

Awareness About Consumer Rights in India: An Empirical Investigation of Educated Consumer in Bawana, Delhi

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Abstract

Consumer rights are essential for the protection and maintenance of the dignity of the Consumers. They create conditions in which every consumer may feel safe and can develop his consumption pattern to the fullest extent. Although we are more sophisticated as consumers today, this does not necessarily translate into behaviour which favours ethical trading and punishes unethical trading. In India, the fullest realization of consumer rights is a dream yet to come true. The stage of full realization of consumer rights cannot be easily or quickly attained in India. Although recent years have seen remarkable efforts by the government in India to educate the consumer about their rights like other developing countries, still much has to be done for the better protection of consumer rights. This paper will examine the level of consumer's knowledge about his existing consumer rights and related legal procedure associated. It is a sincere attempt to highlight the gap between availability of consumer rights and knowledge of consumers about their rights.

Introduction

Every being in a civilized society is engaged in some sort of activities (one or other) and aware about his rights/duties, at-least to the minimum extent, associated with his concerned activity. For example, students are associated with school/institutions, passengers with travelling agencies,

patients with hospitals/doctors, employees with employer/employing bodies etc. Here in every field we know our rights and duties being a student, passenger, patients and employees etc. against school/institution, travelling agencies, hospitals/doctors, employer respectively. Student knows that he has a right to sit in examination if already paid the exam fees and passenger knows he has a right to travel in a public transport vehicle if he had paid the fare. There is no confusion neither in the mind of student or passenger while using services of offering agency. If school do not allow a student to sit in the examination despite fees being paid he challenges, so in case of passenger and other relations mentioned above. But the same is not practically happening in case of consumers.

It is a universal fact that either directly or indirectly we all are consumers. As soon as a 'being' took birth he starts consumption for bathing, food, washing, entertainment, health etc and continues to do so till the end of his life. For being a consumer it is not necessary that we should be the buyer of the good and services. Therefore, theoretically (and practically) every human being is a consumer from his birth till death. This is the significant role we all play in our life in a society but never bother to know our consumer rights as well as duties. Here it is necessary to understand who is consumer. A consumer is a person who purchases a product or avails a service for a consideration, either for his personal use or to earn his livelihood by means of self-employment. The consideration may be:

Paid

Promised

Partly paid and partly promised

It also includes a beneficiary of such goods/services when such use is made with the approval of such person (Government of India)

In the Indian society, the general public is heard saying that "Jr, Joru, or Jameenjorkinahi to kisi or ki" it means that wherever any of the said three element (money, land and female) exist there is 100% changes of conflict. Let us consider how relevant and meaningful is this 'old saying' in relation to Indian social concept. If deeply investigated via daily news, we experience that our eyes and ears have become tired of seeing and listening crimes like kidnapping, robbery, murder, rape, adultery, cheating, trespass, fraud and many like incidences. Hence it is evident that most of the crimes took place due to the involvement of any one of above-cited three elements. Above all, not only in India, whole world is fighting for wealth. Hence above mentioned among them also Jr (Money/power) is the main reason of conflict between individuals either /or countries.

The process of cosumerisation is not an exception. In this process huge sum is involved. As we all know that in exchange process marketer made a reasonable profit and at other hand consumers get desired product and finally at the end of transaction everyone seems happy. Are the consumers really Happy? It is the bone of contention which always disturbs and creates restlessness among consumer rights pro NGOs and individual consumer activists. The demands for rights were always an outcome of long process of humiliation, ill-treatment by provider of goods and services. Presence of consumer rights itself is the biggest proof of presence of unethical, illegal, ill-treatment, tortured, cheating and humiliating type of activities still prevailing in the markets since long for the benefit of unscrupulous seller/middlemen and the manufacturers of goods and services. Consumers are still being cheated by adopting malpractices like adulteration, underweight supply, inferior quality, duplicate goods, misleading advertisement and so on. That interprets, in years ago when the demand for consumer rights rises, before that, an urgent need for them must be recognized by the society. But today also besides having number of consumer rights we are not only ill-treated, cheated but also harassed and be-fooled by unscrupulous seller/middlemen and the manufacturer of goods and services. This simplistic notion has been challenged since inception of 'Market', might be initially were lone, uncoordinated voices existing and criticizing the power imbalance prevailing between Marketer/Seller and Consumers. But now, it is the need of the hour that we all become united, activist and be a part of the movement in order to encourage a more aggressive stand against the shortcomings of selling tactics. Delhi Government is spending a huge amount on publicity for spreading awareness of consumer rights but according to me these efforts will be worthless unless these rights are recognized/adopted and given due importance firstly by the consumer and secondly by second party i.e. seller /manufacturer or traders. It is quite surprising fact that even educated consumers are habitual to be exploited by the marketer. The Consumer Protection Act, 1986 is a prominent legal measures enacted by Government of India for safeguarding the interest of consumers' at all levels. But these rights are most of the time unknown to many consumers which results into inaccessible. The Consumer Protection Act 1986 section 6 recognizes following six rights of the consumers (Consumer Protection Act 1986):

Objects of the Central Council.—The objects of the Central Council shall be to promote and protect the rights of the consumers such as,—

- the right to be protected against the marketing of goods 1[and services] which are hazardous to life and property;
- the right to be informed about the quality, quantity, potency,

- purity, standard and price of goods 1[or services, as the case may be] so as to protect the consumer against unfair trade practices;
- the right to be assured, wherever possible, access to a variety of goods 1[and services] at competitive prices;
- the right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora;
- the right to seek redressal against unfair trade practices 1[or restrictive trade practices] or unscrupulous exploitation of consumers; and
- the right to consumer education.

Let's understand the above listed rights in detail

Right to safety - It is right to be protected against the marketing of goods and services which are hazardous to life and property. Unsafe goods may cause serious injury or death to the user due to defective ingredients, inordinate design, poor workmanship etc. Thus it has to be ensured that—

Manufacturers, traders and seller must ensure that the goods are safe for the users, in case of hazardous goods, they should give clear instructions as to mode of use and consumer is informed of the risk involved in improper use of goods along with vital safety information.

Manufacturers or middlemen, who become aware of the unforeseen hazards even after the goods were supplied, must get informed the authorities and the public at large in order to forewarn consumers about such hazards.

Where a product is found likely to be hazardous even when it is properly used, traders should either recall it and modify the same, or replace it with a new product, or adequately compensate for the loss.

Right to information - It is right to be informed about the ingredients, quality, quantity, potency, purity, standard and price of goods or services etc. for the sake of protection of consumer against unfair trade practices adopted by manufacturer and trader. Adequate information is very important in order to make use and buy decision. In our country, however, consumers do not get adequate/standard information which can help to take decision of purchase. As a result buying decisions become difficult. Therefore consumers should be given maximum requisite information about the product and services available in the market for sale.

Right to choose - The right to choose can be made meaningful by ensuring access to a variety of goods and services at competitive prices in the market with novelties.

Fair and effective competition can only be encouraged by providing widest range of products and services at competitive price to the consumers.

Right to be heard- It is right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora. In case of any conflict of interest and disputes, the consumer has a right to be heard by the appropriate authority. Now-a-days by and large organisations such as Tata, Reliance, Banks, Institutions like Delhi University have set up their own consumer grievances cell with a view to provide personalized services to consumer and right to be heard.

Right to redressal - It is a right to seek redressal against unfair trade practices or restrictive trade practices or unscrupulous exploitation of consumers.

When consumers are wronged/fraud in a market for any transaction, appropriate and adequate redress mechanism must be available. The Consumer Protection Act has ensured this right by establishing Consumer Forums and recognising restrictive and unfair trade practices as a ground to file a complaint.

Right to education - The right to consumer education is a right which ensures that consumers are well-informed about the practices prevalent in the market and the remedies available to them.

OBJECTIVES

The present research work is an sincere attempt to investigate (probe) in to the level of awareness among educated consumers about consumer rights recognized by consumer protection Act 1986. The study is carried with the following specific objectives:

1. To study the level of awareness of consumer rights among educated consumer in study area.
2. To study the level of awareness of redressal mechanism of consumer related disputes.

METHODOLOGY

The study is mainly based on the primary data collected through a questionnaire from the educated consumers of Bawana, Delhi. Primary data was collected from 200 respondents of two groups primarily consisting of college students and educated ladies. A gap analysis was done with the help of a questionnaire between the knowledge of consumer rights and actual practice. Both quantitative and qualitative analysis was done. For data collection a section of the society duly experienced of market activity, qualified, active and energetic were targeted.

LITERATURE REVIEW

Literatures are flooded with articles, research papers, findings, chapters etc on the topic consumer rights. Consumer awareness studies carried out are mainly on explanation of available consumer rights and the procedure how to get redressal in case of any dispute (Kuwakhedawala, 2012). One related the consumer awareness with brand. as per the author he generalized that one issue that need to be kept in mind is that since a consumer-brand context almost always involves a price tag for the products/services, it has an inherently strong element of exchange, As a result the relationship norms in a commercial context are likely to be somewhat moderated by this underpinning of exchange-ness even in commercial relationship. (Aggarwal, June 2004). on the other hand a study in Australia is also talked consumer in context with small business. He also said that It is not the job of the Trade Practice Act Or the ACCC to protect competition; it is our job to protect competition and welfare of Austrian consumer. Let us not forget, however that business are also consumers. Every opportunity to reduces costs and increases choices, service and availability of goods helps business as well. The interest of consumers rest with consumers groups, governments and regulators such as the ACCC to ensure that competition is muscular and lawful, even if this implies that it be aggressive and potentially damaging to some players in the market (Samuel, 2009) . One more study manifested primarily in enactment of legal regulations that secure the purchasers' interest, in development of the organizational and functional infrastructure aiming at enforcement of consumer rights (Warsaw, 2009). So far we have seen that non of the study is targeting the level of wsareness of consumer rights among consumers. Here the author tried to ascertain the level of consumer awareness but not the area if available consumer right but the knowledge about certified products, check MRP, date of manufacturing and expiry at the time of purchase. He concluded that majority of them do not check about the ingredients used in the product. On the other hand, majority of them have the knowledge of Consumer Courts, but out of total respondents only 10 have ever gone to the Consumer Courts for complaining about different commodities they purchased and consumed. Lastly, it is evident from the study that, majority of them insist for Cash Memo at the time of purchase, but, it is limited to consumer durable goods and for consumer non-durable goods when large quantities of goods is purchased (Singh, 2015). One important study by ASSOCHAM has revealed that 40% of Indian are not aware about how and where to file a complaint if the manufacturers delivery a defective product or deficiency in service or an adulterated food item (Kapoor, 2015) It is also concluded that an alert consumer aware of his rights and responsibility not only can protect himself but can also

make consumer sovereignty a reality. A survey was conducted on the same campaign "level of Consumer Awareness" by a Jaipur based NGO. The findings are very shocking for all of us that on buying a commodity, only 38 percent ask for a bill, revealed the survey conducted over 11,499 consumers across 19 states and 3 Union territories.

"In Chandigarh, we have seen very low levels of awareness about the consumer courts in the people who approach us for assistance. They take notice of the consumer disputes redressal process only when they need it and even then they are reluctant to complain and prefer to settle it outside the court," says Surinder Verma, Chairman of CAG.

Only 20 percent of the respondents were aware of the Consumer Protection Act. Of the total respondents, only 3 percent approached the consumer forums for grievance redressal, while 0.1 percent approached the sector ombudsman. Seventy-eight percent rated the grievance redressal process as difficult. As per the responses to the survey, 75 percent of the cases were not properly redressed while 18 percent of such unresolved cases were taken to a higher authority for redressal. Over 68 percent of the cases were not redressed within stipulated time frame and the major reasons for delay in redressal was found to be adjournment sought by advocates or parties followed by lack of adequate administrative or support staff (Yadav, 2012).

George Cheriyan from CI member CUTS International discusses the results of a survey conducted in year 2012, showing the poor state of consumer awareness in India. Even after 25 years of the Consumer Protection Act (CoPRA) in India, only 20 percent of consumers know about it and only 42 percent have heard about consumer rights. 53 percent of consumers are unaware of the country's redress system (Consumer International Blog, 2012). Hence it is most urgent to understand why we as a consumer not playing a prominent role in the market inspite being in large quantity (masses). What the author could realized is that there is a big gap between education and consumer education. Means even if a consumer is educated it is not compulsory that he is educated about his consumer rights also. There is a need to check the gap.

INTERPRETATION OF THE DATA

The collected data from the respondents through questionnaires are presented here-in-under in table form with detailed analysis and explanation.

Table 1: Level of Education of Respondents

Category of Respondents	12 th Pass	Graduated	Other Higher Education
Students	100	-	-
Ladies	-	60	40

The purpose of research is to check the level of awareness of consumer rights in Educated Consumers. All targeted population is well educated. It is inferred from the above table that out of the 100 students respondents all are 12th pass and pursuing under graduate course and in other category of 100 respondents i.e. ladies, 60% are graduate and 40% are even more educated.

Table 2: Knowledge of Slogan "JagoGrahakJago"

Category of Respondents	Aware	Unaware
Students	100	-
Ladies	100	-

Well known prominent slogan given by Government of Delhi for the welfare of Delhi consumer is "JagoGrahakJago". It is pleasant that 100% population of both the categories is aware about this slogan. All must have heard about this slogan and are familiar with it.

Table 3: Knowledge of other information communicated with Slogan "JagoGrahakJago"

Category of Respondents	Helpline Numbers		Websites related info.	
	Aware	Unaware	Aware	Unaware
Students	7	93	-	100
Ladies	-	100	-	100

From the above table, surprising and shocking results came to notice. The very purpose of slogan to educate people got defeated when the people are unaware that how and where consumer related complaints can be made. From the above table, evident that only 7% students are aware about the helpline numbers and none of them are aware about websites. And in the similar context the knowledge level of educated ladies is even more discouraging that none of them knew either helpline numbers or websites.

Table 4: Identification of Consumer Rights

Rights	Students	Ladies
Right to ask for Bill/Fiscal Receipt	70	100
Right to Choice	100	70
Right to Return the goods	15	5
Right to Safety	78	62
Right to Information	84	77
Right to be Heard	70	70
Right to Education	50	30
Right to Redressal	100	98

The above table portrays the level of awareness to ascertain and identify the rights available to consumer. A readymade list of rights including some garbage data is provided to respondents. It is very painful that 100% population of ladies and 70% population of students are assuming that Right to demand bill/fiscal receipt is our consumer right, which is not. The table is self-explanatory about the prevailing mind set of educated consumer what to say about uneducated consumer.

Note: The level of awareness of each right is checked separately by asking some arbitrary case study/questions/examples from the respondents. From table no. 5 to 11

Table 5: Knowledge of Right to choice

Category	Students (P=100)	Ladies (P=70)
Aware	90 (90%)	62 (88.5%)
Unaware	10 (10%)	8 (11.5%)

It is concluded that out of total population of 100 students only 90% understands the right and 10% population know nothing about this right. On the other hand out of 70 female respondents 88.5% are familiar with the use of right and still 11.5% are ignorant in regard to its benefits.

Table 6: Knowledge of Right to safety

Category	Students (P=78)	Ladies (P=62)
Aware	56 (71.7%)	31 (50%)
Unaware	22 (28.2%)	31 (50%)

The level of awareness of each right is checked separately by asking some arbitrary case study or examples from the population and then it was concluded that out of total population of 78 only 71.7% understands the

right and 28.2% population know nothing about this right. On the other hand out of 62 respondents 50% respondents are familiar with the use of right and still 50% are ignorant to the benefits of this right.

Table 7: Knowledge of Right to Information

Category	Students (P=84)	Ladies (P=77)
Aware	81 (96.4%)	69 (89.6%)
Unaware	3 (3.57%)	8 (10.3%)

It can be concluded from above table that out of total students' population i.e. 84 majority 96.4% understands the benefits of the Right of Information and out of 77 ladies respondents again a majority are familiar with the use of right.

Table 8: Knowledge of Right to be heard

Category	Students (P=70)	Ladies (P=70)
Aware	45 (64.2%)	46 (65.7%)
Unaware	25 (35.7%)	34 (48.5%)

It is crystal clear from the above table that average population of students as well as ladies knew about the right to be Heard in detail and rest of the population have only introductory knowledge of this right it could be only name/title.

Table 9: Knowledge of Right to Education

Category	Students (P=50)	Ladies (P=30)
Aware	27 (54%)	5 (16.6%)
Unaware	23 (46%)	25 (83.3%)

Table no 9 indicates that almost near to 50% population of students and very less (16%) population of ladies are conversant enough with regard to benefits of right to education. On the other hand majority of ladies population and about 46% students are confused and ignorant of the uses and benefits of this rights. During detail discussion it was identified that majority of population is unaware of this right is due to general perception of confusion between right to information and right to education, which is a dilemma.

Table 10: Knowledge of Right to Redressal

Category	Students (P=100)	Ladies (P=98)
Aware	100 (100%)	100 (100%)
Unaware	0	0

The level of awareness of Right to Redressal is shockingly very high. It is 100% in both the category of respondents.

Table 11: Knowledge of Documents/fees etc. required filing a complaint in Consumer Court. (P=200)

Category	Responses
Aware	52 (26%)
Unaware	140 (74%)

The level of awareness of Right to Redressal is very high but on the contrary the way to redressal is not known to majority of respondents. 74% of population does not know what fees they need to pay and which documents are required to file a complaint. The gap between knowledge of right and the way to use of right is broadly wide

CONCLUSION

Summing up, educated population consumers are supposed to be well acquainted with consumer rights but the fact is far away than the presumption. It was experienced during data collection that almost 99% population was not able to name all the consumers right when list of consumer rights (with garbage data) was not provided to them. After seeing the list of rights also most of the respondents were gassing the answers. During direct and detail discussion on every consumer rights separately it was concluded that majority of respondents was not aware about the technicalities, benefits and uses of consumer rights. Most of the population was found confused between Right to Information and Right to Knowledge. It was also identified that majority of population knew about three tier redressal Mechanism but on the contrary only one-third of respondents are aware about the documents required/fees paid like formalities for filling a complaint in consumer court.

RECOMMENDATIONS

It is a noteworthy suggestion that Consumer Protection Act should be amended on urgent bases and "Right to take Bill/Fiscal Receipt" should be added as our seventh Right.

Government should take necessary and significant measures to provide in-depth knowledge of consumers rights to all section of people included educated one.

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