

THE PROBLEM OF CONSUMER EXPLOITATION IN INDIAN SOCIETY: NEED FOR SPREADING CONSUMER AWARENESS AND EDUCATION*

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Introduction

In the Indian society, consumers have been the victims of exploitation from the very beginning. And governments now and then have been passing laws for their protection. Whether we see the pre-independence period or we see the post-independence period, interests of the consumers have certainly been watched both by the law makers as well as by the policy planners. There is a long list of laws that have been enacted by the governments and that try to protect the consumers' interests. However, the main problem with all these laws is that they are either very much complicated or the procedure to get justice through the medium of these laws is too much cumbersome. The end result is that an ordinary individual either does not know the provisions of these complicated laws or he is not interested to enter into any sort of cumbersome process of litigation to seek and to get justice. Therefore, the end result is nothing except that India can boast that it has got the number of as well as some of the finest pieces of legislation. However, when the question of their applicability and application comes, we have to hang our face in shame because the ordinary consumer for whom these laws have been enacted remains oblivious of their presence, and if he is aware about these laws, he either does not have time, or money, or resources, or inclination to get the benefit of these laws. So the exploitation of consumers goes on non-stop and never ending. So in order to get the real benefit of all these pieces of legislation, consumers have to be aware of these laws, they have to be aware of their rights, they should be ready to assert their rights and above all consumer organisations should play their part in spreading consumer awareness and encourage the consumers to highlight their grievances in case they become victims of exploitation at the hands of the traders or even at the hands of the unethical professionals also.

Purpose of the Present Paper

In the present paper, I have expressed very simple ideas that if we really

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want the consumers to get the benefit of these laws and if we really want the consumers to protect themselves in the market place against the evil and unethical practices of the traders, sellers, businessmen, and now a days, even exploiting professionals, they have to have a full knowledge of their rights and even responsibilities. Only then we can achieve the real Consumer Protection Oriented Society. More education would lead to more awareness and more awareness would lead to more assertiveness and more assertiveness would lead to more protection.

Lack of Awareness amongst the Consumers

As a matter of fact, even the highly educated and sophisticated and well learned people are not aware of their Consumer Rights. By now, we should be fully aware of the fact that the Indian Parliament had passed the Consumer Protection Act, 1986¹ with the objective of promoting and protecting consumers' interests and to provide them the easy access to justice. With the passing of this law, there was a new phase of consumer protection that could be seen in the Indian market place. The market place, instead of being a seller's place gradually started turning into the buyers place and an era of 'Consumer Sovereignty' came to be witnessed. This was a big achievement of the consumer activists and consumer organisations who had been pleading for a separate Consumer Protection Law for the promotion and protection of consumers interests. The Consumer Protection Act worked effectively at the earlier stages, but once the lawyers started appearing before the Consumer Forums, these Forums started behaving like the civil courts where for every major and minor issue, adjournment is asked for and granted happily.

The real problem is neither the defective functioning of the Consumer Protections Forums and Commissions nor the appearance of lawyers before these Forums. The real problem is with the consumers themselves. We as consumers are absolutely not aware of our rights. The Consumer Protection Act, 1986 provides us certain rights. These included: Right to Safety; The Right to Information; The Right to be heard; The Right to be redressed; The Right to Consumer Education etc. However, how many of use are really aware of these consumer rights. Not many of us. And this is the problem why we get exploited everywhere. If we are aware of these rights, we shall not be exploited the way we have been exploited upto now. Even if some of us are or might be aware of our rights, but we are not ready to claim those rights. So they stay on the pages of the books only. In my humble opinion, the problem of consumer exploitation in the Indian society is due to illiteracy, ignorance, lack of awareness and lastly lack of willingness to assert our rights.

1 Act No. 68 of 1986.

Need for Effective Consumer Education and Greater Awareness about Consumer Rights and for Assertiveness

If we go by the experience of the consumers in the developed countries of the world, we can reach the inescapable conclusion that the more the people are aware and more the people are ready to assert about their rights, the lesser is their exploitation. We have seen that with the spread of education, literacy and awareness, consumers are now gradually becoming aware. However, my personal argument is that just by becoming aware, nothing much is going to be achieved. The awareness has to be followed and rather coupled with the assertiveness. For example, if a trader exploits the consumer in the market place, and consumer argues with the trader about the excessive price charged by him or for the defective product supplied by him, nothing is going to change, unless the consumer goes and knocks at the door of the Consumer Protection Agency in case the trader does not redress his genuine grievances. It is for the promotion and protection of the genuine interests of the consumers that the Consumer Protection Act, 1986 has been passed.

When we talk about the education and awareness of the consumers, we have to highlight the role that the Consumer Voluntary Organisations can play in the society. This is absolutely true that the Consumer Protection Act, 1986 could be passed only due to the untiring efforts and strongest consumer protection crusade launched by the Consumer Protection Organisations all over the country. There may be so many consumer organisations, but the role of the organisations like the Consumer Education and Research Society, Ahmedabad, Consumer Guidance Society of India, Bombay, Consumer Action Group and Common Cause, Delhi and Consumer Unity and Trust Society, Jaipur and Calcutta has certainly been very very appreciable. They have not only been guiding the consumers about their rights, but most of these organisations are also ready to approach and litigate on behalf of the consumers where their interests as collective members of the society are affected. We as consumers must not only appreciate, but also support these organisations so that they could continue their crusade against the exploitation of the consumers interests.

Conclusion

If we want to attain a Consumer Protection Oriented Society, then we have to be very well aware of our rights. With the awareness about our rights, we as consumers can go ahead to assert those rights. With the passing of the Consumer Protection Act, 1986, now even the traders and businessmen have become fully conscious of their responsibilities. They have realised the a modern educated consumer is no more ready to become the victim of unending exploitation in the market place. As many consumers have dragged businessmen

to the Consumer Courts, they are now afraid in selling defective products. But yes, this is only in case of very highly educated and in fact the assertive consumers. For the rest of us, the business community is the same. Their aim is only to make money at the cost of exploitation of innocent consumers by way of providing defective and adulterated products, charging excessive prices, creating artificial scarcities, refusing to provide after-sale service and all the other thing.

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