

Consumer education: The catalyst for action for consumer protection

URVASHI PANDE AND MANJARI ACHARYA

Accepted : April, 2009

ABSTRACT

An average Indian consumer is noted for his patience and tolerance. Perhaps because of these two traditional traits and due to the influence of the Mahabharata, the Ramayana and the Bhagavad Gita, he considers the receipt of defective goods and services as an act of fate or unfavorable planetary position in his horoscope. When a new television or refrigerator purchased by him turns out to be defective from day one, he takes it reticently, blaming it on his fate or as the consequence of the wrongs committed by him in his previous birth. Very often he is exploited, put to avoidable inconveniences and suffers financial loss. It is rather paradoxical that the customer is advertised as the "king" by the seller and service provider; but in actual practice treated as a slave or servant. Goods are purchased by him along with the label "Items once sold by us will never be received back under any circumstances whatsoever." This unethical, illegal and unilateral declaration has to be viewed in the light of the practice in developed countries where the seller declares, "In case you are not fully satisfied with our product, you can bring the same to us within a month for either replacement or return of your money." This will clearly indicate the level of consumer consciousness. However, things are changing - slowly but steadily - and the momentum has increased considerably since the establishment of consumer courts and due to the efforts of a number of consumer organizations and the media. The next millennium will witness a high degree of consumer awareness and the concepts of "comparative costs", "consumer preference/ resistance/ abstinence" and "consumer choice" will become vital aspects of the economy.

See end of the article for authors' affiliations

Correspondence to:

URVASHI PANDE

P.G. Department of Home Science, Sardar Patel University, Vallabh Vidya Nagar (GUJARAT) INDIA

Key words : Consumer protection, Consumer education, Consumerism

Consumption is the sole end and purpose of all production and the interest of the producer ought to be attended to only, so far as it may be necessary for promoting that of the consumer.

In an environment of limited choice, inadequate supplies, incomplete information, ignorant consumers and unlimited demand, it is inevitable that the Indian consumer gets cheated.

Almost all the consumers find themselves helpless as the corporate sector with its vast resources and control over the media, exploits the consumer. Needless to say that the consumer exploitation has become the fashion of day, because the producer, suppliers, manufacturers and retailers are in much superior position as compared to the consumer.

The troubles of a consumer residing in a remote rural area of our country can be imagined, when he finds his hopes belied as the product purchased by him, manufactured by a company situated in an industrial metro, fails to satisfy the purpose for which it is meant for. Due to the complex nature of the product, it cannot be said that the poor, illiterate consumer is in a position to judge its quality, nature or even the safety aspect involved in its use. Where he has to go, what he has to do, if the product fails to fulfill the purpose, or comes out to be substandard or causes some harm to the user. It cannot

be expected from every consumer to become a litigant and move for remedies in the court of law. Herein the need lies for protecting the consumer's interest.

The term 'protection' raised four queries viz.,

- Whose protection is required?
- Protection against whom?
- What is to be protected?
- And how to be protected?

For the purpose of this paper the word 'who' represents the ultimate user that is the consumer, the word 'whom' represents the manufacturer, suppliers, retailer, or producer the word 'what' relates to the interest of the consumers which have been identified under Indian law and lastly the word 'how' refers to various legal protections available to a consumer. Thus, consumerism is to be viewed as a movement which calls for the protection of the consumer's rights.

Term "Interest" explained, Salmond supported the theory that a right is based on an interest. The word 'Interest' according to Heck, is that which in its widest connotation embrace all things that man holds dear, and all ideas which guide man's life. It may be submitted the rights do not always coincide with the interest. Sometimes the right is recognized in one person but the interest lies in some other person. Hence every right protects one or the other interest. But all interests are not protected by