

THE NEED FOR CONSUMER PROTECTION AND PROTECTION MEASURES



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Abstract:-Consumers are the origin of the modern marketing world, every marketing activity revolves around the consumer and the consumer is an originator of an organization. Consumers are the pillars of economic development in any country. The consumer is considered king in the market, but in reality consumer is treated very badly by both public as well as private sector. The need for consumer protection arises because of the exploitation of consumer and the denial of consumer' rights in the absence of strong protective measures. Government has a great role to play in encouraging consumer movement. The government has adopted a number of measures for consumer protection. A number of laws enacted to protect the consumers. The Consumer Protection Act, 1986 is a milestone in the history of socio-economic legislations in India, to protect and promote the rights of consumers, for rendering speedy, simple and inexpensive justice for redressing the grievances of the consumers.

Keywords: Consumer Protection and Protection Measures , organization , economic.

INTRODUCTION

The word 'Consumer' is a derivative of the French word 'Consumerer' which means, 'to eat or drink'. The consumer is one who consumes or uses any commodity or service available to him either from natural resources or through a market. According to John F. Kennedy, 'Consumer by definition includes every one. They are the largest economic group affecting and affected by almost every public and private economic decision'. The Consumer Protection Act, 1986 defines consumer as "one who buys any goods, hires any service or services, for a consideration which has been paid or promised or partly paid and partly promised or under any system of deferred payment". Everyone is a consumer in this world. Even a producer of any goods or services, is a consumer of other goods or services produced by others. Consumers are the origin of the modern marketing world, every marketing activity revolves around the consumer and the consumer is an originator of an organization. Consumers are the pillars of economic development in any country. They are the foundation for economic building and responsible for transformation of resources into productive things.

The consumer is considered king in the market, but in reality consumer is treated very badly by both public as well as private sector. The consumer is cheated in different ways by middlemen like adulteration, under-weight of goods, selling goods of inferior quality & duplicated goods, charging higher prices, misleading advertisement in the media, etc. Consumer is not sure of getting qualitative goods manufactured and preserved in hygienic condition and at competitive prices. The need for consumer protection arises because of the exploitation of consumer and the denial of consumer' rights in the absence of strong protective measures.

CONSUMER PROTECTION:

The consumer is exposed to many hazardous-physical, environmental and exploitation due to unfair trade practices. He needs protection, for instance, against products which are unsafe for consumption products which may cause badly injury such as defective electrical appliances. He needs protection against mal-practices and deceit by sellers. He should have adequate rights and right of recourse to redressal measures against defaulting businessmen. He needs protected against environmental pollution of air; water and noise and effective measures should be devised to keep the surroundings neat and clean. Consumerism has strong links with the Western world, but is in fact an international phenomenon.

Consumer Protection has its deep roots in the rich soil of Indian civilization, which dates back to 3200 B.C. In ancient India, human values were cherished and ethical practices were considered of great importance. However, the rulers felt that the welfare of their subjects was the primary area of concern. They showed keen interest in regulating not only the social conditions but also the economic life of the people, establishing many trade restrictions to protect the interests of buyers. Consumer movement, in its present form in India, came into being only in the 1960's with the formation of Consumer Guidance Society of India in 1966 in Bombay. With its success, the consumer movement spread over to fight for availability, purity and standard prices of commodities. At present, there are about 1000 organizations all over the country. One can say that the consumer movement in India has come of age. From simple awareness generation, it took over to direct action and then to testing and litigation. Its contribution to the passing of Consumer Protection Act, 1986, has been a historic achievement. Both business and bureaucrats have started taking consumers seriously. Consumer grievance cells have been launched by important organizations and corporations. Consumers are represented on a number of consumer welfare committees set up by various organizations.

Consumer protection is always a matter of great concern. In ancient India, effective measures were initiated to protect consumers from crimes in the market place. Ancient law givers ably described various kinds of unfair trade practices and also prescribed severe punishments for wrong doers. Mainly, acts of adulteration and false weights and measures were seriously dealt with. In ancient India, the king was the supreme authority to render justice, but his authority was circumscribed by the rules of Dharma. In the medieval period, some Muslim rulers developed well organized market mechanisms to monitor prices and the supply of goods to the markets. During the British period, the modern legal system was introduced in India and many laws were enacted to protect the interests of consumers generally. Today, the civil justice system is tainted with deficiencies that discourage the consumer from seeking legal recourse. However, the *Consumer Protection Act of 1986*, which provides easy access to justice, has brought a legal revolution to India as a result of its cost-effective mechanisms and popular support. At the same time, these mechanisms pose a great legal challenge to the traditional courts which conduct litigation in orthodox ways. In this age of consumers, the regime of Indian consumer law will undoubtedly rule Indian markets and bestow a new phase on the existing Indian legal structure with its strong ancient legal foundations.

Consumer Protection Act 1986:

The Act has given consumer rights and made provision for the establishment of consumer disputes redressal agencies, known as District Forums at the district level, State Commissions at the state level and National Commission as an apex body at the central level. The Act is applicable to all or any merchandise and services. One salient feature of the act, that is definitely associate improvement over different client protection legislations, is that's applicable even for enterprises within the public sector, many establishments and cooperative societies. This broadens the scope of this act as compared to others. The Act covers all complaints with relevance merchandise or services, and unfair trade practices, with an awfully wide and all-comprehensive definition services as well as in reference to banking, financing, insurance, transport, offer of electrical or different energy, boarding and lodging diversion, amusement or the purveying of stories or different information.

Under the Act, 'Goods' means every kind of movable property other than actionable claims and money; and includes stock and shares, growing crops, grass and things attached to or forming part of the land which are agreed to be served before sale or under the contract of sale. Under the Act, 'Service' means service of any description which is made available to potential users including the provision of facilities in connection with 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. The Act does not cover the services rendered free of charge or under a contract of personal service.

Consumer Protection Measures:

To protect the interest of consumer and safeguard consumer from exploitation numbers of measures have been adopted.

1.Consumer Education: it is a prerequisite for the success of consumerism. Consumers should be made aware of their rights & responsibilities and utility of consumer movement. Proper consumer education and motivation would help to change the attitude of the consumer. Social advertising helps to create awareness & change the attitude of consumers.

2.Consumer Organization: India is still a developing country with the expectation of a few well organized consumer associations in some important cities such as Ahmedabad, Mumbai, Calcutta, and Delhi. In India, the cooperative consumer movement was started in 1904. This movement was taken place all over the country, but especially in Maharashtra state. In the year 1974 Sri Bindu Madhav Joshi started Akhil Bharatiya Grahak Panchayat in Pune. This organization shaped the philosophy of the consumer movement in Maharashtra. Some well-known organizations in the consumer field include the Consumer Guidance Society of India; Consumer Unity and Trust Society, Calcutta, Consumer Action Group, Madras; and Mumbai Grahak Panchyat. The activities of most of the consumer organizations are confined to complaint handling, consumer guidance, consumer education, seminars and meetings on matters of consumer interest.

3.Government Support: Government has a great role to play in encouraging consumer movement. The government has adopted a number of measures for consumer protection. A number of laws enacted to protect the consumers. The Consumer Protection Act, 1986 is a milestone in the history of socio-economic legislations in India, to protect and promote the rights of consumers, for rendering speedy, simple and inexpensive justice for redressing the grievances of the consumers.

CONCLUSIONS:

Consumers are the origin of the modern marketing world, every marketing activity revolves around the consumer and the consumer is an originator of an organization. Consumers are the pillars of economic development in any country. The consumer is considered king in the market, but in reality consumer is treated very badly by both public as well as private sector. The need for consumer protection arises because of the exploitation of consumer and the denial of consumer' rights in the absence of strong protective measures. Government has a great role to play in encouraging consumer movement. The government has adopted a number of measures for consumer protection. A number of laws enacted to protect the consumers. The Consumer Protection Act, 1986 is a milestone in the history of socio-economic legislations in India, to protect and promote the rights of consumers, for rendering speedy, simple and

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