

Impact of Consumer Protection Laws on Women Consumers in Madurai District

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Abstract

For Millions of our people who live in the urban areas, the man in the ration shop represents their contact with the government. When he promises the citizens are the neighborhood area and later casually tells them day after day that stocks have not arrived, then two things happen. First, the credibility of the government suffers because for our purpose, the shopkeeper is the mouthpiece of the government. Secondly, the consumers get the impression that the government is profoundly unconcerned about the wasted time of its citizens. The Indian consumer is fighting a desperate battle on two fronts such as costs and quality. Barring a few essentials for which there exists a fairly effective system of price control and a public distribution system, prices rise relentlessly and hit may, especially those who belong to the fixed income groups. In the United States of the Federal Government as well as the state and local Governments have worked diligently in promoting the consumer of agencies whose function is to aid the buyer is becoming endless. The typical objectives of such agencies are to educate and inform the public in order to make more sophisticated consumers, to process and resolve complaints and enquiries regarding consumer transactions and to do in –depth analysis of specific industries which may need more regulation.

Legislative enactments aimed at protecting the consumer are increasing each year and cover wide and varied areas. In India the position is that neither the manufacturers nor the retailers are under any legal obligation to supply goods which attain defined standards of quality, composition, durability or performance except a few items such as matches, methylated spirit and some drugs.

1.1 Introduction

All trading, business and the industrial activities revolve around the consumer, without whom the manufacturer and the seller cannot exist, subsist, develop or flourish. The term “Consumer” implies one who consumes. It may be commodities which he buys or the services for which he pays. Every individual is a consumer in his capacity as a buyer of commodities or services. In the modern economic and social scenario, the consumer is accorded sovereign status and the business activities revolve around him.

Consumerism centers on the problems of buyers in a world of sellers. To say that business is incompatible with ethics is nothing but a travesty of truth. But the socio-economic conditions of the modern society encourages the haves to earn much more than they need for their decent standard of living, forgetting altogether that the surplus income really belongs to the society, where the have-nots outnumber the privileged haves. During the last few years, seeming but perceptible consumer awareness, awareness especially among the exploited class-has been noticed and it ultimately led the Parliament to enact the Consumer Protection Act, 1986, (C.P. Act) to safeguard the interests of the consumers. The object of the Act is to expound the law relating to the protection available to consumers against not only fraud and dishonesty in dealing between buyer and trader but also against oppressive bargains and deficiency in service. The remedies provided under C.P Act, 1986, are of civil nature apart from the considerable number of statutes creating criminal offences.

Consumers are interested in getting either their defective goods replaced or sufficient damages in lieu of the loss or mental agony suffered by them. For the desired remedies one would look forward to the Consumer Redressal Forums which alone can give relief within the reasonable time. The consumers are not required to pay advalorem court fee on the amount claimed. Therefore, the redressal forums are gaining popularity.

The poor are out of the reach of the benefit of the Consumer Protection Act since they are either too ignorant or under too many pressure to resist exploitation. To educate them and to make more conscious of their rights, the Consumer Protection Councils should

be more active. The Consumer Associations, though neither social workers nor charity organization, should not also lag behind. Their endeavours should be to supply information to the consumer about the products and services.

The Consumer Protection Act, provides protection of the interests of consumers, it may also be utilized to remove at least to certain extent the proverbial red tapism or inefficiency of the Government or semi Government

1.2 Statement of the Problem

In a competitive economy like India, it is the consumers who decide the success or failure of business, either by buying or not buying the product. This idea underlines the concept of 'consumer sovereignty' which is accepted as modern marketing concept. This is reflected in the well-known pronouncements of modern authors, such as 'Consumer is the king', 'Production of business is to create the customer', 'Production is the means and consumption is the end' and so on. But in practice, it is not so, as the consumers are exploited in every accessible way by the business community.

Indian consumers in their daily life are confronting with many problems like increasing prices, misleading advertisements, adulterations, substandard products, artificial scarcity, hoarding and black-marketing, under-weighments and measurements, poor consumer services etc; Thus Indian consumers are the victims of a number of unfair trade practices, in spite of a wide range of laws, rules and regulations, meant for safeguarding their interests.

Consumers are being exploited due to poverty, illiteracy, lack of consumer education, ignorance of consumer rights and laws. Laziness in exercising, vigilance against exploitation, and difficulty in the implementation of available consumer laws are some of the causes.

To protect themselves from exploitation, an awareness and exercise of their rights and legal remedies are essential on the part of the consumers. Hence, an attempt is made in this study to find out the extent of consumers' awareness and exercise their rights and legal remedies, on the basis of goods and services.

1.3 Scope of the Study

Consumerism emphasizes the direct relationship between the individual consumer and business firm. As consumerism is an evolving concept, there are no accepted lists of various facets of the said relationship.

Protection against clear-cut abuses, provision of adequate information about the products and services and protection of consumers among themselves are the areas providing scope for studying consumer movement. Of late, consumerism is extended even to protection against environmental pollution and against declining quality of physical environment.

Failure to provide adequate information to the consumers about the features of the products is one of the important reasons for the lack of awareness of the consumers about their rights. The focus of the study is on the Impact of consumer protection laws on women consumers in Madurai district. The study has been made from the point of view of all types of consumers. The study is conducted in different areas of Madurai district.

1.4 Objectives of the Study

The following are the objectives of the study

1. To trace out the consumer protection awareness in Madurai district.
2. To study the origin and growth of consumerism both in India and in abroad.
3. To examine the consumer rights and the extent of awareness of the consumers about them.
4. To analyze how far the rights are being exercised by the consumers.

5. To examine the effectiveness of consumer laws in dealing with consumer complaints and to analyse the effectiveness of remedial mechanism.
6. To offer the findings and suggestions of the study.

1.5 Hypothesis

To give a specific focus to the objectives, a few hypotheses have been formed to test the above said objectives by using appropriate tools. They are:

1. Socio-Economic factors do not influence the development activity. Each of the independent variables like age, education, marital status, residential status, occupation, monthly income selected for the study is not significantly correlated with the dependent variable – level of attitude.
2. Each of the independent variables like age, education, marital status, residential status, occupation, monthly income selected for the study is not significantly correlated with the dependent variable – opinion about the Consumer Protection Act 1986, Redressal forum, procedure of the consumer redressal forum, attitude towards consumerism, consumer attitude toward market malpractices, consumer attitude towards business philosophy.

1.6 Methodology

This is an empirical study, based on the consumers of Madurai District. There is a strong connection between the literacy level, awareness and exercise of consumer rights. Hence Madurai district is selected for the study. Descriptive and Analytical methodology have been employed in the study. The list of consumers who made complaint against their exploitation with District forum is the respondents for the study. Lists of complainants over a period of 10 years from 1998 to 2010 were obtained from the Madurai district redressal forum. Convenient sampling method is adopted in the selection of respondents.

a) Framework of questionnaire

A questionnaire comprising four parts has been framed. In the first part, personal information regarding name, age, marital status, monthly income, educational qualification and occupation of consumers were asked for classification purpose. Multiple choice and dichotomous type of questions were included in the second and third parts for studying the consumers' awareness about their rights and laws and exercise. Part four comprises twenty nine items of critical statements relating to consumer issues.

b) Sample Size

In total 400 questionnaires were issued to women consumers. The researchers collected back only 342 questionnaires. Out of these 22 defective questionnaire were rejected. The remaining 320 fully filled up questionnaires were taken for analysis and interpretations

c) Period of the Study

Primary data were collected during the financial year 2011-2012 (i.e. from April 1st 2011 to 31st Dec 2011). Secondary data for 10 years from the District Forum and State Commission and the CP Act were collected and used. (District Forum and State Commission are collectively called Consumer Disputes Redressal Agencies (CDRAs) and the CP Act).

d) Source of Information

Both primary and secondary data were used for the study. Secondary data were collected from different newspaper, magazines, books, journals, reports, etc., for which the researcher has approached various institutions like Consumer Voluntary Organizations, Tamil Nadu State Consumer Disputes Redressal Commission Chennai, District Consumer Disputes Redressal Forum Madurai, Consumer Education and Research Centre, Ahmadabad, Consumer Guidance Society of India, Mumbai, Indian Council of Social Science Research, New Delhi; Indian Institute of Management, Ahmedabad; and more public and University libraries in India.

Personal interview, Questionnaire and Observation Techniques have been used to collect the primary data relating to the consumers’ awareness and exercise of their rights and legal protection available to them. Their attitudes towards important consumer issues have also been assessed. Some of the statistical tools like percentages, Chi-square test, Mean Score, and Ranking have been used to make inference and draw conclusions.

1.7 Factors Influencing the Attitude of Respondents towards Consumer Production

In order to study the factors influencing the consumer attitude towards government regulations, the researcher has formulated seven statements and they are evaluated by using Likert’s five point scale. The five point scale consists of strongly agree, agree, no opinion, disagree and strongly disagree. The score of each statement in the five point scale is five, four, three, two and one respectively.

In the present study the principal factor analysis method with the Orthonogal Varimax Rotation is used to identify the factors that influence the consumer attitude with the functional coverage of government regulations.

TABLE 1.1

KMO and Bartlett’s Test

Kaiser – Meyer – Olkin Measure of sampling Adequacy		0.491
Bartlett’s Test of Sphericity	Approx. Chi-Square	415.911
	DF	91
	Sig	.000

Source: Calculated Data

Table 1.1 shows the KMO and Bartlett’s test and the sampling adequacy measure shows a value of 0.491. Since the value is more than 0.5, it is eligible for further process for factor analyzes.

Another test is Kaiser – Meyer – Olkin measures of sampling adequacy. This test is based on the correlations and partial correlations of the variables. If the test value, or KMO measure is closer to 1, then it is good to use factor analysis. If KMO is not closer to 0, then the factor analysis is not a good idea for the variables and data. The value of test statistic given above is 0.491 which means the factor analysis for the selected variables is found to be appropriate to the data.

Factor analysis was done with seven variables (item) by orthogonal varimax Rotation for the opinion of the respondents regarding the consumer attitudes towards government regulations in the study area.

The rotated factor matrix for the variables relating to the consumer attitudes towards government regulations in the study is given in Table 1.2

TABLE 1.2**Rotated Factors Matrix**

Sl. No	Variables	F1	F2
1.	The creation of consumer protection council constituted of government officials would be more the protection of government than of the consumers	0.766	0.406
2.	The government should test competing brands of products and make results of these tests available to consumers	0.709	-0.112
3.	The government administrative machinery is very much cooperative in restoring justice to consumers	0.702	0.127
4.	In general, self regulation by business itself is preferable to stricter control of business by the government	0.654	-0.107
5.	The government should set minimum standards of quality for all products sold consumers.	0.091	0.782
6.	Government is the ultimate guarantor of consumer rights.	0.180	0.744
7.	The government should exercise more responsibility for regulating the advertising sales and marketing activities of manufacturers.	0.132	0.498
	Eigen value	2.278	1.369
	Percentage of variance explained	32.50	19.60
	Cumulative per cent	32.50	52.10

Source: Calculated Data

Note: The Principal factors method with orthogonal variance rotation is used to extract factors.

From the Table 1.2 the rotated factor loadings for the seven statements (variables) of consumer attitude towards government regulations are observed. It is clear from Table 5.31 that all the seven statements have been extracted into two factors namely F1 and F2. The factors with identified new names which influence consumer attitude towards government regulations are discussed below.

Factor I (F₁)

The creation of consumer protection council constituted of government officials would be more the protection of government than of the consumers(0.766), The government should test competing brands of products and make results of these tests available to consumers(0.709), The government administrative machinery is very much cooperative in restoring justice to consumers(0.702), In general, self regulation by business itself is preferable to stricter control of business by the government(0.654), are the items with high loadings on factor I. The above items refer to criteria in which the respondents select the

consumer attitudes towards government regulations and hence the factor I is characterized as “Protection of consumers by the government officials”.

Factor II (F2)

The government should set minimum standards of quality for all products sold consumers (0.782), Government is the ultimate guarantor of consumer rights. (0.744), The government should exercise more responsibility for regulating the advertising sales and marketing activities of manufacturers (0.498). Have the highest significant positive loadings. As the above items are related to training to the members in various activities, hence, factor-II is characterized as, “Consumers receiving guaranteed products”.

TABLE 1.3

Variables with the Highest Factor Loadings for the Respondents towards Consumer Production

Factor	Name of Newly Extracted Dimension (factor)	Selected statement (Variable)	Factor Loadings
F ₁	Protection of consumers by the government officials	The creation of consumer protection council constituted of government officials would be more the protection of government than of the consumers.	0.766
F ₂	Consumers receiving guaranteed products	The government should set minimum standards of quality for all products sold consumers.	0.782

Source: Calculated Data

It is clearly evident from Table 1.3 that, the creation of consumer protection council constituted of government officials would be more the protection of government than of the consumers 0.766. The government should set minimum standards of quality for all products sold consumers 0.782.

Statements with the highest factor loading under the dimensions namely, Protection of consumers by the government officials (F₁), Consumers receiving guaranteed products (F₂), are the identified dimensions (Factor) which influence the level of attitudes of the consumers towards government regulations in Madurai district.

1.8 Limitations of the Study

(i) Though there is much legislation to protect the interest of the consumers, the study is confined only with Consumer Protection Act. Most of the consumers get remedies only based on the provisions of the consumer protection Act. The conclusions drawn from the study cannot be generalized.

(ii) The effectiveness of the study will depend upon the availability and reliability of the data provided by the respondent consumers.

(iii) The accuracy of the study is entirely dependent on the response provided by the respondents.

(iv) Different official capacities have presided this forum, it may affect the attitude of the complainants.

(v) The secondary data are having their own inherent defects.

1.9 Findings

The creation of consumer protection council constituted of government officials would be more the protection of government than of the consumers(0.766), The government should test competing brands of products and make results of these tests available to

consumers(0.709), The government administrative machinery is very much cooperative in restoring justice to consumers(0.702), In general, self regulation by business itself is preferable to stricter control of business by the government(0.654), are the items with high loadings on factor I. The above items refer to criteria in which the respondents select the consumer attitudes towards government regulations and hence the factor I is characterized as “Protection of consumers by the government officials”.

Factor II (F2)

The government should set minimum standards of quality for all products sold consumers (0.782), Government is the ultimate guarantor of consumer rights. (0.744), The government should exercise more responsibility for regulating the advertising sales and marketing activities of manufacturers (0.498). Have the highest significant positive loadings. As the above items are related to training to the members in various activities, hence, factor-II is characterized as, “Consumers receiving guaranteed products”.

1.10 Suggestions

The following suggestions, based on the findings, are given below

1. To popularize the basic rights of consumers, consumer educational programmes must be conducted more particularly for the rural consumers.
2. Consumers should also be made aware of the meaning, concept and features of all their rights more particularly the right to redress and the right to consumer education so as to protect themselves from the unscrupulous activities of the businessmen.
3. Awareness must be created in the minds of children, young and teenage consumers through the audio and video programmes.
4. Consumer education regarding the procedure to file a complaint and to get simple, speedy and inexpensive redressal to the consumer complaints must be imparted to each and every consumer in both urban and rural areas.
5. The Consumer Disputes Redressal Agencies (CDRAs) should be empowered to discontinue the business and capture all the properties and documents if the businessmen fails to comply with the orders of the court, apart from fine, or imprisonment, or both.
6. The Consumer Disputes Redressal Agencies (CDRAs) under the Consumer Protection Act should have power to issue an interim order to stop the business from production and marketing of defective product, if proved and satisfied, till final orders.
7. The Consumer Disputes Redressal Agencies (CDRAs) should hold the defaulting officer of the Government / Public sector undertakings personally responsible for negligence and sluggishness and also is made to pay compensation to the aggrieved consumer from his own pocket so as to reduce the hardships and inconvenience to the consumers.
8. Dedicated social service organizations like Rotary Clubs, Mass Media, Lawyer's Association, and Retired teachers and so on should come forward to establish consumer organizations and spare time for rendering services to the consumers.

1.11 Conclusion

From the perception of difference parties dealing with the Consumer redressal mechanism, it is inferred that the Consumer Redressal Mechanism is functioning effectively and efficiently in spite of some shortcomings. The shortcomings may be attributed to the innate nature of the legal system and it could be tide over by taking the corrective steps by the monitoring authority. The awareness of the consumers about their rights and legal protection is not quite encouraging. If proper steps are taken by both the Consumer Organisations and Government in educating consumers to make them realize their rights and encourage them exercise these rights, definitely the consumers' interests will be protected and at the same time unethical and unfair trade practices adopted by the unscrupulous business will definitely be checked and curbed. This is what is expected at present in India.

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