such as educational, municipality, panchayat, road transport, rail etc.
- 3 Financial services such as banks, co-operative banks, insurance companies, Unit Trust of India, private and public chitty and kuri companies.

**C - "Others"**

All other disputes, complaints of which were not available/traceable. As the original petitions could not be located it was impossible to identify and classify as goods or services. Therefore out of necessity all other disputes were brought under one head viz. 'Other Disputes'.

Table 7.3

Classification of disputes registered at the Fora under  
goods, services and 'Others'

Name of the Fora	Disputes pertaining to						Total
	Goods		Services		Others		
	No.	Per cent	No.	Per cent	No.	Per cent	
Thiruvananthapuram	423	22.39	976	51.67	490	25.94	1889
Kollam	354	19.83	864	48.40	567	31.76	1785
Pathanamthitta	132	18.99	406	58.42	157	44.27	695
Alappuzha	172	12.23	892	63.44	342	24.32	1406
Kottayam	394	18.27	1168	54.15	595	27.58	2157
Idukki	141	18.31	372	48.31	257	33.38	770
Ernakulam	1049	25.74	1931	47.39	1095	26.87	4075
Thrissur	372	19.83	959	51.12	545	29.05	1876
Palakkad	159	15.01	699	66.00	201	18.98	1059
Malappuram	92	10.00	544	59.65	276	30.26	912
Kozhikode	625	15.91	2409	61.37	892	22.72	3926
Wynad	73	14.15	251	49.02	188	36.72	512
Kannur	278	20.07	672	48.52	435	31.41	1385
Total	4264	18.99	12143	54.10	6040	26.91	22447

**BAR DIAGRAM II**  
 Classification of disputes under Goods, Services and 'Others'

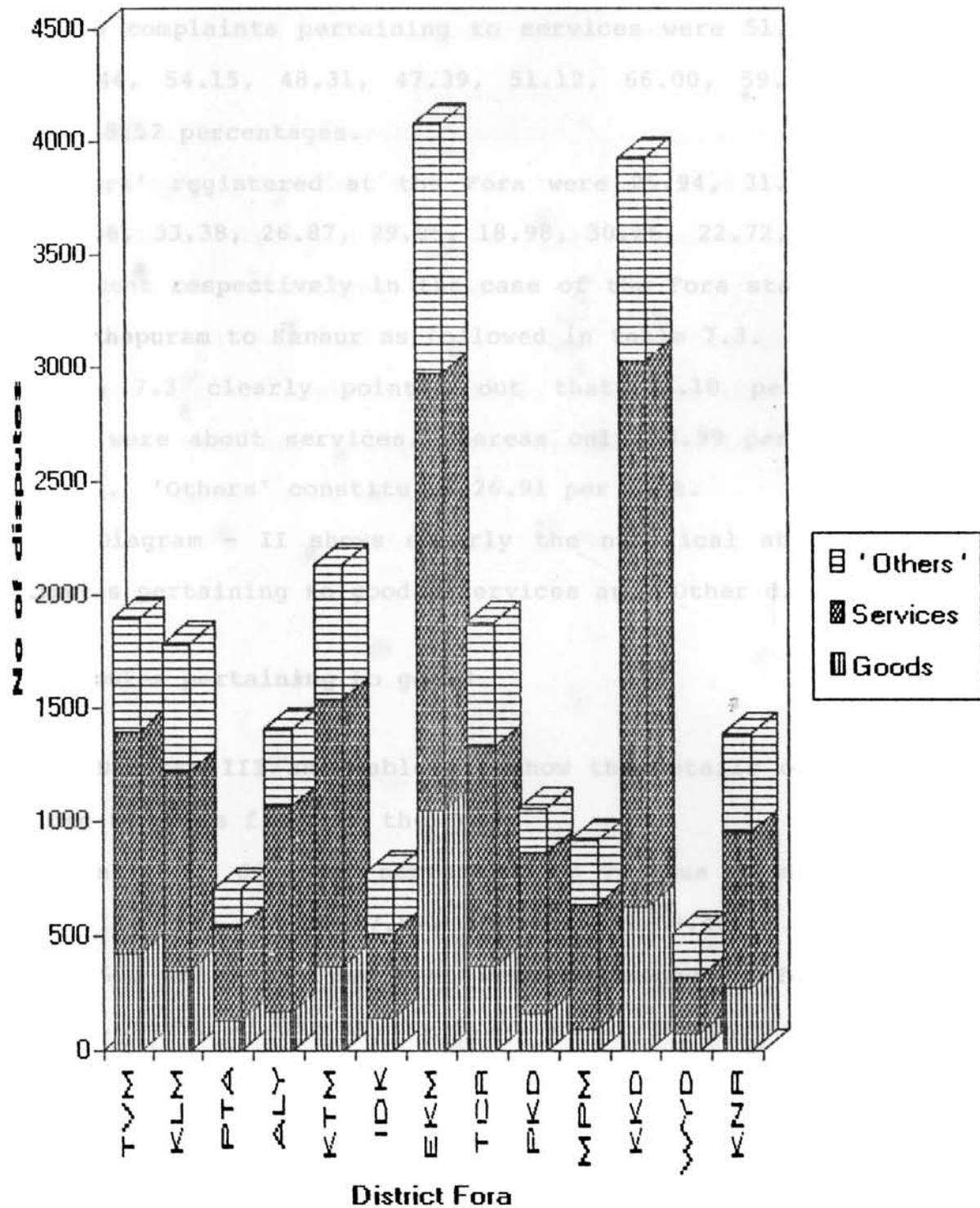


Table 7.3 revealed that disputes pertaining to goods were only 22.39, 19.83, 18.99, 12.23, 18.27, 18.31, 25.74, 19.83, 15.01, 10.00, 15.91, 14.15 and 20.07 percentages respectively, whereas the complaints pertaining to services were 51.67, 48.40, 58.42, 63.44, 54.15, 48.31, 47.39, 51.12, 66.00, 59.65, 61.37, 49.02 and 48.52 percentages.

'Others' registered at the Fora were 25.94, 31.76, 44.27, 24.32, 27.58, 33.38, 26.87, 29.05, 18.98, 30.26, 22.72, 36.72 and 31.41 per cent respectively in the case of the Fora starting from Thiruvananthapuram to Kannur as followed in table 7.3.

Table 7.3 clearly pointed out that 54.10 per cent of complaints were about services, whereas only 18.99 per cent were about goods. 'Others' constituted 26.91 per cent.

Bar Diagram - II shows clearly the numerical abundance of the disputes pertaining to goods, services and 'Other disputes'.

### 7.3.1 Disputes pertaining to goods

Bar Diagram III and table 7.4 show the details of disputes pertaining to goods filed at the Fora.

Of the total disputes pertaining to various types of goods 13.00, 12.15, 9.85, 16.28, 7.87, 32.14, 7.25, 9.40, 9.55, 13.19, 33.33, 12.50, and 12.95 per cent were pertained to food items, 9.22, 9.04, 0.09, 11.05, 10.15, 9.29, 8.78, 10.75, 7.01, 14.94, 14.10, 29.17 and 10.43 per cent were pertained to clothes, whereas a greater per cent of 77.78, 78.81, 81.06, 72.67, 81.98, 58.57, 83.97, 79.84, 83.44, 72.53, 52.57, 58.33 and 76.62 were pertained

to household durables.

Among the complaints regarding goods 15.52 per cent were pertaining to household durables, whereas only 14.24 per cent and 10.55 per cent were about food items and textile items respectively.

The reason for the increased number of complaints regarding household durables could be traced to the fact that the traders, after receiving a lump sum as advance, just failed to deliver the durables (especially vehicles) in time.

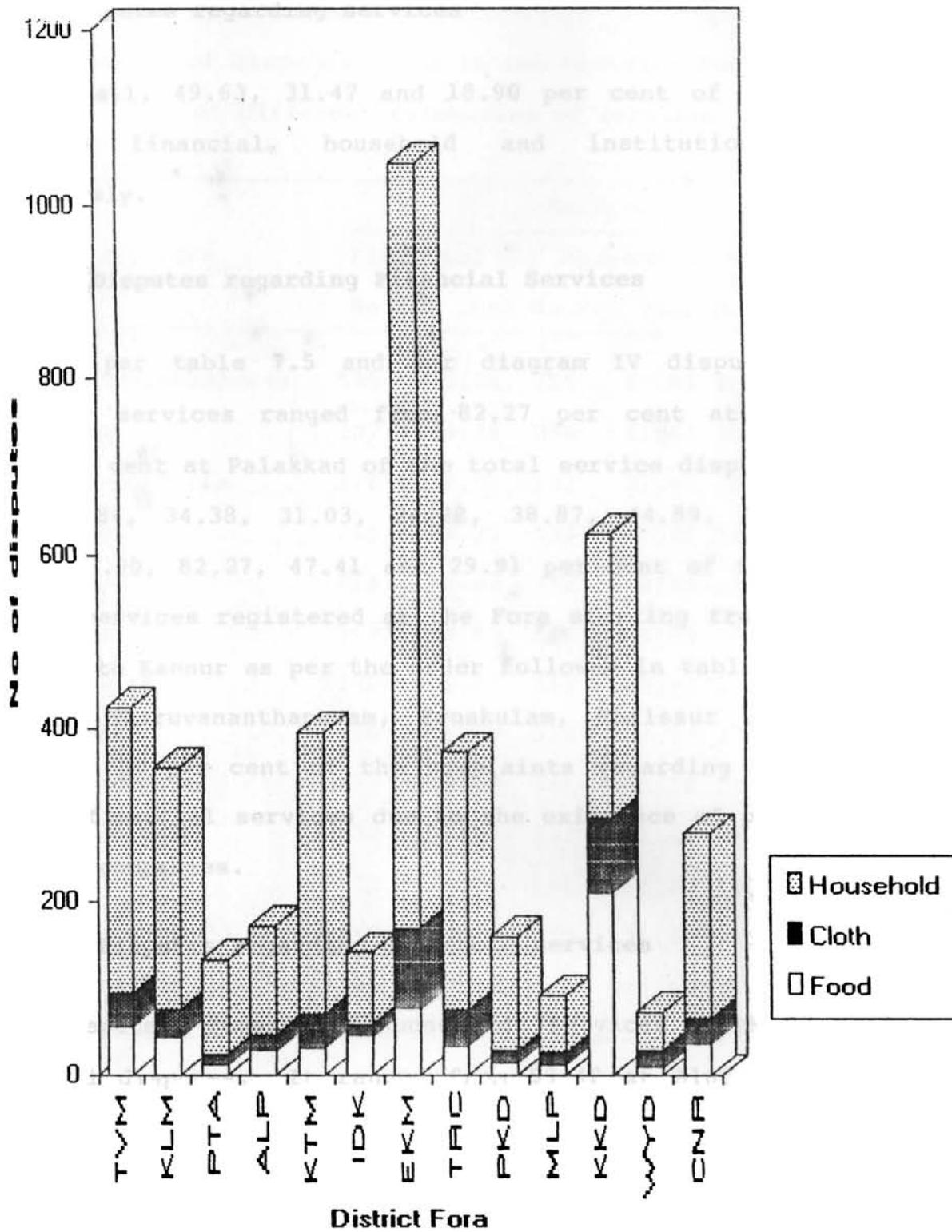
This study also pointed out the fact that big traders, who dealt with expensive household durables, exploited consumers to a greater extent than the traders who dealt with less expensive items such as clothes, food etc.

Table 7.4

Classification of disputes on the basis of  
different categories of goods

Name of the Fora	Categories of goods						Total
	Food		Clothes		Household durables		
	No.	Per cent	No.	Per cent	No.	Per cent	
1 Thiruvananthapuram	55	13.00	39	9.22	329	77.78	423
2 Kollam	43	12.15	32	9.04	279	78.81	354
3 Pathanamthitta	13	9.85	12	9.09	107	81.06	132
4 Alappuzha	28	16.28	19	11.05	125	72.67	172
5 Kottayam	31	7.87	40	10.15	323	81.98	394
6 Idukki	45	32.14	13	9.29	83	58.57	141
7 Ernakulam	76	7.25	93	8.78	880	83.97	1049
8 Thrissur	35	9.40	40	10.75	297	79.84	372
9 Palakkad	15	9.55	13	7.01	131	83.44	159
10 Malappuram	13	13.19	13	14.94	66	72.53	92
11 Kozhikode	209	33.33	88	14.10	328	52.57	625
12 Wynad	9	12.50	21	29.17	43	58.33	73
13 Kannur	36	12.95	29	10.43	213	76.62	278
Total	608	14.24	452	10.55	3204	75.52	4264

**BAR DIAGRAM - III**  
**Classification of disputes pertaining to goods**



### 7.3.2 Disputes regarding services

In all, 49.63, 31.47 and 18.90 per cent of disputes were regarding financial, household and institutional services respectively.

#### 7.3.2.1 Disputes regarding Financial Services

As per table 7.5 and Bar diagram IV disputes involving financial services ranged from 82.27 per cent at Kozhikode to 23.19 per cent at Palakkad of the total service disputes.

55.84, 34.38, 31.03, 24.22, 38.87, 44.89, 58.47, 51.93, 23.32, 23.90, 82.27, 47.41 and 29.91 per cent of total disputes against services registered at the Fora starting from Thiruvananthapuram to Kannur as per the order followed in table 7.5.

In Thiruvananthapuram, Ernakulam, Thrissur and Kozhikode more than 50 per cent of the complaints regarding services were against financial services due to the existence of private chitty and Kuri companies.

#### 7.3.2.2 Disputes regarding Household services

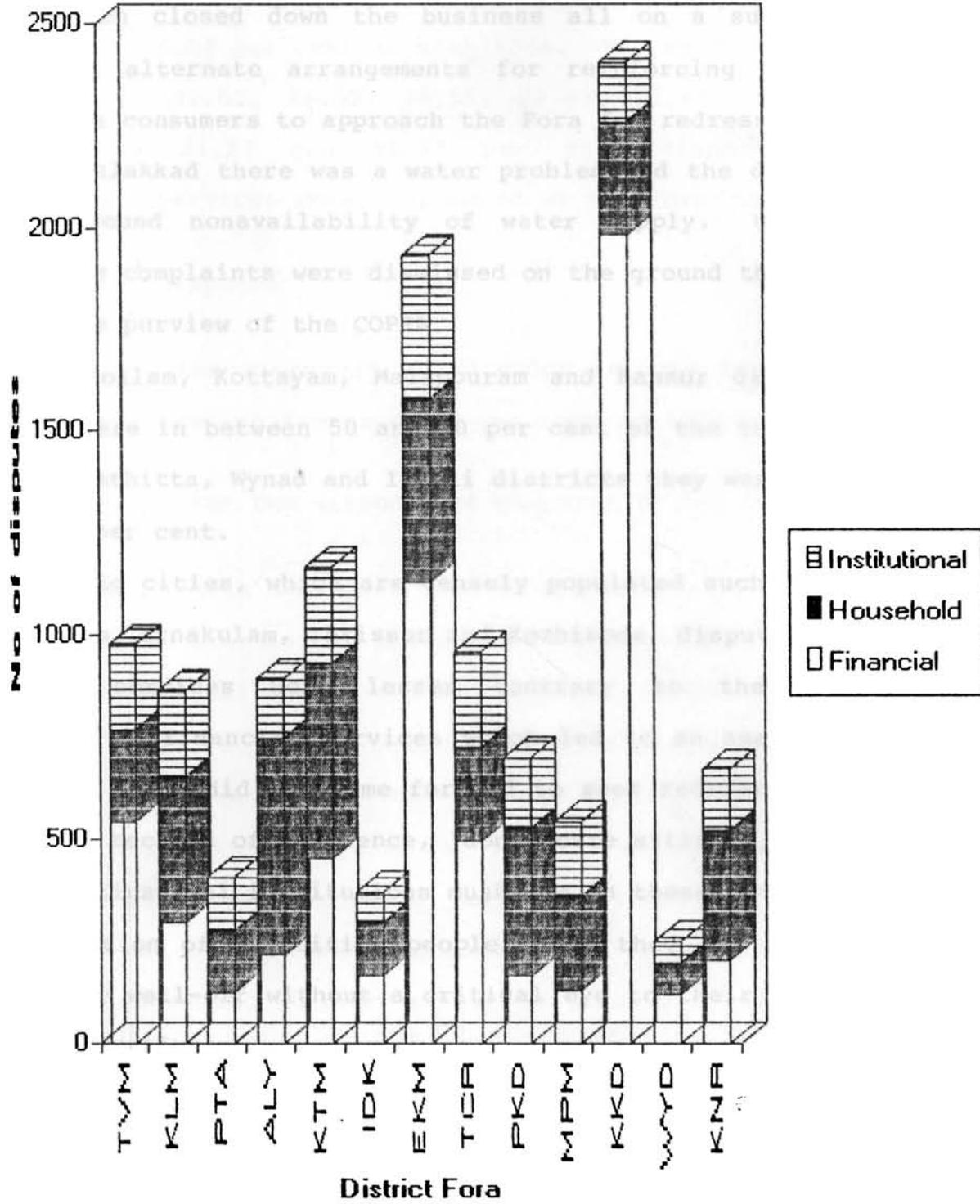
Disputes regarding household services ranked next to financial disputes. It ranged from 59.42 at Alappuzha to 11.66 per cent at Kozhikode. The table showed that 23.05, 41.44, 37.44, 59.42, 40.58, 34.68, 23.20, 23.77, 52.36, 42.46, 11.66, 31.47 and 47.62 per cent of the total disputes regarding services were registered at the Fora.

Table 7.5

Classification of disputes filed in the District Fora on the basis of different categories of services

District Fora	Services						Total
	Financial		Household		Insti- tutional		
	No.	Per cent	No.	Per cent	No.	Per cent	
1 Thiruvananthapuram	545	55.84	225	23.05	206	21.11	976
2 Kollam	297	34.38	358	41.44	209	21.19	864
3 Pathanamthitta	126	31.03	152	37.44	128	31.53	406
4 Alappuzha	216	24.22	530	59.42	146	16.37	892
5 Kottayam	454	38.87	474	40.58	240	20.55	1168
6 Idukki	167	44.89	129	34.68	76	20.43	372
7 Ernakulam	1129	58.47	448	23.20	354	18.33	1931
8 Thrissur	498	51.93	228	23.77	233	24.30	959
9 Palakkad	163	23.32	366	52.36	170	24.32	699
10 Malappuram	130	23.90	231	42.46	183	33.64	544
11 Kozhikode	1982	82.27	281	11.66	146	6.06	2409
12 Wynad	119	47.41	79	31.47	53	21.12	251
13 Kannur	201	29.91	320	47.62	151	22.47	672
Total	6027	49.63	3821	31.47	2295	18.90	12143

**BAR DIAGRAM IV**  
**Classification of disputes pertaining to services**



In Alappuzha and Palakkad districts there were more than 50 per cent of such disputes. A close scrutiny of these complaints revealed that in Alappuzha majority of them were against a gas agency which closed down the business all on a sudden without making any alternate arrangements for reinforcing the services forcing the consumers to approach the Fora for redressal.

In Palakkad there was a water problem and the disputes were centred around nonavailability of water supply. Unfortunately most of the complaints were dismissed on the ground that they fell outside the purview of the COPRA.

In Kollam, Kottayam, Malappuram and Kannur districts such disputes were in between 50 and 40 per cent of the total, whereas in Pathanamthitta, Wynad and Idukki districts they were in between 40 and 30 per cent.

In big cities, which are densely populated such as Thiruvananthapuram, Ernakulam, Thrissur and Kozhikode, disputes regarding household services were lesser contrary to the complaints pertaining to financial services which led to an assumption that the people there did not come forward to seek redressal for their grievances because of affluence, 'don't care attitude, complacency etc. The financial institutions mushroom in these cities with the sole intention of exploiting people since they are employed and financially well-off without a critical eye to their unscrupulous business practices.

### 7.3.2.3 Dispute regarding institutional services

These disputes were even lesser compared to the financial and household services. They ranged from 33.64 per cent at Malappuram to 6.06 per cent at Kozhikode. The study revealed that 21.11, 21.19, 31.53, 16.37, 20.55, 20.43, 18.33, 24.30, 24.32, 33.64, 6.06, 21.12 and 22.47 per cent disputes regarding institutional services were registered at the Fora (Table 7.5).

### 7.3.3 'Other Disputes'

Among 'Other Disputes' those under service benefits ranged from nil in Wynad and Kannur to 37 per cent in Ernakulam.

## 7.4 Time taken for the disposal of disputes by the Fora

The Act vests the Fora and Commissions with authority to settle consumer disputes by providing speedy and simple redressal. These quasi-judicial bodies are required to dispose of work within the prescribed time frame. A final order is required to be passed under rule 4(9) of the Consumer Protection (Kerala) Rules, 1987 within 90 days from the date of receipt of the notice by the opposite party. The opposite party is required to give his version of the case within a period of 30 days or such extended period not exceeding 15 days as may be granted by the Fora. The minimum time required for the disposal of disputes from the date of filing was considered as four months during the course of this study.

Table 7.6

## Time Taken for Disposal of Disputes by the Fora (Months)

Name of the Fora	Total disputes	1-4	5-8	9-12	13-16	17-20	21-24	25-28	29-32	33-36	37-40	Not Yet
1 Thiruvananthapuram	1889	152	183	286	305	64	26	5	1	0	0	867
2 Kollam	1785	185	172	262	287	123	53	52	6	0	0	645
3 Pathanamthitta	695	88	65	90	212	59	20	1	4	0	0	156
4 Alappuzha	1406	56	192	333	236	279	87	18	13	22	3	167
5 Kottayam	2157	530	571	297	156	72	35	2	5	0	0	489
6 Idukki	770	235	205	110	92	22	8	2	1	0	0	95
7 Ernakulam	4075	257	485	459	268	34	11	2	1	0	0	2508
8 Thrissur	1876	103	334	226	238	315	290	79	0	0	0	291
9 Palakkad	1059	208	242	92	245	3	0	1	0	0	0	268
10 Malappuram	912	42	49	95	9	0	68	3	1	0	0	645
11 Kozhikode	3926	564	213	550	366	845	284	56	1	1	0	1046
12 Wynad	512	134	58	42	51	24	0	1	2	0	0	200
13 Kannur	1385	199	112	100	165	126	38	16	2	0	0	627
Total	22447	2753	2881	2942	2630	2015	920	237	37	23	3	8004

For analysing the actual time taken by the Fora a four monthly frequency was formed viz. 1 to 4, 5 to 8, 9 to 12, 13 to 16, 17 to 24, 25 to 28, 29 to 32, 33 to 36 and 37 to 40 months and disputes not disposed of till 30.04.1993. Since the number of cases disposed of during certain periods (17 to 40 months) were less than one in some Fora as shown in table 7.6 for statistical convenience two or more periods were clubbed viz. 17-24 and 25-40 months.

#### 7.4.1 Time taken for the disposal of disputes involving goods

Within the minimum period of four months 28,44, 16,8,75, 36, 81, 30, 45, 8, 253, 22 and 23 disputes were disposed of at Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kottayam, Idukki, Ernakulam, Thrissur, Palakkad, Malappuram, Kozhikode, Wynad and Kannur Fora respectively (table 7.7).

The percentage disposal at the various Fora showed that Kozhikode Forum disposed of a maximum of 40.48 per cent disputes with Wynad Forum just behind it by disposing 30.14 per cent of disputes registered there. The disposal of disputes in numbers by these two Fora revealed that when Kozhikode Forum disposed of 253 disputes Wynad disposed of only 22 disputes. Even though Thiruvananthapuram, Kollam, Idukki, Ernakulam, Thrissur, Palakkad and Kannur Fora disposed of more disputes than the Wynad Forum the percentage disposal ranked lower than that of Wynad Forum. This clearly indicated that percentage comparison of disposal was not reliable and baseless. Therefore the more reliable and accurate,

numerical basis is followed in the study for finding the efficiency of the Fora regarding the disposals. For comparative study of the overall performance percentages are also used.

Within 5 to 8 months 46, 33, 19, 36, 127, 47, 144, 62, 45, 8, 72, 12 and 31 disputes were disposed of by the Fora, while within 9 to 12 months 65, 51, 14, 45, 66, 19, 142, 25, 10, 12, 135, 5 and 22 disputes were disposed of. Within 13 to 16 months 59, 62, 50, 28, 35, 16, 61, 33, 8, 2, 58, 11 and 34 disputes were disposed of by the Fora.

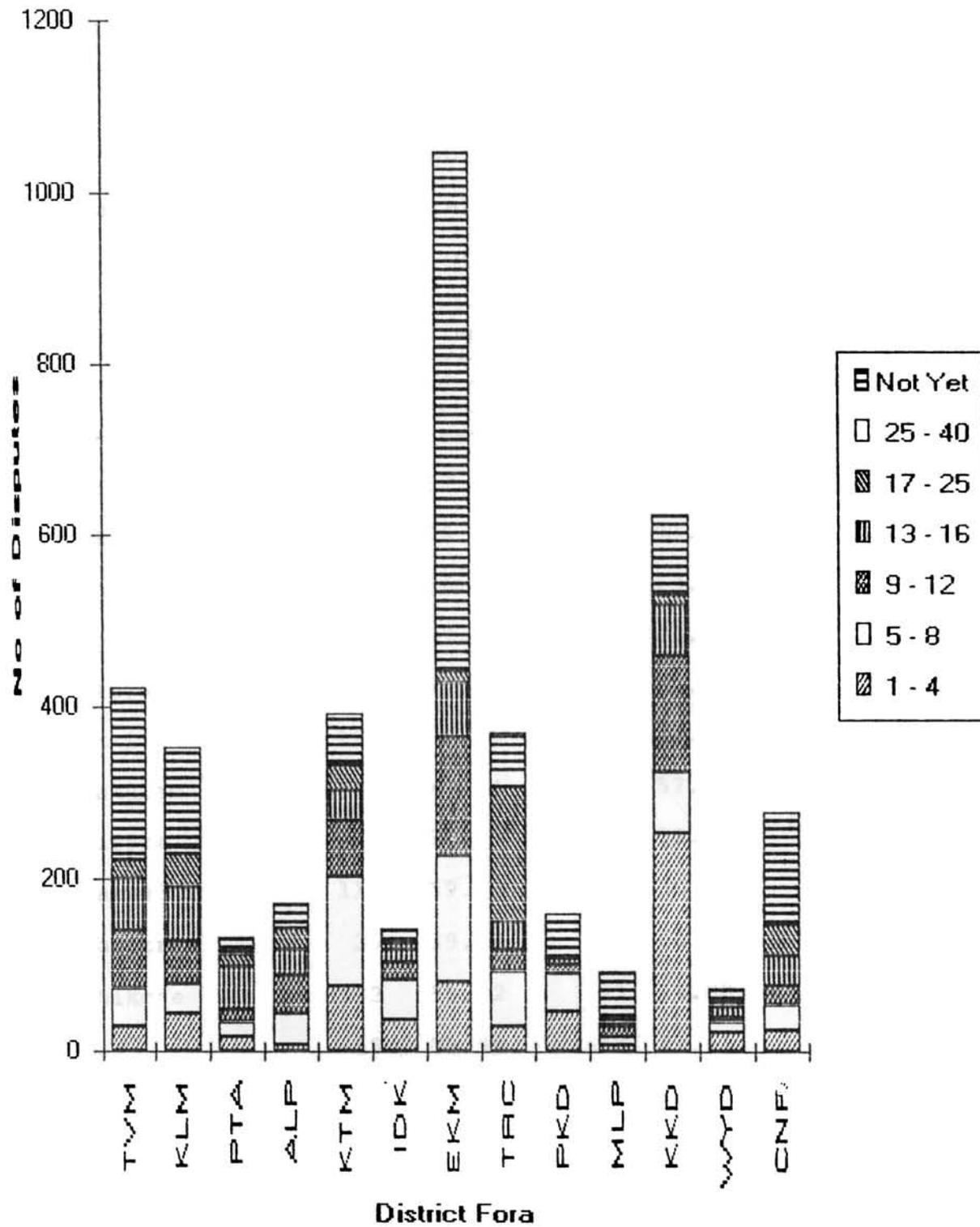
After 16 months the number of disputes disposed of diminished considerably and within 8 months from 17 to 24 months 23, 39, 13, 26, 28, 6, 15, 157, 1, 5, 13, 4 and 37 cases were disposed of at the Fora. After 24 months of filing the disputes the disposal was still lower ranging from one to a maximum of 19 during a period of 16 months (i.e. within 25 to 40 months).

As shown in the Bar Diagram V Kozhikode Forum disposed of maximum number of disputes (253) within four months, whereas Alappuzha and Malappuram disposed of eight each.

The total number of complaints disposed as on 30.4.1993 are shown in Bar Diagram VI and table 7.8. They showed that Kozhikode Forum disposed of the maximum number of 532 and Malappuram with only 36 disposals involving goods ranked lowest.



BAR DIAGRAM - V  
Disposal time for disputes pertaining to goods.



## 7.4.1.1 Disputes pending disposal

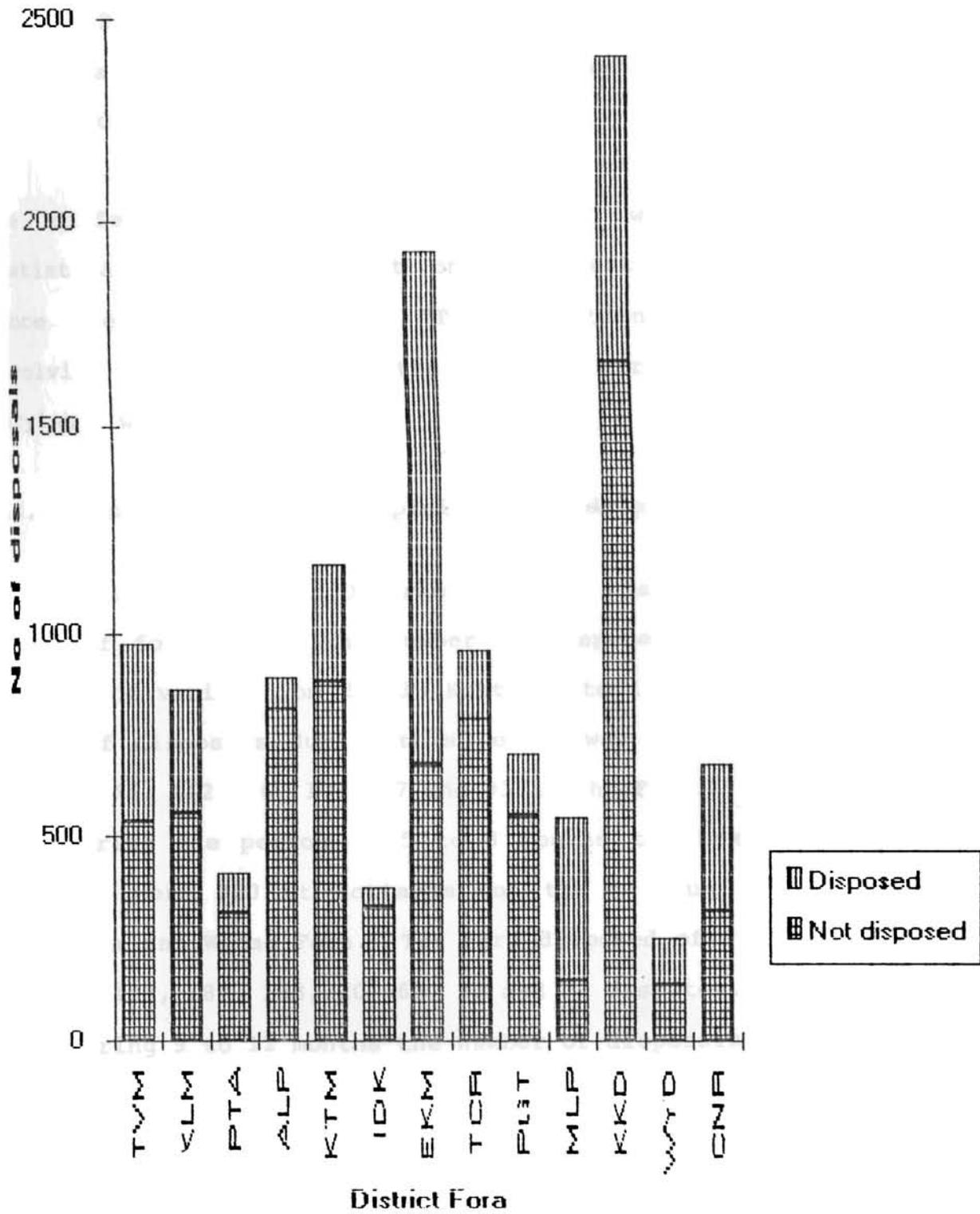
Disputes involving goods not disposed of as on 30.4.1993 varied from 605 at Ernakulam to 16 at Idukki. The number of disputes pending disposal were 423, 201, 119, 18, 22, 62, 16, 605, 46, 49, 56, 93, 18 and 129 at the Fora.

Table 7.8

Comparison of disputes pertaining to goods disposed of and not disposed of as on 30.4.1993

Name of the Fora	Disputes pertaining to goods				Total No.
	Disposed of No.	Per cent	Not disposed of No.	Per cent	
1 Thiruvananthapuram	222	52.49	201	47.52	423
2 Kollam	235	66.38	119	33.62	354
3 Pathanamthitta	114	86.37	18	13.64	132
4 Alappuzha	150	87.21	22	12.79	172
5 Kottayam	332	84.25	62	15.74	394
6 Idukki	125	88.66	16	11.35	141
7 Ernakulam	444	42.34	605	57.67	1049
8 Thrissur	326	87.63	46	12.37	372
9 Palakkad	110	69.18	49	30.82	159
10 Malappuram	36	39.13	56	60.87	92
11 Kozhikode	532	85.12	93	14.88	625
12 Wynad	55	75.34	18	24.67	73
13 Kannur	149	53.59	129	46.40	278
Total	2830	66.36	1434	23.64	4264

**BAR DIAGRAM - VI**  
**District-wise disposal of disputes pertaining to goods**



The disputes taken up for the study were filed on or before 31.10.1992 of which an average of 23.64 per cent were pending disposal on 30.4.1993. This pinpointed the glaring fact that not only the 23.64 per cent of disputes filed on or before 31.10.92, but also a major part of the complaints filed after that are also awaiting disposal at the various Fora.

The chi-square values for each one of the 13 Fora and for the different disposal periods were widely varying and statistically significant at one per cent level (table 7.7). Hence the hypothesis that "The variation in disposal time involving goods were among the District Fora, were considerably varying was proved correct.

#### 7.4.2 Disposal time for complaints regarding services

Table 7.9 and Bar Diagram VII show that within the minimum period of four months the number of disputes regarding services disposed of varied from 279 in Kottayam to 16 in Malappuram. The number of disposals during this period was 69, 77, 52, 30, 279, 109, 81, 44, 112, 16, 108, 67 and 93 at the Fora.

During the period of 5 to 8 months the maximum number of disposals were 320 at Kottayam and the minimum was 20 each at Malappuram and Wynad Fora. The Fora disposed of 96, 78, 33, 107, 320, 93, 193, 187, 148, 20, 60, 20 and 38 disputes.

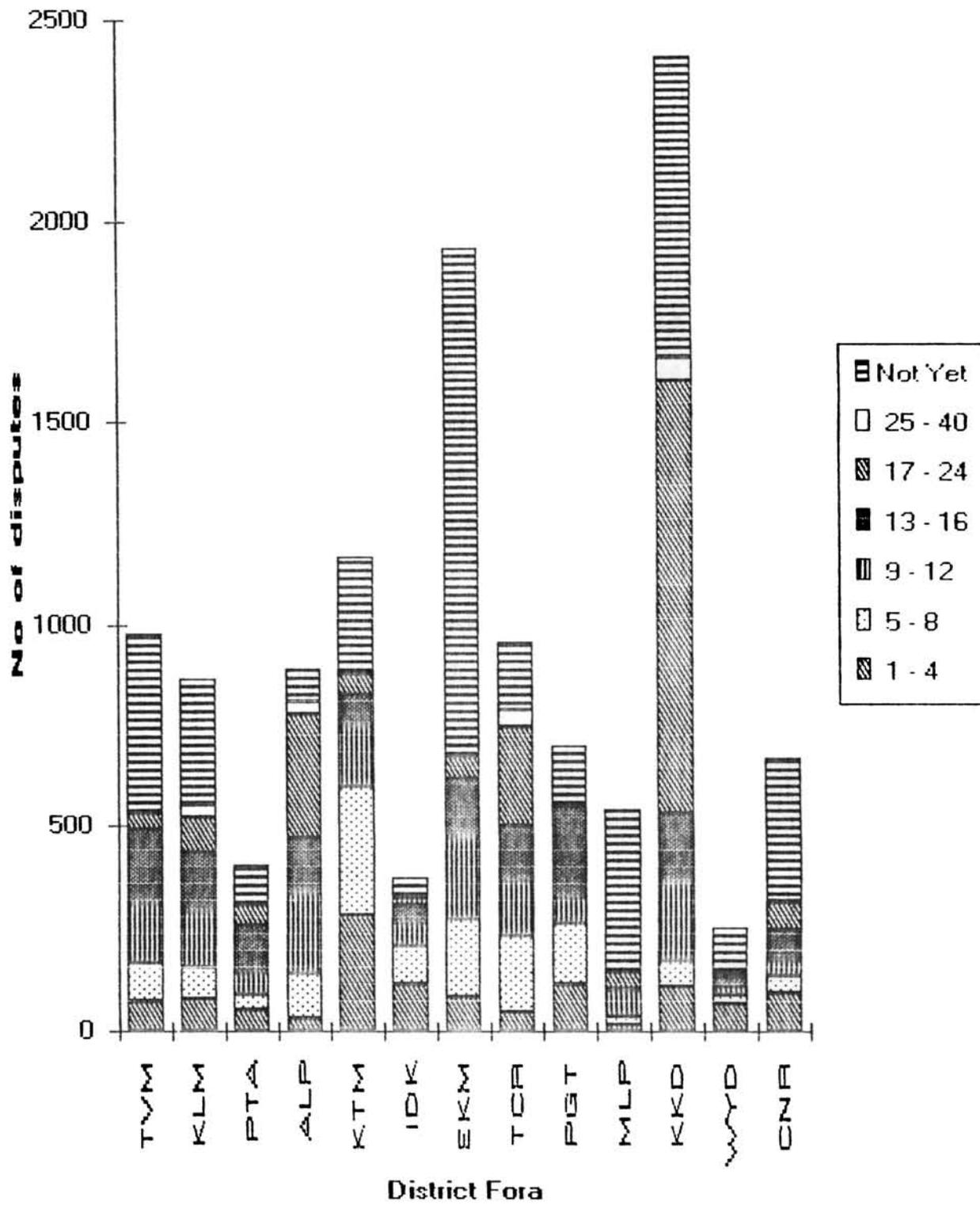
During 9 to 12 months the number of disposals were 140, 131, 54, 193, 147, 57, 198, 130, 62, 60, 188, 19 and 37 at the various fora with a maximum of 198 at Ernakulam and a minimum of 19 at Wynad.

Time taken for the disposal of disputes pertaining to services

District Fora	Time taken for the disposal of cases (in Months)										Total No.	Chi-square				
	1 - 4	5 - 8	9 - 12	13 - 16	17 - 24	25 - 40	Not yet disposed	Per cent	No.	Per cent						
1 Thiruvananthapuram	69	7.06	96	9.83	140	14.34	186	19.05	43	4.40	3	0.30	439	44.90	976	256.17**
2 Kollam	77	8.91	78	9.02	131	15.16	148	17.12	86	9.95	35	4.05	309	35.76	864	175.51**
3 Pathanamthitta	52	12.80	33	8.12	54	13.30	116	28.57	53	13.05	2	0.49	96	23.46	406	193.47**
4 Alappuzha	30	3.36	107	11.99	193	21.63	142	15.91	304	34.08	34	3.81	82	9.19	892	1007.25**
5 Kottayam	279	23.88	320	27.39	147	12.58	80	6.84	51	4.36	5	0.42	286	24.48	1168	984.63**
6 Idukki	109	29.30	93	25.00	57	15.32	48	12.90	14	3.76	2	0.53	49	13.17	372	430.42**
7 Ernakulam	81	4.19	192	9.94	198	10.25	150	7.76	53	2.74	1	0.001	1256	65.04	1931	1082.94**
8 Thrissur	44	4.58	187	19.49	130	13.55	139	14.49	249	25.96	38	3.36	172	17.93	959	582.48**
9 Palakkad	112	16.02	148	21.17	62	8.86	224	32.04	1	0.143	1	0.143	151	21.60	699	651.00**
10 Malappuram	16	2.94	20	3.67	60	11.02	3	0.55	44	8.08	1	0.18	400	73.52	544	483.61**
11 Kozhikode	108	4.48	60	2.49	188	7.80	174	7.22	1076	44.67	55	2.28	748	31.05	2409	826.13**
12 Wynad	67	26.69	20	7.96	19	7.56	23	9.16	6	2.39	1	0.39	115	45.81	251	176.27**
13 Kannur	93	13.83	38	5.65	37	10.42	77	11.45	66	9.82	6	0.69	355	52.82	672	208.15**
Total	1137	9.36	1392	11.46	1416	11.66	1510	12.43	1446	11.90	184	1.51	4458	36.71	12143	
Chi-square	1052.667**	923.129**	318.681**	806.283**	1730.930**	283.895**	1942.429**	7058.02**								

\*\* Significant at 1 per cent level.

BAR DIAGRAM - VII  
Disposal time for disputes pertaining to services



Within 13 to 16 months the number of disposals were 186, 148, 116, 142, 80, 48, 150, 139, 224, 3, 174, 23 and 77 at the various Fora. During this period Palakkad Forum disposed of 224 complaints, whereas Malappuram Forum disposed of only 3 complaints.

Within a span of 17 to 24 months the number of disposals were 43, 86, 53, 304, 51, 14, 53, 249, 1, 44, 1076, 6 and 66 at the Fora with a maximum of 1076 at Kozhikode and a minimum of one at Palakkad Forum.

Within 25 to 40 months the number of disposals were 3, 35, 2, 34, 5, 2, 1, 38, 1, 1, 55, 1 and 6 which revealed that the maximum number of disposals was 55 at Kozhikode and minimum was one each at Wynad, Palakkad, Malappuram and Ernakulam Fora.

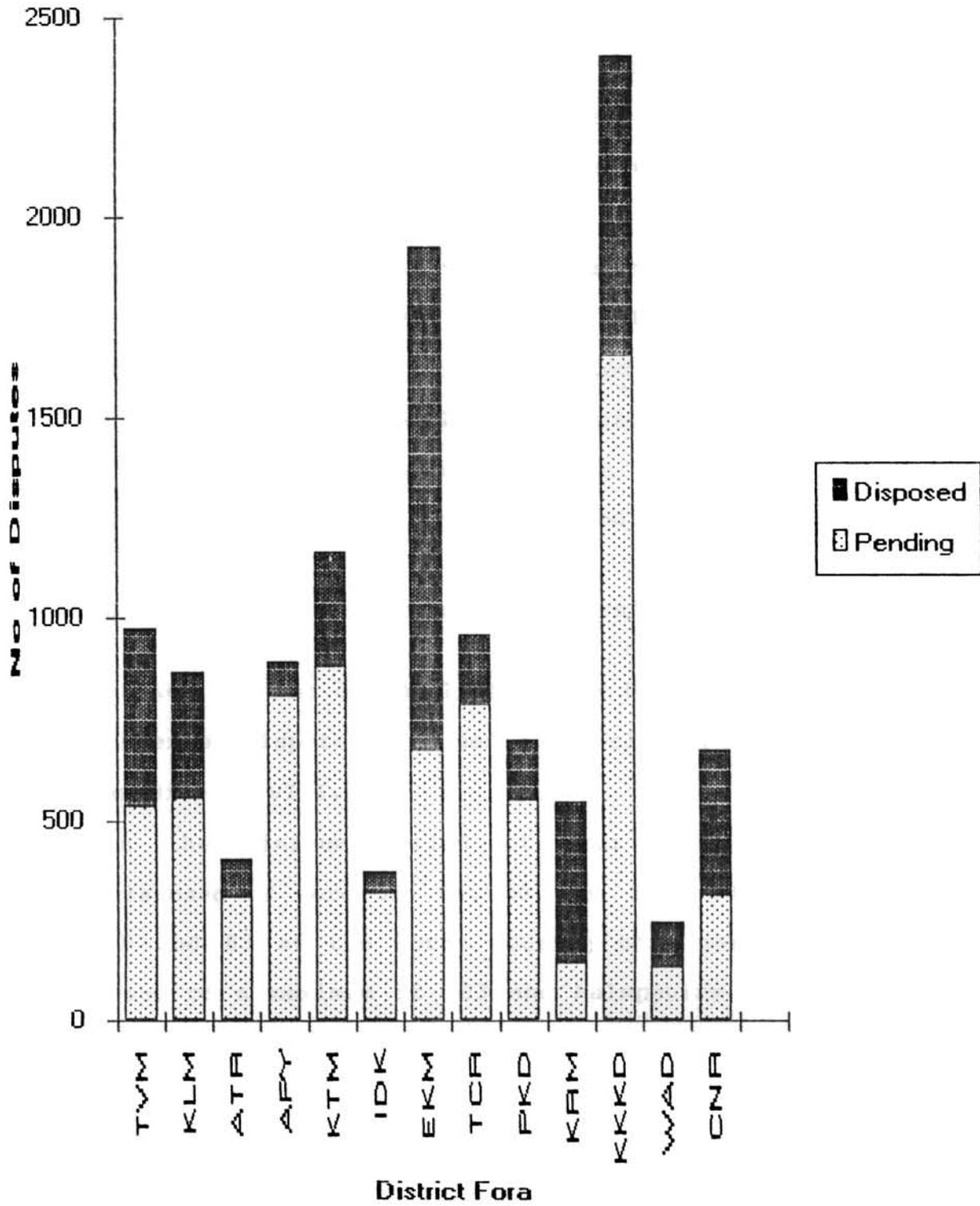
The total number of disputes regarding services disposed of at the Fora as shown in table 7.10 revealed that Kozhikode Forum bagged the first position by disposing of a maximum of 1661 disputes, whereas Wynad Forum disposed of only 136 disputes.

Table 7.10

Comparison of disputes pertaining to services disposed of and pending disposal at the Fora as on 30.4.1993

Name of the Fora	Disputes pertaining to services				Total
	Disposed of No. Per cent	Pending Disposal No. Per cent			
1 Thiruvananthapuram	537 55.02	439	44.90	976	
2 Kollam	555 64.24	309	35.76	864	
3 Pathanamthitta	310 76.35	96	23.46	406	
4 Alappuzha	810 90.81	82	9.19	892	
5 Kottayam	882 75.51	286	24.48	1168	
6 Idukki	323 86.83	49	13.17	372	
7 Ernakulam	675 34.96	1256	65.04	1931	
8 Thrissur	787 82.06	172	17.93	959	
9 Palakkad	548 78.40	151	21.60	699	
10 Malappuram	144 26.47	400	73.52	544	
11 Kozhikode	1661 68.95	748	31.05	2409	
12 Wynad	136 54.18	115	45.81	251	
13 Kannur	317 47.17	355	52.82	672	
Total	7685 63.29	4458	36.71	12143	

BAR DIAGRAM VII - A  
Disputes pertaining to services



**7.4.2.1 Disputes regarding services not disposed of  
as on 30.4.1993**

Disputes not disposed of as on 30.4.1993 are given in table 7.10 and Bar Diagram VII-A. Since this study has taken the disputes filed till 31.10.1992 only, the pending disputes clearly showed that they were filed at least six months before the date of collection of the data.

The chi-square values calculated for each disposal period and for each Forum (table 7.9) revealed that the differences in the disposal at the Fora in different periods were statistically significant at 1 per cent level. Therefore it is proved that there is inter-district variation in the time taken for the disposal of disputes regarding services filed at the Fora.

**7.4.3 Time taken for the disposal of 'Others'**

Time taken for the disposal of 'Other Disputes' at the Fora with the number of disputes disposed of is clearly shown in table 7.11 and Bar Diagram VIII.

Within the minimum period of four months the 'Other Disputes' disposed of were 55, 64, 20, 18, 176, 90, 95, 29, 51, 18, 203, 45 and 83 at the Fora. During this period Kozhikode Forum disposed of a maximum of 203 and Malappuram and Alappuzha Forum disposed of a minimum of 18 disputes each. Within 5 to 8 months 41, 61, 13, 49, 124, 65, 149, 85, 49, 21, 81, 26 and 43 disputes were disposed of at the Fora. During this period Ernakulam Forum

disposed of a maximum of 149 and Pathanamthitta Forum disposed of a minimum of 13 disputes.

Within 9 to 12 months 81, 80, 22, 95, 84, 34, 119, 71, 20, 23, 227, 18 and 41 disputes were disposed of with a maximum of 227 of Kozhikode and a minimum of 18 at Wynad Forum.

Within 13 to 16 months 60, 77, 46, 66, 41, 28, 57, 66, 13, 4, 134, 17 and 54 disputes were disposed of at the Fora. This showed that Kozhikode District Forum disposed of a maximum of 134 and Malappuram disposed of a minimum of four disputes.

Within 17 to 24 months the number of disputes disposed of was 24, 51, 13, 36, 28, 9, 27, 199, 1, 19, 39, 14 and 16 with a maximum of 199 at Ernakulam and minimum of one at Palakkad Forum.

Within 25 to 40 months the number of disputes disposed of was 2, 17, 1, 15, 1, 1, 1, 22, 1, 2, 2, 1 and 10 respectively at the Fora.

This clearly pointed out the fact that within a period of 16 months from the date of filing majority of the disputes were being disposed of at the Fora.

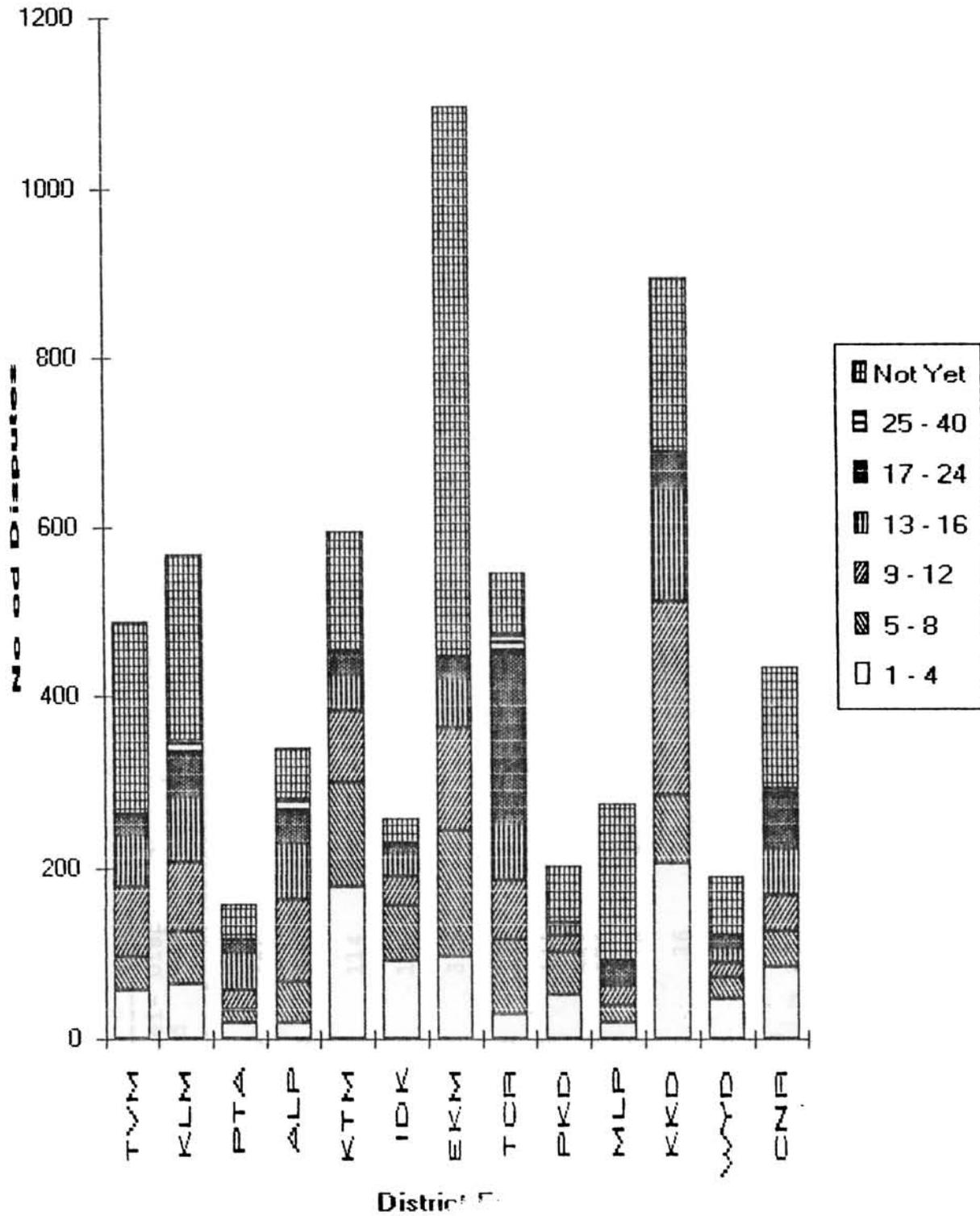
#### **7.4.3.1 'Others' pending disposal as on 30.4.1993**

Disputes not disposed of amounted 227, 217, 42, 63, 141, 30, 647, 73, 66, 189, 206, 67 and 143 at the Fora which pointed out that disputes filed till 30.10.1992 were still pending disposal on 30.4.1993.

Table 7-11  
Time taken for the disposal of 'Other Disputes'

	Time taken for disposal (Months)											Total	Chi-square		
	1 - 4	5 - 8	9 - 12	13 - 16	17 - 24	25 - 40	Not yet disposed								
	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent	No. Per cent
Thiruvananthapuram	55 11.22	41 8.36	81 16.53	60 12.24	24 7.9	2 0.41	227 46.33	490 45.4801**							
Kollam	64 11.28	61 10.76	80 14.11	77 13.58	51 8.99	17 3.00	217 38.27	567 29.2610**							
Pathanamthitta	20 12.74	13 8.28	22 14.01	46 29.29	13 8.28	1 0.64	42 26.75	157 55.5924**							
Alappuzha	18 5.26	49 14.33	95 27.78	66 19.30	36 10.53	15 4.39	63 18.42	342 136.3021**							
Kottayam	176 29.58	124 20.84	84 14.12	41 6.89	28 4.71	1 0.17	141 23.70	595 145.5669**							
Idukki	90 35.02	65 25.05	34 13.23	28 10.89	9 3.50	1 0.39	30 11.67	257 138.5896**							
Ernakulam	95 8.68	149 13.61	119 10.87	57 5.21	27 2.47	1 0.09	647 59.09	1095 323.0350**							
Thrissur	29 5.32	85 15.60	71 13.03	66 12.11	199 36.51	22 4.04	73 13.40	545 639.0540**							
Palakkad	51 25.12	49 24.14	20 9.85	13 6.40	1 0.49	1 0.49	66 33.50	201 53.4692**							
Malappuram	18 6.52	21 7.60	23 8.33	4 1.45	19 6.88	2 0.72	189 68.48	276 143.1438**							
Kozhikode	203 22.78	81 9.09	227 25.48	134 15.04	39 4.38	2 0.22	206 23.00	892 179.6634**							
Wynad	45 23.94	26 13.83	18 9.57	17 9.04	14 7.45	1 0.53	67 35.64	188 13.8217**							
Kannur	83 19.08	43 9.89	41 9.43	54 12.41	61 14.02	10 2.3	143 32.87	435 36.3538**							
Total	947 15.67	807 13.35	915 15.15	663 10.98	521 8.62	76 1.26	2111 34.96	6040							
Chi-square	310.3241**	110.2960**	141.3197**	158.2995**	617.7021**	109.6652**	491.7265**	1939.333**							

**BAR DIAGRAM VIII**  
 Total time of other disputes



Different categories of disputes received, disposed of and pending disposal at the District Fora  
as on 30.4.1993

District Fora	Disputes against goods		Disputes against services		Other cases		Total					
	Recei- ved sal	Pending	Recei- ved sal	Pending	Recei- ved sal	Pending						
1 Thiruvananthapuram	423	222	201	976	537	439	490	263	227	1889	1022	867
2 Kollam	354	235	119	864	555	309	567	350	217	1785	1140	645
3 Pathanamthitta	132	114	18	406	310	96	157	115	42	695	539	156
4 Alappuzha	172	150	22	892	810	82	342	279	63	1406	1239	167
5 Kottayam	394	332	62	1168	882	286	595	454	141	2157	1668	489
6 Idükki	141	125	16	372	323	49	257	227	30	770	675	95
7 Ernakulam	1049	444	605	1931	675	1256	1095	448	647	4075	1567	2508
8 Thrissur	372	326	46	959	787	172	545	472	73	1876	1585	291
9 Palakkaç	159	110	49	699	552	147	201	135	68	1059	797	262
0 Malappuram	92	36	56	544	144	400	276	87	189	912	267	645
1 Kozhikoðe	625	532	93	2409	1661	748	892	686	205	3926	2879	1047
2 Wynad	73	55	18	251	136	115	188	121	67	512	312	200
3 Kannur	278	149	129	672	317	355	435	292	143	1385	758	627
Total	4264	2830	1434	12143	7689	4458	6040	3929	2112	22447	14448	7999

With the ever-mounting disputes at the Fora these disputes pending disposal do not give a promising picture with regard to the redressal of disputes.

The chi-square values calculated for the different disposal periods and for the Fora (table 7.11) showed that there were wide differences in the time taken for the disposal of 'Others' at the Fora and found significant at one per cent level.

Thus in the case of disputes pertained to goods, services and 'Others' there are interdistrict variations in the time taken for the disposal of disputes filed at the District Fora which was proved correct by the chi-square values significant at one per cent level. Hence the first hypothesis that there is inter-district variation in the time taken for the disposal of disputes filed in the Fora is proved.

#### **7.5 Analysis of responses from the Fora Members**

Questionnaires were sent to the 14 presidents and 28 members of the 14 CDRAs. The author was successful in collecting the answers only from 21 respondents in spite of personal approaches made to them at the respective Fora. The details are as shown in the table 7.13.

Table 7.13

## District-wise distribution of respondents

Districts	Male	Female	Total
Thiruvananthapuram	1	1	2
Pathanamthitta	2	1	3
Kottayam	1	-	1
Alappuzha	1	2	3
Idukki	-	1	1
Ernakulam	2	1	3
Thrissur	2	1	3
Palakkad	1	1	2
Kozhikode	1	1	2
Kasargode	-	1	1
Total	11	10	21

No one responded from four Fora - Kannur, Wynad, Malappuram and Kollam. 10 out of 15 ladies and only 11 out of 27 men responded. The questionnaires sent to the president and members of the State Commission were not returned.

In spite of continued efforts by the author to get the questionnaires answered the failure could be attributed to the bureaucratic set-up prevailing in these quasi-judicial bodies. The attitude of non-respondents leads to denial of right to information as guaranteed under the COPRA, 1986.

### **7.5.1 Superior authority in the case of the District Fora**

The Consumer Dispute Redressal Agencies under COPRA, 1986 are functioning under the Ministry of Food, Civil Supplies and Consumer Affairs of the State and Central Governments since inception in 1990. The set-up has a three-tier redressal machinery with the District Fora at the bottom, State Commission in the middle and National Commission at the top level.

The answers received from the Fora members (including members and presidents) regarding their superior authority revealed a mixed and confused response. 64 per cent of the members felt that the president of respective District Forum was their boss, whereas 71.42 per cent of the presidents and 14.28 per cent of the members considered the president of the State Commission as their superior authority. 28.58 per cent of the presidents and 7.14 per cent of the members stated that the question of superior authority does not arise as they are honorary members and the State Government can act as the superior authority as per the Consumer Protection (Kerala) Rules, 1987. The remaining 14.58 per cent of the members were silent.

### **7.5.2 Call for a separate Ministry**

66.67 per cent seemed to believe that they were not answerable to the Ministry of Food, Civil Supplies and Consumer Affairs and 23.81 per cent felt that they were answerable to the Ministry, 9.52 per cent kept a diplomatic silence without giving an answer.

Moreover 47.62 per cent were for a separate Ministry exclusively for Consumer Affairs, whereas 14.29 per cent flatly disapproved it. Surprisingly 38.09 per cent of the respondents were least bothered about a Separate Ministry for Consumer Affairs.

It is interesting to note that the presidents who are or have been or are qualified to be a District Judge (Section 10 (a), COPRA, 1986, take their oaths before the District Supply Officer who is ignorant of the legal proceedings and functioning of the Fora. The confusion regarding the superior authority might have sprouted out from this. Since they are not answerable to the Department of Civil Supplies call for a Separate Ministry is the need of the day. It is ideal to set up institutions similar to Ombudsman which is in existence in the Scandinavian countries.

### **7.5.3 Name of the Redressal Agency**

The name given to the redressal agency as "Consumer Dispute Redressal Forum" referred to in the rules as "District Forum" was creating a lot of confusions among the ordinary people. Because of the phenomenal increase in the number of VCOs with similar names and poses consumers are at a loss to discriminate between the real redressal agency and the VCOs.

While 57.14 per cent of the respondents were not satisfied with the present name, 38.10 per cent had the opinion that the name as such suited their purposes and functions and 4.76 per cent was not at all bothered about it.

92.85 per cent cautioned that complainants mistake the District Fora as VCOs and vice versa. 7.14 per cent opined that media advertisements and announcements confuse the common mass.

It was found that even the post offices inadvertantly deliver letter directed to the District Fora to the well-known VCOs in the area and vice versa. Therefore intensive education and wide publicity through media is the need of the day to create awareness among the people and thus to solve this difficulty.

As the word 'Forum' was creating confusion in the minds of consumers, other suitable names were suggested by the members of the Fora. 42.86 per cent of the respondents suggested the name 'Consumer Protection Tribunal', 23.81 per cent suggested 'Consumer District Court', 19.05 per cent suggested 'Consumer Court', 4.76 per cent suggested 'Consumer Dispute Redressal Court', 4.76 per cent suggested 'Consumer Dispute Redressal Tribunal' and another 4.76 per cent suggested 'District Consumer Court' as the suitable name. This view was endorsed by Bajju George in his project report (M.B.A) 'Structure and Functioning of Consumer Forums in Kerala' (1992). In conclusions and suggestions he said that the name of the Forum should be changed as 'Consumer District Court'.

#### 7.5.4 **Sittings of the Fora**

Rule 4 Sub-rule 2 of the Consumer Protection (Kerala) Rules, 1987 states that "the working days and the office hours of the District Forum shall be the same as that of the Government". Also Sub-rule 4(3) states that the "Sittings of the District Forum, as

and when necessary, shall be convened by the president".

The study revealed that the number of sittings in Kasargode Forum was two per week, in Idukki, Palakkad, Alappuzha and Pathanamthitta three each, in Kottayam and Thiruvananthapuram four each and in Ernakulam and Thrissur five each.

In general the limiting factors were the convenience of members because for many of them this was only a subsidiary/part-time job.

The study regarding the speed of redressal of complaints earlier in this chapter revealed that there were complaints pending disposal at Idukki, Palakkad, Alappuzha, Pathanamthitta Fora on 30.4.1993, which they could have reduced with increased number of sittings per week.

#### **7.6 Reasons for delayed disposal of complaints**

The reasons for delayed disposal of complaints according to the preference rankings made by the members of the Fora were

- 1 Insufficient Staff in the office and their lack of knowledge in the Judicial proceedings
- 2 Ever-increasing number of complaints and high pendency of disputes
- 3 Frequent adjournments of hearings in tune with the convenience of lawyers

- 4 Delay in filling up the vacancies arising in the Fora and
- 5 Lack of fund.

Using Kendall co-efficient of concordance 0.832 showed a high degree of concordance among the members. The chi-square value 6.656 was found statistically significant proving the agreement among the members in this regard.

The query regarding the measures to minimise these limitations and to improve the working of the Fora led to the following findings:

#### 7.6.1 Staff in the Office of the Fora

A large majority of 61.98 per cent of the respondents opined that at least the Senior Superintendent should be appointed from the Judicial department, so that he would be able to give instructions and training to the staff. 28.57 per cent suggested that the staff who were transferred from the Department of Civil Supplies should not again be sent back to the parental department and 9.52 per cent suggested the appointment through P.S.C or Employment Exchange followed by an intensive training.

In addition to these suggestions respondents expressed their explicit opinion that no staff should be appointed from the Department of Civil Supplies, because those deputed from Civil Supplies Department were the persons non grata not familiar with judicial proceedings and there was no guarantee that they would continue to work in the Fora which would adversely affect their interest and involvement in the activities of the Fora.

The irony is that the members and presidents of the Fora are a part of the judiciary, while the staff members are accountable to the Ministry of Civil Supplies. Thus the staff members are in a difficult situation with two masters to serve and satisfy at the same time.

#### 7.6.2 Ever-increasing number and high pendency of complaints

Ever-increasing number of complaints in the Fora could be attributed to the increased awareness among Keralites commensurate with the consumer problems followed by delay in disposal.

The reasons for this were the following:

According to 76.16 per cent of respondents frequent adjournments of hearings, 14.32 per cent felt that the limited number of sittings per week and another 9.52 per cent felt that the policy one Forum for one District was not enough especially in geographically wide-spread districts.

Since the members of the Fora are working part-time with other jobs and interests elsewhere they come to the Fora only at the time of hearings. Moreover, the frequent adjournment posed a handicap to the speedy redressal of disputes resulting in high pendency. It is interesting to note that the working group constituted by the Government of India to suggest suitable amendments to the COPRA, 1986 reported that "there was consensus on the undesirability of permitting lawyers in the proceedings of National Commission, State Commission and District Fora which are not meant to follow elaborate legal procedures. It is recommended

that ordinarily they shall not be permitted to be engaged. The opposite party may be allowed a lawyer only if (1) the complainant has engaged a lawyer (2) with the consent of the complainants or (3) if the National Commission/State Commission/District Fora desires their appearance due to legal complexities of the case for reasons to be recorded in writing, and with the permission of the complainant". In spite of practicing this recommendation in the Fora, the lawyers are permitted to appear and harass the consumers with their lengthy queries.

Baju, George (1992) found that cent per cent of the consumers were for banning advocates from the Fora, while only 5 per cent of the members of the Fora favoured it.

Since in this study a great majority of 76.16 per cent pointed out that the adjournments of hearings by lawyers was an important reason for high pendency their involvement should be restricted.

The Supreme Court in the writ Petition (Civil) No.1141 of 1988 has observed that if the workload exceeds 150 cases in six months there is a case for an additional independent district forum. This necessitates the establishment of additional Fora in almost all districts in Kerala except Wynad. Owing to the financial constraints our Government could not do so. Moreover, the study regarding the speed of redressal revealed that with increased number of sittings per week the number of disposals can be accelerated.

### **1.6.3 Frequent adjournments of hearings in tune with the convenience of lawyers**

In order to minimise the frequent adjournments of hearings by the lawyers 76.19 per cent suggested that the number of adjournments should be restricted to a minimum. 9.52 per cent felt the need to give power to the redressal agency to take decisions on the basis of evidence produced in disputes when the number of adjournments exceeds a minimum. The remaining 14.29 suggested the strict enforcement of the provisions of the COPRA, 1986.

The suggestions made by the members of the Fora implied that the District Fora do not strictly adhere to the provisions of the Act and grant as many adjournments as and when the lawyers request them. The loss of money, time and energy suffered by the consumers due to these sudden adjournments would make a good subject for research. The adjournments affect the consumers more adversely than the businessmen. Therefore the feeling that 'advocates are enemies of consumer protection' stands correct.

### **1.6.4 Vacancies of presidents in the Fora**

The Fora can normally function with the president and one of the two members. But when the position of the president is vacant or if he is absent the Fora is unable to dispose of the disputes. In order to avoid the delay in disposal due to this 42.86 per cent of the respondents felt that one of the two members should also be

eligible to act as the president, while 19.05 per cent of the respondents had the opinion that the State Commission should be empowered to give additional charges to the president of the nearby Fora. 14.29 per cent of the respondents felt that the Government should prepare a list of qualified persons and recruit from the list as and when vacancies arise. The remaining 23.8 per cent suggested that the Act should be amended suitably.

As the COPRA, 1986 is a social welfare legislation which provides that the members should have experience in the field of trade, commerce, industry, law, accountancy, public affairs or administration (as the Consumer Protection (Amendment) Ordinance, 1993) there is no reason for not allowing the members to preside the Fora in the absence of the regular president. But the suggestion that the presidents of the nearby Fora should be given additional charges is not advisable, since the members themselves suggested the increase in the number of hearings per week for quick and speedy redressal. Also this necessitates a long distance travel when one president presides over more than one Forum.

#### 7.6.5 Financial Constraints

While 85.71 per cent of the respondents admitted that Fora had serious financial problems, 14.29 per cent did not feel so. This may be due to the fewer number of complaints filed in certain Fora. A few could not admit the financial constraints.<sup>2</sup>

76.19 per cent of the respondents felt that it was the duty of the Government to provide funds for providing cheap and quick redressal of disputes, while 19.05 per cent were of the view that there was nothing improper in collecting postal charges or getting stamped envelopes from the complainants; because hereby the delay in serving notices due to financial constraints could be avoided. Only 4.76 per cent insisted on prescribing court fee to complainants.

Some Fora ask for postages or stamped envelopes from complaints, which practice should effectively be curtailed because this will lead to exploitation of another kind. If the consumers are asked to pay postages, the office staff should give an acknowledgement of the same and it should be properly recorded.

The Welfare Fund created by the Government for this purpose can be enhanced by encouraging VCOs to undertake public litigation. 'Common Cause' cited the best example by filing a case against the bank strike with the intention of contributing a part of the compensation to the Welfare Fund (Mathrubhumi June 7, 1994, page 9).

#### **1.7 Some other Factors affecting the speedy redressal**

Among the other factors affecting the speedy redressal of consumer complaints the following were noteworthy:

- 1 Delay in acknowledging the registered notices served to the parties.

2 Delay in getting laboratory reports when testing of the sample is required.

#### 7.7.1 Delay in acknowledging the registered notices

According to 76.19 per cent of the respondents the wilful and deliberate attempt of the opposite parties not to accept and acknowledge the registered notices sent by the Fora used to cause delay in disposal of disputes, whereas 23.81 per cent of the respondents could not agree.

Reasons for this could be traced to the absence of process servers and special messengers in the Fora as in Civil Courts according to 61.90 per cent of respondents. 23.81 per cent of respondents felt that the inability to make use of the services of police department was the reason. Another 4.76 per cent opined that not empowering the Fora to penalise the postal department (local) for its deficient services was the reason.

#### 7.7.2 Delay in obtaining laboratory reports

62 per cent of the respondents experienced difficulties due to delay in obtaining laboratory reports, while 38 per cent could not find anything abnormal in the delay.

The procedure for the laboratory testing given in Section 13(1) (c) to (g) of the Act is very tedious and to a certain extent delays are unavoidable, especially when appropriate laboratories are not in existence. One of the serious lacunae existing in the COPRA is the delay in sending sample to the

appropriate laboratory resulting in further deterioration of the sample in the premises of the Fora. This can be remedied by proper amendments to send samples for test immediately pending initiation of the case.

The study also highlighted some of the operational problems of the Fora regarding execution of orders and infrastructural problems.

#### 7.8 Execution of Orders

While 52.38 per cent of the respondents made sure that the orders issued by the Fora were executed properly, 47.62 per cent experienced difficulties in the matter. The reasons for this problem in the order of preference is shown as follows:

- 1 Insufficient power vested on the Fora
- 2 Unwillingness to convict the defaulters
- 3 Absence of 'Amin' in the Fora
- 4 Irresponsible attitude of the police officers in promptly executing the arrest warrants.

Using Kendall co-efficient of concordance the degree of agreement was found to be 0.72 which showed a high degree of agreement among the members. Chi-square value = 60.48 (df=3) showed a statistically significant agreement at one per cent level.

One president expressed that ineffective execution was one of the loose ends in the COPRA which should be tied up for strengthening the effectiveness of the Fora and to do justice to

the aggrieved consumers. The provisions in the Act regarding execution of orders is given under section 25.

"every order made by the District Fora, State or National Commissions may be enforced by the appropriate agency in the same manner as if it were a decree or order made by a court in a suit pending therein and it shall be lawful for the agencies to send, in the event of its inability to execute it, such order to the court within the local limits of those jurisdiction.

a in the case of a company, the registered office of the company situated or

b in the case of an order against any other person, the place where the person concerned voluntarily resides or carries on business or personally works for gain and thereupon the court to which the order is so sent shall execute the order as if it were a decree or order sent to it for execution".

Complainants hesitate to use this remedy as the same involves going to the Civil Court making it time-consuming and expensive.

†

#### **7.9 Infrastructural Problems**

The study regarding the infrastructural facilities has brought out the need for improvements in filing systems, safe keeping of valuables produced in cases, expertise in complaints concerning defective goods and deficient services.

### 7.9.1 Filing System

Since there is no direction in the COPRA regarding the filing system of the Fora the instructions and directions given by the presidents and/or members or invariably the will and power of the office superintendents were followed resulting in all sorts of irregularities. In order to have a proper filing system in the Fora 50 per cent suggested that the Superintendent should be able to give instructions to the staff in such matters, 37.5 per cent suggested that the staff members should be trained properly, while 12.5 per cent expressed their need for more filing cabinets and bureaus.

Since the office staff are not familiar with the judicial proceedings for proper filing system the staff members should be properly trained. It is a relief to note that the subordinate legislation committee of the Kerala State Legislature is taking steps for improving the filing system of the Fora.

### 7.9.2 Expertise for evidence

Section 13(4) and (5) of the Act states that the District Forum shall have the same powers regarding expert advice as are vested in a Civil Court under the code of Civil Procedure 1908 while trying a suit. Also as per sub-section (5) every proceeding before the District Forum shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228 of the Indian Penal Code and the District Forum shall be deemed to be a

Civil Court for the purposes of Section 195 and Chapter XXVI of the Code of Criminal Procedure.

Using the discretionary power of the presidents they seek expertise for evidence. But the Act is silent regarding the bearing up of the expenses for bringing experts.

38.09 per cent of the respondents opined that the party who wants to add expert advice or pleads for appointing the experts should pay the expenses, while another 38.09 per cent opined that the complainant should bear the expense. 23.80 per cent were of the opinion that the Fora should bear the expense since there is no restriction regarding this in the Act.

These views reflected the practices adopted by the Fora which showed differential treatment of consumers in different Fora. This can be avoided with proper directions.

### **19.3 Facility for safekeeping of valuable goods**

While 62 per cent of the respondents stated that they had no facility for safekeeping of valuable goods produced by the complainants, 38 per cent thought the present space was sufficient for safekeeping. All of them felt the need for a safekeeping arrangement. 5 per cent of the respondents allowed the complainants to take back their goods for subsequent production since the Forum had no such facilities.

### 1.10 Refresher Courses for members

For improving the quality and updating the members regarding the decisions taken by the State/National Commission on appeals and the decisions of the Supreme Courts and Courts in other countries refresher courses are needed.

62 per cent of the respondents were aware that the Government is conducting refresher courses for the members, while 38 per cent were not even aware of that.

Only 14 per cent had attended the refresher courses at the time of the survey, while the remaining 86 per cent were awaiting their turn.

The Indian Institute of Public Administration, New Delhi, is conducting Orientation Programmes for non-judicial members of the Consumer Fora sponsored by the Ministry of Civil Supplies, Consumer Affairs and Public Distribution of the Government of India. This course would be very useful for the members to get acquainted with the judicial proceedings.

#### 1.10.1 Copies of the orders by the State/National Commissions on Appeals

Orders of the State/National Commissions on Appeals filed by the complainants have not been received by 52 per cent of respondents, whereas 48 per cent made it a point to get them. On consumer justice through CDRAs in the light of the above analysis an attempt is made to examine the legality and propriety of

creating quasi-judicial bodies as CDRA's in a rule of law society.

#### 7.11 Discussion

The Fora set up under pressure from the Central Government, SCOs and directions from the Supreme Court were the outcome of steps to comply with the letter but not with the spirit of the law. Hence most of the Fora are ill-equipped in terms of staff, space, office equipments, reference materials and facilities for litigants.

Persons with required statutory qualifications and dedication to consumer cause were not considered for appointment. Instead majority were appointed on the basis of their being active members of ruling political parties. The study conducted by the CERC, Ahmedabad (1990) on the socio-economic and educational background confirms the present observations. The Common Cause, Delhi (December 1990) found that the calibre of members appointed on District Fora was not of the status which is conducive to providing satisfaction to the consumers. In Andhra Pradesh the members nominated were reported to be illiterate. Apart from statutory qualifications it is an accepted norm in a rule of law society that decision-making in the courts, tribunals and the quasi-judicial bodies should be unbiased and impartial.

From the present way of swearing-in procedures of these members and the answers from them it follows that the existing system does not secure independence of the personnel of consumer adjudicating agencies from the Civil Supplies Department. As a

result, the existing system violates basic structure of the Indian Constitution i.e. the independence of adjudicating bodies viz. CDRAS [ S.P.Gupta Vs. Supreme Court of India, 1982, SC 149 AIR). As the matters stand today the CDRAS have been kept in a state of perpetual dependence on administrative departments with a view to repair their independence. A way out for this is to ensure that persons appointed perform judicial functions without fear or favour, their appointment should be in consultation with members of judiciary.

The Supreme Court has observed that infrastructural facilities in building Secretarial Staff and library and realistic annual grants should be sine-qua-non for granting approval for the setting up of Fora (Common Cause Vs. Union of India, Civil Writ Petition 1141/88).

Many of the members in Fora being either practicing advocates, or employed elsewhere affected the regular smooth functioning of the Fora.

For several reasons it has not been possible for these Fora to adhere strictly to the time schedule of four months. The major reasons for this, as revealed in this study, are the adjournment of cases by the lawyers, lesser number of sittings, increased number of cases, vacant posts in the Fora, shortage of funds and stationery and delay in getting test reports as endorsed by the Common Cause (1991).

## Chapter 8

### Studies on Consumer Awareness among Women

#### Profile of the Sample

The sample of the study consisted of 320 rural and urban women belonging to Thrissur and Ernakulam districts. 160 families were selected from each district, comprising 110 families from urban areas and 50 families from rural areas. They were grouped based on their age, education, type of family, employment, marital status and income.

#### 8.1 Relevance of Socio-economic factors

##### 8.1.1 Age

The age profile of the sample was between 20 and 30, 30 and 40 and above 40 and their break-up on urban-rural basis is as shown in table 8.1.



**Thrissur District**

Out of the 110 women selected from Thrissur urban area, 31.82 per cent were in the age of 20-30, 47.27 per cent were in the age range of 30-40 and 30.91 per cent were above 40.

Of the 50 women selected from Thrissur rural area 12 per cent were in the age group of 20-30, 32 per cent were in the age range of 30-40 and 56 per cent were above 40.

**Ernakulam District**

Out of the 110 women selected from Ernakulam urban area 31.64 per cent were in the age group of 20-30, 32.73 per cent in the age group of 30-40 and 33.63 per cent above 40.

Of the 50 women selected from the rural area 32 per cent belonged to the age group of 20-30, 36 per cent 30-40 and 32 per cent above 40.

When pooled the total of 320 samples into urban and rural, 31.73, 40.00 and 32.27 per cent of the urban sample and 22.00, 34.00 and 44.00 per cent of the rural sample belonged to the age groups of 20-30, 30-40 and above 40 respectively.

Thus a total of 25.94 per cent was between 20 and 30, 38.13 per cent between 30 and 40 and 35.93 per cent more than 40 years of age.

### 3.1.1.2 Education

The educational status of the sample portrayed in table 8.2 revealed the fact that the women in rural areas were not equally educated and enlightened as their counterparts in urban areas.

Table 8.2  
Classification of the sample by level of education

Educational level	Thrissur				Ernakulam				Total				Grand Total	
	Rural		Urban		Rural		Urban		Rural		Urban		No.	Per cent
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
S.S.L.C	21	19.09	12	24.00	22	20.00	33	66	43	19.55	45	45	88	27.50
P.D.C	25	22.73	8	16.00	19	17.27	8	16	44	20.00	16	16	60	18.75
Degree/ Diploma	43	39.09	6	12.00	35	31.82	8	16	78	35.45	14	14	92	28.75
P.G./Professional	21	19.09	24	48.00	34	30.91	1	2	55	25.00	25	25	80	25.00
Total	110	100.00	50	100.00	110	100.00	50	100	220	100.00	100	100	320	100.00

### Thrissur District

Of the 110 women selected from Thrissur urban area 19.09 per cent had S.S.L.C., 22.73 per cent P.D.C., 39.09 per cent degree/diploma and 19.09 per cent post-graduation, while of the 50 rural sample 24.00 per cent had S.S.L.C., 16.00 per cent P.D.C., 16.00 per cent degree/diploma and 48.00 per cent post-graduation.

### Ernakulam District

Out of the 110 women selected from the Ernakulam urban area 16.00 per cent had S.S.L.C., 17.27 per cent P.D.C., 31.82 per cent degree/diploma and 30.91 per cent post-graduate degree, whereas of the 50 rural sample 66.00 per cent had S.S.L.C., 16.00 per cent P.D.C., another 16.00 per cent degree/diploma and only 2.00 per cent post-graduate degree.

The total 320 sample, when classified into urban and rural, it was found that 19.55 per cent of the urban and 45 per cent of the rural sample had S.S.L.C., 20.00 per cent of the urban and 16.00 per cent of the rural P.D.C., 35.45 per cent of the urban and 14 per cent of the rural women degree/diploma and 25.00 per cent of the urban and the rural sample each post-graduate degree.

Thus of the total 320 sample selected for the study 27.5 per cent of the sample had S.S.L.C., 18.75 per cent P.D.C., 28.75 per cent degree/diploma and 25.00 per cent post-graduate/professional qualifications.

For the purpose of the study the sample is classified into  
viz.,

educated women with S.S.L.C. and P.D.C qualifications (46.25  
per cent)

highly educated women with degree/diploma and post-graduate/  
professional qualifications (53.75 per cent).

The Chi-square value of 12.69 showed a statistically  
significant difference at one per cent level which proved that  
there was significant difference between the educational levels of  
the urban and rural sample (table 8.3).

Table 8.3

Classification of the sample into educated and highly educated

	Urban		Rural		Chi-square
	No.	Per cent	No.	Per cent	
educated	87	39.55	61	61.00	12.69
Highly educated	133	60.45	39	39.00	
Total	220	100.00	100	100.00	

### 8.1.3 Employment

On the basis of employment women were classified into three groups viz., the women rendering services, the professionals and the unemployed class. Table 8.4 shows the district-wise, urban-rural break-up of the sample on the basis of employment. Table 8.4 revealed the fact that there were more unemployed women than the employed in rural and urban areas.

Table 8.4  
Distribution of the Sample by Employment Status

Employment Status	Thrissur						Ernakulam						Grand Total	
	Urban			Rural			Urban			Rural			Urban	Total
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Employed	30	27.27	19	38.00	27	24.55	2	4.00	57	25.91	21	21.00	78	24.37
Professionals	18	16.36	14	28.00	14	12.73	0	0	32	14.55	14	14.00	46	14.38
Unemployed	62	56.36	17	34.00	69	62.72	48	96.00	131	59.54	65	65.00	196	61.25
Total	110	99.99	50	100.00	110	100.00	50	100.00	220	100.00	100	100.00	320	100.00

**Thrissur District**

Of the 110 sample selected from the urban Thrissur 27.27 per cent were employed rendering services, 16.36 per cent professionals and 56.36 per cent unemployed, whereas of the 50 rural sample 38.00 per cent were employed rendering services, 13.00 per cent professionals and 34.00 per cent unemployed.

**Ernakulam District**

Of the 110 urban sample 24.55 per cent were employed rendering services, 12.73 per cent professionals and 62.72 per cent unemployed, whereas of the 50 rural sample 4.00 per cent were employed rendering services, none of them professionals and 96.00 per cent unemployed.

When the total sample was classified into urban and rural it was found that 25.91 per cent of the urban and 21.00 per cent of the rural sample were in the service class, 14.55 per cent of the urban and 14 per cent of the rural sample professionals and 59.54 per cent of the urban and 65.00 per cent of the rural sample unemployed. Thus 61.25 per cent of the sample were unemployed and 24.38 per cent in the service class and 14.38 per cent professionals.

When the total sample is classified into employed and unemployed classes it was found that 40.46 per cent of the urban and 35 per cent of the rural sample were employed and 59.54 per cent of the urban and 65 per cent of the rural unemployed.

The difference between the employed and unemployed sample of rural-urban area found non-significant from the Chi-square value, 0.8591 df(1). Therefore the hypothesis was disproved indicating that there was no significant difference between the employed and unemployed in the rural and urban areas.

#### 3.1.1.4 Type of family

For the purpose of the study families were classified into nuclear and joint.

Distribution of the sample on the basis of the type of family is shown in table 8.5. It was found that both in urban and rural areas a greater per cent of the sample belonged to nuclear families.

Table 8.5

Distribution of the sample by type of family

Type of family	Thrissur		Ernakulam		Total		Grand Total	
	Urban	Rural	Urban	Rural	Urban	Rural	Urban	Rural
	No. Per cent							
Nuclear	96 70.00	42 84.00	83 75.45	29 58.00	179 81.36	71 71.00	250 78.13	
Joint	14 30.00	8 16.00	27 24.55	21 42.00	41 18.64	29 29.00	70 21.87	
Total	110 100.00	50 100.00	110 100.00	50 100.00	220 100.00	100 100.00	320 100.00	

**Trissur district**

Of the 110 women selected from the urban area 70 per cent belonged to nuclear families and 30 per cent belonged to joint families, whereas out of the 50 rural sample 84 per cent belonged to nuclear families and 16 per cent belonged to joint families.

**Emakulam district**

Of the 110 urban women 75.45 per cent belonged to nuclear families and 24.55 per cent were from joint families. Of the 50 rural women 58 per cent were from nuclear and 42 per cent from joint families.

When the total sample was classified into urban and rural it was found that 81.36 per cent of the urban and 71 per cent of the rural sample were from nuclear families, and only a small percentage of 18.64 of the urban and 29 per cent of the rural sample were from joint families. Thus 78.13 per cent of the total 220 sample were from nuclear and 21.87 per cent from joint families.

The Chi-square value 4.3072 (df=1) proved that majority of the sample was from nuclear families and found statistically significant at five per cent level.

**3.1.1.5 Marital status**

The sample was classified as single or married. Majority of the sample was married (table 8.6).

**Table 8.6**  
**Distribution of sample on the basis of marital status**

Marital Status	Thrissur				Ernakulam				Total		Grand Total			
	Urban		Rural		Urban		Rural		Urban	Rural				
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No. Per cent			
Married	99	90.00	47	94.00	79	71.82	42	84.00	178	80.91	89	89.00	267	83.43
Single	11	10.00	3	6.00	31	28.18	8	16.00	42	19.09	11	11.00	53	16.56
Total	110	100.00	50	100.00	100	100.00	50	100.00	220	100.00	100	100.00	320	100.00

**Thrissur district**

The distribution of the sample from Thrissur urban area showed that 90 per cent of them were married and 10 per cent single, while 94 per cent of the rural sample were married and 6 per cent single.

**Ernakulam district**

It was found that of the sample from Ernakulam 71.82 per cent of the urban were married and 28.18 per cent single, while 84 per cent of the rural sample were married and 16 per cent single.

Of the total 220 urban sample 80.91 per cent were married and 19.09 per cent single, whereas 89 per cent of the rural sample were married and 11 per cent single.

Of the total 320 sample 83.43 per cent belonged to the married class and 16.56 per cent were single.

The non-significant Chi-square value 3.2465 (df=1) proved that there was no significant variation in the marital status of the sample from urban and rural areas.

**4.1.1.6 Economic status of women on the basis of annual family income**

The economic status of the sample was evaluated on the basis of their annual family income. The levels of income were classified into the following six groups:

- 1 Income upto Rs.15,000 per annum (1<sup>st</sup> group)
- 2 Income ranging from Rs.15,000 to Rs.30,000 (2<sup>nd</sup> group)
- 3 Income ranging from Rs.30,000 to Rs.45,000 (3<sup>rd</sup> group)
- 4 Income ranging from Rs.45,000 to Rs.60,000 (4<sup>th</sup> group)
- 5 Income ranging from Rs.60,000 to Rs.75,000 (5<sup>th</sup> group) and
- 6 Income exceeding Rs.75,000 (6<sup>th</sup> group).

Table 8.7 depicts the levels of income of the sample taken the rural and urban areas of Thrissur and Ernakulam icts.

Table 8.7

Distribution of women on the basis of level of annual income of the family

Level of Income (Annual) (Rs)	Thrissur				Ernakulam				Total				Grand Total	
	Urban		Rural		Urban		Rural		Urban		Rural		No.	Per cent
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent		
Upto 15,000	47	42.73	3	6.00	49	44.55	39	78.00	96	43.64	42	42.00	138	43.13
15000-30000	24	21.82	8	16.00	13	11.82	7	14.00	37	16.82	15	15.00	52	16.25
30000-45000	16	14.55	10	20.00	18	16.36	1	2.00	34	15.46	11	11.00	45	14.06
45000-60000	6	5.45	4	8.00	9	8.18	2	4.00	15	6.82	6	6.00	21	6.56
60000-75000	7	6.36	6	12.00	5	4.55	1	2.00	12	5.45	7	7.00	19	5.94
75000	10	9.09	19	38.00	16	14.55	0	0	26	11.82	19	19.00	45	14.06
Total	110	100.00	50	100.00	110	100.00	50	100.00	220	100.00	100	100.00	320	100.00

**Thrissur district**

Of the 110 urban Thrissur sample 42.73 per cent were in the 1<sup>st</sup> income group, 21.82 per cent in the 2<sup>nd</sup>, 14.55 per cent in the 3<sup>rd</sup>, 5.45 per cent in the 4<sup>th</sup>, 6.36 per cent in the 5<sup>th</sup> and 3.09 per cent in the 6<sup>th</sup> groups of income respectively. 6.00 per cent, 16.00, 20.00, 8.00, 12.00 and 38.00 per cent of the rural sample belonged to the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> income groups respectively.

**Emakulam district**

Of the 110 urban sample 44.55, 11.82, 16.36, 8.18, 4.55 and 14.55 per cent were in the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> income groups respectively, whereas of the 50 rural sample 78.00, 14.00, 1.00, 4.00 and 2.00 per cent were in the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> income groups respectively, and none of the rural women had income more than Rs.75,000/-.

The total 320 sample, when pooled on an urban-rural basis, it was found that 43.64, 16.82, 15.46, 6.82, 5.45 and 11.82 per cent belonged to the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> income groups, whereas of the rural sample 42.00, 15.00, 11.00, 6.00, 7.00 and 19.00 per cent were belonged to the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> income groups respectively.

A total of 43.13, 16.25, 14.06, 6.56, 5.94, and 14.06 per cent were in the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> income groups respectively.

Thus majority of the sample belonged to low income groups. Only 11.82 per cent of the urban and 19.00 per cent of the rural women belonged to families having an annual income of Rs.75000/-.

### 8.1 Awareness and Socio-economic Factors

For the measurement of the consumer awareness among the sample and to find out the factors that contribute to their awareness two methods were adopted viz., (1) Multiple Linear Regression Analysis and (2) second method based on the averages of the allotted values for the consumer rights given by the presidents of the Consumer Dispute Redressal Fora.

### 8.2 Multiple Linear Regression Analysis

For performing Multiple Linear Regression the awareness index structured through the Principal Component Analysis was used as the dependent variable and the socio-economic characteristics of the women as the independent variables.

For constructing the awareness index through the Principal Component Method the six consumer rights were taken as the indicator variables. The six consumer rights identified for the purpose are

- R<sub>1</sub> the right to know
- R<sub>2</sub> the right to choose
- R<sub>3</sub> the right to consumer education

- R<sub>4</sub> the right to safety  
R<sub>5</sub> the right to be heard and  
R<sub>6</sub> the right to get redressed.

A five point scale was used for measuring the awareness of consumer rights among women. The options given in the questionnaire structured for the purpose were (1) Always (2) Often (3) Rarely (4) Very rarely and (5) Never. The allotted scores of these options were

Always	-	4
Often	-	3
Rarely	-	2
Very rarely	-	1
Never	-	0

In the case of the right to know six variables viz., price, quality, purity, potency, standard and quantity were taken as the contributing factors. These six variables were given equal weightage and the average value was taken as the awareness score. In the case of the remaining five consumer rights only one variable each contributed to the awareness. The average values of the awareness scores of each sample unit were used for identifying the awareness index.

At first the variance - covariance matrix of the indicator variables was calculated using the MSTAT-C Statistical Package.

The latent vectors and latent roots were extracted for generating the principal components. The principal components with their respective latent roots and percentage variances are given below.

**Principal Components and Latent Roots  
with Percentage Variance**

Principal Components	Latent Roots	Percentage Variance
P <sub>1</sub>	96.702	52.552
P <sub>2</sub>	41.105	22.338
P <sub>3</sub>	18.910	10.281
P <sub>4</sub>	15.112	8.473
P <sub>5</sub>	8.232	8.473
P <sub>6</sub>	3.946	2.144

The first principal component P<sub>1</sub> was taken as the awareness index since it alone explained 52.55 per cent variance. The aim was to find out an awareness index only one principal component ie., P<sub>1</sub> is retained in the analysis. It was found that  $P_1 = 0.404 R_1 + 1.000 R_2 + 0.126 R_3 + 0.942 R_4 + 0.465 R_5 + 0.323 R_6$ .

The above equation indicated that R<sub>1</sub> the right to know contributed 0.404 towards the awareness index, R<sub>2</sub> the right to

choose contributed 1.00,  $R_3$  the right to consumer education contributed 0.126,  $R_4$  the right to safety contributed 0.942,  $R_5$  the right to be heard contributed 0.465 and  $R_6$  the right to get redressed contributed 0.323 towards the awareness index. Thus  $P_1$  was mainly determined by the right to choose and the right to safety. Therefore the maximum variance in the awareness index is mainly due to the right to choose and the right to safety.

The awareness index ie,  $P_1$  was correlated with the socio-economic characteristics of the respondents in order to find out the factors that contributed to the awareness. The socio-economic characteristics of the women considered for the correlation were

- $X_1$  - Age
- $X_2$  - Education
- $X_3$  - Occupation
- $X_4$  - Marital status
- $X_5$  - Annual Income
- $x_6$  - Type of family

These socio-economic characteristics were given dummy values for analytical convenience. The dummy values given were as follows.

#### Education

Degree holders	- 1
Others	- 0

## Occupation

Employed	-	1
Unemployed	-	0

## Marital status

Married	-	1
Unmarried	-	0

## Type of family

Nuclear family	-	1
Joint family	-	0

Actual age and income were considered for the study. The correlation coefficients between the indicator variables were calculated and the resulting correlation matrix is shown in table 8.8.

Table 8.8

Correlation Matrix of the socio-economic characteristics and  
the awareness index of the sample

Variables	Age	Education	Employment	Married or Single	Annual income	Type of family	Awareness Index
Age	1.000						
Education	0.157 **	1.000					
Employment	0.330	0.383	1.000				
Married or Single	** 0.463 *	0.059 **	* 0.202 **	1.000 * *			
Annual income	0.292	0.323	0.394	0.200 *	1.000		
Type of family	0.180	0.192 *	0.145	0.212	0.187	1.000	
Awareness Index	-0.034	0.193	0.102	-0.021	0.030	0.162	1.000

\*Significant at 5 per cent level (Value,> 0.195)

\*\*Significant at 1 per cent level (Value,> 0.254)

The correlation matrix revealed that education and employment are significantly correlated which substantiated the fact that higher education leads to more employment opportunities. Annual income also showed significant correlation with education and employment. Thus women with higher education have more employment opportunities resulting in higher income.

The awareness index when correlated with the socio-economic characteristics revealed that education and type of family were the major factors that contributed more to the awareness of women than the factors such as age, employment, marital status and annual income. Employment also contributed to the awareness of women.

The Multiple Linear Regression Analysis revealed that the contributions of the factors education and type of family towards the consumer awareness were statistically significant at 5 per cent level. The results of Multiple Linear Regression Analysis is shown in table 8.9.

Table 8.9

## Results of Multiple Linear Regression Analysis

Variables	Regression Coefficient	Student T Value
Age	-0.00576	-1.268
Education	0.17011*	2.541
Employment	0.081185	1.128
Married or Single	-0.043558	-0.472
Annual Income	-0.0000007	-0.750
Type of Family	0.20036*	2.641

Intercept = 0.795187,  $R^2 = 0.062$

\* Significant at 5 per cent level

Therefore it was revealed that the more women are educated the more they are aware of their consumer rights and women in nuclear families are more aware of their consumer rights than women in joint families.

## 2<sup>nd</sup> Method

A second method was also attempted to determine the awareness index of the sample. For giving weightage to the six consumer rights, the opinions of the presidents of the District Fora were taken into consideration in this method.

Ten presidents of the District Fora were selected to give weightage to the consumer rights and the mean of those weightages were calculated. The maximum score for each right was restricted to 10. The means of the weightages allotted by the presidents with the consumer rights are given below:

1	Right to know	-	10
2	Right to choose	-	8
3	Right to consumer education	-	6
4	Right to safety	-	4
5	Right to be heard	-	2
6	Right to get redressed	-	1

Using these mean values Index I was calculated by using the formula

$$\text{Index I} = \frac{10 X_1 + 8 X_2 + 6 X_3 + 4 X_4 + 2 X_5 + X_6}{\quad}$$

$X_1, X_2, X_3, X_4, X_5$  and  $X_6$  are age, education, occupation, marital status, annual income and type of family respectively as taken for the Multiple Linear Regression Analysis.

Using this Index I awareness indices were calculated directly. When the socio-economic characteristics of the sample were correlated with this index, the correlation matrix obtained was as follows (table 8.10).

Table 8.10  
Correlation Matrix

Socio-economic features	Age	Education	Employment	Marital Status	Annual Income	Type of family	Index I
Age	1.000						
Education	0.157	1.000					
Employment	0.330**	0.383**	1.000				
Marital Status	0.463**	0.059	0.202*	1.000			
Annual Income	0.292*	0.323**	0.394**	0.200*	1.000		
Type of family	0.180	0.192	0.145	0.212*	0.187*	1.000	
Index I	0.043	0.379**	-0.206*	0.115	0.253*	0.233*	1.000

\*Significant at 5 per cent level

\*\*Significant at 1 per cent level

Under this method the correlation matrix showed that the major factors that contributed to the awareness of women were education and nuclear type of family.

The Multiple Linear Regression Analysis also substantiated that the level of education and nuclear type of family contributed to the awareness. The results of the Multiple Linear Regression Analysis is given below.

#### Results of Multiple Linear Regression Analysis

Variables	Regression Coefficient	Student T Value
Age	-0.00772	-0.884
Education	0.33296**	5.361
Employment	0.00250	0.662
Married or Single	-0.011816	-1.817
Annual Income	-0.0027527	-0.662
Type of family	0.037234**	2.602
Intercept	-0.791160	$R^2 = 0.177$

These two methods agree with the same factors that education and nuclear type of family played a very important role in the consumer awareness among women. This result supports the third hypothesis that education and nuclear family are positively related to the awareness among women.

#### 8.2.2 Socio-economic factors - A contrast

- 8.2.2.1 Urban Vs rural
- 8.2.2.2 Complainants Vs non-complainants
- 8.2.2.3 Employed Vs unemployed
- 8.2.2.4 Married Vs single
- 8.2.2.5 Nuclear Vs joint family and
- 8.2.2.6 Thrissur District Vs Ernakulam District

2.2.7 **Educated Vs highly educated** were made using Student's t-test and the results are given below (Details of awareness indices are shown in appendix I).

2.2.1 **Urban Vs rural women**

The mean values of the awareness indices of the 220 urban and 100 rural sample were found to be 0.9354 and 0.4875 respectively indicating the higher percentage of awareness among urban women.

The t - value 7.2737 was found statistically significant, substantiating the general observation that urban women are more aware of their consumer rights than their rural counterparts.

Restricted opportunities for education and employment may be the factors attributable to this lower level of awareness among rural women.

2.2.2 **Complainants Vs non-complainants**

The mean values of the level of awareness indices among 100 complainants and 220 non-complainants were found to be 1.36 and 0.54 respectively indicating a substantial difference between the two.

The difference was statistically proved significant with the t - value 23.4012 at one per cent level. This proved that women who come forward to complain in the Fora are more aware than the others.

### 8.2.2.3 Employed Vs unemployed

The mean values of the awareness indices of 124 employed and 196 unemployed women were found to be 0.8771 and 0.7437 respectively which showed only a slight difference between the two.

The difference was statistically proved significant with the t - value, 2.2387. This proved the hypothesis that employed women are more aware of their consumer rights than the unemployed.

### 8.2.2.4 Married Vs single

On the basis of the marital status the awareness of 267 married and 53 single women was compared using the mean values of the awareness indices. The mean values of the indices of married and single women were 0.7940 and 0.8038 respectively.

The t - value 0.1185 showed a non-significant difference between the married and single women. Therefore the marital status did not contribute to the awareness of women.

### 8.2.2.5 Nuclear Vs joint family

It was generally believed that women in nuclear families are more aware of their consumer rights than those in joint families.

To find out the difference in awareness of women belonging to 250 nuclear and 70 joint families the mean values of the awareness indices were calculated and found to be 0.8488 and 0.6176 respectively.

The t - value 3.1422 showed a significant difference substantiating that women in nuclear families are more aware than the others.

#### 3.2.2.6 Thrissur District Vs Ernakulam District

In the course of the study it was found that there was difference between the awareness of women from Thrissur and Ernakulam districts as indicated by the mean values of the awareness indices of 0.9482 and 0.6425 respectively.

The t - value of 7.2160 showed that there was a substantial difference between the awareness of women from Thrissur and Ernakulam districts. This indicated that there is variation in the awareness of women from district to district.

#### 3.2.2.7 Educated Vs highly educated

The higher the level of education among women the more they are aware of their consumer rights.

The mean value of the awareness indices of the 172 highly educated women was 0.8828 and that of 148 educated women was 0.6940 which indicated that the awareness of the highly educated women was more than the others.

The t - value showed a statistically significant result of 3.0426 proving that the awareness among the highly educated women was more than that of the educated. Therefore for increasing consumer awareness women should be educated.

Therefore it was proved that women who were employed, highly educated, in urban area, in nuclear families and from Thrissur district showed more consumer awareness than their counterparts.

### 3.3 Consumer rights and awareness - A comparative study

The means of total score calculated for each sample was considered for finding out the extent of awareness of each and every consumer right.

The mean values of the awareness of the consumer rights of the total 320 sample is shown in table 8.11.

**Table 8.11**

**Awareness of the consumer rights among women**

Consumer rights	Mean value
1 Right to know	0.831
2 Right to choose	0.812
3 Right to consumer education	0.775
4 Right to safety	0.568
5 Right to be heard	0.702
6 Right to get redressed	0.434

Table 8.11 revealed that the level of awareness was maximum in the case of the right to know and it was the least in the case of the right to get redressed.

### **3.1 Right to know**

#### **3.1.1 Urban Vs rural**

The mean of the awareness scores of the 220 urban and 100 rural sample were 0.838 and 0.815 respectively.

The t - value 1.5208 showed a non-significant variation between the two substantiating the fact that there was no variation in awareness on the right to know between the urban and rural sample.

#### **3.1.2 Complainants Vs non-complainants**

The mean value of the awareness scores of the 100 complainants was 0.843 and that of 220 non-complainants was 0.825.

The t - value 1.2644 was non-significant substantiating that there was no significant variation in the awareness of this right between the complainants and non-complainants.

#### **3.1.3 Employed Vs unemployed**

The mean value of the awareness scores of the 124 employed women was 0.848 and that of the unemployed was 0.817.

The t - value 2.1390 was found statistically significant implying that the employed women are more aware of this right than the unemployed.

#### 8.3.1.4 Married Vs single

The mean of the awareness scores of the married women was 0.835 and that of single women was 0.812.

The t - value 1.2412 was not statistically significant. Hence it is proved that the marital status of women did not contribute to the awareness among women.

#### 8.3.1.5 Nuclear Vs joint families

Women in nuclear families were thought to be more aware of their rights than women in joint families. The mean of the awareness scores of women belonging to nuclear families was 0.844 and that of joint families 0.783.

The t - value 3.8142 was statistically significant indicating that the women in nuclear families are more aware than those in joint families.

#### 8.3.1.6 Thrissur district Vs Ernakulam district

The mean value of the awareness scores of 160 sample each from Thrissur and Ernakulam districts were 0.845 and 0.817 respectively.

The t - value 2.0207 was statistically significant implying that there was variation in the awareness of the right to know from district to district.

### 8.3.1.7 Educated Vs highly educated

The mean values of the awareness scores of the educated and highly educated women were 0.780 and 0.880 respectively.

The t - value, 5.0070 was statistically significant proving that the highly educated women were more aware of the right than the educated women.

### 8.3.2 Right to choose

#### 8.3.2.1 Urban Vs rural

The mean values of the awareness scores were 0.780 and 0.883 in the case of urban and rural samples respectively.

The t - value 5.0007 was statistically significant implying that the rural women were more aware of the right to choose than the others.

#### 8.3.2.2 Complainants Vs non-complainants

The mean of the awareness scores of the complainants was 0.755 and that of the non-complainants was 0.838.

Statistically significant t - value (3.9588) was obtained substantiating the fact that the non-complainants were more aware of the right to choose than the complainants.

#### 8.3.2.3 Employed Vs unemployed

The mean values of the awareness scores of the employed and unemployed were 0.793 and 0.824 respectively.

The t - test showed a non-significant result of 1.5453 proving that there is no significant difference in the awareness of the right to choose due to the employment of women.

#### 3.3.2.4 Married Vs single

The mean values of the awareness scores of the married sample was 0.819 and that of the single 0.774.

The t - value 1.7254 was found statistically non-significant. Hence it is proved that the marital status did not contribute to the awareness among women.

#### 3.3.2.5 Nuclear Vs joint families

The mean values of the awareness scores of the women belonging to nuclear and joint families were 0.807 and 0.829 respectively.

The t - value 0.9013 showed a non-significant variation in the awareness of the right to choose among women in nuclear and joint families.

#### 3.3.2.6 Thrissur district Vs Ernakulam district

The mean values of the awareness scores of the Thrissur and Ernakulam samples were 0.789 and 0.834 respectively.

The t - value 2.4611 was found to be statistically significant proving the fact that there was variation in the awareness of women from district to district.

### 3.2.7 Educated Vs highly educated

The mean values of the awareness scores of the educated and highly educated women were 0.702 and 0.902 respectively.

The t - value, 4.7119 was statistically significant substantiating the greater awareness of this right among the highly educated women.

### 3.3 Right to consumer education

#### 3.3.1 Urban Vs rural

The mean of the awareness scores of the urban sample was 0.90 and that of the rural sample 0.50.

The t - value showed a statistically significant result of 3819 which proved that the urban sample is more aware of the right to consumer education than the rural sample.

#### 3.3.2 Complainants Vs non-complainants

It is assumed that those who are more aware of the right to consumer education take up their complaints in the Fora.

The mean of the awareness scores of the complainants was 0.98 and that of the non-complainants 0.68.

The t - value, 8.6490, proved that those who have complained in the Fora are more significantly aware of this right than the

### **3.3.3 Employed Vs unemployed**

The mean value of the awareness scores of the employed sample was 0.902 and that of the unemployed 0.702.

The t - value 4.7119 was significant implying that the employed women are more aware of the right to consumer education.

### **3.3.4 Married Vs single**

The mean value of the awareness scores of the married women was 0.772 and that of the single 0.792.

The t - value 0.3321 was found not significant indicating that married status does not confer more awareness.

### **3.3.5 Nuclear Vs joint families**

The mean of the awareness scores of the women<sup>3</sup> in nuclear families was 0.820 and that of joint families 0.614.

The t - value 3.2418 was found statistically significant proving the greater awareness among women in nuclear families.

### **3.3.6 Thrissur district Vs Ernakulam district**

The mean values of the awareness scores of the Thrissur and Ernakulam samples were 0.88 and 0.67.

The t - value 4.9558 was found to be statistically significant proving the fact that there was district to district variation in the awareness of the right to consumer education.

### **8.3.3.7 Educated Vs highly educated**

The mean values of the awareness scores of the educated and highly educated women were 0.663 and 0.760 respectively.

The t - value 3.7292 was statistically significant substantiating the fact that the highly educated women were more aware of this right than the educated.

### **8.3.4 Right to safety**

#### **8.3.4.1 Urban Vs rural**

There is no variation in the right to safety among the rural as well as urban sample. The mean value of the awareness scores of the urban sample was 0.564 and that of the rural 0.578.

The t - value, 0.4453 was statistically non-significant, implying that the awareness of this right between the urban and rural sample is the same.

#### **8.3.4.2 Complainants Vs non-complainants**

The mean of the awareness scores of the complainants was 0.545 and that of the non-complainants 0.569.

The t - value, 0.1767 was statistically non-significant which proved that the awareness of the right to safety among the complainants and non-complainants was almost the same.

#### **3.3.4.3 Employed Vs unemployed**

The mean of the awareness scores of the right to safety among the employed was 0.590 and that of the unemployed 0.558.

The t - value, 1.1769 was statistically non-significant which proved that the awareness of the right to safety among the employed and the unemployed had no variation.

#### **3.3.4.4 Married Vs single**

The mean value of the awareness scores of the right to safety in the case of married women was 0.584 and in the case of single women 0.496.

The t - value, 2.7582 showed a statistically significant variation proving that married women were more aware of the right to safety than the unmarried.

#### **3.3.4.5 Nuclear Vs joint families**

The mean of the awareness scores of the women in nuclear families was 0.572 and that in joint families 0.554.

The t - value 0.0325 was non-significant indicating that the awareness of the right to safety among women in nuclear and joint families was not significantly varying.

7

#### **3.3.4.6 Thrissur district Vs Ernakulam district**

The mean values of the awareness scores of the Thrissur and Ernakulam samples were 0.564 and 0.572 respectively.

The t - value of 0.2933 was found to be statistically non-significant substantiating the fact that the awareness of the right to safety was the same in Thrissur and Ernakulam districts.

#### 3.4.7 Educated Vs highly educated

The mean values of the awareness scores of the educated and highly educated samples were 0.817 and 0.848 respectively.

The t - value of 2.1390 was found to be significant substantiating the greater awareness of highly educated women.

#### 3.5 Right to be heard

##### 3.5.1 Urban Vs rural

The mean of the awareness scores of the urban sample was 0.705 and that of the rural 0.698.

The t - value 0.2608 was statistically non-significant. Therefore it is proved that the awareness of the right among rural and urban women was the same.

##### 3.5.2 Complainants Vs non-complainants

It is assumed that those who have complained in the Fora are more aware of their right to be heard. The mean value of the awareness scores of complainants was 0.770 and that of non-complainants 0.672.

The t - test showed a statistically significant result of 1.9655 proving that complainants were more aware of their right to be heard than the non-complainants.

### 3.3.5.3 Employed Vs unemployed

The mean of the awareness scores of the employed was 0.760 and that of the unemployed 0.663.

The t - value, 3.7292 was found statistically significant. This proved that the employed women are more aware of their right than the others.

### 3.3.5.4 Married Vs single

The mean values of the awareness scores of the married and single women were 0.711 and 0.660 respectively.

The t - value 1.4696 was statistically non-significant implying that the marital status did not contribute to the right to be heard among the women.

### 3.3.5.5 Nuclear Vs joint families

The mean values of the awareness scores of women belonging to nuclear and joint families were 0.705 and 0.693 respectively.

The t - value 0.3942 was statistically non-significant substantiating the fact that there was no significant difference in the awareness of the right to be heard between the women in nuclear and joint families.

### 3.3.5.6 Thrissur district Vs Ernakulam district

The mean values of the awareness scores of Thrissur as well as Ernakulam sample were 0.759 and 0.645 respectively.

The t - value 4.6933 was found to be statistically significant implying that there was district to district variation.

#### **3.5.7 Educated Vs highly educated**

The mean values of the awareness scores of the educated and highly educated women were 0.564 and 0.667 respectively.

The t - value 5.0070 was found to be statistically significant substantiating the fact that the highly educated women were more aware than the educated.

#### **3.6 Right to get redressed**

##### **3.6.1 Urban Vs rural**

The mean values of the awareness scores of the right to get redressed were 0.52 and 0.25 respectively in the case of urban and rural sample.

The t - test showed a statistically significant value of 4.6197, substantiating the greater awareness of the right to get redressed among the urban sample.

##### **3.6.2 Complainants Vs non-complainants**

The mean value of the awareness scores of the complainants was 0.97, whereas that of the non-complainants was 0.19.

The t - value 24.6463 was statistically significant. Hence it is proved that the complainants are more aware of the right to get redressed than the others.

### 3.6.3 Employed Vs unemployed

The mean values of the awareness scores of employed and the unemployed were 0.459 and 0.409 respectively.

The t - test showed a non-significant value of 0.8750 proving that there was not much variation in the awareness of their right to get redressed between the employed and the unemployed.

### 3.6.4 Married Vs single

The mean values of the awareness scores of the married and single women were 0.434 each.

The t - value 0.0066 was found to be statistically non-significant implying that there was no variation in the awareness of the right to be heard between married and single women.

### 3.6.5 Nuclear Vs joint families

The mean values of the awareness scores of the women belonging to nuclear and joint families were 0.464 and 0.329 respectively.

The t - value 2.0271 was found to be statistically significant substantiating the fact that the women in nuclear families were more aware of the right to get redressed than the women in joint families.

### 3.6.6 Thrissur district Vs Ernakulam district

The mean values of awareness scores of the Thrissur sample is 0.54 and that of Ernakulam 0.33.

The t - value 5.7978 was found to be statistically significant proving the fact that there was variation in the awareness of the right to get redressed from district to district.

### 3.6.7 Educated Vs highly educated

The mean values of the awareness scores of the educated and highly educated women were 0.486 and 0.584 respectively.

The t - value 2.7582 proved that the highly educated women were more aware of the right to get redressed than the educated.

## 3.4 Consumer consciousness in relation to their rights

### 3.4.1 Right to know

To study the extent of consciousness of the consumers in exercising their right to know, in terms of price, quality, purity, standard, potency and quantity of goods purchased.

#### 3.4.1.1 Price

59.16 per cent of the urban and 80 per cent of the rural sample were anxious to know the price of goods and services at the time of purchase. This clearly revealed that the rural mass is well aware of their purchasing power.

The reasons for not bothering about the prices with reference to remaining 40.84 per cent of the urban and 20 per cent of the rural could be attributed to the following factors.

**Reasons for not asking about the price (Bar diagram 8.1)**

a 34.69 per cent of the urban and 30 per cent of the rural sample were quality conscious, so they did not bother about the price if quality was good.

b 22.45 per cent of the urban sample trusted the traders where they were regular customers and among the rural sample 20 per cent trusted the traders. This led to the belief that the traders needed to create trust and confidence in the customers only in the initial stages of their dealings.

c 18.37 per cent of the urban sample and 15 per cent of the rural sample were unaware that the price was displayed on the packet.

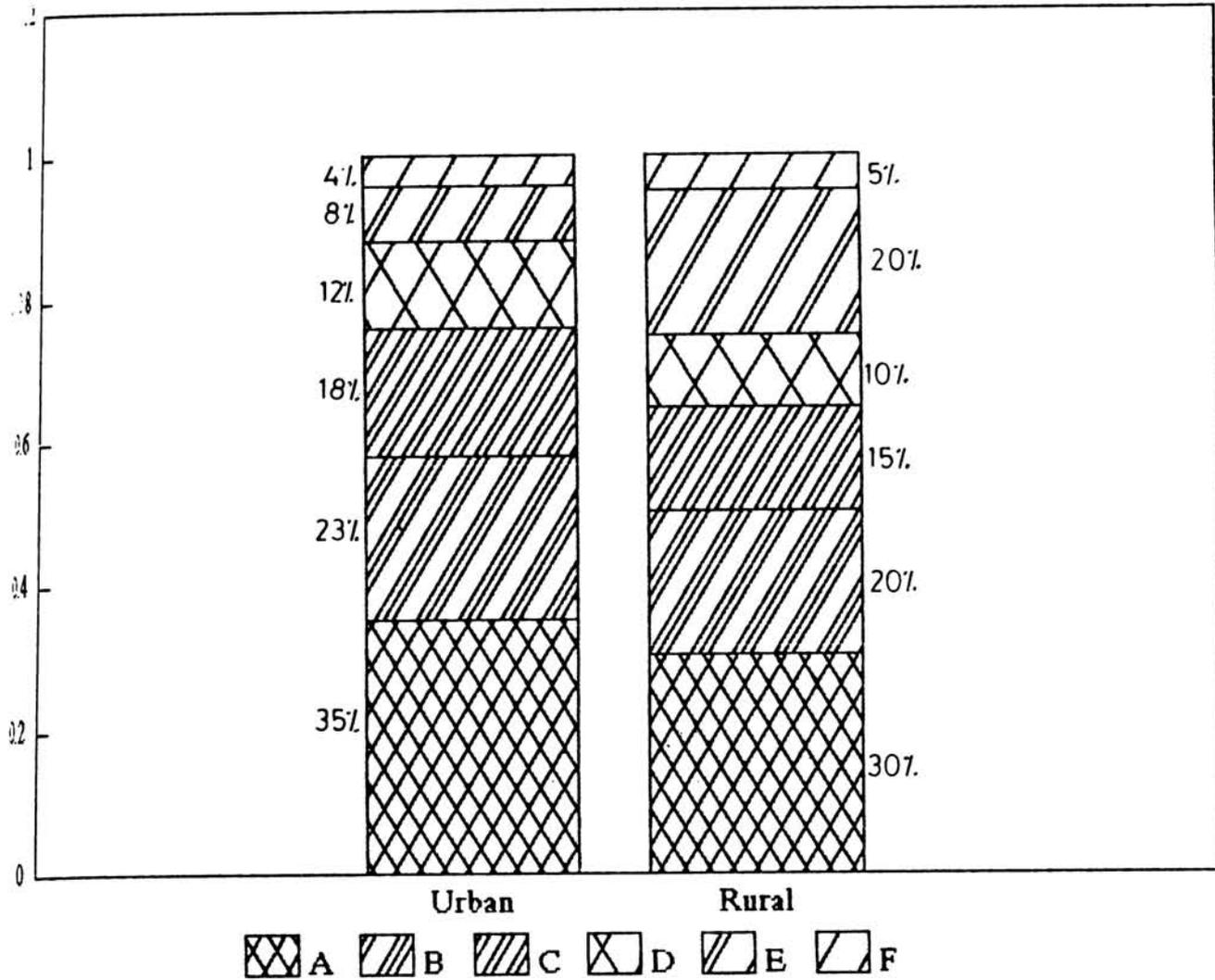
d 12.25 per cent of the urban and 10 per cent of the rural sample never bothered about the price.

e In case of essential items 8.16 per cent of the urban and 20 per cent of the rural sample just bought without any consideration about the price.

f The least important reason was the lack of willingness of sellers to give information when asked, stated 4.08 per cent of the urban and 5 per cent of the rural sample.

**Bar diagram 8.1**

Reasons for not asking about the price



- A. If quality is good don't bother about price
- B. Trust the trader when you are a regular customer
- C. Not aware that the price is displayed on the packet
- D. Don't bother about the price
- E. Not in case of essential items
- D. Sellers are not willing to give informations.

In all 33.33 per cent when quality was good, 23.19 per cent because of their trust in the trader, 15.94 due to ignorance, 11.59 per cent in case of essential items did not bother about the price, 11.59 per cent made blind purchases and 6 per cent owing to traders' indifference did not bother about the price.

Reasons for not bothering about the price was ranked as shown in table 8.12.

**Table 8.12**

**Reasons for not asking about the price**

Reasons	Ranks	
	Urban	Rural
1 If quality is good	1	1
2 Trust in the trader when you are a regular customer	2	2
3 Not aware that the price is displayed on the packet	3	4
4 Do not bother about the price	4	5
5 In case of essential items	5	3
6 Sellers are not willing to give informations	6	6

df 4

The rank correlation  $R = 0.8286$  which proved a great degree of correlation between the reasons stated by the urban and rural sample. The  $t$  - value 2.776 proved that the difference is significant.

#### 4.1.2 Quality

At the time of purchase a responsible consumer would try to compare the quality of the different substitutes available.

54.09 per cent of the urban and 70 per cent of the rural sample tried to compare the qualities of substitutes available. Hence it was thought worth investigating the reasons for not making a comparative selection before the purchase was made.

#### Reasons for not comparing the quality of substitutes

(Bar diagram 8.2)

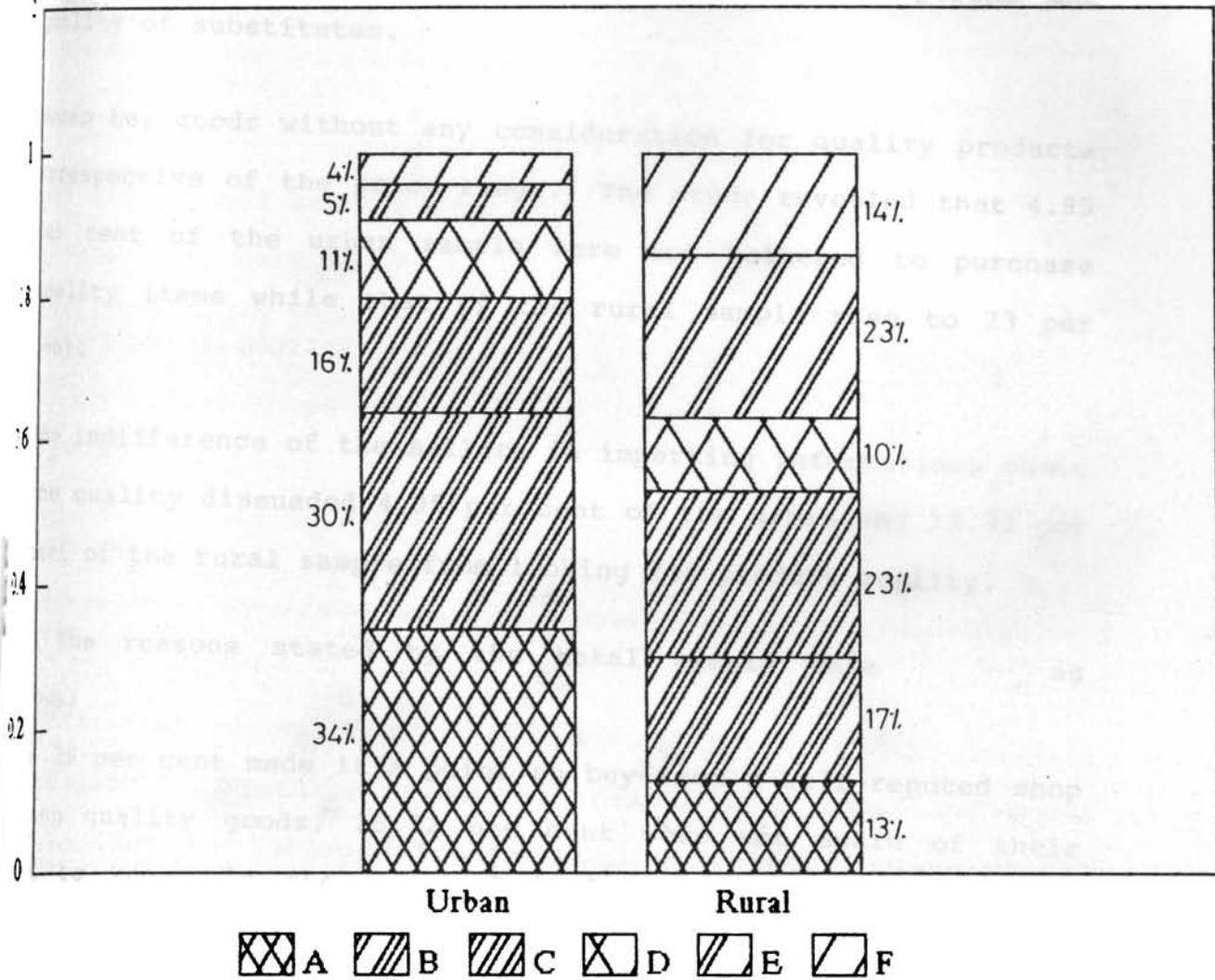
33.67 per cent of the urban and 13.33 per cent of the rural sample purchased from a well-reputed shop selling quality products.

29.70 per cent of the urban and 16.68 per cent of the rural sample were not aware of their consumer rights to know of the quality of the items they buy.

If satisfied with the price, 15.84 per cent of the urban and 23.33 per cent of the rural sample did not bother to buy quality products.

**Bar diagram 8.2**

Reasons for not comparing the quality of substitutes



- A. Buy from a well-reputed shop
- B. Lack of awareness
- C. Satisfaction in price weighs more
- D. Lack of time
- E. Don't bother about quality
- F. Sellers are not willing to give informations.

10.89 per cent of the urban and 10 per cent of the rural sample felt that they have no time to spend comparing the quality of substitutes.

Women buy goods without any consideration for quality products irrespective of the price range. The study revealed that 4.95 per cent of the urban sample were not bothered to purchase quality items while that of the rural sample rose to 23 per cent.

The indifference of the sellers in imparting informations about the quality dissuaded 4.95 per cent of the urban and 13.33 per cent of the rural sample from looking for product quality.

The reasons stated by the total sample were as follows:

29 per cent made it a point to buy from a well-reputed shop selling quality goods, 26.72 per cent were not aware of their right to know, in the case of 17.56 per cent, price weighed heavier than quality, 10.69 per cent had no time to compare the quality of goods, 9.16 per cent were not at all bothered about the quality and 6.87 per cent opined that the sellers were not willing to give informations.

The reasons cited by the urban and rural sample were ranked as in table 8.13.

Table 8.13

## Reasons for not comparing the quality of goods

Reasons for not comparing the quality of goods	Ranks	
	Urban	Rural
1 Buy from a well-reputed shop	1	2
2 Lack of awareness of the right	2	3
3 Satisfaction in price weighs more than that of quality	3	1
4 Do not bother about quality	5	2
5 Lack of time	4	6
6 Sellers are not willing to give informations	6	5

df = 4

The rank correlation  $R = 0.43$  proved a significant positive correlation between the reasons stated by the urban and rural sample. The  $t$  - value 2.776 proved that the difference in the reasons is insignificant.

#### 3.4.1.3 Purity/unadulteration

Consumers had a responsibility to make sure that they get pure and unadulterated goods. The study revealed that a great majority of consumers did not exercise this right.

Only 36 per cent of the urban and 35 per cent of the rural sample always made sure that they get pure and unadulterated

goods. The reasons for this could be attributed to the following (see diagram 8.3).

Lack of facilities for testing and ensuring the purity of goods was the main reason as vouched by 79.43 per cent of the urban and 66.15 per cent of the rural sample.

Absence of testing facilities to make sure of the purity or unadulterated condition of goods made consumers helpless according to 9.22 per cent of the urban and 20 per cent of the rural sample.

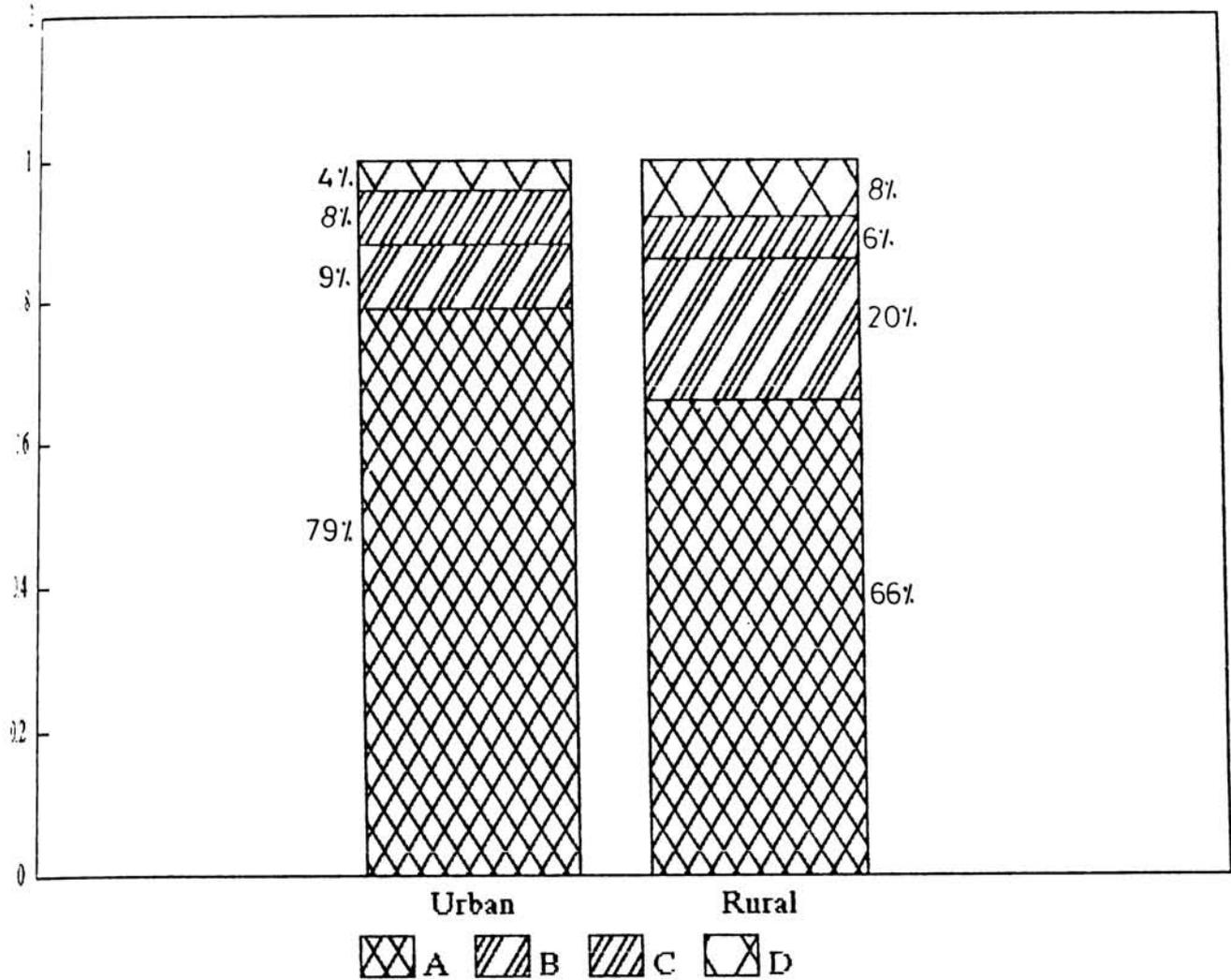
Lack of time deterred 7.80 per cent of the urban and 6.15 per cent of the rural sample from making sure of the purity of goods.

It was impossible to change the traders' attitude and they were content with whatever goods available was another reason stated by 5 per cent of the urban and 7.70 per cent of the rural sample.

Of the total sample only 35.62 per cent made sure that the goods they buy were pure and unadulterated as they were aware of MARK, I.S.I. etc. 64.38 per cent were unable to do so due to the following reasons. 75.24 per cent due to lack of easy access to the laboratory facilities available at Kozhikode, Ernakulam and Thiruvananthapuram. 12.62 per cent due to helplessness in this regard, 7.28 per cent due to lack of time and 4.85 per cent

**Bar diagram 8.3**

**Reasons for not ensuring the purity**



No facility to test and ensure the purity

Helpless but to accept the goods as such

Lack of time

Sellers will never change and continue to indulge in this social evil.

because of the indifferent attitude of traders could not make sure of the purity of goods.

The reasons stated by the urban and rural women were shown in table 8.14.

**Table 8.14**

**Reasons for not ensuring the purity or unadulteration**

Reasons for not ensuring the purity or unadulteration	Urban		Rural		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Lack of facility for testing and ensuring the purity	112	79.43	43	66.15	155	75.25
Helpless because of lack of laboratory facilities making them accept the goods as such	13	9.22	13	20.00	26	12.62
Lack of time	11	7.80	4	6.15	15	7.28
Impossible to change the traders' attitude	5	3.55	5	7.70	10	4.85
	141	100.00	65	100.00	206	100.00

The chi-square value 136.1323 (df = 3) was found significant at the per cent level proving the difference in reasons stated by the urban and rural sample.

#### 4.1.4 Potency

Consumers can make sure of the potency of goods by gathering informations about the contents, safety or hazardous nature of goods. 57.72 per cent of the urban and 48 per cent of the rural sample always made it a point to exercise this right. The reasons for the indiscriminate purchase made by the remaining 47.27 per cent of the urban and 52 per cent of the rural sample were investigated as follows:

A great majority of (78.85 per cent) the urban and 71.15 per cent of the rural sample opined that they did not get enough informations about the contents or hazardous or unhealthy condition of goods.

10.58 per cent of the urban and 15.38 per cent of the rural sample depended on their previous experience in avoiding the harmful goods.

6 per cent each of the urban and rural sample were not aware that harmful and injurious goods are sold in the market.

4.80 per cent of the urban and 7.69 per cent of the rural sample did not bother about it.

The total sample revealed that non-availability of informations was the major reason to 76.28 per cent, whereas 12.18 per cent took care to buy goods they know to be safe and harmless from their experience. 5.77 per cent were unaware of the fact

that harmful and injurious goods were sold in the markets and another 5.77 per cent did not bother about this.

The distribution of the sample by the most important reason for not making sure that the goods are safe and harmless is shown in table 8.15 and bar diagram 8.4.

**Table 8.15**

**Reasons for not ensuring that the goods are safe and harmless**

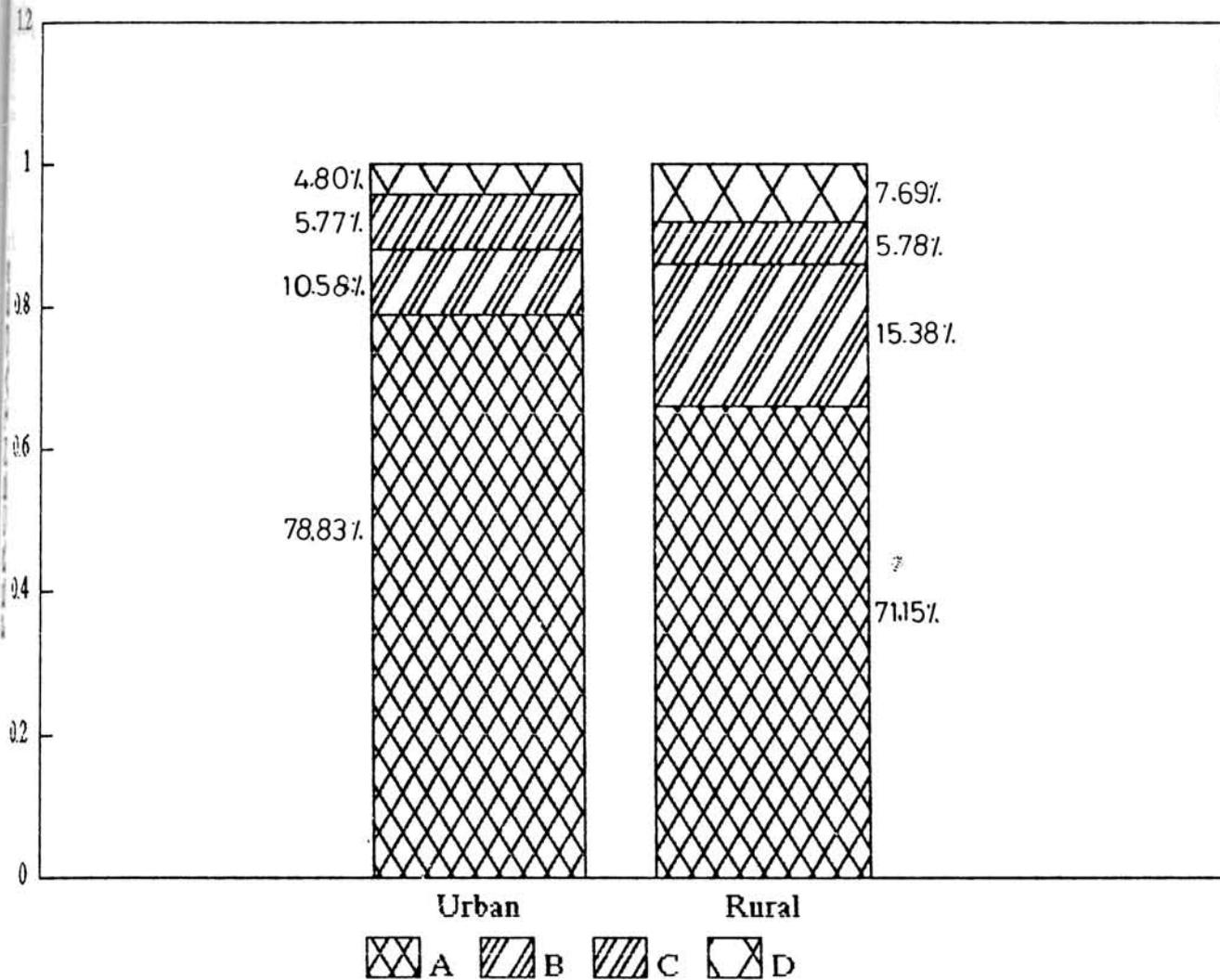
Reasons	Urban		Rural		Total
	No.	Per cent	No.	Per cent	Per cent
1 Do not get informations about the contents of goods	82	78.85	37	71.15	76.28
2 Depends on previous experience and buy harmless goods	11	10.58	8	15.38	12.18
3 Due to lack of awareness that harmful and hazardous goods are sold in the market	6	5.77	3	5.78	5.77
4 Did not bother about the fact	5	8.40	4	7.69	5.77
<b>Total</b>	<b>104</b>	<b>100.00</b>	<b>52</b>	<b>100.00</b>	<b>100.00</b>

df = 3

The chi-square value (1.4304) was found to be non-significant implying that the reasoning was not significantly different by the urban and rural sample.

### Bar diagram 8.4

Reasons for not ensuring that the goods are safe



- A. Don't get informations about the contents of goods
- B. Know it is harmless from experience
- C. Not aware that harmful goods are sold in the market
- D. Not aware of the right to be informed of the potency.

The study revealed that a sizeable per cent of the sample do not get informations about the contents, quality, harmlessness or otherwise of goods which can be remedied to a greater extent with comparative testing of goods and use of the media for disseminating consumer news.

#### 4.1.5 Standards

Corresponding to the right to be informed of the standard of goods consumers have a responsibility to make sure that the goods they buy are standardised. Table 8.16 showed that 43.64 per cent of the urban and 53 per cent of the rural sample always made sure of the standard of the goods they bought and the remaining 56.36 per cent of the urban and 47 per cent of the rural sample were not in the habit of making sure that they got standardised goods. The reasons for this were enumerated as given below (Bar diagram 8.5).

While a majority of 53.23 per cent of the urban sample were canvassed through advertisements in the purchase of goods its influence on rural population was only 17.02 per cent.

38.71 per cent of the urban and 74.47 per cent of the rural sample were not aware of the standards required and the standard marks.

8.06 per cent of the urban and 8.51 per cent of the rural sample were not bothered about the fact.

Of the total sample 43.27 per cent were carried away by the advertisement, while 48.55 were not aware of the standards required and the standard marks and 8.18 per cent of the consumers did not bother about the standard.

Table 8.16

## Reasons for not ensuring the standards of goods

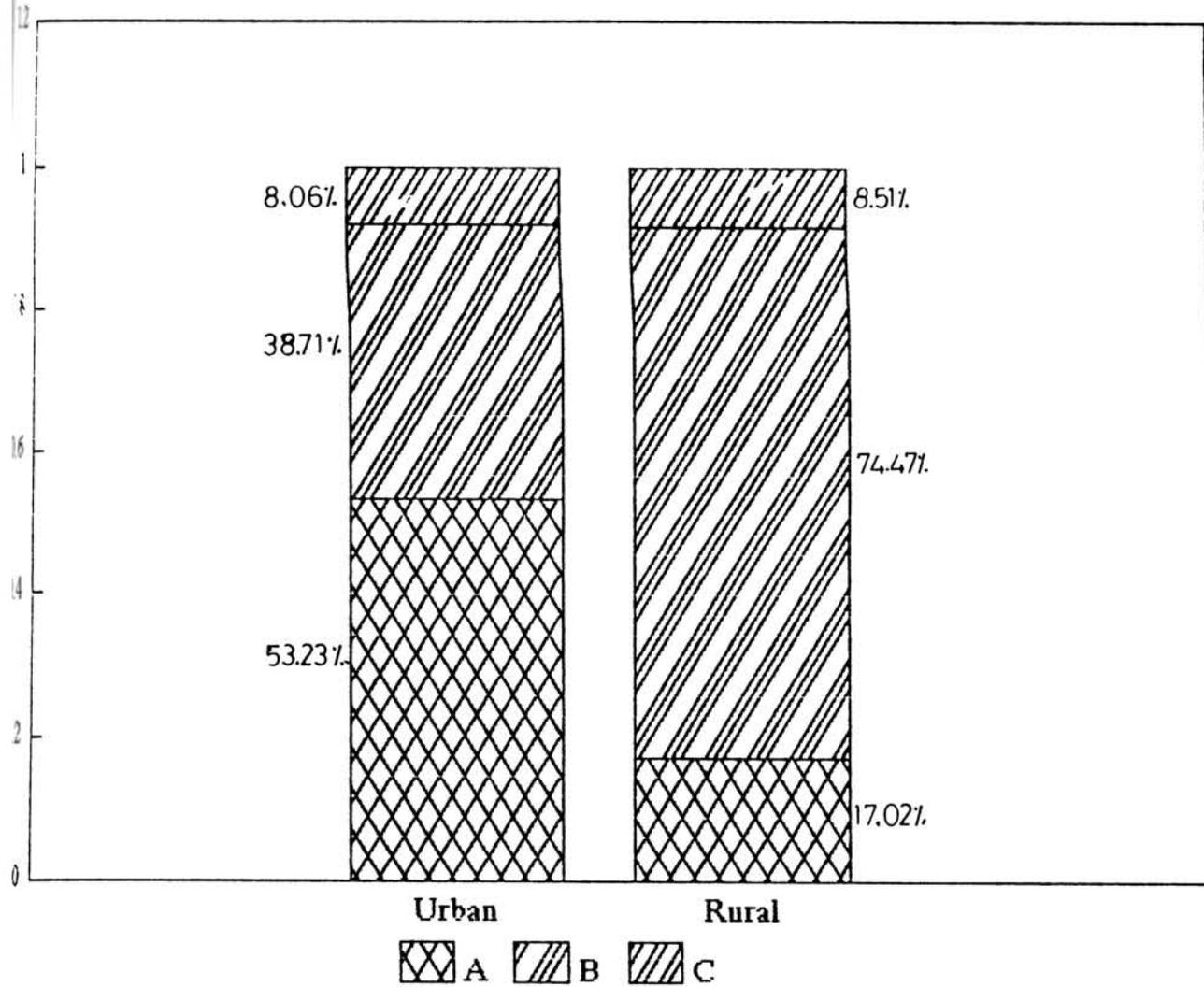
Reasons	Urban		Rural		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Depends on advertisements	66	53.23	8	17.02	74	43.27
Not aware of the standards required and standard marks	48	38.71	35	74.47	83	48.54
Not bothered	10	8.06	4	8.51	14	8.19
Total	124	100.00	47	100.00	171	100.00

$$\chi^2 = 19.307 \quad \text{df} = 2 \quad **$$

The chi-square value (19.307) was found to be significant at one per cent level showing a variation between the reasons of the urban and rural sample.

### Bar diagram 8.5

Reasons for not ensuring the standards of goods



1. Depend on advertisement
3. Not aware of the standard required and standard marks
2. Not aware of the right to know.

#### 8.4.1.6 Quantity

Non-availability of goods in right quantity is a major concern of all consumers. While 78.63 per cent of the urban and 83 per cent of the rural sample always made sure that they got the right quantity of goods, 21.36 per cent of the urban and 47 per cent of the rural sample had not made sure of the right quantity. The reasons cited by the sample for not ensuring the right quantity are as follows (table 8.17).

a 80.85 per cent of the urban and 74.46 per cent of the rural sample opined that lack of facilities and non-co-operation of other traders was the main reason.

b 12.76 per cent of the urban and 23.40 per cent of the rural sample stated that the traders would continue to do so regardless of their grievances or complaints.

c 6.38 per cent of the urban and 2.13 per cent of the rural sample opined that the Weights and Measures Department is corruptive and not making sure that correct weights and measures are used by traders leaving the individual consumers helpless.

Of the total sample, 70.62 per cent of women made sure that they got right quantity of goods, whereas 29.38 per cent were not bothered about this anti-social activity. The reasons for not ensuring the right quantity were non-co-operation of other traders to weigh the goods according to 77.66 per cent, the traders'

difference towards the grievances of consumer deterred 18.09 per cent consumers, whereas the corruptive Weights and Measures Department was the deterring factor to 4.25 per cent of the sample.

Table 8.17

## Reasons for not ensuring the right quantity

Reasons	Rural		Urban		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Non-co-operation of other traders	38	80.85	35	74.46	73	77.66
Traders are indifferent and will continue the same practice	6	12.76	11	23.40	17	18.09
Corruptive practice of the weights and Measures Department leaving consumers helpless	3	6.38	1	2.13	4	4.25
Total	47	100.00	47	100.00	94	100.00

$$\chi^2 = 4.84 \quad df = 2$$

The chi-square value (4.34) was found non-significant implying that there was no significant difference in the reasoning of the urban and the rural women in this regard.

#### 4.2 Right to Choose

A wise and prudent consumer would always make it a point to choose the best from among the varieties available to make sure of her money's worth.

Of the sample surveyed for the study 30.45 per cent of the urban and 55 per cent of the rural sample always requested the seller to show the different varieties of the goods available and 33.55 per cent of the urban and 45 per cent of the rural sample did not do so.

The reasons for this unconcern were stated by the sample as follows (Bar diagram 8.6).

- : Lack of awareness of the right to choose the best was the main reason according to 32.03 per cent of the urban and 48.89 per cent of the rural sample.
- : 30.06 per cent of the urban and 17.78 per cent of the rural sample regularly bought from super markets, hence no need for asking.
- : 20.26 per cent of the urban and 11.11 per cent of the rural sample were discouraged by the reluctance of traders to show the varieties.
- : 17.65 per cent of the urban and 37 per cent of the rural sample due to lack of time did not choose the best from the available varieties.

Of the total 35.85 per cent due to lack of awareness of the right, 27.26 per cent due to the absence of the need, since they regularly got goods from super markets, 18.69 per cent due to lack of time and 18.18 per cent due to the reluctance of traders, did not assume this responsibility.

The study revealed that those who purchase goods from super markets also had awareness of this right and make a wise choice from among the varieties available. Therefore the reasons would be the remaining three as shown in table 8.18.

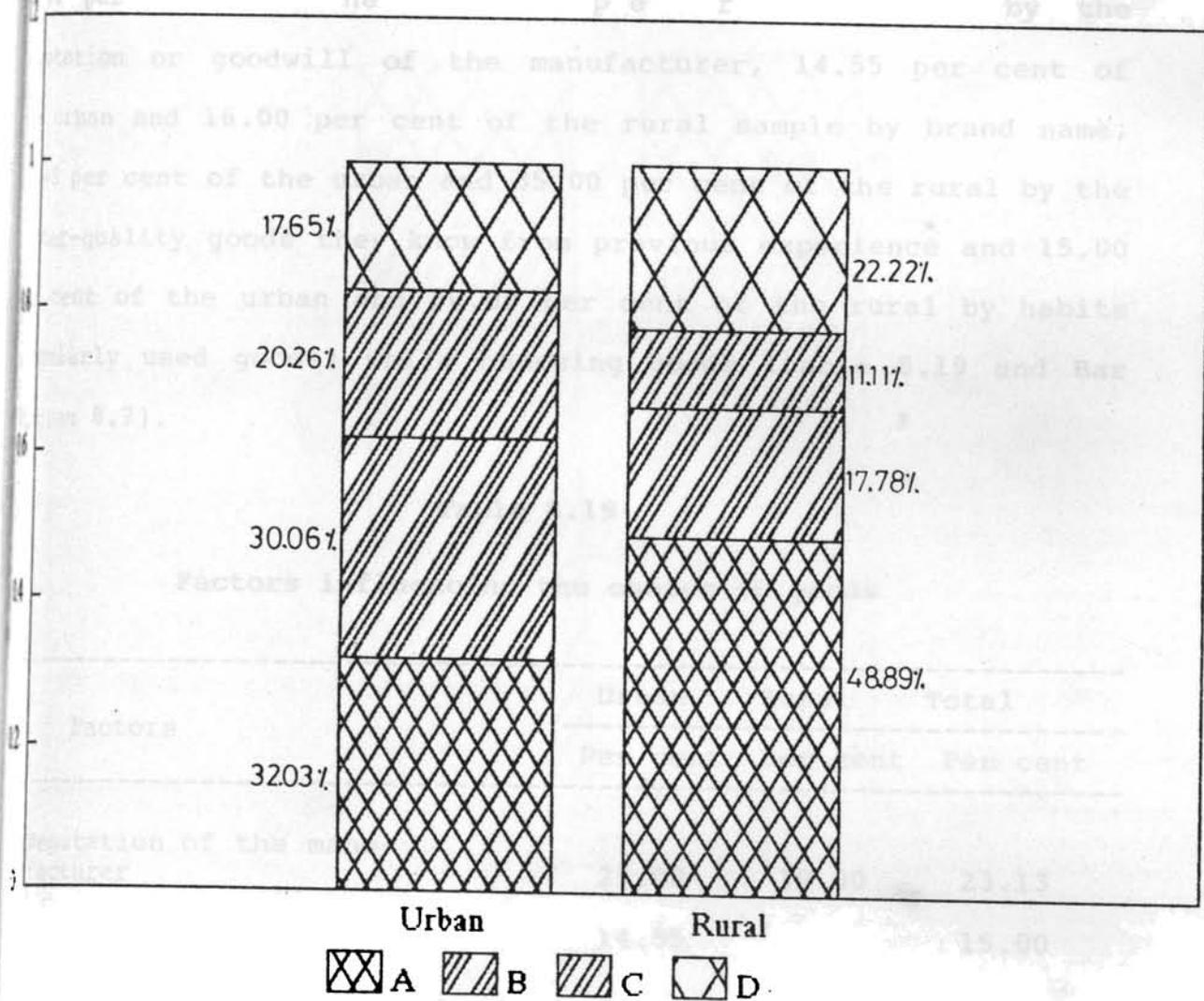
Table 8.18

## Reasons for not requesting for showing the varieties

Reasons	Urban		Rural	
	No.	Per cent	No.	Per cent
Lack of awareness of the right to choose the best	49	45.80	22	23.16
Sellers are not willing to show the varieties	31	28.97	36	37.89
No time to choose	27	25.23	37	38.95
Total	107	100.00	95	100.00

$$\chi^2 = 11.5284 \quad df = 2$$

The chi-square value of 11.5284 was found significant at one per cent level proving that there was significant difference in the reasons for not requesting varieties between the rural and the urban sample.

**Bar diagram 8.6****Reasons for not making the best choice**

- A. Not aware of the right to choose the best
- B. Purchase from supermarkets
- C. Sellers are not willing to show different varieties
- D. No time to choose.

The study also revealed the factors influencing women in the market place while choosing items. 25 per cent of the urban and 19.00 per cent of the rural sample were influenced by the reputation or goodwill of the manufacturer, 14.55 per cent of the urban and 16.00 per cent of the rural sample by brand name, 45.45 per cent of the urban and 35.00 per cent of the rural by the better-quality goods they know from previous experience and 15.00 per cent of the urban and 30.00 per cent of the rural by habits (regularly used goods) while choosing goods (table 8.19 and Bar Diagram 8.7).

**Table 8.19**

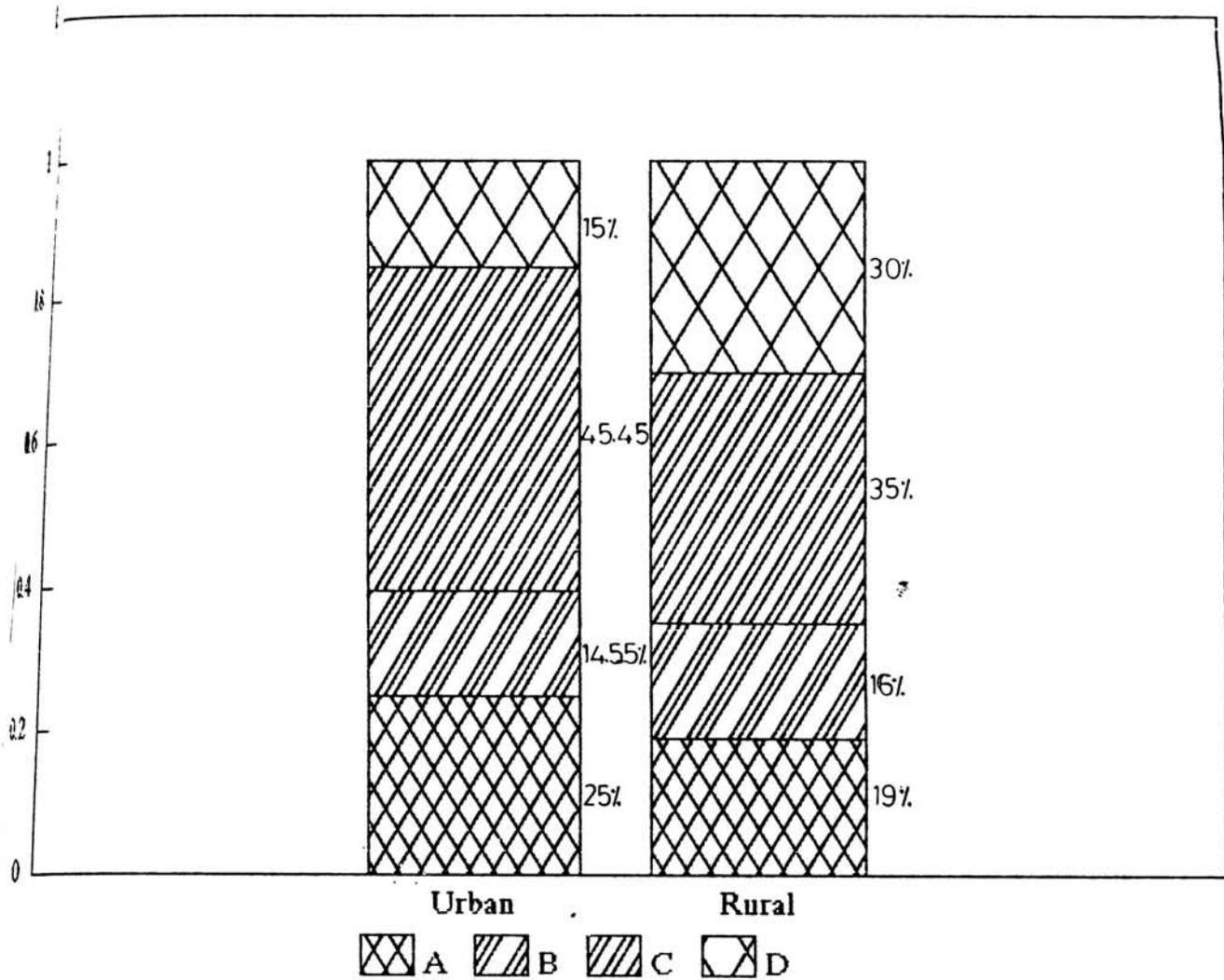
**Factors influencing the choice of goods**

Factors	Urban	Rural	Total
	Per cent	Per cent	Per cent
1. Reputation of the manufacturer	25.00	19.00	23.13
2. Brand name	14.55	16.00	15.00
3. Quality from previous experience	45.45	35.00	42.19
4. Goods regularly use	15.00	30.00	16.69

Of the total, 23.13 per cent were influenced by reputation of the manufacturer, 15.00 per cent by brand name, 42.19 per cent by quality of the goods they know from experience and 16.69 per cent by habits while making the choice.

### Bar diagram 8.7

Factors influencing the choice of goods



- A. Goods manufactured by well-reputed manufacturer
- B. Brand name
- C. Quality of goods from experience
- D. Goods regularly use

The ranking of these factors on the basis of the percentage response is given in the table 8.20.

Table 8.20

**Factors influencing the choice of goods (Ranks)**

Factors influencing the choice	Ranks	
	Urban	Rural
Reputation of the manufacturer	2	3
Brand name	4	4
Quality from previous experience	1	1
Goods regularly use	3	2

The rank correlation  $R = 0.80$ , showed a greater correlation among the reasons.  $t$  - value 4.303 proved the non-significant variation among the factors influencing the choice of rural and urban sample.

#### 4.3 Right to consumer education

Every consumer has a right to consumer education which enables a consumer to understand her/his rights and responsibilities. A prudent consumer would always be on the alert to acquire as much information as possible to achieve competence to understand the market techniques, to identify and fight exploitation, to know the common adulterants used in foods, drugs, cosmetics and the simple methods of testing to detect the

presence of the adulterants. Therefore a consumer has a responsibility to read, listen and look for consumer informations.

#### 8.4.3.1 Sources of consumer information

The survey highlighted the fact that while cent per cent of the urban sample had access to various sources of consumer education only 80 per cent rural sample had such a facility.

81.81 per cent of the urban and 81.25 per cent of the rural sample got consumer news from the mass media viz., newspapers, T.V., radio, magazines etc. 4.55 per cent of the urban and 7.81 per cent of the rural sample got consumer informations from educational institutions (such as colleges, schools etc.) through seminars and talks. 11.36 per cent of the urban and 7.81 per cent of the rural sample got consumer informations through interactions with friends, family members, colleagues etc., and only 2.27 per cent of the urban and 3.13 per cent of the rural sample gathered such news from VCOs.

Of the total 81.69 per cent got consumer news through the mass media, 5.28 per cent through educational institutions, 10.56 per cent through interaction with friends, family etc. and 2.46 per cent from VCOs.

From the study it is clear that the mass media plays a critical role in consumer education in the case of both the urban and rural consumers. Since consumer education is not widely recognised as a subject in the curriculum in colleges and universities, the educational institutions are not playing an important role in educating consumers now.

In Kerala except for some lessons in primary classes and a chapter for B.Com classes consumer education is non-existent even now, whereas in western countries consumer education was started in schools and universities as early in 1821.

The VCOs in Kerala are mainly engaged in complaint handling as revealed in the survey they cannot devote much time and attention for educating the common mass. The analytical findings of the project on 'A Directory of Voluntary Consumer Organisation in India' (1993) done by CERC, Ahmedabad endorsed this fact. Complaint handling was ranked first of the eight enunciated activities.

#### **8.4.5 Right to be heard**

Right to be heard and to be assured that consumers' interests will receive due consideration at appropriate Forum.

##### **8.4.5.1 Dissatisfaction in goods and services**

All the respondents at one time or other felt dissatisfaction in goods owing to adulteration, over-pricing, short-weights and measures, low standards and the like.

To study the dissatisfaction in services they were grouped into household, institutional, financial and other services as followed in chapter 7.

The consumer dissatisfaction with reference to various services is shown in table 8.21.

Table 8.21

**Consumer satisfaction with reference to various services  
(Percentages)**

Services	Urban		Rural		Total	
	Satis- fact- ion	Dissa- tisfa- ction	Satis- fact- ion	Dissa- tisfa- ction	Satis- fact- ion	Dis- sati- sfac- tion
1 Household	41.82	58.18	63.00	37.00	48.40	51.56
2 Institutional	36.82	63.18	57.00	43.00	43.13	56.85
3 Financial	54.09	45.91	76.00	24.00	60.94	39.53
4 Others	50.45	49.54	62.00	38.00	54.06	45.73

Table 8.21 shows that 58.18 per cent of the urban and 37.00 per cent of the rural sample were dissatisfied with the household services, 63.18 and 43.00 per cent of the urban and rural sample respectively were dissatisfied with institutional services, 45.91 and 24.00 per cent of the rural and urban samples respectively were dissatisfied with financial services and 49.54 and 38.00 per cent of the urban and rural sample respectively were dissatisfied with other services.

A close scrutiny of the per cent of dissatisfaction among women revealed that more than 50 per cent of the urban sample were dissatisfied with the household and institutional services and more than 50 per cent of the rural sample were satisfied with these services. Since the service undertakings are government

undertakings with monopoly power and uniform practices and proceedings their working systems will never vary from urban to rural area.

In the case of financial services more than 50 per cent of both the urban and rural sample had showed satisfaction. The evermounting disputes filed in the Fora against financial services was mainly caused by a few private financiers like Janapriya, Thaboban Housing Finance etc. This throws light to the fact that control over mushrooming financial (private) institutions is inevitable for the welfare of consumers and the public as a whole.

The statistical significance of the difference in the level of dissatisfaction between the urban and rural sample is summarised and shown in table 8.22 with respective chi-square values.

**Table 8.22**

The Table showing the statistical significance of difference  
in the level of dissatisfaction between the  
urban and rural sample

Services	Urban (No) dissatisfied	Rural (No.) dissatisfied	Chi-square
1 Household	128	37	12.35 <sup>**</sup>
2 Institutional	139	43	11.42 <sup>**</sup>
3 Financial	101	24	13.86 <sup>**</sup>
4 Others	109	38	3.69 <sup>*</sup>

\* Significant at five per cent level.

\*\* Significant at one per cent level.

The chi-squares shown in table 8.22 revealed that in the case of household, institutional and financial services the difference in the level of dissatisfaction is proved statistically significant at one per cent level, whereas in the case of 'others' it is significant at five per cent level.

This significant difference in the dissatisfaction of the urban and rural women may be due to the lower level of awareness among them which is proved statistically significant earlier in this chapter. Therefore to encourage women to come forward to protect their consumer interests they need feel the exploitation in the right sense for which the level of awareness should be increased.

#### **8.4.6 Right to be redressed**

Consumers, when dissatisfied with the goods or services they bought, can assert their right to get redressed either by complaining to the trader first or to the redressal machinery.

46.36 per cent of the urban and 21.00 per cent of the rural sample complained to the trader, while 53.63 per cent of the urban and 79 per cent of the rural sample never complained to anyone but suffered their grievances silently.

A total of 38.44 per cent of the sample complained to the trader, while 61.56 per cent never complained.

#### 8.4.6.1 Response of the trader when complained

When complaints were made to the traders their response varied depending on whether it was a private or public sector enterprise in addition to its monopolistic or otherwise nature.

##### a In the case of traders dealing with goods

The 102 urban and 21 rural sample who had taken up their grievances had experienced a mixed reaction. Traders who dealt with goods redressed the losses immediately according to 14.71 per cent, compensated the loss after repeated complaining according to 39.22 per cent, redressed when complained in the Fora by 39.22 per cent and redressal was denied to 6.86 per cent of the urban sample.

Among the rural consumers the traders redressed the complaints by 9.52 per cent immediately, the traders compensated the loss when complained repeatedly in the case of 47.62 per cent and the traders compensated the loss after filing the complaint by 38.10 per cent in the redressal agency. But for 4.76 per cent the redressal was not available.

##### b In the case of traders providing services

Of the urban sample 4.90 per cent got redressed immediately after complaining, another 4.90 per cent got redressal when complained repeatedly and according to 14.71 per cent redressal was granted only after filing the complaint in the Fora and 75.49 per cent never got redressed by the traders.

Of the rural sample 4.76 per cent got redressed their grievances immediately after complaining, 14.29 per cent got redressal when complained repeatedly, while 9.52 per cent got redressal after filing the complaint in the Fora, and 71.43 per cent of the rural women never got redressed by the traders.

When the urban and rural samples pooled together the result was as in table 8.23.

**Table 8.23**

**Experiences of the consumers when complained to the traders  
dealing with goods and services**

Experience of the consumer	Traders dealing in	
	Goods (per cent)	Services (per cent)
1 Redressed immediately	13.83	4.88
2 Compensated the loss after repeated complaining	40.65	6.50
3 Compensated after complaining in the Fora	39.02	13.82
4 Not redressed by the trader	6.50	74.80
Total	100.00	100.00

When the urban and rural sample pooled together on the basis of goods and services, it was found that the total complaints pertaining to goods made by 6.50 per cent were not redressed by the traders whereas complaints pertaining to services taken up by 74.80 per cent were not redressed by the traders.

May be this is due to the state patronage and the legal protection enjoyed by the service undertakings. This might be the reasons for the greater number of complaints regarding services in the Fora as we found in chapter 7.

Even though the traders did not redress their disputes the women never filed a complaint in the District Fora for getting redressal. The reasons stated for this differed in the case of urban and rural sample (table 8.24).

**Table 8.24**

**The preference ranking of the reasons for not filing complaints in the Fora**

Reasons	Preference ranking	
	Urban	Rural
1 No time to go for hearings	1	1
2 Society and traditions did not permit	2	7
3 Men in the family complained for them	3	6
4 Monetary loss was less	4	4
5 Did not know whom to complain	5	2
6 Did not know how to complain	6	3
7 Thought they would not win	7	5

df = 5

The rank correlation  $R = 0.1428$  which showed a positive correlation between the reasons. The  $t$  - value 2.571 proved statistically insignificant difference between the reasonings of the urban and rural sample.

Both the urban and rural women due to their family burden lacked time to go and complain for asserting their rights because they often lived the life of domestic servants and a child-bearer to their husbands. The late B.G.Kher told the Bombay legislature "To my mind, the ordering of house, the bringing up of children, the bringing to the home the best possible help which modern achievements can provide, require not merely the greatest intellectual effort but the most sustained effort of service, that infinite capacity for taking pains which amounts to genius. These are spheres where women excel. She is peculiarly fitted for this task, although I hold the view that occupations like cooking and domestic arrangements should also be undertaken by men in order to convince women that we do not attach any stigma or inferiority to these occupations".

#### **Involvement of women in consumer protection movement**

Women's involvement in consumer protection movement is found to be very low. Of the urban sample only 6.36 per cent were involved, whereas 93.64 per cent were not involved in the movement. Of the rural sample 6.0 per cent were involved and 94 per cent were not involved in the consumer protection.

In general no difference could be located irrespective of rural/urban origin as the attitude of the society, traditions and customs prevented women from asserting their rights.

To bring women forward to protect their consumer rights the urban and rural sample unanimously agreed for following changes. The preference rankings were (1) Educate women (2) change the attitude of the society (3) change the attitude of men and (4) instil confidence in women.

These when subjected to the Kendall co-efficient of concordance the answer was 0.927. Almost all of them agree with this. This high degree of agreement among the women is proved statistically significant by  $X^2$  (889.92) at one per cent level.

Therefore inadequate education in addition to the attitude of the society and men are the root causes for the poor activism.

#### Reasons for non-participation in the movement

The reasons for not involving in the movement were ranked by urban sample as

- 1 lack of time due to domestic responsibilities
- 2 fear of criticism of the society
- 3 family objections
- 4 exploitation of such women
- 5 lack of interest

The rural sample ranked the reasons as

- 1 lack of time due to domestic responsibilities
- 2 not interested

- 3 family objections
- 4 fear of criticism of the society
- 5 exploitation of such women

The rank correlation  $R = 0.3$ . The  $t$  - value at 5 per cent level ( $df = 3$ ) is 3.182 proving the insignificant difference.

A comparative study of these reasons expressed by urban and rural sample revealed that they all are burdened with domestic and employment responsibilities and so women are deterred from entering into the consumer protection movement. Moreover, inadequate education which led to poor activism as pointed out earlier can also be added to these reasons.

#### Role of women in decision making and participation in purchase of goods

The purchase behaviour of women was studied in two stages viz., (1) decision-making and (2) participation in purchase.

The factors taken into consideration were urban Vs rural, level of education, level of income, employment status, marital status and type of family.

In this study only goods were taken into consideration because most of the service undertakings are government monopolies in which case rights are restricted.

The goods were grouped into six categories as follows:

- 1 Food items that include tea, coffee, sugar, egg, biscuits, bread, rice, wheat, coriander, chilly, turmeric, cooking oil, medicines, meat, fish etc.

- 2 Clothes that include sari, blouse, frock, jeans, dothies, shirts, shorts, bed-spreads etc.
- 3 Household durables that include television, fridge, cooker, oven, grinder, washing machine, mixi, car, scooter, bycycle etc.
- 4 Ornaments including gold, gold covering and silver ornaments.
- 5 Building materials including sanitary wares, glazed tiles etc.
- 6 Publications including books, magazines, journals, newspapers etc.

Decision-making for purchase and the actual purchase for family needs can be done in three ways such as (1) by women alone (2) by men alone and (3) by women and men jointly. Women play an important role when they purchase or make decisions alone and/or jointly with men.

The role of women, when alone or jointly with men, in the matters of decision-making and purchases for the selected groups of goods was studied on the basis of their employment, education, income, urban/rural, marital and nuclear/joint family status.

For analytical convenience the following groups were formulated:

- a On the basis of education women were grouped as (table 8.3) educated women including those who had S.S.L.C and P.D.C qualifications (2) highly educated women including those who had Degree/Diploma, Post-graduate and professional qualifications.
- b On the basis of income women were grouped under three categories such as women with an annual family income of
- 1 below Rs.15,000
  - 2 between Rs.15,000 and Rs.30,000 and
  - 3 more than Rs.30,000.
- c On the basis of employment women were grouped into employed and unemployed.
- d The purchase behaviour of women was also studied on urban-rural, type of family and on marital status.

As the purchase behaviour regarding decision-making and purchasing varied with the nature of goods purchased. Percentage values along with chi-squares were calculated to draw meaningful inferences and shown in the relevant tables.

### 8.5.1 Decision-making

7

#### 8.5.1.1 Employment

The participation of employed and unemployed women in decision-making is shown in table 8.25.

**Table 8.25**  
**Participation of women in decision-making on the basis**  
**of employment**

Goods	Participation/ Non-participation	Employed		Unemployed		Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	14	11.29	45	22.96	**
	Participation	110	88.71	151	78.04	7.1372
Clothes	Non-participation	11	8.87	42	21.43	**
	Participation	113	91.13	154	78.57	8.9948
Household Durables	Non-participation	9	7.26	54	27.55	**
	Participation	115	92.74	142	72.45	20.5229
Ornaments	Non-participation	4	3.23	39	19.89	**
	Participation	120	96.77	157	80.11	18.8365
Building Materials	Non-participation	37	29.84	112	57.14	**
	Participation	87	70.16	84	42.86	22.6413
Publi- cations	Non-participation	28	22.58	117	59.69	**
	Participation	96	77.42	79	40.31	42.0028

\*\* Significant at one per cent level.

**a Food**

88.71 per cent of the employed and 78.04 per cent of the unemployed women had participation in decision making for the purchase of food items.

**b Clothes**

91.13 per cent of the employed and 78.57 per cent of the unemployed women participated in deciding about the clothes to be purchased.

**c Household durables**

92.74 per cent of the employed and 72.45 per cent of the unemployed women participated in decision making for the purchase of household durables.

**d Ornaments**

96.77 per cent of the employed and 80.11 per cent of the unemployed women had participation in decision making for purchasing ornaments.

**e Building materials**

70.16 per cent of the employed and 42.86 per cent of the unemployed women had a role in decision making for the purchase of building materials.

**f Publications**

77.42 per cent of the employed and 40.31 per cent of the unemployed women had a role in deciding about the purchase of publications.

The study revealed that the employed women had greater role in decision making for the purchase of all the group of goods than the unemployed.

In the case of food, clothes, household durables and ornaments the participation of both the employed and the unemployed women was greater than nonparticipation, whereas in the case of building materials and publications the unemployed had lesser participation than the employed women.

The chi-square value showed a statistically significant difference proving that the employed women had greater role in decision making than the unemployed women in all the six groups of goods at one per cent level.

Hence the fourth hypothesis that the employed women have more participation in decision making for purchases is supported.

**8.5.1.2 Education**

Role of education in participation of women in decision-making is shown in table 8.26.

Table 8.26  
Participation in decision-making on the basis of education

Type of Goods	Participation/ Non-participation	Educated		Highly educated		Chi-square
		No.	Per cent	No.	Per cent	
Food	Non-participation	49	33.11	23	13.37	**
	Participation	99	66.89	149	86.63	17.7684
Clothes	Non-participation	31	20.95	23	13.37	
	Participation	117	79.05	149	86.63	3.2529
Household Durables	Non-participation	60	40.54	25	14.53	**
	Participation	88	59.46	147	85.47	27.5781
Ornaments	Non-participation	22	14.86	60	34.88	**
	Participation	126	85.14	117	65.12	16.7264
Building Materials	Non-participation	94	63.51	80	46.51	**
	Participation	54	36.49	92	53.49	9.2684
Publications	Non-participation	93	62.84	84	48.84	*
	Participation	55	37.16	88	51.16	6.3081

\* Significant at five per cent level

**a Food**

66.89 per cent of the educated and 86.63 per cent of the highly educated women participated in decision-making for the purchase of food items.

**b Clothes**

79.05 per cent of the educated and 86.63 per cent of the highly educated women participated in decision-making for the purchase of clothes.

**c Household durables**

59.46 per cent of the educated and 85.47 per cent of the highly educated women participated in decision-making for the purchase of household durables.

**d Ornaments**

While 85.14 per cent of the educated and 65.12 per cent of the highly educated women participated in decision-making for the purchase of ornaments 14.86 per cent of the educated women and 34.88 per cent of the highly educated women had no participation at all in this regard.

**e Building materials**

36.49 per cent of the educated and 63.49 per cent of the highly educated women had participation, whereas 63.51 per cent of the educated and 46.51 per cent of the highly educated women had

no participation in the decision-making for purchasing building materials.

#### f Publications

While 37.16 per cent of the educated and 51.16 per cent of the highly educated women participated, 62.84 per cent of the educated and 48.84 per cent of the highly educated women did not participate in decision-making for the purchase of publications.

Table 8.26 revealed that the highly educated women had a greater percentage of participation in decision-making for the purchase of all groups of goods studied, whereas the participation of educated women was lesser in the case of building materials and publications.

The chi-square proved a statistically significant difference between the participation of educated and highly educated women in decision-making for the purchase of food, household durables, ornaments and publications at one per cent level, but in the case of publications chi-square value was significant at five per cent.

Hence the study leads to the conclusion that the highly educated women had more participation in decision-making for purchasing food, household durables, ornaments, building materials and publications. In the case of clothes all the samples irrespective their educational level had greater participation in decision-making.

#### 8.5.1.3 Income

Women's participation in decision-making varied at different levels of income (table 8.27).

**a Food**

57.25, 80.77 and 86.16 per cent of the sample had participation in deciding the food items to purchase in the case of women belonging to the first, second and third categories of income.

**b Clothes**

While taking decisions for the purchase of clothes 78.26, 84.62 and 89.23 per cent of women belonging to the first, second and third categories of income respectively had participation.

**c Household durables**

While taking decisions for the purchase of household durables 55.80, 76.92 and 90.00 per cent of women belonging to the first, second and third categories of income respectively had participation.

**d Ornaments**

While taking decisions for the purchase of ornaments 81.16, 86.54 and 93.08 per cent of women belonging to the first, second and third categories of income respectively had participation.

**e Building materials**

31.88, 42.31 and 59.23 per cent of women belonging to the first, second and third categories of income respectively had participation in decision making for the purchase of building materials.

**f Publications**

While taking decisions for the purchase of publications 26.09, 59.62 and 59.23 per cent of women had participation.

Table 8.27 revealed that in case of food, clothes, household durables and ornaments the percentage of participation of women in decision-making was greater than nonparticipation, whereas in the case of building materials and publications the participation was lesser. The participation increased in case of women belonging to the third category of income.

Table 8.27

## Participation of women in decision-making on the basis of income

Type of Goods	Participation/ Non-participation	Level of Income				Chi-square		
		Upto 15000	Between 15000 and 30000	Above 30000				
		No.	Per cent	No.	Per cent	No.	Per cent	
Food	Non-participation	59	42.75	10	19.23	18	13.85	**
	Participation	79	57.25	42	80.77	112	86.15	143.9601
Clothes	Non-participation	30	21.74	8	15.38	14	10.77	**
	Participation	108	78.26	44	84.62	116	89.23	227.850
Household Durables	Non-participation	61	44.20	12	23.08	13	10.00	**
	Participation	77	55.80	40	76.92	117	90.00	148.684
Ornaments	Non-participation	26	18.84	7	13.46	9	6.92	**
	Participation	112	81.16	45	86.54	121	93.08	298.047
Building Materials	Non-participation	94	68.12	30	57.69	53	40.77	**
	Participation	44	31.88	22	42.31	77	59.23	100.527
Publications	Non-participation	102	73.91	21	40.38	53	40.77	**
	Participation	36	26.09	31	59.62	77	59.23	92.569

\*\*

The chi-square values for all categories of goods showed a statistically significant result at one per cent level substantiating the fact that women with higher level of income had more participation in decision-making.

#### 8.5.1.4 On Urban-rural basis

##### a Food

75.00 and 69.00 per cent of the urban and rural women had participation in decision-making regarding food items.

##### b Clothes

85.00 per cent of the urban and 82.00 per cent of the rural women respectively participated in decision-making regarding clothes.

##### c Household durables

62.72 per cent of the urban and 44.00 per cent of the rural women respectively participated in decision-making regarding household durables.

##### d Ornaments

83.18 per cent of the urban and 85.00 per cent of the rural women respectively participated in decision-making for the purchase of ornaments.

**e Building materials**

24.55 per cent of the urban and 39.00 per cent of the rural women respectively had participation in decision-making for the purchase of building materials.

**f Publications**

Only 36.36 per cent of the urban and 42.00 per cent of the rural women respectively participated in decision-making for the purchase of publications.

Table 8.28 revealed that the percentage of participation of urban and rural women was more in the case of food, clothes and ornaments. The urban women had less participation in deciding for the purchase of building materials and publications, whereas the rural women had less participation in the case of household durables also in addition to the building materials and publications.

Table 8.28

## Participation of women in decision-making on urban-rural basis

Goods	Participation/ Non-participation	Urban		Rural		Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	55	25.00	31	31.00	1.2589
	Participation	165	75.00	69	69.00	
Clothes	Non-participation	33	15.00	18	18.00	0.4616
	Participation	187	85.00	82	82.00	
Household Durables	Non-participation	82	37.27	56	56.00	**
	Participation	138	62.72	44	44.00	10.0404
Ornaments	Non-participants	37	16.82	15	15.00	0.1669
	Participants	183	83.18	85	85.00	
Building materials	Non-participation	166	75.45	61	61.00	**
	Participation	54	24.55	39	39.00	6.9648
Publi- cations	Non-participation	140	63.64	58	58.00	0.9255
	Participation	80	36.36	42	42.00	

The chi-square value is found significant at one per cent level in the case of household durables and building materials implying that the urban and rural women showed substantial difference in deciding about household durables and building materials only.

#### 8.5.1.5 Marital Status

Role of marital status in decision-making for the purchase of goods is shown in table 8.29 as follows:

##### a Food

66.29 per cent of the married and 73.58 per cent of the single women had participation in decision-making for food items.

##### b Clothes

In decision-making for clothes 54.31 per cent of the married and 62.26 per cent of the single women had participation.

##### c Household durables

56.93 per cent of the married and 43.40 per cent of the single women had participation in decision-making for household durables.

##### d Ornaments

68.54 per cent of the married and 81.13 per cent of the single women had participation in decision-making for the purchase of ornaments.

**e Building materials**

70.79 per cent of the married and 50.94 per cent of the single women had participation in decision making for the purchase of building materials.

**f Publications**

47.94 per cent of the married and 49.06 per cent of the single women had participation in decision-making for the purchase of publications.

Table 8.29

## Participation of women in decision-making on marital status

Goods	Participation/ Non-participation	Married		Single		Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	90	33.71	14	26.42	1.0715
	Participation	177	66.29	39	73.58	
Clothes	Non-participation	122	45.69	20	37.74	1.1336
	Participation	145	54.31	33	62.26	
Household durables	Non-participation	115	43.07	30	56.60	3.2662
	Participation	152	56.93	23	43.40	
Ornaments	Non-participation	84	31.46	10	18.37	3.3782
	Participation	183	68.54	43	81.13	
Building materials	Non-participation	78	29.21	26	49.06	** 7.9326
	Participation	189	70.79	27	50.94	
Publi- cations	Non-participation	139	52.06	27	50.94	0.02206
	Participation	128	47.94	26	49.06	

Table 8.29 revealed that in the case of food, clothes, ornaments and building materials the participation in decision-making rated more for both the married and single women. In the case of household durables the participation of married women was more than that of single women, whereas in the case of both the married and single women's participation rated low.

The chi-square value was found significant at one per cent level only in the case of building materials substantiating the greater role of married women in decision-making for the purchase. Hence it is proved that the marital status did not contribute to the decision-making role of women.

#### 8.5.1.6 Type of family

Women in nuclear families had greater participation in decision-making than the women in joint families. The study regarding this is shown in table 8.30.

Table 8.30

Participation of women in decision-making on the basis of  
type of family-in nuclear/joint families

Goods	Non-participation/ Participation	Nuclear Joint				Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	107	42.8	40	57.14	*
	Participation	143	57.2	30	42.86	4.5335
Clothes	Non-participation	85	34.00	50	71.42	**
	Participation	165	66.00	20	28.57	31.4360
Household durables	Non-participation	108	43.2	44	62.86	**
	Participation	142	56.8	26	37.14	8.6538
Ornaments	Non-participation	94	37.6	60	85.71	**
	Participation	156	62.4	10	14.29	51.8404
Building materials	Non-participation	113	45.2	67	81.43	**
	Participation	137	54.8	13	18.57	28.8403
Publi- cations	Non-participation	112	44.8	54	77.14	**
	Participation	138	55.2	16	22.86	22.9327

**a Food**

In decision-making for the purchase of food items 57.2 per cent of the women belonging to nuclear families and only 42.86 per cent of the women in joint families had participation.

**b Clothes**

66.00 per cent of women in nuclear families and 28.57 per cent women in joint families participated in decision-making for the purchase of clothes.

**c Household durables**

56.8 per cent and 37.14 per cent of women in nuclear and joint families respectively participated in decision-making for the purchase of household durables.

**d Ornaments**

While 62.4 per cent of the women in nuclear families participated in decision-making, only 14.29 per cent in joint families participated in decision-making for the purchase of ornaments.

**e Building materials**

54.8 per cent of the women in nuclear families and 18.57 per cent in joint families participated in decision-making for the purchase of building materials.

## f Publications

While 55.2 per cent of the women from nuclear families had participation, only 22.86 per cent of the women from joint families participated in decision-making for the purchase of publications.

Table 8.30 revealed that in the case of all categories of goods the women from nuclear families had greater participation in decision-making than those in joint families.

The chi-square value was found to be significant in all the cases. This proved that women in nuclear families have greater participation in decision-making for purchases than their counterparts in joint families.

### 8.5.2 Purchase participation

Even though shopping is a matter of convenience now-a-days the role of women in purchasing goods is relevant in connection with this study since they can try for the protection of their consumer rights and make use of their knowledge and awareness to prevent exploitation.

#### 8.5.2.1 Employment

Table 8.31 revealed the role of employed women in purchasing goods as follows:

##### a Food

91.94 per cent of the employed and 66.33 per cent of the unemployed women participated in the purchase of food items.

##### b Clothes

91.94 per cent of the employed and 79.08 per cent of the unemployed women participated in the purchase of clothes.

**c Household durables**

66.94 per cent of the employed and 50.51 per cent of the unemployed women had participation in the purchase of household durables.

**d Ornaments**

While purchasing ornaments 90.32 per cent of the employed and 79.59 per cent of the unemployed women had participation.

**e Building materials**

36.29 per cent of the employed and 24.49 per cent of the unemployed women participated in the purchase of building materials.

**f Publications**

While 50.00 per cent of the employed women participated in the purchase of publications, only 30.61 per cent of the unemployed women had participation.

Table 8.31

Participation of women in shopping for the purchase of goods  
on the basis of employment

Type of family	Non-participation/ Participation	Employed		Unemployed		Chi-square
		No.	Per cent	No.	Per cent	
Food	Non-participation	10	8.06	66	33.67	**
	Participation	114	91.94	130	66.33	9.8163
Clothes	Non-participation	10	8.06	41	20.92	**
	Participation	114	91.94	155	79.08	9.3663
Household durables	Non-participation	40	33.06	97	49.49	**
	Participation	84	66.94	99	50.51	9.1443
Ornaments	Non-participation	12	9.68	40	20.41	*
	Participation	112	90.32	156	79.59	6.4260
Building Materials	Non-participation	79	63.71	148	75.51	*
	Participation	45	36.29	48	24.49	5.1300
Publications	Non-participation	62	50.00	136	69.39	**
	Participation	62	50.00	60	30.61	12.1019

Table 8.31 showed that in all types of goods the employed women's participation in the purchase was more than that of the unemployed women. In the purchase of goods, clothes, household durables and ornaments their participation was greater than non-participation.

The chi-square value was found significant in all the cases substantiating that the employed status entrusts a greater role for women in purchasing goods.

#### 8.5.2.2 Education

##### a Food

56.76 and 74.42 per cent of the educated and highly educated and highly educated women had participation in purchasing food items.

##### b Clothes

70.95 per cent of the educated and 81.98 per cent of the highly educated had participation in the purchase of clothes.

##### c Household durables

47.97 per cent of the educated and 63.95 per cent of the highly educated women had participation in the purchase of household durables.

##### d Ornaments

While purchasing ornaments, 77.70 per cent of the educated and 88.95 per cent of the highly educated women participated.

Table 8.32

Participation of women in the purchase of goods on the basis  
of education

Types of goods	Participation/ Non-participation	Educated		Higly educated		Chi-square
		No.	Per cent	No.	Per cent	
Food	Non-participation	64	43.24	44	25.58	**
	Participation	84	56.76	128	74.42	11.0975
Clothes	Non-participation	43	29.05	31	18.02	*
	Participation	105	70.95	141	81.98	5.4495
Household Durables	Non-participation	77	52.03	62	36.05	**
	Participation	71	47.97	110	63.95	8.2681
Ornaments	Non-participation	33	22.30	19	11.05	**
	Participation	115	77.70	153	88.95	7.3984
Building Materials	Non-participation	121	81.76	122	70.93	*
	Participation	27	18.24	50	29.07	5.1027
Publi-cations	Non-participation	99	66.89	91	52.91	*
	Participation	49	33.11	81	47.09	6.4497

**e Building materials**

18.24 per cent of the educated and 29.07 per cent of the highly educated women participated in purchasing building materials.

**f Publications**

33.11 per cent and 47.09 per cent of the educated and highly educated women respectively participated in purchasing publications.

The results showed that at the time of purchasing food, clothes, household durables and ornaments both the educated and highly educated classes of women had greater participation, whereas in the case of building materials and publications the participation was less.

In all the types of goods participation of highly educated class was more than that of the educated class.

The chi-square was found to be significant in all groups of goods substantiating the fact that the more women are educated, the greater their role in purchasing goods.

**8.5.2.3 Income**

Women have participation in the purchase of goods which varied considerably at different levels of income as shown in table 8.33.

Table 8.33

## Participation in the purchase of goods on the basis of income

Types of goods	Participation/ Non-participation	Levels of income				Chi-square
		Upto Rs.15000	Between Rs. 15000 & 30000	Above Rs.30000		
		No. Per cent	No. Per cent	No. Per cent		
Food	Non-participation	49 35.51	11 21.15	17 13.08		
	Participation	89 64.49	41 78.85	113 86.92	**	166.155
Clothes	Non-participation	32 23.19	10 19.23	9 6.92		
	Participation	106 76.81	42 80.77	121 93.08	**	116.255
Household Durables	Non-participation	33 60.14	23 44.23	40 30.77		
	Participation	55 39.86	29 55.77	90 69.23	**	102.649
Ornaments	Non-participation	70 50.72	16 30.77	30 23.08		
	Participation	68 49.28	36 69.23	100 76.92	**	118.337
Building Materials	Non-participation	119 86.23	43 86.69	86 66.15		
	Participation	19 13.77	9 17.31	44 33.85	**	209.256
Publications	Non-participation	94 68.11	27 51.92	55 42.31		
	Participation	44 31.88	25 48.08	75 57.69	**	153.327

**a Food**

64.49, 78.85 and 86.92 per cent of women had participation belonging to the first, second and third income groups respectively.

**b Clothes**

When purchasing clothes 76.81, 80.77 and 93.08 per cent of women belonged to the first, second and third categories of income groups respectively had participation.

**c Household durables**

39.86, 55.77 and 69.23 per cent of women belonging to the first, second and third categories of income respectively had participation in the purchase of household durables.

**d Ornaments**

While purchasing ornaments, 49.28, 69.23 and 76.92 per cent had participation respectively in the case of first, second and third groups of income.

**e Building materials**

While purchasing building materials 13.77, 17.31 and 33.85 per cent of women belonging to the first, second and third categories of income had participation.

**f Publications**

In purchasing publications 31.88, 48.08 and 57.69 per cent of the sample had participation.

It was found that in all the categories of goods participation in the purchase increased with the increase in income.

As the family income increases, the participation and role of women in purchasing goods also increases.

The chi-square values are found to be statistically significant at one per cent level, substantiating the fact that the higher the level of income the more the participation of women in purchasing goods.

**8.5.2.4 Urban-rural basis (table 8.34)****a Food**

While purchasing food items 70.00 per cent of the urban and 58.00 per cent of the rural women had participation.

**b Clothes**

A great majority of 80.45 per cent of the urban and 69.00 per cent of the rural women had participation in clothes.

**c Household durables**

64.09 per cent of the urban and 40.00 per cent of the rural women had participation in purchasing household durables.

**d Ornaments**

While purchasing ornaments, a great majority of 83.18 per cent of the urban and 85 per cent of the rural women had participation.

**e Building materials**

In purchasing building materials 25.00 per cent of the urban and 22.00 per cent of rural women had participation.

**f Publications**

In purchasing publications 40.00 per cent of the urban and 42.00 per cent of the rural women had participation.

It was found that in purchasing food, clothes and ornaments both the urban and the rural women had greater participation and in the case of building materials and publications both had lesser participation. In purchasing household durables urban women had greater participation than the rural sample.

Table 8.34

Participation of women in the purchase of goods on  
urban-rural basis

Type of goods	Participation/ Non-participation	Urban		Rural		Chi-square
		No.	Per cent	No.	Per cent	
Foods	Non-participation	66	30.00	42	42.00	*
	Participation	154	70.00	58	58.00	4.426
Clothes	Non-participation	43	19.55	31	31.00	*
	Participation	177	80.45	69	69.00	4.874
Household durables	Non-participation	79	35.91	60	60.00	**
	Participation	141	64.09	40	40.00	16.233
Ornaments	Non-participation	75	34.09	25	25.00	
	Participation	145	65.91	75	75.00	2.643
Building materials	Non-participation	165	75.00	78	78.00	
	Participation	55	25.00	22	22.00	0.3384
Publications	Non-participation	132	60.00	58	58.00	
	Participation	88	40.00	42	42.00	0.1139

The chi-square values showing the difference in the purchase behaviour of urban and rural sample were found significant only in the case of food, clothes and household durables. In the case of ornaments, building materials and publications the role of the urban and rural women was the same.

#### 8.5.2.5 Marital status

Participation of women in the purchase of goods is shown in table 8.35 as follows:

##### a Food

74.91 per cent of the married and 84.91 per cent of the single women participated in the purchase of food items for the family.

##### b Clothes

74.91 per cent of the married and 56.60 per cent of the single women had participated in the purchase of clothes.

##### c Household durables

59.93 per cent of the married and 35.85 per cent of the single women participated in the purchase of household durables.

##### d Ornaments

82.40 per cent and 45.28 per cent of the married and single women respectively had participation in the purchase of ornaments.

**Table 8.35**  
**Participation of women in purchasing goods on the**  
**basis of marital status**

Goods	Participation/ Non-participation	Married		Single		Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	67	25.09	8	15.09	2.4626
	Participation	200	74.91	45	84.91	
Clothes	Non-participation	67	25.09	23	43.40	7.3238**
	Participation	200	74.91	30	56.60	
Household durables	Non-participation	107	40.07	34	64.15	10.3939**
	Participation	160	59.93	19	35.85	
Ornaments	Non-participation	47	17.60	29	54.72	33.6166**
	Participation	220	82.40	24	45.28	
Building materials	Non-participation	158	59.18	23	43.40	4.4791*
	Participation	109	40.82	30	56.60	
Publi- cations	Non-participation	127	47.57	24	45.28	0.0924
	Participation	140	52.43	29	54.72	

**e Building materials**

40.82 per cent and 56.60 per cent of the married and single women respectively had participation in the purchase of building materials.

**f Publications**

52.43 per cent of the married and 54.72 per cent of the single women participated in the purchase of publications.

Table 8.35 revealed that in the case of food, clothes and publications both the married and the single women had more participation and in the case of household durables and ornaments the participation of married women in purchasing was greater than that of single women.

The chi-square was found to be statistically significant in the case of clothes, household durables, ornaments and building materials substantiating the fact that in these goods their participation was varying.

**3.5.2.6 Type of family**

The role in purchasing of women belonging to nuclear and joint families is shown in table 8.36.

Table 8.36

Participation of women in purchasing on the basis of  
type of family

Goods	Participation/ Non-participation	Nuclear		Joint family		Chi- square
		No.	Per cent	No.	Per cent	
Food	Non-participation	66	26.40	9	12.86	*
	Participation	184	73.60	61	87.14	5.5879
Clothes	Non-participation	75	30.00	55	79.97	**
	Participation	175	70.00	15	21.93	53.4708
Household durables	Non-participation	109	43.60	50	71.43	*
	Participation	141	56.40	20	28.57	5.1317
Ornaments	Non-participation	64	25.60	40	57.14	**
	Participation	186	74.40	30	42.86	24.7952
Building Materials	Non-participation	103	41.20	48	68.57	**
	Participation	147	58.80	22	31.43	16.4355
Publi- cations	Non-participation	50	20.00	50	71.43	**
	Participation	200	80.00	20	28.57	108.40

**a Food**

73.60 per cent and 87.14 per cent of women from nuclear and joint families respectively participated in the purchase of food items.

**b Clothes**

While 70.00 per cent of women from nuclear families participated, only 21.43 per cent from joint families participated in the purchase of clothes.

**c Household durables**

56.40 per cent and 28.57 per cent of women from nuclear and joint families participated in the purchase of household durables.

**d Ornaments**

74.40 per cent of the women from nuclear families and 42.86 per cent of the women from joint families participated in purchasing ornaments.

**e Building materials**

While 58.80 per cent of women from nuclear families purchased building materials, only 31.43 per cent from joint families did so.

#### f Publications

80.00 per cent of women from nuclear families and 28.57 per cent of women from joint families participated in purchasing publications.

Table 8.36 revealed that in all types of goods except food items women in nuclear families had more participation in the purchase of goods than others.

The chi-square values were found significant establishing the difference in the purchase role of the women in nuclear and joint families.

The study throws light to the fact that employed women, women having higher income and those in nuclear families have more significant role in decision-making regarding all types of goods.

While purchasing goods also employment, higher income and nuclear family set up entrust a greater role to women.

#### Opinion of the Lady Members of the District Fora

The lady members of the District Fora highlighted the problems faced by women not only in the District Fora, but in the society as well. Since they are all social workers their comments are valuable and hence made as under.

Our social system as such does not encourage women to come forward and fight for genuine cause. This should be changed for which purpose social organisations, women's organisations and mass media should come forward according to 50 per cent of the female respondents.

Opportunities should be given to women to understand their rights and to protect them. At least 30 per cent of the members in the voluntary consumer organisations should be women. Meetings and seminars should be conducted exclusively for women in rural areas and they should be prepared to assist and educate other women, suggested 30 per cent of the respondents.

Consumer education by media, schools, colleges, women's organisations and local bodies is necessary. Moreover, women's organisations should take up cases affecting the interests of women and represent them in the District Fora and report these decisions through media for giving courage to other women who are reluctant to approach the District Fora.

Lack of education, family responsibilities, attitude of the society and the lack of involvement of the women's organisations in women's issues are the root causes of this problem.

#### **8.6 Responses of the Complainants**

The study covered 100 women who complained in District Fora, 50 complainants from Thrissur and 50 complainants from Ernakulam urban areas.

## Profile of the complainants

### 8.6.1 Age

The age composition of the complainants revealed that, of the 50 samples taken from Thrissur 26 per cent belonged to the age group of 20-30, 16 per cent belonged to the age group of 30-40 and 58 per cent belonged to the age group of 40 and above and of the Ernakulam samples 38 per cent were in the age group of 20-30, 34 per cent in the age group of 30-40 and 28 per cent in the age group of 40 and above.

Of the total 100 samples 32 per cent, 46 per cent and 22 per cent were in the age groups of 20-30, 30-40 and 40 and above respectively.

It was revealed that majority of the complainants were in the age group of 30 to 40.

### 8.6.2 Education

Of the Thrissur sample 16.00, 30.00, 44.00 and 10.00 per cent had S.S.L.C, P.D.C, Degree/Diploma and P.G/Professional qualifications respectively. Of the Ernakulam sample 24.00, 34.00, 40.00 and 12.00 per cent had S.S.L.C, P.D.C, Degree/Diploma and P.G/Professional qualifications respectively.

Of the total 20.00, 27.00, 42.00 and 11.00 per cent had S.S.L.C, P.D.C, Degree/Diploma and P.G/Professional qualifications respectively.

**Table 8.37**  
**Distribution of Complainants by education**

Level of education	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
1 S.S.L.C	8	16.00	12	24.00	20	20.00
2 P.D.C	15	30.00	12	24.00	27	27.00
3 Degree/Diploma	22	44.00	20	40.00	42	42.00
4 P.G/Professional	5	10.00	6	12.00	11	11.00
<b>Total</b>	<b>50</b>	<b>100.00</b>	<b>50.</b>	<b>100.00</b>	<b>100</b>	<b>100.00</b>

Those who are more educated take courage to complain in the Fora as revealed by table 8.37.

### 8.6.3 Employment

**Table 8.38**  
**Distribution of complainants on the basis of employment**

Employment	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Employment in the Service Sector	13	26.00	12	24.00	25	25.00
Professionals	3	6.00	3	6.00	6	6.00
Unemployed	34	68.00	35	70.00	69	69.00
<b>Total</b>	<b>50</b>	<b>100.00</b>	<b>50</b>	<b>100.00</b>	<b>100</b>	<b>100.00</b>

As revealed in the table 8.38, 68 and 69 per cent of the Thrissur and Ernakulam sample complainants were unemployed, while 32 and 31 per cent of the complainants were employed.

#### 8.6.4 Marital Status

**Table 8.39**

**Distribution of the complainants by marital status**

Marital Status	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Married	46	92.00	32	64.00	78	78.00
Single	4	8.00	18	36.00	22	22.00
Total	50	100.00	50	100.00	100	100.00

Table 8.39 revealed that majority of the complainants were married.

#### 8.6.5 Type of Family

**Table 8.40**

**Distribution of the complainants by family**

Type of family	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Nuclear	47	94.00	38	76.00	85	85.00
Joint	3	6.00	12	24.00	15	15.00
Total	50	100.00	50	100.00	100	100.00

Table 8.40 revealed that a great majority of complainants belonged to nuclear families.

#### 8.6.6 Level of Income

**Table 8.41**

**Distribution of complainants by level of income**

Level of income Rs	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Upto 15,000	28	56.00	26	52.00	54	54.00
15,000 - 30,000	12	24.00	10	20.00	22	22.00
30,000 - 45,000	3	6.00	8	16.00	11	11.00
45,000 - 60,000	5	10.00	6	12.00	11	11.00
60,000 - 75,000	-	-	-	-	-	-
Above 75,000	2	4.00	-	-	2	2.00
<b>Total</b>	<b>50</b>	<b>100.00</b>	<b>50</b>	<b>100.00</b>	<b>100</b>	<b>100.00</b>

Table 8.41 revealed that 96 per cent and 100 per cent of the complainants from Thrissur and Ernakulam districts respectively were having an annual income of upto Rs.60,000/-. Higher income group did not complain in the Fora for getting redressal.

## Reasons motivated for complaining in the Fora

The reasons for complaining in the Fora were as shown in table 8.42.

Table 8.42

## Reasons for complaining in the Fora

Reasons	Thrissur			Ernakulam			Total	
	No.	Per cent	Rank	No.	Per cent	Rank	No.	Per cent
a The loss was very high	20	40.00	1	28	56.00	1	48	48.00
b Women are exploited to a greater extent than men	16	32.00	2	8	16.00	3	24	24.00
c Could complain as a group	8	16.00	3	11	22.00	2	19	19.00
d Wanted to assert consumer rights	4	8.00	4	3	6.00	4	7	7.00
e Menfolks had no time	2	4.00	5	0	0	5	2	2.00
Total	50	100.00		50	100.00		100	100.00

$$R = 0.35 \quad df = 3$$

The most important reason according to 48 per cent for filing complaint in the Fora was the amount of loss, second important reason was greater extent of exploitation of women and women complained as a group.

Ranks were allotted to the reasons as shown in table 8.42, for the purpose of calculating rank correlation R, which was found to be 0.35.

The t - value 2.776 was found to be statistically non-significant proving that the difference in reasoning was insignificant.

**Table 8.43**

**Difficulties faced by women during redressal proceedings with the ranks allotted**

Reasons	Thrissur		Ernakulam		
	No.	Per cent	No.	Per cent	Rank
a Adjournment of hearings by lawyers	32	64.00	34	68.00	1
b No. of special tribunals	31	62.00	32	64.00	2
c Harassment of the advocates	16	32.00	24	48.00	3
d Not located in a convenient place	10	20.00	12	24.00	4
e Dealing of the president and members	8	16.00	8	16.00	5

Ranks allotted on the basis of percentage for difficulties faced by women during the redressal proceedings are the same which reveals that they are the same in all the districts.

Table 8.43 revealed that not only adjournment of hearings by lawyers, but also their harassments caused difficulties during the redressal proceedings.

### Appointment of Lawyers

Majority of complainants received outside help for filing the complaints and also for fighting their cases, as shown in table 8.44.

**Table 8.44**

**Details of Outside Help received by complainants for fighting their cases**

Particulars	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
Lawyers	30	60.00	35	70.00	65	65.00
VCOs	13	26.00	10	20.00	23	23.00
Complainants themselves	7	14.00	5	10.00	12	12.00
Total	50	100.00	50	100.00	100	100.00

Table 8.44 showed that 60 per cent and 70 per cent of women from Thrissur and Ernakulam districts engaged lawyers for representing them in the Fora, while only 26.00 per cent and 20.00 per cent women received the help of VCOs. Only a very small percentage (14 and 10 per cent from Thrissur and Ernakulam) presented their cases themselves.

Of the total, 65 per cent of women engaged lawyers, 23 per cent received help from VCOs and 12 per cent presented their cases themselves.

### Disposal of Complaints

All the complainants agreed that the disposals were delayed. The reasons for the delay in disposal are shown in table 8.45.

**Table 8.45**  
Reasons for the delay in disposal of complaints

	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
a Adjournments by the lawyers	39	78.00	43	86.00	82	82.00
b Adjournments by the Fora	7	14.00	2	4.00	9	9.00
c Delay in getting laboratory reports	1	2.00	2 <sup>a</sup>	4.00	3	3.00
d Delay in acknowledging registered notices	3	6.00	3	6.00	6	6.00
Total	50	100.00	50	100.00	100	100.00

According to 78 per cent and 82 per cent of the Thrissur and Ernakulam sample the reason for the delay in disposal of complaints was adjournments by the lawyers.

### Satisfaction in the Order

57 per cent and 50 per cent of Thrissur and Ernakulam sample respectively were not satisfied with the order of the Fora. Yet only 4 per cent and 10 per cent had appealed to the State Commission.

The reasons for not appealing are shown in table 8.46 in the order of preference.

**Table 8.46**

**Reasons for not appealing to the State Commission**

Reasons	Thrissur		Ernakulam		Total	
	No.	Per cent	No.	Per cent	No.	Per cent
a Lost confidence	33	66.00	36	72.00	69	69.5
b Involves a lot of time and money	12	24.00	8	16.00	20	20.00
c No hope of succeeding	5	10.00	6	12.00	11	11.5

66 and 72 per cent of the Thrissur and Ernakulam sample respectively lost confidence, 24 and 16 per cent due to lack of time and money and 10 and 13 per cent had no hope of succeeding their cases at the State Commission.

Majority of women lose confidence and hope at the initial state itself which pointed out the need for instilling confidence in women.

### Consumer education as felt by CDRA members

The respondents unanimously agreed that consumer education is the need of the day in order to equip the consumers with the skills needed in today's complex market place. The following were suggested by the respondents (in the order of preference) for effective consumer education:

- 1 Dissemination of consumer needs among the public through mass media like newspaper, radio, T.V. etc.
- 2 Establish Consumer Education Centres in Universities, Colleges, Schools etc. and conduct seminars, workshops etc.
- 3 Introduce Consumer Education as a part of curriculum.
- 4 Encourage VCOs to undertake consumer education programmes.
- 5 Encourage research studies in the field of consumer protection.

Using the Kendall co-efficient of concordance, the degree of agreement was found to be 0.8321 which was very high. Significant  $\chi^2$  (83.21, df = 20) proved that the agreement by the respondents in the suggestions.

This led to the conclusion that mass media, consumer education as a part of curriculum, involvement of VCOs and research studies are essential for creating consumer awareness among people.

For effective education, research work is inevitable. Therefore research works in the field should be encouraged in Universities by way of Scholarships, Fellowships etc.

## Chapter 9

### Studies on Voluntary Consumer Organisations

The investigations made by the author revealed the existence of 54 registered VCOs in Kerala (table 9.1) as per the records collected from various sources such as the Directory of VCOs 1991 (listing 18) published by the Ministry of Civil Supplies, Consumer Affairs and Public Distribution, New Delhi and the Directory of VCOs, 1993, published by CERC, Ahmedabad (enlisting 18), of which five were not existing at the time of the survey and one of these existing VCOs was continuing its complaint-handling activities only.

Questionnaires were sent to all the 49 VCOs with self-addressed stamped envelopes and received back only 21 pledging their wholehearted support.

#### 1 Structure

##### 1.1 Number of VCOs

Table 9.1 showed the disproportional distribution of VCOs in 14 districts, with 17 of them in Ernakulam and not having even one in Palakkad, Kozhikode and Alappuzha. Even though the author is well aware of the existence of other VCOs, they were not included as they had neither registration nor proper address. This calls for the need for a co-ordinating set-up with clear guidelines in Kerala.

**Table 9.1**  
**District-wise Distribution of VCOs**

District	No. of VCOs	
	as per records	existing now
Kasargode	1	1
Kannur	4	4
Wynad	1	1
Kozhikode	0	0
Malappuram	1	1
Plakkad	0	0
Thrissur	6	6
Ernakulam	17	12
Idukki	2	2
Alappuzha	0	0
Kottayam	6	6
Pathanamthitta	2	2
Kollam	3	3
Thiruvananthapuram	11	11
<b>Total</b>	<b>54</b>	<b>49</b>

### 9.1.2 Nature of Registration

Of the 21 VCOs responded 6 were registered under the Societies Registration Act, 1860, 11 under the Travancore-Cochin Literary Scientific and Charitable Societies Act, XII of 1955 and

two under the Trust Act respectively. None was registered under the Companies Act, 1956. Two VCOs had not yet registered.

### 9.1.3 Year of Establishment

Studies on the year of establishment revealed the increase in number. There was no registered VCOs in the state before 1977. Since the first one was registered in 1977, 11 more were registered before 1986 (table 9.2). Subsequently, after the enactment of COPRA till date nine more were registered. For the study, year of registration was taken as the year of establishment.

Table 9.2

#### Distribution of VCOs by the period of Establishment

Period	No. of VCOs
Till 1976	Nil
1977 - 1986	12
1987 - 1993	9
Total	21

The study throws light to the apathy and complacence on the part of the consumers to set up consumer organisations in spite of the recognition of their consumer rights in 1986.

Three VCOs started functioning after the registration, whereas five began to function before the formal registration and 13 of them registered and started functioning on the same day.

Usually a trial period is advisable before the formal registration after initiation of the organisation. It seemed that the consumer activists were in a haste to start a VCO which resulted in the winding up of a good number of them when their initial enthusiasm died up.

#### 11.4 Affiliation

Majority of the VCOs were affiliated to one or more agencies. The main organisations to which these VCOs were affiliated were CERC, Ahmedabad, CICO New Delhi, CGSI Bombay and the Kerala State Consumer Co-ordination Committee, Cochin. Five VCOs were not affiliated to any agency for consumer protection.

#### 11.5 Governing Body

In the case of 19 VCOs the governing body is the Executive Committee and in the case of 2 VCOs Board of Directors managed the activities.

The VCOs were mainly manned by voluntary activists. A great majority of 14 VCOs were running with the dedicated work of voluntary activists, while two had full-time employees and two had full-time paid employees to manage the activities apart from the members of the organisations. Three had neither full-time, part-time employees nor voluntary activists to run the affairs, but the governing body was managing the affairs. In five VCOs there were specialists and experts rendering services in matters that needed special and expert knowledge and skill.

### 3.1.6 Membership

The criteria for enrolling a member was subjected to Kendall Co-efficient of Concordance to find out whether there was any similarity. The preference rankings made by the VCOs were in the following order:

1. Interest of the person concerned in the movement
2. Affordability to pay the membership fees
3. Anyone who seeks the help of the VCO for redressing his/her grievances. The Kendall co-efficient of concordance  $W = 0.577$  and the chi-square value 34.62 proved a statistically significant agreement by the VCOs in this regard.

### 3.1.7 Size of the VCOs in terms of branches

A unit/branch means an extension of the VCO consisting of a general body elected from all members of the VCO residing in that particular area. In all, there were 863 branches.

The VCOs in Kerala can be classified into seven single unit organisations with regional or national interests and 11 medium scale organisations with less than 50 units and three large organisations with more than 50 units spreading over the different districts of the state.

### 3.1.8 Women's Units/Branches in VCOs

While seven VCOs with branches/units had no women's units, three had less than 10 women's units, four had more than 10 and less than 50 women's units. Only three had more than 100 women's units. Only one VCO was an exclusively women's organisation in Kerala and it had no branches. The participation and involvement

of women (comprising more than 50 per cent of the Keralites) in the consumer protection movement is negligible, even though there were 396 women's units all over Kerala.

## 3.2 Involvement of Women

### 3.2.1 Reservation for Women in the Governing Body

In most of the VCOs seats were reserved for women in the governing body. In 11 out of 21 VCOs seats were reserved for women and 10 VCOs did not desire female representation in the management.

In two organisations 50 per cent of the seats, in other two organisations 31 to 40 per cent seats, in one organisation 11 to 20 per cent seats and in six VCOs one to 10 per cent seats were reserved for women. Table 9.3 shows the percentage of seats reserved for women in the governing body of the VCOs.

**Table 9.3**

#### Reservation of Seats for Women in the Governing Body of the VCOs

Reservation of seats in governing body	No. of VCOs	
	No.	Per cent
Zero	10	47.62
1 to 10	6	28.57
11 to 20	1	4.76
21 to 30	0	0
31 to 40	2	9.52
41 to 50	2	9.52
Total	21	99.99

The study revealed that 47.62 per cent of VCOs did not have female participation in the governing body.

The reasons for not reserving seats in the governing body were ranked as follows:

- 1 Non-appearance for the meetings and activities
- 2 Unwillingness to actively involve in the movement
- 3 Attitude to shy off the responsible posts
- 4 Inefficiency

Inefficiency was found to be the least ranked by all the VCOs for not reserving seats in the governing body.

The Kendall Co-efficient of Concordance,  $W = 0.828$  substantiated the high degree of agreement among the VCOs. The  $\chi^2 = 66.24$  statistically proved that all the VCOs agreed in the rankings.

#### **Involvement of Women in the Movement**

All the VCOs unanimously agreed that the women's participation and involvement in the movement was not very promising and the women's units were rarely functional. The reasons revealed as per the responses were in the order of preference of

- 1 Lack of time due to family responsibilities
- 2 Society's attitude restricted them

3 Men in the family did not permit active involvement

4 Lack of willingness.

The Kendall Co-efficient of Concordance  $W = 0.796$  showed high degree of agreement among the respondents. The  $\chi^2$  value, 63.68 indicated high significant agreement in the reasonings.

The reasons stated by women for not involving in the consumer protection movement was on par with those mentioned in Chapter 8.

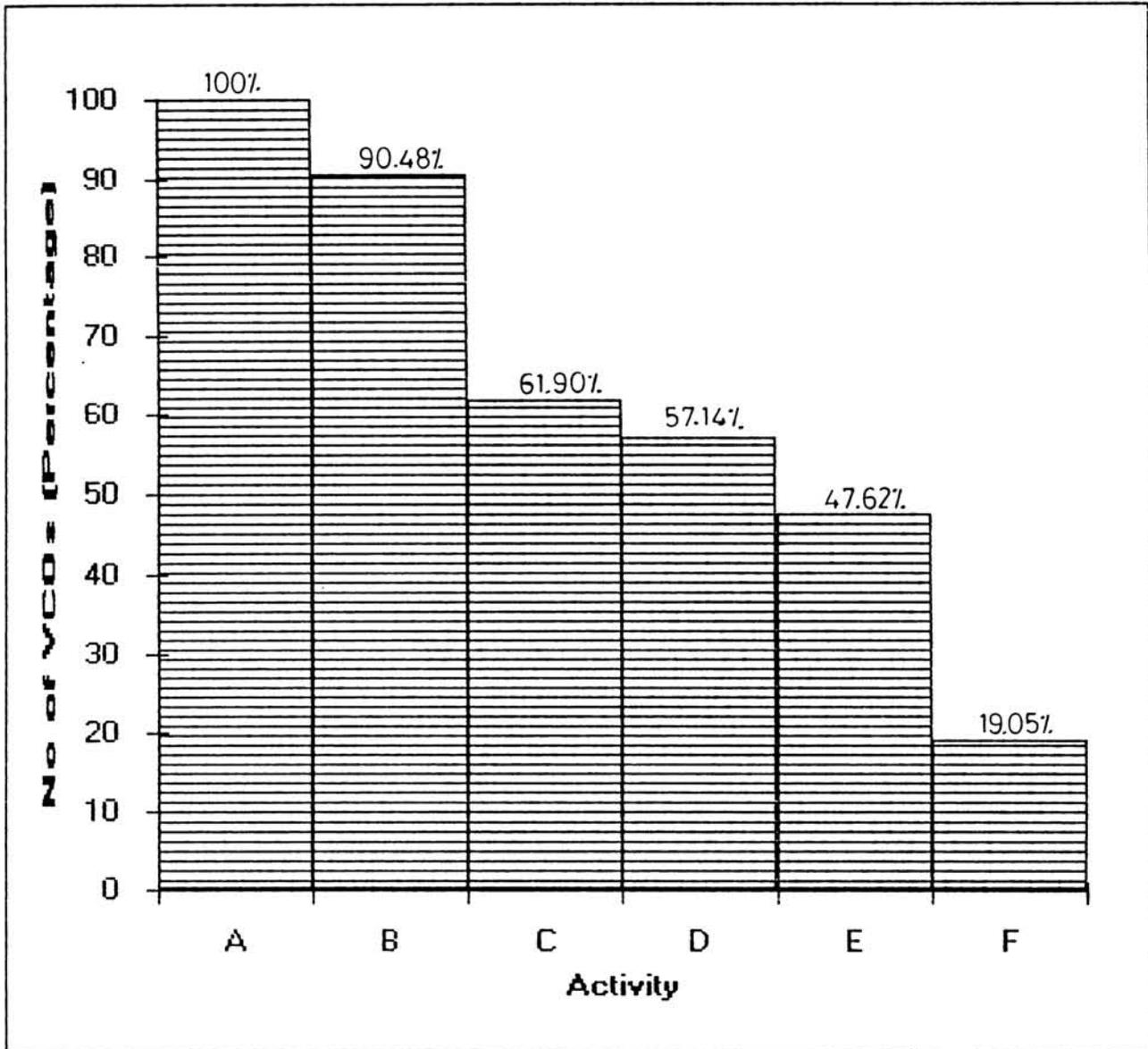
### 9.3 Activities of the VCOs

The VCOs in Kerala are engaged in activities such as complaint handling, consumer education, consumer advocacy, campaigning, training and research as shown in table 9.4 and Histograms 9.1.

Table 9.4  
Activities of the VCOs

Activities	VCOs	
	No.	Per cent
Complaint handling	21	100
Consumer education	19	90.48
Consumer advocacy	13	61.90
Campaigning	12	57.14
Training	10	47.62
Research	4	19.05

Histogram 9.1  
Activity pattern of VCOs



- |                       |                |
|-----------------------|----------------|
| A. Complaint handling | D. Campaigning |
| B. Consumer education | E. Training    |
| C. Consumer advocacy  | F. Research    |

### 9.3.1 Complaint-handling

All the 21 VCOs were engaged in complaint-handling of which six had not provided the details of their complaints received and compromised by them. The details of the complaints received and compromised by the VCOs during 1991, 1992 and 1993 are shown in table 9.5.

Table 9.5 revealed that 70.32, 69.09 and 82.65 per cent of the total complaints filed in the years 1991, 1992 and 1993 respectively were compromised by the VCOs. The remaining complaints were registered at the Fora for disposal. Hence the VCOs are able to contribute much by disposing of a great majority of complaints informally.

**Table 9.5**

**Details of the number of complaints received and settled by  
the VCOs**

No. of com- plaints	1991		1992		1993	
	No.	Per cent	No.	Per cent	No.	Per cent
Received	822	100.00	1268	100.00	2625	100.00
Settled	578	70.32	874	69.09	2087	82.65

### 9.3.2 Consumer Education

With a view to educate consumers, VCOs conducted seminars/workshops, study classes, leadership camps, use of media etc.

a Seminars/workshops, leadership camps, study classes etc. were organised by all VCOs aiming at increasing awareness among consumers.

b Print Media was most commonly used for educating consumers by eight out of the 19 VCOs. The publications included monthly and bi-monthly journals in addition to pamphlets and leaflets. One organisation has been successful in running a daily as well as a monthly magazine, while another one has a series of priced booklets in addition to a monthly in regional language.

c Library was used as a source of consumer education by 16 VCOs.

Nine of the VCOs in Kerala conducted audio-visual programmes for educating consumers.

### 9.3.3 Consumer advocacy

13 out of the 21 VCOs were engaged in consumer advocacy.

#### 9.3.4 Consumer campaigning/lobbying

12 VCOs campaigned for the common good of the consumers.

#### 9.3.5 Training courses

Training courses are inevitable to equip consumer activists to raise their voices against the offending producers, providers and suppliers of goods and services.

Only ten VCOs were successful in conducting training or educational courses for the consumers and the activists. Objectives for conducting such courses, according to the VCOs, were in the following order.

- 1 To increase consumer awareness among consumers
- 2 To raise finance for the VCO
- 3 To equip the consumer activists
- 4 To provide employment opportunities.

Using Kendall Co-efficient of Concordance W was found to be 0.16, which showed that there was no significant agreement among the respondents.

The chi-square 5.76 was found to be statistically insignificant. Hence there is no significant relation among the reasonings of the VCOs.

#### 9.3.6 Research

Since research work involves a great deal of money and labour VCOs were not able to do such works for the welfare of consumers. Only 19.04 per cent of the respondents could conduct

research works on topics like consumer awareness, consumer problems etc.

The major constraints on VCOs with regard to research in the order of preference ranking were

- 1 Lack of funds
- 2 Lack of time
- 3 Lack of personnel and
- 4 Lack of interest.

Using Kendall Co-efficient of Concordance  $W$ , the degree of agreement was found to be 0.5053, which showed a high degree of agreement among the set of rankings.

The chi-square value 36.1792 was statistically significant proving the agreement among the VCOs. Hence the financial problems, lack of time, experts etc. need be eliminated for encouraging research among those VCOs which are interested.

No VCO had a full-fledged laboratory for comparative testing.

The major constraints for setting-up a laboratory, in the order of preference ranking were as follows:

- 1 Lack of fund
- 2 Lack of encouragement from the government and
- 3 Lack of experts and skilled personnel.

Using Kendall Co-efficient of concordance, the degree of agreement among the different sets of ranking was 0.56, which showed a high degree of agreement. The chi-square value 23.52

proved the significant level of agreement at one per cent level.

It is noteworthy in this context that in the National Seminar on Consumer Protection (1993) stressed the need for giving financial assistance to consumer organisations. Dandvate Ramila in the same seminar, pointed out that consumer movement needs women's participation. The lady members of the Forum negotiated this by suggesting more participation for women in the VCOs.

The study regarding the source of income also revealed that the major source of income of the VCOs was the membership fees and services. Even though the COPRA guarantees cheap, inexpensive remedy for the aggrieved, in practice consumers are forced to part with large sums for processes and filing of disputes and also for advocacy during the proceeding as and when the services of the VCOs are availed. Thus the very purpose of the COPRA is defeated. Alternately the VCOs must be disciplined to have a self-regulating code of conduct so that they should satisfy themselves with the cost awarded by the CDRAs and thus can provide free services.

The sale of publications is only the third source of income of the VCOs in Kerala, whereas it is the sixth source in the whole of India. None of the VCOs in Kerala received any fund from foreign funding agencies, whereas in the whole of India only one per cent (three in number) received foreign funds.

There are intermediary agencies who act as brokers between the donor agencies and VCOs such as United way of Baroda, Concern India of Bombay etc.. which are not made use of by VCOs in Kerala.

### Source of Income

The main source of income was found to be membership fees, donations from interest groups, sale of publications and advertisement and service charges.

Table 9.6 and Histogram 9.2 revealed that the main source of income of all the VCOs was membership fees and 85.71 per cent received donations also, forming a major portion of income. Sale of publications and advertisements was another source of income to 33.33 per cent and another 33.33 per cent received service charges and 14.29 per cent of VCOs received income from public trusts. No VCO in Kerala received funds from foreign funding agencies.

Table 9.6

#### Source of Income of the VCOs

Source of Income	VCOs	
	No.	Per cent
1 Membership fees	21	100.00
2 Donations from interest groups	18	85.71
3 Sale of publications and advertisements	7	33.33
4 Service charges	7	33.33
5 Public Trusts	3	14.29

Sale of publications and advertisements was another source of income to 33.33 per cent and another 33.33 per cent received service charges.

of the three criteria for enrolment of members in the VCOs has been found to be the restricted trade practice adopted that anyone requiring the help of the VCO must become a member before his/her advance is taken.

### Financial Budget/Expenditure

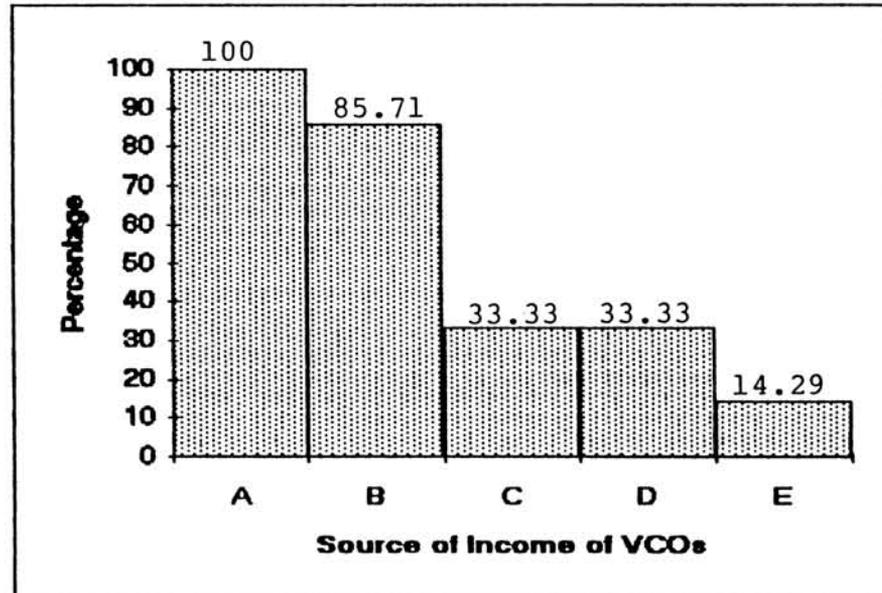
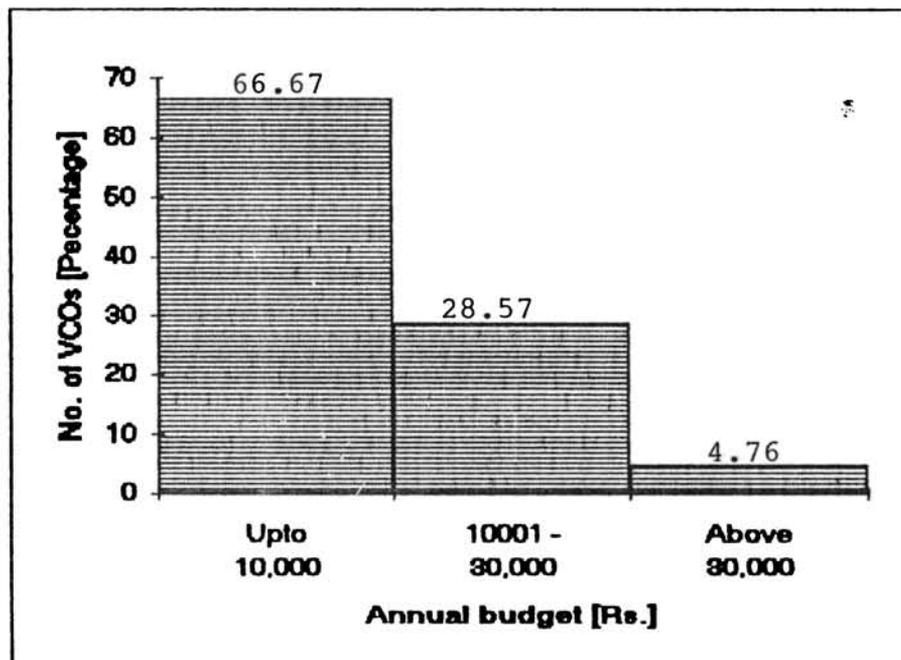
A look at the annual budget (table 9.7 and Histogram 9.3) revealed that 66.67 per cent of VCOs had only a hand to mouth existence as their annual expenditure budget turned out to be less than Rs.10,000/-, while 28.57 per cent claimed to have a budget between Rs.10,000/- and Rs.30,000/- and 4.76 per cent boasted to have a budget of 2.5 lakhs of rupees.

Table 9.7

#### Annual Expenditure Budget of VCOs

Annual Budget (Rs)	VCOs	
	No.	Per cent
Upto 10,000	14	66.67
10,001 - 30,000	6	28.57
Above 30,000	1	4.76
Total	21	100.00

The VCOs should have a bank account to be operated by any one of the office-bearers, one of whom should be treasurer. But, surprisingly, except for a few exceptions majority had nil

**Histogram 9.2 Sources of Income Of VCOs****Histogram 9.3 Annual Budget of VCOs**

- A. Membership fees
- B. Donations from Interest groups
- C. Sale of publications and advertisements
- D. Service charges
- E. Public trusts

Lack of a co-ordinating body, financial resources, willing and dedicated activists are restraining the voluntary consumer movement in Kerala.

#### Relation between Activities and Budget

The relation between the functions and budgets of the VCOs is shown in table 9.8.

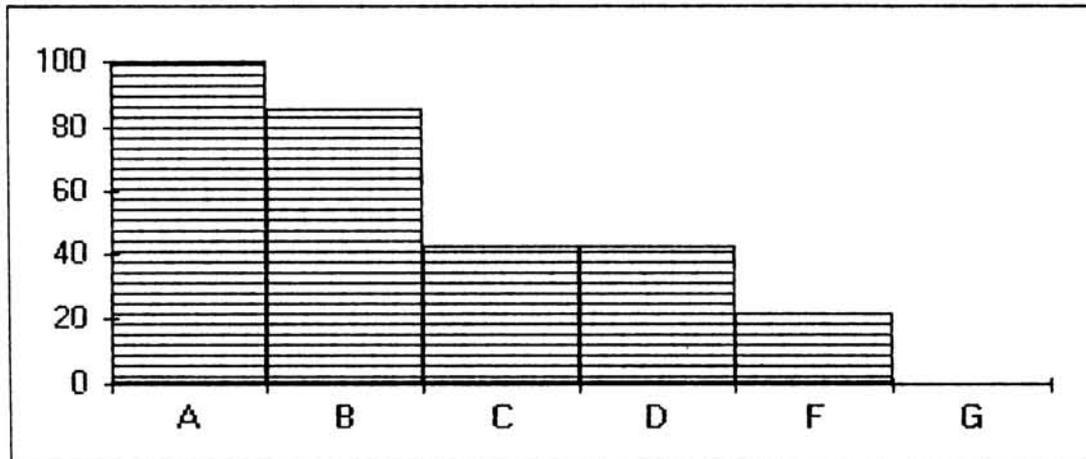
**Table 9.8**  
**Relation between the Activities and Budget of the**  
**VCOs in Kerala**

Budget (Rs)	Activities of the VCOs											
	Complaint		Consumer		Campai- gning		Advocacy		Trai- ning		Rese- arch	
	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent	No.	Per cent
Upto 10,000	14	100	12	85.71	6	42.86	6	42.86	3	21.43	0	0
10000 - 30000	6	100	6	100.00	6	100.00	5	83.33	6	100.0	3	50
Above 30000	1	100	1	100.00	1	100.00	1	100.00	1	100.0	1	100

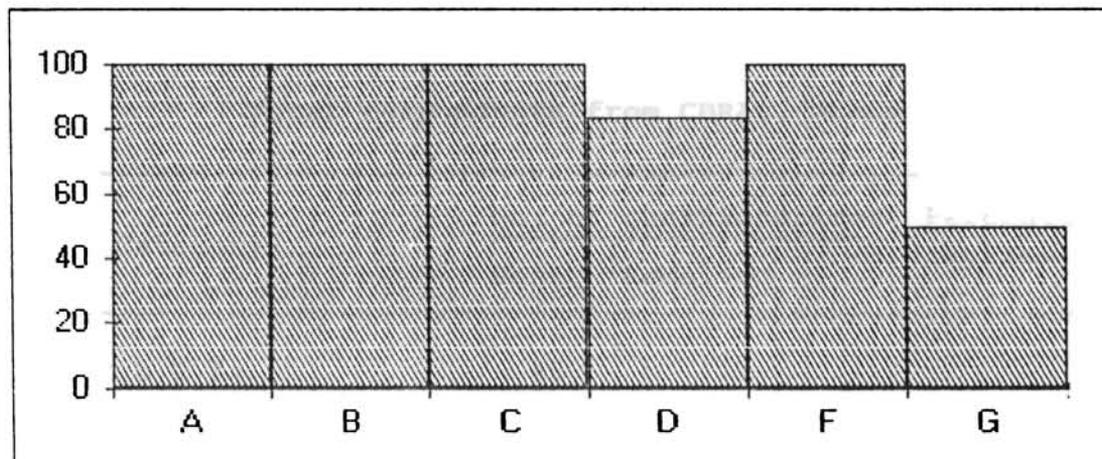
Table 9.8 revealed that all the VCOs, having a budget of greater than 30,000, were engaged in complaint-handling, consumer education, campaigning, advocacy and research, whereas all the VCOs belonging to the budget between 10,000 and 30,000 could not do research and advocacy. Number of organisations with a budget upto Rs.10,000 engaged in research was nil as shown in histograms

## Budget - activity Histograms

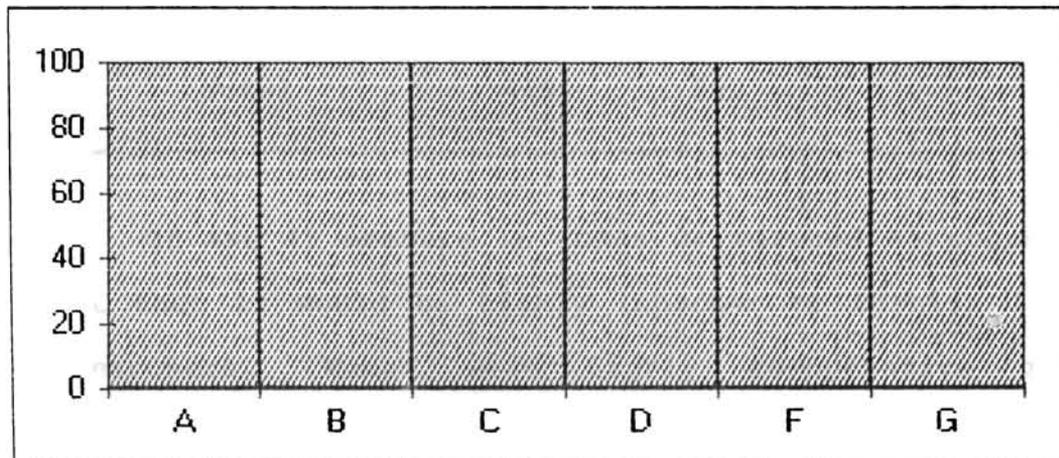
Histogram 9.4 Budget upto Rs.10000



Histogram 9.5 Budget between Rs. 10000 - 30000



Histogram 9.6 Budget above Rs. 30000



- |                       |             |
|-----------------------|-------------|
| 1. Complaints         | D. Advocacy |
| 3. Consumer Education | E. Training |
| 2. Campaign           | F. Research |

9.4, 9.5 and 9.6. Therefore financial constraints limited the activities of the VCOs.

#### Analysis of responses

Four hundred and nineteen questionnaires were sent to three categories of respondents - presidents and members of the Consumer Dispute Redress Agencies, women from Thrissur and Ernakulam Districts and the voluntary consumer organisations as given in table 9.9.

**Table 9.9**

**Total respondents from CDRAs, Women and VCOs**

Category	No. of questionnaires		Percentage of replies received
	Sent	Received	
1 C D R As	45	21	46.67
2 Women	320	320	100.00
3 V C Os	54	21	38.89
Total	419	362	86.40

Of the 45 members in CDRAs 24 refused to cooperate as they felt that it would be highly improper to furnish information to researchers. Women were highly co-operative in providing information without reservations. Disappointingly, 33 VCOs were not willing to disclose their mode of operation.

## Chapter 10

### Conclusions and Recommendations

#### 10.1 Numerical abundance and nature of disputes filed at the Fora

22447 disputes were filed at the 13 District Fora in Kerala as on 31.10.1992 and the number of disputes disposed of till 30.4.1993 were 14448. Subject-wise classification of the disputes revealed that 54 per cent of them were regarding services, whereas only 19 per cent were accounted for goods. The remaining 27 per cent were grouped under the head 'others' since they were non-classified disputes. Majority of the disputes (76 per cent) regarding goods were about household durables followed by food items (14 per cent) and clothes (10 per cent). Disputes relating to services were topped by deficiencies in financial services (50 per cent), followed by household (31 per cent) and institutional (19 per cent) services. Therefore the expensive consumer durables and financial services are the main causes of consumer problems. Even though the COPRA, 1986 is intended to protect the poor Indian citizens it is mainly harvested by the financially well-to-do minorities.

## 10.2 Disposal time taken by the Fora

Kozhikode Forum disposed of the maximum number (253) of disputes relating to goods within the minimum stipulated period of four months whereas Alappuzha and Malappuram Fora disposed of the minimum number (8 each). The maximum number of disputes pertaining to goods pending disposal as on 30.4.1993 was at Ernakulam (605), followed by Thiruvananthapuram (201) and Kannur (129) Fora. Disputes pending disposal in percentage was maximum at Malappuram (61 per cent), followed by Ernakulam (58 per cent), Thiruvananthapuram (48 per cent) and Kannur (46 per cent) Fora.

Within the minimum stipulated time (four months) for disposal, Kottayam Forum disposed of the maximum number (279) of disputes pertaining to services while it was the minimum (16) at Malappuram Forum. The disputes, regarding services pending disposal, were maximum (1256) at Ernakulam and minimum (49) at Idukki. However, percentage-wise pending disputes were maximum at Malappuram Forum (74 per cent) followed by Ernakulam (65 per cent) and Kannur (53 per cent).

Within the stipulated minimum time for disposal, Kozhikode Forum disposed of maximum number (203) of 'Others' (other disputes), whereas Malappuram and Alappuzha Fora disposed of the minimum (18 each). 'Others' pending disposal were maximum (647) at Ernakulam and minimum (30) at Idukki whereas percentage-wise cases pending disposal were maximum at Malappuram (68 per cent) and minimum at Idukki (12 per cent).

Majority of disputes pertaining to goods (56 per cent), 'Others' (55 per cent) and services (50 per cent) were disposed of within 16 months of filing the disputes.

The disputes pending disposal were more in the case of disputes pertaining to services (4458) compared to the disputes pertaining to goods (1434) and 'Others' (2112) at the time of the survey.

The disposal rates of disputes varied from Forum to Forum and from period to period. Hence, the first hypothesis that there is inter-district variation in the time taken for the disposal of disputes filed in the Fora is proved.

10.3 Reasons for delay in disposal of disputes were similar in the case of all the Fora. They are in the order of

- 1 Insufficient and inexperienced staff.
- 2 Ever-increasing number of complaints and high pendency of disputes.
- 3 Frequent adjournments of hearing to suit the lawyers.
- 4 Delay in filling up the vacancies arising in the Fora,  
and
- 5 Lack of funds.

Kendall co-efficient of concordance showed a high degree of agreement among the members and the Chi-square value proved that the agreement was statistically significant. Hence the second

hypothesis that the speedy redressal of consumer disputes depends on the staff members, number of complaints, adjournments of cases, vacancies in the District Fora and financial facilities is proved.

High pendency of disputes in the Fora was the result of

- a Frequent adjournments of hearings (according to 76 per cent of members)
- b Limited number of sittings (14 per cent) and
- c Wide area of jurisdiction covering a large population (10 per cent).

Other factors affecting the speedy redressal were

- 1 Delay in acknowledging the registered notices by the opposite parties, and
- 2 Delay in receipt of test reports.

#### 10.4 Execution of Orders

Delay in the execution of orders was a matter of concern to the Fora members (48 per cent).

Reasons for the delay in the execution of orders were

- 1 Insufficient powers vested on the Fora
- 2 Unwillingness to convict the defaulters
- 3 Absence of 'Amin' and
- 4 Non-co-operation of the police.

### 10.5 Infrastructural facilities

The Fora lacked proper filing system, safe-keeping facilities and expertise for consultation regarding the defective goods and deficient services.

The emerging scenario with reference to the disposal and pending rates at the Fora is far too depressing betraying the failure of the Fora in adhering to the mandatory requirement that the cases should be disposed of within four months. Disposals are delayed because of frequent adjournments of cases, discriminatory sittings in the Fora and the appointment of part-time members. Many a pitfall in the COPRA 1986, such as insufficient powers vested in the Fora regarding issue of interim orders, execution of orders etc. made the redressal agencies toothless. The deficiencies noted were the outcome of indifferences wielded by vested interests with powers that be, such as corruption and centralisation of power. Moreover, an individual's fight for rights especially in the case of deficient services is a fight against government since the government is the distributor of all the services in our country. Hence the hurdles to overcome to assert one's consumer rights are plenty, which calls for decentrlisation of power.

Also, the Kerala State Civil Supplies Department failed miserably in making the Fora satisfactorily operational by providing necessary facilities such as competent staff members, prompt appointment to the vacancies of members arising in the Fora, infrastructural facilities and finance.

## 10.6 Findings on Awareness of Women

Education and nuclear family set up are the two significant factors contributing to the awareness of their consumer rights among women which proved the third hypothesis. Awareness on the rights to know and to choose are the most aware rights among women (mean = 0.831 and 0.812 respectively), whereas the awareness on the right to be redressed (mean = 0.434) is the least.

Considering the socio-economic parameters of the sample it was revealed that women who are employed, in urban areas, highly educated, in nuclear families, who have complained and residing in Thrissur District are more significantly aware of all the six consumer rights. Marital status did not make any significant difference to the awareness of women.

### (a) Role of women in decision-making

Employed women and those belonging to nuclear families have more significant role in decision-making regarding all types of goods as proved statistically significant by the Chi-square values. Therefore the fourth hypothesis that those who are employed have more significant role in decision-making is proved correct. In addition, women who have higher income also enjoy a significant role in decision-making. This leads to the hypothesis that employment, income and nuclear family set-up entrust a greater role in decision-making to women.

(b) **Role of women in purchases**

Employment, higher education, higher income and nuclear family set-up bestow more significant role to women in purchasing all types of goods. Women have monopoly over the purchase of food, clothes and ornaments irrespective of their socio-economic differences.

**10.7 Studies on the experience of complainants**

10.7.1 The Socio-economic profile of the complainants revealed that a higher per cent (46) of the complainants belonged to the age group of 30 to 40, 56 per cent of them were highly educated, 69 per cent of them were unemployed, 75 per cent were married and 76 per cent belonged to nuclear families. A higher per cent (57) belonged to low income group of less than Rs.15,000/-.

10.7.2 Reasons motivated for complaining in the Fora in the order of importance are,

- a the financial loss incurred was high (48 per cent)
- b higher exploitation of women than men (24 per cent)
- c opportunity for complaining as a group (19 per cent)
- d awareness to assert consumer rights (7 per cent) and
- e lack of time for menfolk ( 2 per cent)

10.7.3 Among the difficulties faced by women irrespective of the district during redressal proceedings are in the order of

- a frequent adjournment of hearings
- b absence of special tribunal for women
- c harassment by advocates
- d location of Fora in far off places and
- e harassment by Fora members.

10.7.4 Majority of the complainants (65 per cent) were forced to seek advocates' help involving huge expenditure.

10.7.5 Comparatively a smaller percentage (23) of women sought help from VCOs.

10.7.6 Reasons for the delay in the redressal of disputes at the CDRAs are

- a Lawyers are found responsible for the adjournment of hearings according to 82 per cent of complainants
- b Delay in getting test reports (3 per cent)
- c Adjournments by the Fora as per 9 per cent
- d Delay in acknowledging registered notices (6 per cent)

10.7.7 The reasons that discourage women from involving in the consumer movement are in the order of

- a Lack of time due to domestic responsibilities
- b Fear of criticisms of the society
- c Family objections
- d Exploitation of such women and
- e Lack of interest

The rank correlation revealed a high degree of agreement in the reasonings. This proved the fifth hypothesis to be correct.

With education and employment women can contribute economically to the family budget which helped them acquire greater participation in decision-making and purchases. Proper utilisation of their education in the market place by exercising their consumer rights will enable them to protect the family's health.

Those who are highly educated with enough time at their disposal and those who are married are taking initiative to complain in the Fora for proper redressal of their complaints. Since the employed women, though more aware of their consumer rights are tied up with dual responsibilities - household works and jobs outside their homes - they find no time to go for hearings in order to fight against the consumer exploitation.

Those who take the plunge to complain in the Fora are discouraged by the harassment by the advocates. This forces women to appoint advocates paying a hefty sum as fees, to fight for them which defeats the very purpose of the COPRA, 1986. The Fora members also play a vital role in this by harassing the female complainants and also by granting permission to advocates for

adjourments of hearings. The only remedy in this regard is to ban the advocates and to provide special tribunals and sessions to encourage women to come out to fight for their rights.

The existing social constraints on women and the attitude of men in the family, women are not taking initiative to assert their consumer rights even when they are victimised by defective goods and deficient services.

**10.8 Studies on Voluntary Consumer Organisations showed the following findings**

10.8.1 Reasons for the poor involvement of women in the consumer protection activities are

- a Lack of time due to family responsibilities
- b Society's attitude
- c Reluctance on the part of men and
- d Unwillingness.

10.8.2 The six activities of the VCOs on the basis of the preference ranking are

- 1 Complaint handling
- 2 Consumer education
- 3 Consumer advocacy
- 4 Campaigning
- 5 Training and
- 6 Research.

10.8.3 Only a minority of VCOs (19 per cent) are engaged in research works. The major constraints in this regard are

- a lack of funds
- b lack of time
- c lack of personnel and
- d lack of interest.

There is a great degree of agreement among the VCOs in this regard. Hence a hypothesis can be formulated that lack of funds, lack of time, lack of personnel and lack of interest are the major constraints on VCOs in conducting research works.

There is no confederation or co-ordinating body of VCOs in Kerala which is necessary to co-ordinate the activities and to fix priority according to the regional requirements. Since the VCOs are seriously facing financial crisis their primary activity is restricted to complaint-handling instead of consumer education and research. They often resort to restrictive and unfair practices while enrolling members and assisting consumers for filing their complaints in the Fora which has a tarnishing effect on the image of the VCOs. Involvement of women in the consumer protection movement is very disappointing because they are not coming forward to act as voluntary activists due to the societal response, attitude of men, lack of time due to family responsibilities and jobs outside their homes. A fundamental change in the attitude of the society especially in men will encourage women to come forward and fight for their rights as responsible individuals and voluntary activists.

The need of the hour is to bring about attitudinal changes and sensitisation of society. Legislation alone is not enough to change centuries old customs and social taboos. Education and economic independence are, of course, necessary; but they must be useful enough to liberate women and in creating self-confidence. Women's Organisations, media, educational system etc. can do a lot to uplift the status of women. When this is achieved, they will be enlightened and liberated enough to fight for their consumer rights.

#### **Recommendations**

In the light of the above-mentioned findings the researcher would like to make the following recommendations:

- 1 A separate Ministry for Consumer Affairs with trained and dedicated members and staff need to be established.
- 2 Lawyers should be banned from the proceedings in the redressal agencies since they are a threat to the speedy redressal of disputes and to the economically weak and ignorant consumers
- 3 At least the Senior Superintendent should be appointed from the judicial department for facilitating proper recording and filing. The staff deputed from the Department of Civil Supplies should not be sent back to the parental department.

- 4 Fresh appointment of the staff through P.S.C or Employment Exchange, followed by an intensive training, is necessary for creating loyalty and dedication to the work done in the Fora.
- 5 Avoid delay in filling up the vacancies of presidents in the Fora by appointing one more member (in addition to the President) eligible for becoming a president.
- 6 Amendment of the COPRA by eliminating exclusion-inclusion clauses and giving more powers to the Fora members regarding interim order, execution of orders, disposal of disputes etc. within the stipulated period.
- 7 Provide laboratory facilities, safekeeping facilities and necessary infrastructure for the smooth running of the Fora.
- 8 Name of the District Forum may be changed to Consumer Dispute Redressal Court, District Consumer Dispute Redressal Tribunal or Consumer Court etc.
- 9 To make service undertakings more responsible and accountable compensation should be made payable by the officials responsible for the deficiency in services.
- 10 Regular consumer education programmes through the mass media like newspapers, radio and television for dissemination of consumer information.

- 11 Consumer education need be a regular subject of the curriculum in schools, colleges and universities. The National Service Schemes in colleges can collaborate consumer protection and information activities also.
- 12 Special tribunals and evening sessions to deal with the disputes filed by women is inevitable since women are burdened with household duties and jobs outside homes.
- 13 Research should be encouraged in the field of consumer protection by award of fellowships, encourage minor and major research programmes sponsored by the U.G.C., I.C.S. S.R., etc.
- 14 Studies on women should be encouraged. The unique and significant role played by women for the human civilisation and culture should be inculcated in the minds of the young through educational programmes, so that there will be a fundamental change in the attitude of the society towards women.
- 15 Women's organisations need undertake consumer education programmes to instill confidence in women.
- 16 Voluntary consumer organisations should reserve 50 per cent of seats in the governing body for women.
- 17 There should be a confederation of VCOs in Kerala to allot priority to the activities and to co-ordinate the programmes of all the VCOs.

- 18 The Government should route out the grants and funds to the VCOs. Special financial assistance should be allowed for conducting useful research studies in the field.
- 19 VCOs should publish their research reports and mobilise public opinion through workshops/seminars and public meetings.
- 20 Scandinavian model of consumer movement - VCOs with the government support - should be made practical since mobilisation is the major handicap of the voluntary consumer movement in India.

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**Bibliography****Books**

- Advani, Rani (1991) Effective Uses of Law, Consumer Education and Research Centre, Ahmedabad.
- Agarwal, V.K. (1989) Consumer Protection in India, Deep & Deep Publications, New Delhi.
- Antony, M.J. (1990) Consumer Rights, Clarion Books, New Delhi.
- Augustine, Johns (Ed.) (1982) The Indian Family in Transition, Vikas Publishing House Pvt. Ltd., Delhi.
- Bader, Clarisse (1988) Women in Ancient India Moral & Literary Studies, Radha Publications, New Delhi.
- Blum, Milton L (1977) Consumer Organisations, Harper & Row Publishers, New York.
- Borrie, Gordon (1973) The Consumer Society & The Laws, Penguin Books, U.S.A.
- Chandrasekar, Rajkumari (1992) Women's Resource & National Development - A Perspective, Gaurav Publishing House, New Delhi.
- Chaudhuri, Maitreyee (1993) Indian Women's Movement Reform & Revival, Radiant Publishers, New Delhi.
- Cranston, Ross (1978) Consumers & The Law, Weidenfeld and Nicolson, London.
- Cranston, Ross (1979) Regulating Business, The Mac Millan Press Ltd., London.

- Cron, Rodney, L (1974) Assuring Customer Satisfaction - A Guide for Business & Industry, Van Nostrand Reinhold Co., New York.
- Engel, James F. Kollat, David, T & Blackwell, Roger, D (1973), Consumer Behaviour, Dryden Press, Illinois.
- Everett, Jana, Matson (1981) Woman & Social Change in India, Heritage Publishers, New Delhi.
- Forbes, J.D. (1987) The Consumer Interest: Dimensions & Policy Implications, Croom Helm, Kent.
- Garg, O.P. (1990) The Consumer Protection Act 1986 with State Rules, Vinod Publishing House, Delhi.
- Garman, Thomas E. & Eckert, Sidney, W (1974), The Consumer's World - Buying Money Management & Issues, Mc Graw Hill Book Co., U.S.A.
- Giri, H.N. (1987) Consumers, Crimes & The Law, Ashish Publishing House, New Delhi.
- Gupta, Devendra B. (1973), Consumption Patterns in India - A Study of Inter-Regional Variations, Tata Mc Grow Hill Publishing Co. Ltd., Bombay.
- Harvey, Brian S. (1982), Consumer Protection & Fair Trading, Butterworths Publications, London.
- Harvey, Brian W. & Parry, Deborah L. (1987), The Law of Consumer Protection & Fair Trading - III Edition, Butterworths, London.
- James, Jeffrey (1983), Consumer Choice in the Third World, The Mac Millan Press Ltd., London.
- Kalbagh, Chetana (1992), Social & Economic Dimensions of Women's Development, Discovery Publishing House, New Delhi.
- Kane, Gregory T. (1980), Consumers & The Regulators, Brooke Field Publishing Co., Brooke Field (U.K).

- Kelley, William T. (1973), New Consumerism : Selected Readings, Grid Inc.
- Krishna Raj, Maithreyi (1986), Women's Studies in India - Some Perspectives, Popular Prakashan Pvt. Ltd., Bombay.
- Kuppuswamy, B. (1990), Social Change in India - 4th Revised Edition, Konark Publishers Pvt. Ltd., Bombay.
- Leela Krishnan, P. (1984), Consumer Protection & Legal Control, Eastern Book Depot, Delhi.
- Leet, Don R. & Driggers, Joann (1990), Economic Decisions for Consumers 2nd Edition, Mc Millan Publishing Company, New York.
- Mayer, Robert, N. (1990), The Consumer Movement - Guardians of the Market Place, Twayne Publishers, Boston.
- Mc Gowan, Daniel, A (1977), Consumer Economics, Rand Mc Nally College Publishing Co., Chicago.
- Mehta, Subhash, C (1974), Indian Consumers - Management Studies & Cases for Marketing Decisions, Tata Mc Graw Hill Publishing Co., Ltd., New Delhi.
- Mehta, Sushila (1982), Revolution & Status of Women in India, Metropolitan Book Co., Ltd., New Delhi.
- Misra, Lakshmi, (1992), Women's Issues - An Indian Perspective, Northern Book Centre, New Delhi.
- Morris, David (Ed.), (1980), Economics of Consumer Protection, Gower Publishing Company, Brook Field.

- Oommen P.T & Nair, N.S. (1986), Industrial Organisation and Management Complaints Handling, Consumer Education & Research Centre, Ahmedabad.
- Pandey, Rekha & Upodhyaya, Neelam (1990), Woman in India - Past & Present, Chugh Publications, Allahabad.
- Ranganadha, Sripati (1983), Text Book of Marketing Management, S.Chand & Co., Ltd., Ram Nagar, New Delhi.
- Rebello, Audrey (1991), Social Response to Consumer Movement : Government, Consumer Education and Research Centre, Ahmedabad.
- Reynolds, Fred D. & Wells William D. (1977), Consumer Behaviour, Mc Graw Hill Book Co., New York.
- Saraf, D.N. (1990), Law of Consumer Protection in India, N.M. Tripathi Pvt. Ltd., Bombay.
- Schiffman, Leon G. & Leslie, Lazar, Kanuk (1978), Consumer Behaviour - 2nd Edition, Prentice Hall Inc., New Jersey.
- Shah, Pritee (Ed.) (1991), A Guide to Sources of Consumer Information, Consumer Education and Research Centre, Ahmedabad.
- Singh, Gurbaz (1991), Law of Consumer Protection, Bharat Law Publications, Jaipur.
- Sinha, Sachchidananda (1993), The Consumerist Culture, Samata Sanghatan, Delhi.
- Satya Sundaram, I. (1985), Consumer Protection in India, B.R.Publishing Corporation, New Delhi.
- Tucker, James F. (1976), Current Economic Issues of Problems, Rand Mc Nally College Publishing Co., U.S.A.

- \_\_\_\_\_. (1990), Consumer's Resource Handbook, United States Office of Consumer Affairs, U.S.A.
- \_\_\_\_\_. (1986), The U.N. Guidelines for Consumer Protection
- \_\_\_\_\_. (1989), International Consumer Directory, International Organisation of Consumers Union, Longman Group Ltd., U.K.
- \_\_\_\_\_. (1991), Violence Against Women - Trends & Magnitude Crime Against Women, Report of the National Crime Records Bureau.
- \_\_\_\_\_. (1993), A Directory of Voluntary Consumer Organisations in India, Consumer Education and Research Centre, Ahmedabad.

#### **Acts**

- Agricultural Produce (Grading and Marketing) Act, 1937.
- Indian Standards (Certification Marks) Act, 1952.
- Prevention of Food Adulteration Act, 1954.
- Essential Commodities Act, 1955.
- Societies Registration Act.
- Standards of Weights and Measures Act, 1976.
- Monopolies and Restrictive Trade Practices Act, 1969.

**Articles and Journals**

- Agarwal, V.K. (1990), The Consumer Protection Act, 1986 Some Reflections, The Company Law Journal, New Delhi, Vol.2, Parts I-IV, May-August, p.4-14.
- Bal, Arun (1993), Consumer Protection Act and Medical Profession, E.P.W., Bombay, Vol.XXVIII No.11, March 13, p.432.
- Balakrishnan, S. (1987), Protecting the Consumers, Southern Economist, Vol.26, No.1 & 2, May 1-15, p.57-60.
- Balan, K. (1989), Mother: The Guardian of Family Health Social Welfare, New Delhi, Vol.XXXV, No.12, March, p.4-6.
- Berlioz, Georges (1985), The Protection of the Consumer in French Law, The Journal of Business Law, London, p.342-346.
- Bhaskaran, V. (1989), "Women's Education : Key to National Development", Social Welfare, New Delhi, Vol.XXXVI, No.9, December, p.2-3.
- Bhatt, Gopal R. (1985), "Consumerism : Concept and its need in our Era", Indian Journal of Marketing, New Delhi, Vol.XV, No.10 & 12, June & August.
- Bhima chenulu, Varahabatla (1983), "Consumer Movement and Sovereignty", Cochin University Law Review, Kochi, p.318-322.
- Borrie, Gordon (1988), "Consumer Protection Laws for the 1990s" The Journal of Business Review, Stevens & Sons Ltd., p.116-126.
- Chaudhary, H.C. (1982), "Consumer Protection in India", Indian Journal of Marketing, New Delhi, Vol.XIII, No.1-2, September-October, p.15-16.

- Chaudhary, H.C. (1983), "World Consumer Movement", Indian Journal of Marketing, New Delhi, Vol.XIV, No.4, December, p.3-6.
- Darley, William, K. & Johnson Denise M. (1993), "Cross-National Comparison of Consumer Attitudes Toward Consumerism in Four Developing Countries", The Journal of Consumer Affairs, The American Council of Consumer Affairs, Vo.27, No.1, p.37-54.
- Deshpande, Nirmala (1989), "Participation of Women in Political System", Kurukshetra, New Delhi, Vol.XXXVII, No.5, February, p.56-57.
- Dhyane, A.K., Saklani A. & Thakur S. (1990), "Role of Organised and Unorganised Agencies in Consumer Protection", Consumer Confrontation, Vol.10, No.3, May-June, p.5-9.
- Fazal, Mohammed (1982), "Crusade for Overall Consumer Satisfaction", Yojana, New Delhi, Vol.XXVI, No.17, September 16-30, p.4-5.
- Garg, R.B.L. (1978), "Consumer Protection in India", Social Welfare, New Delhi, Vol.25, No.8, November, p.27-28.
- Garg, R.B.L. (1988), "Consumers Beware of these Traders", Yojana, New Delhi, Vol.32, No.8, May 1-15, p.27-29.
- Garg, R.B.L. (1986), "Consumers are still taken for a ride", Social Welfare, New Delhi, Vol.XXXII, No.10, January, p.12-14.
- Garg, R.B.L. (1988), "Consumer Protection in India : New Dimensions" Management Accountant, Vol.23, No.1, December, p.832-833.
- Ghosh, Biswanath (1980) "Consumer Movement in India", Yojana, New Delhi, Vol.24, No.7, April 16, p.14-15.
- Grant, N.B. (1989), "What Ails the Indian Consumer Movement" Management Review, Vol.16, No.2, p.13-15.

- Gupta, Srinivas, (1992), "Consumer Protection Legislative Measures" Yojana, New Delhi, Vol.36, No.3, February 29, p.23-25.
- Gupta, R.B.S. (1979), "Consumer Protection", Yojana, New Delhi, Vol.23, No.9, May 16, p.23-25.
- Homouda, Afifi, Mohammed (1977) "Consumer Protection in Under-developed Countries - A field study in Kuwait", Indian Journal of Marketing, New Delhi, Vol.VIII, No.1, September, p.3-9.
- Harland, David (1988) "The United Nations Guidelines for Consumer Protection", Consumer Confrontation, Ahmedabad Vol.8, No.4, July-August, p.26-34.
- Harland, David (1991), "Implementing the Principles of the United Nations Guidelines for Consumer Protection", Journal of Indian Law Institute, Vol.33, No.2, February, p.189-245.
- Jacob, Alice (1984), "Machinery for Redressal of Consumer Grievances Against Public Utilities", Journal of the Indian Law Institute, Vol.26, p.25-41.
- Jain P.K & Jain Maina (1985), "Consumerism in India : A study of Socio-economic Framework", Southern Economist, Bombay, Vol.24, No.12, October 15, p.18-20.
- Jayasingh, Visuvathas (1993), "Seminar on Crimes Against Women" Social Welfare, New Delhi, Vol.XXXIX, No.11-12, February-March, p.9 & 22.
- Jha, S.S (1981) "Consumerism : New Dimension", Indian Management, Vol.27, No.7, July, p.35-41.
- Joshi, Navin Chandra (1980) "Consolidating Consumerism in India" Yojana, New Delhi, Vol.27, No.7, April 16, p.6-7.

- Joshi, Uma (1994) "Working Women and Household Decisions", Social Welfare, New Delhi, Vol.XL, No.10, p.14-15.
- Kaur, Amarjit (1989) "Rural Women and Winds of Change", Kurukshtra, New Delhi, Vol.XXXVII, No.10, July p.4-6.
- Kautilya (1986), "When they are well organised Consumers cannot be taken for a ride", Social Welfare, New Delhi, Vol.XXXIII, No.7, October, p.6-7.
- Khorakiwala, Fakhuddin, T. (1991), "Consumer Trader must Co-exist" Consumerism-Response Feature-Illustrated Weekly, Bangalore, February, 16-17, Supplement).
- Khullar K.K (1988), "Diffusion of Literacy in 1987", Yojana, New Delhi, Vol.32, No.7, April 16-30, p.14-18.
- Kotia P.K.I. & Sharma N.K (1986), "Consumer Protection : A Myth" Yojana, New Delhi, Vol.30, No.12, July 1, p.24-26.
- Lulla, Suresh (1991), "Quality Planning Households the Key", Illustrated Weekly, Bangalore, February 16-17 (Supplement) p.7.
- Maheshwari Rajendra & Maheshwari Pushpa (1984) "Consumerism in India : Some Issues", Indian Journal of Marketing, New Delhi, Vol.XIV, No.8, April, p.9-12.
- Mascarenhas, Mignon, Marie (1988) "Women in Multiple Roles", Social Welfare, New Delhi, Vol.XXXV, No.5, August, p.12-14.
- Mishra, Saraswati (1993), "Social Justice for Women", Social Welfare, New Delhi, Vol.XXXIX, No.11-12, February-March, p.12-14.
- Mittal L.N (1993) "Crimes Against Women", Social Welfare, New Delhi Vol.XXXIX, No.11-12, February-March, p.3-5.
- Mukherji, Suneeta (1993) "Focus on Women", Social Welfare, New Delhi Vol.XL, No.7, October, p.23-28.

- Munshi M.C (1972) "Time to Protect the Consumer", Commerce - Spotlight, May 27, p.1384-1385.
- Murty, Ramana D.V (1978) "Consumerism and Marketing Management" Indian Journal of Marketing, New Delhi, Vol.VIII, No.12, August, p.17-18.
- Narain, Om (1987) "Need for Consumer Movement", Yojana, New Delhi, Vol.31, No.4, March 1-15, p.22-23.
- Narayana Swami, Srinivas (1989) "The Consumer Protection Act" Social Welfare, New Delhi, Vol.XXXV, No.12, March, p.22-23.
- Narayana Swami, Srinivas (1989) "Consumer Protection : No lukewarm Attitude" Consumer Confrontation, Ahmedabad, Vol.9, No.2, March-April, p.12-14.
- Narayanaswami, Srinivasa (1989) " Role of Government Agencies in protecting Consumer Welfare", Consumer Confrontation, Ahmedabad, Vol.9, No.5, September-October, p.34-35.
- Neelakanta, B.C. & Anand H.B (1986) "Consumerism Role of Women", Social Welfare, New Delhi, Vol.XXXIII, No.7, October, p.4-5.
- Neelakanta, B.C & Anand, H.B. (1987) "Consumer Action in the Market place - A research angle Southern Economist, Bombay, Vol.26, No.12, October, p.17-18.
- Neelakanta, Bettadalli, C & Ananda Hadya, B (1987) Indian Journal of Marketing, New Delhi, Vol.XVIII, No.2-4, October-December, p.29-30.
- Oughton, David (1987) "Liability in Tort for Economic Loss suffered by the consumer of Defective goods", The Journal of Business Law, Stevens & Son Ltd., London, P.370-377.

- Oza, Harish, S (1987) "Consumerism and Consumer Protection Act, 1986, Indian Journal of Marketing, Vol.XIX, No.1, September, p.17-20.
- Pantulu, Kamaraju, N (1978) "Consumer Resistance Movement in India", Indian Journal of Marketing, New Delhi, Vol.VIII, No.12, August, p.3-10.
- Parameswar, K.R. (1988) "Protect Consumers against quality tricksters", Yojana, New Delhi, Vol.32, No.5, March 16-31, p.29-31.
- Parthasarath, Vibha (1994) "Morality Begins at Home", Span, Vol. XXXV, No.1, January, p.13.
- Patnayak, Rama (1991) "Education for Women's equality, Kurukshetra, New Delhi, Vol.XXXIX, No.4, January, p.52-56.
- Rao, Anuradha (1992) "Accountability is the basic issues", The Hindu, July, 1992, p.7.
- Richins, Marsha, L (1983) "An Analysis of Consumer Interaction Styles in the Market Place", Journal of Consumer Research, Vol.10, No.1, June, p.73-81.
- Rohatgi, Sushila (1984) "Atrocities against Women2, Social Welfare, New Delhi, Vol.XXX, No.11, February, p.17-18.
- Rosen, Dennis, L & Granbois "Determinants of Role structure in Family Financial Management", Journal of Consumer Research, Baltimore, Vol.10, No.2, September, p.253-257.

- Santhanam, R (1991) "Welfare Fund out of Customs and Excise Refunds"  
Company Law Journal, Vol.III, Serial 30, October, p.67-71.
- Saraf, D.N. (1989) "Monopoly and Restrictive Trade Practices  
Commission in Action - Some Reflections on Consumer Protection"  
Journal of the Indian Law Institute, Vol.31, No.3 July-  
September, p.289-311.
- Sarwate, Dilip, M (1982) "Consumers of India Unite", The Illustrated  
Weekly of India, Vol.CIII 41, No.21, p.21-23.
- Sastry, K.P. (1987), "Protecting Consumers' Interest", Yojana,  
New Delhi, Vol.30, No.24, January 1-15, p.22-24.
- Satya Sundaram, I. (1990), "Consumer Protection", Facts for you,  
April, p.37-40.
- Sebastian, V.S. (1990), "Public Undertakings and the Consumer,  
Cochin University Law Review, Kochi, Vol.XIV, No.1, March,  
p.261-177.
- Seshaiah, K. & Adikrishnaiah, N (1990), "Consumer Audit", Yojana,  
New Delhi, Vol.34, No.18, October 1-15, p.25-26.
- Sinha, Sanjay (1991), "Bihar Consumer Courts, A Pathetic Scene",  
Consumer Confrontation, Ahmedabad, Issue No.80, January-  
February, p.28-29.
- Sinha, B.K (1987), "Protecting Consumer Interests", Yojana, New  
Delhi, Vol.31, No.4, March 1-15, p.22.
- Singh, Kiran, Yadav, Lali, Sanjwan, Veena & Gandhi, Sudesh (1992),  
"Consumer Awareness - A Survey", Consumer Confrontation,  
Ahmedabad, Vol.12, No.3, May-June, p.13-15.
- Singh, Jagjit (1990), "Consumers' Forums Need of the Hour", Social  
Welfare, New Delhi, Vol.XXXVII, No.7, October, p.6-7.

- Singh, S.N. (1988) "Consumer Protection Legislation", A Critique", Yojana, New Delhi, Vol.32, No.12, November, p.15-17.
- Stern, Barbara, B (1989), "Literary Criticism and Consumer Research: Overview and Illustrative Analysis", Journal of Consumer Research, Baltimore, Vol.16, No.3, December, p.322-332.
- Sutaria, Swati (1991), "Tenth Meeting of the Consumer Protection Council-A Report", Vol.II, No.6, November, December, p.12-13.
- Verma, D.P.S (1993), "Consumer Protection under MRTP Act, Yojana, New Delhi, Vol.27, No.10, June 1-15, p.14-16.
- Verma, R.J. (1985), "AGMARK for Consumer Protection", Kurukshetra, New Delhi, Vol.33, No.9, June, p.20.
- Weinberg, Charles, B & Winner, Russel, S (1983), "Working Wives and Major Family Expenditures : Replication and Extension", Journal of Consumer Research, Baltimore, Vol.10, No.2, September, p.259-263.
- Zachary (1975), "Consumer Protection", Indian Journal of Marketing, New Delhi, Vol.6, No.8-9, p.25-26.
- \_\_\_\_\_. (1989), "Consumer Movement in Japan", Social Welfare, New Delhi, Vol.XXXV, No.12, March, p.27-28.
- \_\_\_\_\_. (1986), "Consumers in Chains", The Economist, Vol.300, No. 7459, 16 August, p.11.
- \_\_\_\_\_. (1987), "Consumers Sans Consumerism" (Editorial), Southern Economist, Bombay, Vol.26, No.8, August 15.
- \_\_\_\_\_. (1991), "Boost to Consumer Movement", Common Cause, New Delhi, Vol.X, No.4, October, p.3-7.
- \_\_\_\_\_. (1991), "Appointments to Consumer Forums : UDF stand criticised", The Hindu, 23 October, p.3.

**Reports and Documents**

- 1 Safety of Consumer Products Policy and Legislation in O E C D Member Countries - Report by the Committee on Consumer Policy Organisation for Economic Co-operation and Development, Paris, 1980.
- 2 Dey, Flora, M. (1986), "The changing Role of Men in the workings wife family", M.Phil Dissertation, Mother Teresa Women's University, Kodaikanal.
- 3 Devi Lakshmy, (1988), "A Case Study of Tribal Women of Wynad-District in Kerala", Project Report.
- 4 Report of the "National Seminar on Consumer Protection" on 17.3.1990.
- 5 Report of the "Workshop on Management and Resource Mobilisation for Voluntary Organisations" on 5.6.1993 conducted in Baroda.
- 6 George, Bajju (1992) "Structure and Functioning of Consumer Forums in Kerala" M.B.A Project Report University of Kerala.
- 7 Report of the Consumer Co-ordination Council.
- 8 Report of the XIIIth Meeting of the Central Counsumer Protection Council (26.5.1993), New Delhi.
- 9 Edison J.C (1994) "Social Stratification and Consumer Behaviour in Kerala - A Study with Reference to various Consumer

Durables" Ph.D Thesis, Cochin University of Science Technology  
Kochi.

- 10 Census Report 1991.
- 11 Economic Reviews 1991, 1992 and 1993.
- 12 Consumer Protection Reporter, New Delhi.
- 13 Consumer Protection Judgements, Delhi Law Times Office.

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