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CONSUMER RIGHTS AND EDUCATION

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Unit I Consumer Movement in India- Definition of Consumer- Types of Consumer – Problems of Consumer – Consumerism- Emerging concepts in consumerism: Green Consumerism, Cyber Consumerism- effects of consumerism.

Unit II Right of Consumers- Responsibilities of Consumers —unfair trade practices- Caveat emptor and Caveat Venditor- Enforcement of Consumer rights through Public Interest Litigation

Unit III Consumer Protection Act 2019- Main Provisions –Redressal forums –District Level –State Level and National Level –Powers and Functions –Filing of Complaints Procedure Regulatory Authorities and OMBUDSMAN

Unit IV Consumer related Legislations and Organizations: Prevention of Food Adulteration Act, 1954- Standards of Weights and Measures Act, 1976- The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954 - Consumer pressure groups- voluntary consumer organizations-Consumer Protection Councils -Remedy and Redressal of Grievances

Unit V Consumer awareness and Education in India:Lack of awareness- Lack of access to information-Methods of creating awareness and promotion of Consumer rights and duties- E-Commerce and Consumer Rights- Role of media in consumer education

UNIT I

Unit I Consumer Movement in India-

Definition of Consumer- Types of Consumer –Problems of Consumer – Consumerism- Emerging concepts in consumerism: Green Consumerism, Cyber Consumerism- effects of consumerism.

Consumers – definition and meaning:

Consumers, in the context of economics and business, refer to individuals or households that purchase goods or services to satisfy their needs and wants. Consumers play a vital role in the economy as their demand for products and services drives the production and distribution of goods in the market.

Consumers are people or organizations that purchase products or services. The term also refers to hiring goods and services. They are humans or other economic entities that use a good or service. Furthermore, they do not sell on that item that they bought. They are the end users in the distribution chain of goods and services. In fact, sometimes the consumer might not be the buyer.

Meaning: Consumers are the end-users of goods and services. They are individuals or households who buy and use products or services to fulfill their personal needs, desires, or preferences. Consumers may include people of all ages, income levels, and backgrounds.

Definition: A consumer is generally defined as an individual or household that engages in the process of acquiring, consuming, and disposing of products or services.

The concept of a consumer is central to the field of economics and marketing, as it helps understand and analyze the behavior and preferences of individuals in the marketplace.

Consumers typically participate in the market by making purchase decisions based on factors such as price, quality, convenience, brand reputation, and personal preferences. Their behavior and choices influence the demand for various goods and services, which, in turn, affects production, pricing, and overall market dynamics.

It's important to note that consumers are protected by consumer rights and regulations that aim to ensure fair practices, product safety, and accurate information disclosure by businesses. Governments and consumer protection agencies often enforce these regulations to maintain a level playing field and safeguard the interests of consumers.

Overall, consumers play a pivotal role in driving economic activity and shaping markets by expressing their preferences through their purchasing decisions.

Types of consumers

When it comes to marketing, there is one aspect every business should be aware of: not all consumers are created equal. Just like there are different types of goods, services, and products, there are different types of consumers. They have different motivations for purchasing, different modes of engaging and different mindsets. In order to market a brand successfully, a business needs to understand the different consumer types and how to tailor effective marketing collateral for them.

Following are the different types of consumers:-

Loyal Consumers

Loyal consumers are likely to comprise a small segment of your consumer base. However, because of their loyalty, they are valuable to every business. Once they have found the right company to do business with they will remain loyal, often becoming a promoter of the brand by sharing their experience with their friends, family and extended social network. According to a recent study, only between 12 percent and 15 percent of consumers are loyal to a single retailer. However, that small group tends to generate between 55 percent and 70 percent of brand sales. How can a brand successfully market to a loyal consumer? The keys are personalization, individualized attention, and repeated marketing contact. These kinds of marketing strategies will yield the biggest return on investment.

Discount Consumers

Discount consumers are always on the hunt for discounts, as the name suggests. Like loyal consumers, they also have a tendency to frequent the same organizations and brands. However, they only make purchases when there is some kind of sale or discount. To market to the discount consumer, you need to advertise your offers and specials! Social media is a great way to share sales and ongoing promotions, as are personalized emails or brochures.

Impulsive Consumers

Impulse consumers are the most difficult when it comes to maximizing marketing collateral. These consumers often don't shop with a specific product or service in mind, let alone a brand. Rather they make purchases capriciously, buying when something strikes their fancy. Considering the whimsical nature of impulsive consumer purchasing

habits, tailoring marketing efforts to them may not seem to be the best use of your resources, right? Wrong. The vast majority of purchases are actually impulse purchases.

When brands figure out how to effectively market to impulse consumers, they can drive up their sales. Keep in mind that impulse buying tends to be emotionally driven as opposed to logically driven. This is distinct from more rationally driven consumer types, such as discount consumers (driven by a desire to save money) and loyal consumers (driven by fealty to a specific brand). The key is to tap into the impulsive consumer's emotions.

Need-Based Consumers

Need-based consumers purchase to fulfill a need. Maybe they have run into financial trouble and need advice. Perhaps they are going on vacation and need a new set of luggage. They could be approaching a milestone in their life and are seeking legal advice. In order to market to a need-based consumer, your marketing strategy needs to anticipate these needs effectively. That means utility-centric marketing, across multiple channels, including print, online, and social media. You need to segment your consumers by needs and tailor a marketing strategy to each of these needs, outlining how you can help in a particular situation or promoting a specific service.

There are several types of consumers based on different criteria.

Here are some common categorizations:

Individual Consumers: These are individuals who purchase goods and services for personal use. They can be further classified into different segments based on factors such as age, gender, income, lifestyle, and purchasing behavior.

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Business Consumers: These consumers are organizations or businesses that buy goods and services for their operations. They can include small businesses, corporations, government agencies, and non-profit organizations.

Impulsive Consumers: Impulsive consumers make spontaneous and unplanned purchases without much consideration or research. They tend to be driven by immediate desires and impulses rather than careful decision-making.

Rational Consumers: Rational consumers make purchasing decisions based on logical analysis, research, and evaluation of alternatives. They consider factors such as price, quality, features, and value for money before making a purchase.

Brand-Conscious Consumers: Brand-conscious consumers are loyal to specific brands and are willing to pay a premium for products associated with those brands. They value brand reputation, quality, and image.

Price-Sensitive Consumers: Price-sensitive consumers are highly conscious of the price of products and are more likely to base their purchasing decisions on the affordability and value for money. They often look for discounts, promotions, and low-cost alternatives.

Need-Based Consumers: Need-based consumers purchase goods and services primarily to fulfill their basic needs and necessities, such as food, clothing, shelter, and healthcare. They prioritize functionality and utility over luxury or wants.

Luxury Consumers: Luxury consumers seek high-end and exclusive products or services that are associated with status, prestige, and superior quality. They are willing to pay a premium for luxurious and prestigious brands.

Online Consumers: Online consumers make their purchases primarily through online platforms and e-commerce websites. They value convenience, wide product selection, and ease of comparison shopping.

Sustainable Consumers: Sustainable consumers prioritize environmentally friendly and socially responsible products and services. They consider factors such as eco-friendliness, fair trade, ethical sourcing, and sustainable production practices.

It's important to note that these consumer types are not mutually exclusive, and individuals may exhibit characteristics from multiple categories depending on the context and their personal preferences.

Problems of Consumers

Consumers face various problems in their everyday lives.

Here are some common issues encountered by consumers:

Product Quality: One of the most significant problems faced by consumers is poor product quality. This can include items that are defective, damaged, or do not meet the advertised standards. Consumers often face difficulties in returning or exchanging such products, leading to frustration and financial loss.

Deceptive Advertising: Consumers may encounter misleading or deceptive advertising practices, where products or services are promoted in a manner that does not accurately represent their features, benefits, or pricing. False claims and exaggerated promises can mislead consumers and influence their purchasing decisions.

Unfair Pricing: Consumers may face pricing-related issues, such as price gouging during emergencies or natural disasters. Unfair pricing practices can also

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include hidden fees, surcharges, or price discrimination, where different customers are charged different prices for the same product or service without any justifiable reason.

Lack of Consumer Protection: Inadequate consumer protection laws and regulations can leave consumers vulnerable to exploitation. Weak enforcement mechanisms, limited access to legal remedies, and insufficient information about consumer rights contribute to this problem.

Fraud and Scams: Consumers are often targeted by fraudulent schemes and scams, both online and offline. These can include identity theft, fake online stores, phishing emails, pyramid schemes, and misleading investment opportunities. Falling victim to such scams can result in significant financial losses and personal information breaches.

Unsatisfactory Customer Service: Consumers frequently encounter issues with customer service, such as unresponsive or unhelpful representatives, long wait times, and difficulty in resolving complaints or obtaining refunds. Poor customer service experiences can leave consumers feeling frustrated and dissatisfied.

Data Privacy and Security: With the increasing use of online services and e-commerce, consumers face concerns regarding the privacy and security of their personal information. Data breaches, unauthorized access to personal data, and misuse of information by companies can compromise consumers' privacy and expose them to various risks.

Limited Product Choices: In some cases, consumers may face limited choices due to market monopolies or lack of competition. This can lead to higher prices, inferior products, and reduced innovation. Lack of diversity in available options can restrict consumer autonomy and hinder their ability to make informed decisions.

Difficulty in Resolving Disputes: When disputes arise between consumers and businesses, resolving them can be challenging. Consumers may encounter obstacles such as complex legal procedures, expensive litigation, and unequal bargaining power. These barriers can discourage consumers from seeking redress and obtaining fair outcomes.

Environmental and Social Concerns: Increasingly, consumers are concerned about the environmental and social impacts of the products they purchase. Issues such as unsustainable production practices, exploitation of labor, and environmental degradation pose challenges for conscientious consumers trying to make responsible choices.

It is important for consumers to be aware of their rights, stay informed, and voice their concerns to ensure their interests are protected. Additionally, regulatory bodies and consumer advocacy organizations play a crucial role in addressing these problems and working towards a fairer marketplace.

Consumerism

Consumerism is the theory that individuals who consume goods and services in large quantities will be better off. Some economists believe that consumer spending stimulates production and economic growth. Economists view consumption as about fulfilling biological needs & wants based on maximizing utility.

Definition

Consumerism refers to the consumer ideology of Western society, which revolves around a social and economic structure in which customers are encouraged to buy anything, regardless of whether they need it. Such consumer desires are more

often driven by lifestyle obsession rather than a requirement, giving them a sense of happiness and fulfillment through material possession.

Businesses increase production to introduce new products to the market regularly. They then create demand for these offerings through manipulative advertising. The urge no among consumers to try these products makes them spend more on mindless consumption. Eventually, this increased consumer spending lets brands earn profits and fuels the economic growth of a nation. It is often referred to as a consumerist movement, as it strives to safeguard consumer rights from over-marketing.

Consumerism is a socio-economic phenomenon that emphasizes and promotes the acquisition and consumption of goods and services as a primary source of personal satisfaction and societal progress. It is a cultural ideology that encourages individuals to define their identity, status, and well-being through their purchasing power and material possessions. Consumerism has become deeply ingrained in modern societies, influencing individuals' behavior, values, and aspirations.

One of the driving forces behind consumerism is the capitalist economic system, which thrives on the production and consumption of goods and services. In capitalist societies, economic growth and prosperity are often measured by indicators such as gross domestic product (GDP), which relies heavily on consumer spending. As a result, there is a constant pressure on individuals to engage in conspicuous consumption and constantly upgrade their lifestyles.

Consumerism is fueled by various factors, including advertising, marketing, and mass media. Companies invest significant resources in advertising campaigns to create desire and convince consumers that their products or services will fulfill their needs and desires. Advertising often employs psychological techniques to manipulate consumer

behavior and generate a sense of urgency or inadequacy, fostering a cycle of continuous consumption.

Moreover, consumerism is intertwined with social and cultural values. In many societies, individuals are socialized to associate material possessions with success, happiness, and social status. The accumulation of goods and brands becomes a way to demonstrate one's identity, conform to social norms, and seek validation from others. As a result, consumerism can lead to the formation of a "materialistic culture" where the pursuit of material wealth becomes a central focus, often at the expense of other values such as community, relationships, and environmental sustainability.

Critics of consumerism argue that it has numerous negative consequences for individuals, society, and the environment. Some of these criticisms include:

Environmental Impact: Consumerism contributes to resource depletion, pollution, and waste generation. The production and disposal of goods lead to the consumption of natural resources, energy, and water, as well as the emission of greenhouse gases and other pollutants. This has significant implications for climate change, biodiversity loss, and ecosystem degradation.

Debt and Financial Stress: Consumerism can lead individuals into excessive debt as they strive to maintain a lifestyle based on material possessions. High levels of debt can result in financial stress, anxiety, and limited financial freedom, impacting overall well-being.

Inequality and Social Division: Consumerism can exacerbate social inequality by creating disparities in wealth and access to resources. Those with higher purchasing power have greater opportunities to fulfill their desires and achieve social status, while others may experience exclusion or marginalization. Consumerism can reinforce social divisions based on income, race, and other factors.

Psychological Effects: Consumerism often creates a cycle of desire and dissatisfaction, as individuals constantly seek newer, better products or experiences. This can lead to a sense of emptiness, low self-esteem, and a perpetual quest for external validation. Research has also shown associations between materialistic values and lower life satisfaction and well-being.

Overconsumption and Decline of Shared Resources: Consumerism promotes a culture of overconsumption, leading to the depletion of finite resources. This can result in a lack of resources for future generations and contribute to issues such as overfishing, deforestation, and water scarcity.

Addressing the negative impacts of consumerism requires a multi-faceted approach. It involves promoting sustainable production and consumption practices, encouraging conscious consumer choices, and reevaluating societal values and aspirations beyond material possessions. Education and awareness campaigns can play a crucial role in fostering critical thinking, reducing the influence of manipulative advertising, and promoting alternative measures of well-being beyond material wealth. Additionally, businesses can adopt more sustainable and socially responsible practices, such as reducing waste, embracing circular economy models, and promoting ethical production.

Consumerism, as a concept, continues to evolve and adapt to the changing dynamics of society.

Here are some emerging concepts in consumerism that have gained traction in recent years:

Conscious Consumerism: Conscious consumerism focuses on making purchasing decisions that align with personal values and ethical considerations. Consumers are increasingly concerned about the environmental and social impact of

their choices and seek out products and brands that demonstrate sustainable practices, fair trade, cruelty-free production, and other ethical standards.

Minimalism: Minimalism promotes the idea of owning and consuming less, with a focus on quality over quantity. It emphasizes decluttering and simplifying one's life by reducing material possessions. Minimalist consumers prioritize experiences, meaningful relationships, and personal well-being over excessive consumption.

Collaborative Consumption: Collaborative consumption, also known as the sharing economy or access economy, is a model in which consumers access products or services temporarily instead of owning them outright. This concept encompasses various practices such as ride-sharing, home-sharing, co-working spaces, and rental platforms. It promotes resource sharing, reduces waste, and often provides more affordable options.

Digital Consumerism: With the increasing prominence of digital technology and e-commerce, digital consumerism refers to the consumption patterns and behaviors associated with online shopping, social media influence, and the digital marketplace. It encompasses aspects such as personalized recommendations, social commerce, influencer marketing, and virtual experiences.

Responsible Consumerism: Responsible consumerism emphasizes the accountability of consumers towards the consequences of their consumption choices. It involves understanding the supply chain, considering the social and environmental impact of products, and supporting companies that prioritize transparency and ethical practices. Responsible consumerism extends beyond individual actions and encourages collective efforts to drive systemic change.

Circular Economy: The concept of a circular economy aims to move away from the traditional linear model of production and consumption (take-make-dispose) and

instead promotes a regenerative approach. It focuses on minimizing waste, maximizing resource efficiency, and promoting recycling, upcycling, and the reuse of products and materials. Circular economy principles aim to create a closed-loop system where materials are kept in use for as long as possible.

Emotional Consumerism: Emotional consumerism recognizes the significant role emotions play in consumer behavior and decision-making. It highlights the importance of emotional connections, storytelling, and experiential marketing in creating meaningful and lasting consumer relationships. Brands strive to evoke positive emotions, forge personal connections, and tap into consumers' aspirations and values.

These emerging concepts reflect the evolving mindset of consumers, who are increasingly seeking a more sustainable, meaningful, and conscious approach to consumption.

Green consumerism:

Green consumerism refers to a state in which consumers demand products and services that have undergone an eco-friendly production process or one that involves recycling and safeguarding the planets' resources. In other words, green consumerism entails the production, promotion, and advancement of the utilization or use of goods and services based on their pro-environment benefits.

Economic, social, and cultural forces have set the framework for green consumerism. This is because it is a social attitude and movement in the modern era, especially aimed at encouraging people to be more aware of the firms' production processes and only to buy or use products and services that do not harm the environment. For this reason, green consumerism has created a balance between the

buyers' behaviors and the organizations' profit objectives as it mostly based on the sustainable and pro-environmental behavior of consumers.

Importance of Green Consumerism

Green consumerism is a holistic and responsible process of management that satisfies, identifies, fulfills, and anticipates the needs of the stakeholders in maintaining the natural well-being of the environment and one that does not endanger the health of humans. The importance of green consumerism, therefore, include

1. Reduced waste in packaging

Green consumerism advocates for frugal packaging options. It has social attitudes such as the preference to purchase loose products like vegetables and fruits instead of pre-packaged products. Also, it encourages reuse of paper and plastic packaging bags and tins that often cause environmental degradation.

2. Increased energy efficiency

Green consumerism attitudes advocate for the efficient use of energy, which ultimately helps in saving money, reducing utility bills, lowering emissions of greenhouse gas, and enabling economies to meet the growing energy demands. Through green consumerism, environmental and economic benefits of utility systems, as well as the management of risk associated with inefficient production processes, have also been attained.

3. Decreased release of emissions and other pollutants during production and transportation processes

Thanks to green consumerism, emissions from the transportation sector and industries have been considerably reduced. Also, because of green consumerism advocacies and programs, stringent standards against emission have been put in place thus lowering emissions from engines and motors and the advancement of clean-burning fuel options.

4. Consumption of more healthy foods

Through green consumerism advocacies, there has been an increasing need for more eco-friendly food production. As a result, people are gradually developing a culture of buying more organic and local food, which is arguably healthier as they are not cultivated or produced using artificial chemical fertilizers, antibiotics, hormones, or pesticides.

Green consumerism, also known as sustainable or eco-friendly consumerism, refers to the practice of making purchasing decisions that take into consideration environmental sustainability and ethical considerations. It involves choosing products and services that have a lower impact on the environment and promote social responsibility.

The concept of green consumerism has gained significant popularity in recent years as more people have become aware of the environmental challenges we face, such as climate change, deforestation, and pollution. Consumers are increasingly concerned about the consequences of their consumption patterns and are seeking ways to reduce their ecological footprint.

Green consumerism encompasses various aspects, including:

Sustainable Products: Consumers opt for products that are made from recycled materials, use renewable resources, or have a minimal impact on the environment throughout their lifecycle. Examples include organic food, eco-friendly cleaning products, and energy-efficient appliances.

Ethical and Fair Trade: Consumers choose products that are produced under fair labor conditions and support workers' rights. Fair trade products ensure that producers in developing countries receive fair wages and have safe working conditions.

Renewable Energy: Consumers switch to renewable energy sources, such as solar or wind power, to reduce their reliance on fossil fuels and decrease their carbon footprint.

Minimalism and Conscious Consumption: Consumers practice minimalism by reducing unnecessary purchases and focusing on buying only what they truly need. Conscious consumption involves researching the environmental impact and ethical practices of companies before making a purchase.

Recycling and Waste Reduction: Consumers actively participate in recycling programs and reduce waste by choosing products with minimal packaging or by reusing and repurposing items.

Support for Sustainable Brands: Consumers support and purchase from brands that demonstrate a commitment to sustainability, environmental stewardship, and social responsibility.

Green consumerism can have several positive impacts. It encourages businesses to adopt more sustainable practices and develop eco-friendly products. It also drives innovation in renewable energy, waste reduction, and resource conservation. Additionally, green consumerism can influence market trends, leading to a shift towards a more sustainable and circular economy.

However, it is important to note that green consumerism alone cannot solve all environmental problems. It should be seen as one part of a broader sustainability approach that includes systemic changes in production, policies, and individual behavior. Government regulations, corporate responsibility, and collective action are also crucial for achieving long-term environmental sustainability.

Cyber consumerism

Internet Technology has facilitated sales and purchases online.

In this scenario the consumer does not come face to face with seller, but the business is transacted via web enabled technology.

The consumer's utilizing these services can be called "CYBER CONSUMERS".

Cyber consumerism refers to the phenomenon of consumer behavior and the acquisition of goods and services taking place primarily in the digital realm. It is closely tied to the rise of e-commerce and online shopping, where individuals can browse, compare, and purchase products or services through various digital platforms, such as websites and mobile applications.

In cyber consumerism, consumers rely heavily on technology and the internet to fulfill their purchasing needs. This shift in consumer behavior has been facilitated by advancements in technology, improved internet connectivity, and the growing popularity

of online marketplaces. Consumers can now access a vast array of products and services from anywhere, at any time, often with the convenience of doorstep delivery.

There are several key aspects of cyber consumerism:

Online Shopping: Cyber consumerism has revolutionized the way people shop. Consumers can explore a wide range of products and services online, read reviews, compare prices, and make purchases with just a few clicks. This convenience and accessibility have significantly impacted traditional brick-and-mortar retail.

Personalization and Targeted Advertising: Through data collection and analysis, companies can personalize marketing messages and advertisements to target specific consumer preferences and behaviors. This targeted approach aims to create a tailored shopping experience, offering products and promotions that are more likely to resonate with individual consumers.

Social Commerce: Social media platforms have become significant channels for cyber consumerism. Users can discover products through influencer endorsements, peer recommendations, and sponsored content. Social media platforms often integrate shopping features, allowing users to make purchases directly within the app.

Subscription Services: The rise of cyber consumerism has led to the popularity of subscription-based services. Consumers can subscribe to various products and services, such as streaming platforms, curated product boxes, and software applications. These services offer convenience, cost savings, and a continuous supply of products or content.

Virtual Reality (VR) and Augmented Reality (AR): VR and AR technologies have the potential to enhance the cyber consumerism experience. They allow consumers to

visualize products, virtually try on clothes or accessories, and experience immersive shopping environments without leaving their homes.

Data Privacy and Security: With cyber consumerism, concerns about data privacy and security have become more prominent. Consumers need to be cautious about sharing personal information online and ensure that the platforms they use have adequate security measures in place to protect their data.

Cyber consumerism has transformed the retail landscape and provided consumers with new opportunities and conveniences. However, it also brings challenges related to information overload, impulse buying, and the impact on traditional businesses. Striking a balance between the benefits and potential drawbacks of cyber consumerism is essential for both consumers and businesses in the digital age.

E-Consumerism

In the new millennium, with the change of nature of the Indian economy from physical to the digital economy, consumers have entered into a brand new online (digital) economy. With the 'e'-revolution and data technology, electronic commerce has emerged because of the potential emblem of a brand new worldwide virtual economy. In online shopping, on the one hand, consumers are offered convenience, quickness, and global choice in services, goods, and, more importantly, in prices, however, on the opposite hand, the web implies new hazards for consumers within the environment of e-marketing. The results of shopping, within the borderless world of the net, function differently from the offline world in various ways. The position of the patron in an electronic environment is primarily weaker when it involves issues concerning quality, privacy, payments, and e-transactions. This text profiles the importance of consumer rights as a backbone of the on-line Indian economy and sketches out the main threats to consumers in e-Banking and online shopping.

Effects of Consumerism

Consumerism refers to the consumption of goods at a higher rate. The production and selling of goods judge the economy. The gross national product is the total of goods and services produced for a specific period at a specific time. The more goods produced and consumed by society, the higher the growth rate of the economy. The prosperity of a nation is judged by the per capita income of individuals residing in it. The economy is considered to be “doing well” if the purchasing power of the people is high.

In a consumer society, people replace their goods with newer ones. They purchase goods, use them and throw them away. Newer ones replace new goods when they become old. The question of repair does not arise. People have money to purchase products in plenty. In case they do not do so as it leads to recession and depression and also results in unemployment.

Effects of the consumerism:

Consumerism is appreciated in Western economies since a person’s standard of living is valued by his or her material possessions. There are certain positive effects such as:

Positive Consumerism Effects

Primary positive consumerism effects are:

- More industrial production.

- A higher growth rate economy.
- More goods and services available.
- More advertising since goods manufactured have to be sold.
- Increased production will result in more employment opportunities.
- A variety of goods and services to choose from.
- More comforts for a better living style.

There are always certain pitfalls to a given situation in a society. Material prosperity may be there in consumerism but, it has its negative effects on the people and society at large.

Negative Consumerism Effects:

The top negative consumerism effects are:

- Craving for goods is high. The wants and desires of the people increase. The better their income, the better their purchasing power. But in case, they are not able to do so, and then they feel dissatisfied.
- One is in a rat race to earn more and is forced to cope with stress and other work-related tensions.
- Material wealth is the deciding factor about whether a society is highly developed or not. Spiritual values are underplayed. This may not be suitable for a person from the East, who generally is appreciative of spiritual values.
- Over-dependence on labor-saving devices.
- A car for each individual would mean gradual erosion of public transport.

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- Crime rate also increases as wants to possess of expensive gadgets increases. Thefts become common, and daylight robberies take place.
- Personal relationships also get affected as people are busy trying to earn more to maintain their standard of living.
- Cheaper goods are imported from other goods affecting the growth of locally-based manufacturing industries.
- Consumerism has also resulted in ecological imbalances. The natural habitat is being destroyed to create more goods and build more buildings affecting the weather. Global warming will eventually result in health problems. Industrial pollution is affecting people in many ways.
- People's lifestyles have also changed in a sense they are more lavish, full of material comforts rather than focusing on simplicity. Eastern spiritualism and philosophy have always emphasized simplicity.
- Consumerism is also depleting the natural resources of the respective country.
- Psychological health also can get affected if one's desires are not meant, such as depression. Jealousy and envy can lead to crime.

Consumerism, the culture of excessive consumption and the pursuit of material possessions, has both positive and negative effects on individuals, society, and the environment. Here are some key effects of consumerism:

Materialistic mindset: Consumerism encourages people to prioritize material possessions and equate them with happiness and success. This can lead to a materialistic mindset where individuals constantly seek more

possessions, often neglecting non-material aspects of life such as relationships, personal growth, and well-being.

Economic growth: Consumerism plays a significant role in stimulating economic growth by driving demand for goods and services. Increased consumer spending can lead to job creation, higher production levels, and overall economic prosperity. However, reliance on consumer spending as the primary driver of economic growth can also make economies vulnerable to fluctuations and downturns.

Debt and financial instability: The relentless pursuit of material possessions can lead to increased personal debt. People may resort to borrowing to sustain their consumerist lifestyle, resulting in financial instability and stress. High levels of personal debt can also have broader economic implications, such as credit crises and recessions.

Environmental impact: Consumerism places a heavy burden on the environment. The production, transportation, and disposal of goods contribute to resource depletion, pollution, and greenhouse gas emissions. The extraction of raw materials, deforestation, and excessive waste generation has adverse effects on ecosystems, biodiversity, and climate change.

Unsustainable consumption patterns: Consumerism often promotes a "throwaway culture" where products are quickly discarded and replaced. This leads to overconsumption, wastefulness, and the creation of vast amounts of non-biodegradable waste. It also contributes to planned obsolescence, where products are intentionally designed with a limited lifespan to encourage repeat purchases.

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Psychological and social impacts: Consumerism can have negative psychological effects, including increased stress, anxiety, and dissatisfaction. Constant exposure to advertisements and societal pressure to conform to materialistic standards can create a sense of inadequacy and perpetuate a cycle of always wanting more. Additionally, consumerism can contribute to social inequality, as access to certain goods and services becomes a marker of status and privilege.

Alternative values and well-being: Overemphasis on material possessions can overshadow the importance of non-material aspects of life, such as experiences, personal growth, and meaningful relationships. Some argue that reducing consumerism and focusing on well-being, sustainability, and community engagement can lead to greater life satisfaction and overall happiness.

It is essential to strike a balance between responsible consumption and the pursuit of a sustainable, fulfilling life to mitigate the negative effects of consumerism. This includes adopting more conscious consumption habits, promoting sustainable production and business practices, and reevaluating societal values beyond material wealth.

UNIT-II

Responsibilities of Consumers —unfair trade practices-Caveat emptor and Caveat Venditor- Enforcement of Consumer rights through Public Interest Litigation.

Right of Consumers

The rights of consumers are a set of principles and protections that aim to ensure fair and safe interactions between consumers and businesses. These rights are designed to empower consumers and provide them with certain guarantees when engaging in economic transactions. While the specifics of consumer rights can vary across countries and jurisdictions, there are generally recognized fundamental rights that include:

Right to Safety: Consumers have the right to be protected against the marketing of goods and services that are hazardous to their health or safety. This includes the right to expect that products are properly labeled with appropriate warnings and instructions.

Right to Information: Consumers have the right to accurate and truthful information about products and services. This includes the right to be informed about the quality, quantity, price, composition, and potential risks of products.

Right to Choice: Consumers have the right to choose from a variety of products and services at competitive prices. They should not be subjected to unfair or restrictive trade practices that limit their choices.

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Right to be Heard: Consumers have the right to express their opinions, concerns, and complaints about products and services. Businesses should have accessible and responsive mechanisms for handling consumer feedback and resolving disputes.

Right to Redress: Consumers have the right to seek compensation, refunds, or other remedies when they have been harmed by defective products or deceptive business practices.

Right to Consumer Education: Consumers have the right to acquire knowledge and skills to make informed decisions about their purchases. This includes access to information about their rights and responsibilities as consumers.

Right to Privacy: Consumers have the right to control the collection, use, and disclosure of their personal information by businesses. They should be able to safeguard their privacy and protect against unauthorized use of their data.

Right to Sustainable Environment: Consumers have the right to live in a clean and sustainable environment. They should be able to make choices that support environmental sustainability and hold businesses accountable for their environmental impact.

These rights are often enshrined in consumer protection laws and regulations in different countries. They serve as a framework to promote fair business practices, protect consumer interests, and ensure a level playing field between consumers and businesses.

Responsibilities of Consumer:

Consumer rights, by themselves, cannot be effective in achieving the objective of consumer protection. Consumer protection can, in effect, be achieved only when the consumers also understand their responsibilities. Consumers should keep in mind their responsibilities while purchasing, using and consuming goods and services. Rights and responsibilities are two sides of the same coin. Just as consumers enjoy certain rights, they owe certain responsibilities.

The responsibilities of consumer are listed below;

1. The consumer must pay the price of the goods according to the terms and conditions of the sales contract.
2. The consumer has got a responsibility to apply to the seller for the delivery of the goods. He/she has to take delivery of the goods in time.
3. The consumer has to bear any loss, which may arise to the seller when the consumer delays taking delivery of the goods as per the terms of contract.
4. The consumer is bound to pay any interest and special damages caused to the seller in case if there is delay in the payment.
5. The consumer has to assiduously follow and keenly observe the instructions and precautions while using the products.
6. The consumer has the responsibility to express unambiguously to the seller of his requirements and expectations from the product.
7. The consumer must seek to collect complete information about the quality, quantity, price etc of the product before purchasing it.

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8. The consumer must get cash receipt as a proof of goods purchased from the seller. If it carries any warranty, the buyer must obtain the warranty card mentioning the date of purchase and period of warranty. It must also bear the signature and stamp of the seller organization.

9. The consumer must file a complaint with the seller concerned about defects or shortcomings noticed in their products and services.

10. The consumer should never compromise on the quality of goods. The consumers must watch for ISI, Agmark, FPO, the standard quality certification marks and the like in the label.

11. The consumer should not be carried away by exaggerating the quality of the goods through advertisements. If there is any discrepancy between the features advertised and the actual features observed in the product, it must be brought to the notice of the seller or advertiser.

12. The consumer has every right to safety, right to be informed, right to choose, right to represent, and right to seek redressal and right to seek information. If any of these rights is violated, the consumer should file a complaint with the appropriate legal machinery under the Consumer Protection Act, 1986.

As a consumer, you have several responsibilities to ensure ethical and responsible consumption. Here are some key responsibilities of consumers:

Research and Informed Decision Making: It is important to research and gather information about the products or services you intend to purchase. This includes understanding the product's features, quality, safety, and environmental impact.

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Informed decision making helps you make choices that align with your values and promote responsible consumption.

Product Safety Awareness: Consumers have a responsibility to prioritize their safety and the safety of others. Stay informed about product recalls, safety warnings, and potential hazards associated with certain products. Follow the recommended usage guidelines and take necessary precautions to protect yourself and those around you.

Sustainable Consumption: Consider the environmental impact of your consumption choices. Opt for products and services that are eco-friendly, energy-efficient, and have minimal negative effects on the environment. Look for certifications such as organic, fair trade, or sustainable labels to guide your purchasing decisions.

Ethical Considerations: Consumers should support companies that demonstrate ethical business practices, such as fair trade, responsible sourcing, and labor rights. Avoid supporting businesses involved in unethical practices, such as child labor, exploitation, or environmental degradation. Consider the social and ethical implications of your purchases.

Waste Reduction and Recycling: Minimize waste generation by opting for durable, long-lasting products and avoiding excessive packaging. Practice proper waste management by recycling, reusing, and repurposing items whenever possible. Reduce reliance on single-use items and choose reusable alternatives.

Consumer Advocacy: Stand up for your rights as a consumer.

Report faulty or unsafe products to the appropriate authorities or consumer protection agencies

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Share your experiences and opinions about products and services to help other consumers make informed choices. Support organizations and initiatives that promote consumer rights and protection.

Financial Responsibility: Manage your finances responsibly by budgeting and avoiding excessive debt. Make informed decisions about your purchases based on your needs and financial capabilities. Be cautious of misleading advertising and sales tactics that may lead to impulsive or unnecessary purchases.

Digital Responsibility: In the age of online shopping and digital transactions, safeguard your personal and financial information. Use secure websites and payment methods, and be cautious of scams and fraudulent activities. Protect your privacy and data by understanding and managing your online presence.

Remember, as a consumer, your choices and actions have an impact on the marketplace and the world around you. By embracing these responsibilities, you can contribute to a more sustainable, ethical, and fair economy.

Unfair Trade Practices

Unfair trade practices refer to the use of various deceptive, fraudulent, or unethical methods to obtain business. Unfair business practices include misrepresentation, false advertising or representation of a good or service, tied selling, false free prize or gift offers, deceptive pricing, and noncompliance with manufacturing standards. Such acts are considered unlawful by statute through the Consumer Protection Law, which opens up recourse for consumers by way of compensatory or punitive damages. An unfair trade practice is sometimes referred to as “deceptive trade practices” or “unfair business practices.”

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Unfair trade practices are commonly seen in the purchase of goods and services by consumers, tenancy, insurance claims and settlements, and debt collection. Most states' unfair trade practices statutes were originally enacted between the 1960s and 1970s. Since then, many states have adopted these laws to prevent unfair trade practices. Consumers who have been victimized should examine the unfair trade practice statute in their state to determine whether they have a cause of action,

Unfair trade practices refer to deceptive, fraudulent, or unethical business practices employed by companies or individuals to gain an unfair advantage over their competitors or exploit consumers. These practices can harm the competitive market, consumers, and the overall economy. Here are some examples of unfair trade practices:

False Advertising: Making false or misleading claims about a product's quality, features, or benefits in advertisements can deceive consumers and give an unfair advantage to the company.

Price Fixing: When competitors collude to set prices artificially high, they limit competition and harm consumers by eliminating the benefits of free market competition.

Predatory Pricing: Setting prices below cost temporarily to drive competitors out of business and gain a monopoly position is considered predatory pricing. This can harm competition in the long run and result in higher prices for consumers.

Intellectual Property Infringement: Unauthorized use or imitation of intellectual property, such as trademarks, copyrights, or patents, can undermine the rights and competitiveness of the original creators or owners.

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Dumping: Selling products in foreign markets at prices significantly below their normal value or the cost of production can harm domestic industries by creating unfair competition.

Bribery and Corruption: Offering or accepting bribes to gain an unfair advantage in business transactions undermine fair competition and the integrity of the market.

Unfair Contract Terms: Imposing unfair terms or conditions in contracts that disproportionately favor one party over the other, especially when one party has superior bargaining power, can be considered an unfair trade practice.

Deceptive Pricing: Engaging in deceptive practices related to pricing, such as false discounts, hidden fees, or misleading pricing strategies, can mislead consumers and harm fair competition.

Monopolistic Practices: Abusing a dominant market position to exclude competitors, limit consumer choices, or engage in anti-competitive behavior violates fair trade practices.

Product Counterfeiting: Producing and selling counterfeit goods that imitate legitimate products can deceive consumers, damage the reputation of the original brand, and result in financial losses for the legitimate businesses.

It is important for governments and regulatory bodies to enforce laws and regulations to prevent and address unfair trade practices in order to maintain fair competition, protect consumers, and promote a healthy economy.

Caveat emptor

"Caveat emptor" is a Latin phrase that translates to "let the buyer beware" in English. It is a principle in commerce and contract law that places the responsibility on the buyer to perform due diligence and exercise caution when making a purchase.

The phrase emphasizes the idea that buyers should be aware of the potential risks and flaws associated with a product or service before they make a transaction. It implies that sellers are not obligated to disclose every detail or defect of the item being sold, and it is the buyer's responsibility to assess its quality, condition, and suitability.

In modern legal systems, consumer protection laws and regulations have evolved to balance the principle of caveat emptor. These laws aim to provide buyers with certain rights and protections against misleading or deceptive practices by sellers. They require sellers to disclose relevant information, provide accurate product descriptions, and ensure that goods and services meet certain standards.

While caveat emptor remains an important concept, it is essential for both buyers and sellers to understand and abide by the laws and regulations applicable in their jurisdiction to ensure fair and transparent transactions.

Caveat emptor was the rule for most purchases and land sales prior to the Industrial Revolution, although sellers assume much more responsibility for the integrity of their goods in the present day.

Today, most sales in the U.S. fall under the principle of caveat vendor, which means "let the seller beware," by which goods are covered by an implied warranty of merchantability. Unless otherwise advertised (for example, "sold as is") or negotiated

with the buyer, nearly all consumer products are guaranteed to work, if used for their intended purpose.

Caveat Venditor

"Caveat venditor" is a Latin phrase that translates to "let the seller beware." It is the opposite of "caveat emptor," which means "let the buyer beware." Both phrases are used in the context of transactions and emphasize the responsibilities and risks associated with either the seller or the buyer.

While "caveat emptor" places the burden of due diligence on the buyer to ensure they are making an informed purchase and to be aware of any potential defects or issues with the product or service, "caveat venditor" highlights the seller's responsibility to disclose any relevant information and ensure the product or service meets the buyer's expectations.

In essence, "caveat venditor" suggests that sellers have an obligation to act ethically and honestly when conducting business. They should not misrepresent their products or services and should provide accurate and complete information to potential buyers. If a seller fails to do so, they may be liable for any damages or losses incurred by the buyer.

The principle of "caveat venditor" is often invoked in consumer protection laws and regulations to ensure fair and transparent transactions, protecting buyers from fraudulent or deceptive practices. It underscores the importance of trust and integrity in commercial transactions and encourages sellers to act responsibly and in the best interests of their customers.

Enforcement of consumer rights through public interest litigation

Public interest litigation (PIL) radically transformed the jurisprudential rubric of consumer rights and justice in India. The judiciary meticulously engaged in fashioning consumerism under the right to life and human right approaches. The PIL under Articles 32 and Article 226 of the Constitution of India, 1950 and relaxation of the doctrine of locus standi empowered the common man in actualizing the right to live with human dignity and qualitative consumption of goods and services. The notion of PIL has gone its way ruthlessly, impelled by an inner logic of its own, sweeping aside all objections and obstacles until in course of time it run its own course of action. Thus the public interest law provides legal representation to unrepresentative groups by the recognition the interests of marginalized, environmentalist, consumers, and minorities by balancing the scale of justice. PIL focuses on policy-oriented justice by advancing law reform within the spectrum of PIL includes environmental protection, consumer justice, and sustainable development, land and energy use, tax reform occupational safety, health care, media access, corporate responsibility, educational reform, employment benefits, enforcement of labor laws, and gender justice.

The Consumer Protection Act, 1986, was the legislative response to check these tendencies of the trader community and to protect the interests of the general consumers of the country.

The enactment of the Act is regarded as 'magna carta' in the field of consumer protection for checking the unfair trade practices and deficiency in goods and services.

1) The act attempts to remove the helplessness of the consumers against powerful businessmen; described as the 'network of racketeers.'

2) But the working of the Act has shown that it has many weaknesses and need to be revisited in the light of changed technological inventions and the progress made by the human creativity. Under the present law, many acts of misrepresentation by traders go unreported and hence render traders unaccountable because the costs of bringing it to the notice of the authorities are not economical. This is mostly because, when viewed from a smaller scale, a consumer may be made to pay a very small or negligible amount of extra money if the trader falsely charges extra amount for his products. But viewed from a larger scale, the trader makes profits in crores each day by simply charging a negligible amount of extra money from the poor consumers. All this money goes to his kitty by resorting to unfair means and encourages him and other traders like him to resort to those means again and again. Such practices have been declared by the Act as 'Unfair trade practice'

3) But the vendors resort to new and innovative techniques for the purpose of attracting more and more customers towards their products. Every day new means of deception are invented and utilized. The modern means of communication, particularly the television makes the presentation of these deceptive claims so attractive that one could hardly think of its falsehood. More so when the buyer is an illiterate man unable to differentiate between articles of deception.

Even well-educated men are deceived, given the manner of presentation sometimes by actors and models who are presented as experts wearing particular uniforms. The finer conditions are usually written, both in print and electronic media in such small fonts that it needs a magnifier to read those lines.

Legally, no person, whether juristic or natural born, has any authority to tax any other person for personal benefits. It is only the Government that has the authority to tax an individual. The power to tax is an essential attribute of sovereignty. The power is

reserved with the legislative bodies at Centre and in States under various provisions of the Constitution.

4 'In a democratic system, levying tax is exclusively the function of the legislature'

5 'Power to tax can be delegated only subject to legislature itself exercising essential legislative functions'

6 Otherwise it cannot even be delegated. Therefore, without any support of law, a corporation cannot therefore compel a Consumer either to make a mandatory contribution for any particular purpose, no matter how noble the cause may be. And if anybody has to do charity, let he does out of his own pocket. In absence of any legal basis, the practice must therefore qualify to be an Unfair Trade Practice.

Section 2(r) defines an Unfair Trade Practice as:

'Unfair trade practice' means a trade practice which, for the purpose of promoting sale, use or supply of any goods or for the provision of any service, adopts any unfair method or unfair or deceptive practice.

The definition then precedes on to list some of the unfair trade practices but the definition is not exhaustive. The listed practices have become a category of illustrations and the concept of unfair trade practice is a general concept.

Though it may be argued that these corporations are doing the act in question for the purposes and under the mandate of Corporate Social Responsibility. But the fact remains that a corporation has to fulfill the duty of spending some capital under the

scheme of Corporate Social Responsibility out of its own profits. It cannot compel, one way or other its customers to pay a mandatory fee or tax for this purpose.

Clause 135(5) of the new Companies Bill 2012, as approved by the Lok Sabha states that: 'The board of every company... shall ensure that the company spends, in every financial year, at least two percent, of the average net profits of the company made during the three immediately preceding financial years, in pursuance of its corporate social responsibility policy.

However, even if the practice is declared as an unfair trade practice, there still remains the problem of enforceability and effective penalty against such traders. The problem stems from the fact that, generally, when viewed from a small scale, the amounts involved are negligible hence, rendering it uneconomical for a consumer to approach consumer forums.

One of the means of tackling the problem is the provision of Public Interest Litigation. Any public spirited person sensing foul play on behalf of any vendor affecting rights of individuals at large could bring it to the notice of the courts. However, the scope of filing a Public Interest Litigation under the Consumer Protection Act, 1986 is very narrow.

Though the object of filing public interest litigation before Consumer forums is the same as in case of Public Interest Litigations before High Courts and the Supreme Court, that is the advancement of public justice, but its scope under the Act is limited by the provisions of the Act.

Under the Act, a complaint against a vendor for unfair trade practices can be filed by a 'complainant' defined under Section 2(1) (b) of the Act.

CONSUMER INTEREST LITIGATION

- (i) A consumer; or
- (ii) Any voluntary consumer association registered under the Companies Act, 1956 (1 of 1956), or under any other law for the time being in force; or.
- (iii) The Central Government or any State Government,
- (iv) One or more consumers, where there are numerous consumers having the same interest;
- (v) In case of death of a consumer, his legal heir or representative who or which makes a complaint;

In view of clauses (ii), (iii) and (iv) of Section 2(1)(b) defining complainant, there is scope for instituting Public Interest Litigation either by a voluntary consumer association or by the State or Central Governments or by one or more consumers having same interest. The definition, therefore, does not impose an absolute precondition of being a 'consumer' for filing a complaint under the Act.

The use of the word 'Complainant' instead of the 'Consumer' implies the intention of the framers of the Act to allow certain other legal entities apart from consumers to file a complaint and bring any act of traders or service providers that is prejudicial to the interests of consumers in general to the notice of consumer courts. The idea is making consumer justice a reality and to seal all the loopholes that may be used by the traders to exploit the common consumer.

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Under clause (IV) any consumer or any number of consumers can bring a class action against a trader provided they have same interest, in the product or services. The expression 'same interest' means that the interest must be common to all and they must have a common grievance against the trader.

Such a case will, therefore, be of the nature of representative suit. And therefore, it will not be necessary that the parties should have same cause of action or their rights should have been infringed in the course of same transaction

However, given the fact that in such consumer cases the amounts involved are very meager, usually a rupee or less, when viewed at an individual level and also that the consumers are illiterate and poor, the provision also does not seem to be too much helpful.

It becomes less economical to bring action against the erring service provider. This helps the erring traders to escape the wrath of law and it encourages them and others like them to indulge in more such activities without being accountable to the law. In this context, the provision of filing a Consumer Interest Litigation for the benefit of all the consumers by a public-spirited person can be a helpful tool.

Further, such an option of filing Public Interest Litigation under the provisions of the present Act appears to be restricted to the cases covered under sub clauses (i), (iv) and (vi) of section 2(1)(c) of the Act that defines the term 'Complaint'.

The Act defines 'Complaint' as:

Complaint means any allegation in writing made by a complainant that

(i) an unfair trade practice or a restrictive trade practice has been adopted by any trader;

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(ii) The goods bought by him or agreed to be bought by him] suffer from one or more defect;

(iii) The services hired or availed of or agreed to be hired or availed of by him] suffer from deficiency in any respect;

(iv) A trader has charged for the goods mentioned in the complaint a price in excess of the price fixed by or under any law for the time being in force or displayed on the goods or any package containing such goods;

(v) Goods which will be hazardous to life and safety when used, are being offered for sale to the public in contravention of the provisions of any law for the time being in force requiring traders to display information in regard to the contents, manner and effect of use of such goods.

With a view to obtaining any relief provided by or under this Act;

Thus, these allegations inter alia include that:

(a) An unfair trade practice or restrictive trade practice has been adopted by any trader.

(b) A trader has charged for the goods mentioned in the complaint a price in excess of the price fixed by or under any law for the time being in force or displayed on the goods or any package containing such goods with a view to obtaining relief provided by or under this Act.

(c) Goods which will be hazardous to life & safety when used are being offered for sale to the public in contravention of the provisions of any law for the time being in force requiring traders to display information in regard to the contents, manner and effect of use of such goods.

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Manonmaniam Sundaranar University

It, however, remains unclear as whether for an action under clause (iv) the complainant needs to be a buyer or any person authorized by the buyer.

For the cases covered under sub clauses (ii) and (iii) it is not possible for a voluntary consumer organization or the State or Central Government to file a complaint unless it comes under the definition of 'Consumer'. A consumer as defined under Section 2(d) as any purchaser of goods or hirer of service for consideration or any person using such goods or enjoying such services with the permission of the actual buyer.

Further, the allegations in a complaint must be made with a view to obtaining relief under this Act. The remedies available under this are enumerated under Section 14 of the Act. On an analysis of the Section, it is clear that in case of Public Interest Litigation, the reliefs that a consumer forum may grant are restricted to those contained in sub-clauses (f) to (h) (c) of Section 14 of the Act. Section 14 of the Act reads as:

If, after the proceeding conducted under section 13, the District Forum is satisfied that the goods complained against suffer from any of the defects specified in the complaint or that any of the allegations contained in the complaint about the services are proved, it shall issue an order to the opposite party directing him to 1[do] one or more of the following things, namely, -

(a) To remove the defect pointed out by the appropriate laboratory from the goods in question;

b) To replace the goods with new goods of similar description which shall be free from any defect;

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(c) To return to the complainant the price, or, as the case may be, the charges paid by the complainant;

(d) To pay such amount as may be awarded by it as compensation to the consumer for any loss or injury suffered by the consumer due to the negligence of the opposite party.

(e) To remove the defects or deficiencies in the services in question;

(f) To discontinue the unfair trade practice or the restrictive trade practice or not to repeat them;

(g) Not to offer the hazardous goods for sale;

(h) To withdraw the hazardous goods from being offered for sale;

(i) To provide for adequate costs to parties.

These reliefs inter alia include:

(i) An order to requiring a trader to discontinue the unfair trade practice or the restrictive trade practice or not to repeat them

(ii) Not to offer the hazardous goods for sale;

(iii) To withdraw the hazardous goods from being offered for sale;

(iv) To cease manufacture of hazardous goods and desist from offering services which are hazardous in nature

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v) To pay such sum or may be determined by it if it is of the opinion that loss or injury has been suffered by a large number of consumers who are not identifiable conveniently;

(vi) An order to issue corrective advertisements.

(vii) To provide for adequate costs to parties²⁸

The relief mentioned in sub-clause (1) of Section 14 of the Act is particularly important wherein the consumer courts are empowered to order any sum to be paid by any manufacturer or service provider in case found guilty of any act declared unfair by the Act.

This provision will be particularly helpful in cases where a trader illegally charges some extra amount of money, which though negligible if viewed at small scale but involves huge amounts of money when viewed at larger scale. This provision is also important from the point that very often it will be difficult to identify all the affected consumers in such cases.

For the purpose of clauses (a), (b), (c), (d) and (c), it will be necessary that the complainant is a consumer or anybody who has used the goods with the consent of the consumer. But it remains unclear as to whether Public Interest Litigation can be instituted by any person other than a consumer or the person using goods or services with the consent of the consumer, for obtaining the relief under these sub clauses.

Public Interest Litigation (PIL) is a legal mechanism that allows individuals or organizations to file lawsuits on behalf of the public interest or the larger public good. While PIL initially emerged as a means to address social and environmental issues, it has also been used to enforce consumer rights.

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Enforcement of consumer rights through PIL can be a powerful tool to ensure that consumer interests are protected and that businesses comply with relevant laws and regulations. Here are a few ways in which PIL can be used to enforce consumer rights:

Challenging unfair trade practices: PIL can be employed to challenge unfair trade practices, deceptive advertising, or fraudulent activities by companies that harm consumers.

For example, a PIL can be filed to seek remedies against a company that engages in false or misleading advertising, promotes unsafe products, or violates consumer protection laws.

Product safety and liability: PIL can be used to hold manufacturers or sellers accountable for producing or selling unsafe products. If a particular product poses risks to consumer health or safety, PIL can be initiated to seek product recalls, compensation for affected consumers, and changes in manufacturing or distribution practices.

Pricing and anti-competitive behavior: PIL can be utilized to address issues related to pricing and anti-competitive behavior. For instance, if there is evidence of price-fixing or cartel-like behavior among businesses that leads to inflated prices or restricted competition, PIL can be employed to challenge such practices and protect consumer interests.

Access to essential goods and services: PIL can be filed to ensure access to essential goods and services, such as healthcare, education, or utilities, at affordable

prices and without any discriminatory practices. This helps protect vulnerable consumers and ensures equitable access for all.

Consumer awareness and education: PIL can also be used to advocate for consumer awareness and education initiatives. By filing PIL, organizations or individuals can seek court directions for the government or businesses to undertake awareness campaigns, provide accurate information about products or services, and educate consumers about their rights and remedies.

It's important to note that the specific laws and procedures related to PIL vary across different countries and legal jurisdictions. The availability and scope of PIL for enforcing consumer rights can depend on the legal framework of a particular country. Consulting with legal experts or consumer rights organizations in your jurisdiction would provide more specific information and guidance on utilizing PIL for consumer rights enforcement.

Unit III

Consumer Protection Act 2019

Main Provisions –Redressal forums –District Level –State Level and National Level – Powers and Functions –Filing of Complaints Procedure Regulatory Authorities and OMBUDSMAN

Consumer Protection Act 2019

The Consumer Protection Act (CPA) is a legislation that aims to protect the rights and interests of consumers in India. However, as of my knowledge cutoff in September 2021, the most recent Consumer Protection Act in India was the Consumer Protection Act of 2019. It was passed by the Parliament of India and came into effect on July 20, 2020, replacing the earlier Consumer Protection Act of 1986.

The Consumer Protection Act, 2019 was enacted to enhance consumer protection, establish a more robust mechanism for redressal of consumer grievances, and provide consumers with a broader range of rights and remedies. Some key features of the Act include:

Consumer Rights: The Act recognizes six consumer rights, which include the right to be protected against marketing of goods and services that are hazardous to life and property, the right to information, the right to choose, the right to be heard, the right to seek redressal, and the right to consumer education.

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Consumer Disputes Redressal Commissions: The Act establishes Consumer Disputes Redressal Commissions at the district, state, and national levels for the speedy resolution of consumer complaints. The National Consumer Disputes Redressal Commission (NCDRC) is the apex consumer disputes redressal body in the country.

Consumer Protection Councils: The Act provides for the establishment of Consumer Protection Councils at the district, state, and national levels to promote and protect the rights of consumers.

Product Liability: The Act introduces the concept of product liability, making manufacturers, sellers, or service providers liable for any harm caused to consumers due to defective products or deficient services.

Mediation: The Act emphasizes the importance of mediation as a means of resolving consumer disputes. It provides for the establishment of Consumer Mediation Cells at the district, state, and national levels.

E-commerce: The Act includes provisions specifically addressing consumer protection in the context of e-commerce transactions. It regulates e-commerce entities, introduces penalties for unfair trade practices in e-commerce, and establishes an e-commerce consumer protection authority.

Main Provision Redressal Forums

Section 2(7) of the Consumer Protection Act India 2019 includes a statutory definition of the term 'consumer.' However, in general, a consumer is described as a person who purchases goods or services for a consideration through any and all means of transaction, both offline and online.

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There are 6 consumer rights which have been defined under section 2(9) of the Consumer Protection Act, 2019. They are:

1. Right to safety
2. Right to be informed
3. Right to choose
4. Right to be heard
5. Right to seek redressal
6. Right to consumer education

According to Section 2(7) a consumer means any person who buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person but does not include a person who obtains such goods for resale or for any commercial purpose;

Hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first-mentioned person, but does not include a person who avails of such service for any commercial purpose.

Scope of Consumer Rights in India

Consumer Rights Include

- (i) The right to be protected against the marketing of goods, products or services which are hazardous to life and property;
- (ii) The right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, as the case may be, so as to protect the consumer against unfair trade practices;
- (iii) The right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices;
- (iv) The right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora;
- (v) The right to seek redressal against unfair trade practice or restrictive trade practices or unscrupulous exploitation of consumers; and
- (vi) The right to consumer awareness;

Procedure to file a consumer complaint

A complaint can be filed electronically to the Integrated Grievance Redressal Mechanism portal (INGRAM), or offline with the consumer protection authorities such as district or state commissions to seek relief for consumer rights violations. Further there are helplines as well as phone based applications one can use to register complaints. If the complaint is not resolved, you can take the help of a lawyer to approach the consumer forums as the next step.

Complaint Process: Telephone

Step-1: Check if you are a Consumer under the law

The complainant should be a consumer or an association of consumers.

Step-2: Call the Helpline Number

Consumers can call the National Consumer Helpline: 1800-11-4000 or 14404 to register a complaint, except on national holidays. Alternatively, complaints can also be registered through SMS on + 91 8130009809.

Step-3: Give details about the Complaint

Name, contact details and address of the complainant and the seller must be mentioned to the helpline authority, along with the details of the complaint. The authority will register your complaint and give you a Unique Grievance ID.

Step-4: Track your application

The grievance is then forwarded to the concerned seller, company, regulator, or authority for action. The action taken is updated against each grievance. Your grievance can be tracked with your Grievance ID by calling the helpline or through the Integrated Grievance Redressal Mechanism portal.

Step-5: Resolution of complaint

If your complaint is not resolved, then you can initiate a legal process by approaching the relevant Consumer Forum. The helpline authority can help in clarifying any doubts that you may have about the legal procedure.

E-Complaint Process: Internet (INGRAM Portal)

The Department of Consumer Affairs has launched a portal known as the Integrated Grievance Redress Mechanism (INGRAM) for bringing all stakeholders such as Consumers, Central and State Government Agencies, Private Companies, Regulators, Ombudsmen and call centres etc. onto a single platform.

The portal will also help in creating awareness among consumers to protect their rights and inform them of their responsibilities. Consumers can register their grievances online through this portal.

Step-1: Check if you are a consumer under the law

The complainant should be a consumer under the law, meaning someone who is a consumer of a product or an association of consumers.

Step-2: Register on the INGRAM Portal

The complainant must register themselves as a consumer on the INGRAM portal. The complainant must fill in the required details and documents to register their complaint, such as name and address of the complainant and the seller, the facts of the dispute and the relief that the complainant seeks. Aonetime registration

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is required for lodging a grievance. For registration, go to the web portal <http://consumerhelpline.gov.in> and click on the login link. Sign up giving the details required, and verify through your email. The user id and password are created. Using this user id and password, enter the portal and fill in required details of the grievance, attaching necessary documents (if available).

Step-3: Pay the Fee

The complainant must pay the (if applicable) for complaint registration through digital payment mode, or apps like BHIM App, UMANG App to the respective Consumer Commissions in accordance with the value of the goods.

Step-4: Track your application

Every grievance is registered and a Unique Grievance ID is issued. The grievance is forwarded to the concerned company, regulator, or authority for action. The action taken by them is updated against each grievance. The grievances filed can be tracked through the INGRAM portal.

Consumer Courts/Forums

Through the INGRAM portal, efforts are made to ensure that the grievance is redressed by taking up with the authorities concerned, which may be a company, ombudsman etc. However, if the issue is still pending, a consumer has a choice to approach the appropriate consumer court or forums with the help of a lawyer. Only complaints that are filed within 2 years since the dispute arose will be admitted for a hearing at the Consumer Dispute Redressal Commissions

Consumer Protection Act 2019: Key provisions

The Consumer Protection Act 2019 was passed by the Rajya Sabha on 6 August 2019 and published in the gazette on 9 August 2019. The provisions of this Act have not yet been notified to come into force. Once notified, the new Act will replace the Consumer Protection Act, 1986, which will stand repealed.

The Consumer Protection Act, 2019 (the “new Act”) addresses the emerging delivery systems of goods and services such as e-commerce, direct selling, tele-shopping, multi-level marketing, global supply chains. It also addresses new forms of unfair trade and unethical business practices, including misleading advertising and unfair contracts. Significantly, the new Act provides for a regulator with extensive powers to regulate and penalize violations of the Act and product liability action for defective products/deficient services.

For the first time, terms such as product liability, unfair contracts, spurious goods, consumer rights, express warranty, injury, harm, misleading advertisement, endorsement, establishment have been specifically defined. The new Act also provides for e-filing of complaints. Consumer rights have thus been overhauled in keeping with changing economic development and commercial practices so as to empower consumers with effective remedial actions and reliefs.

The key provisions brought in by the new Act are:

Establishment of a Regulator

A Central Consumer Protection Authority (CCPA) will be established with powers to, either *suo moto* or on complaints/directions received from the Central Government,

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

regulate and inquire into matters relating to violation of consumer rights, unfair trade practices, false or misleading advertisements and to enforce class actions. This may be done in the following manner:

- File complaints before the District, State or National Commissions or intervene in proceedings before these agencies;
- Issue guidelines to prevent unfair trade practices or misleading advertisements;

Pass orders for recalling goods or withdrawal of services which are dangerous, hazardous or unsafe; or for reimbursement of prices of such goods or services; and for discontinuation of practices which are unfair and prejudicial to consumers' interest.

An investigation wing within the Authority headed by a Director General will be tasked with conducting inquiries and investigations. Appeals from orders of the CCPA shall lie to the National Consumer Disputes Redressal Commission (National Commission) within thirty days from the date of receipt of such order.

Separately, Central, State and District advisory councils will be set up at each level to render advice on the promotion and protection of consumer rights.

The Consumer Protection Act 2019 is an Indian legislation that aims to provide better protection and rights to consumers. It was enacted to replace the earlier Consumer Protection Act, 1986, and strengthen consumer rights and safeguards in the digital age. The main provisions of the Consumer Protection Act 2019 include:

Establishment of a Central Consumer Protection Authority (CCPA): The act establishes the CCPA as the primary regulatory authority for consumer protection. The CCPA has the power to investigate, recall, and impose penalties on unfair trade practices, misleading advertisements, and violations of consumer rights.

Consumer Rights: The act recognizes and enforces various consumer rights, including the right to be protected against marketing of goods and services that are hazardous to life and property, the right to be informed about the quality, quantity, potency, purity, and price of goods or services, the right to seek redressal against unfair trade practices, and the right to be heard and represented in consumer forums.

Simplified Dispute Resolution: The act introduces the concept of mediation as an alternative means of dispute resolution. It establishes mediation cells at the district, state, and national levels to facilitate the resolution of consumer disputes through mediation. This provision aims to reduce the burden on consumer courts and expedite dispute resolution.

Product Liability: The act introduces the concept of product liability, making manufacturers, sellers, and service providers liable for any harm caused by defective products or deficient services. It allows consumers to seek compensation for injury or damage caused by such products or services.

E-commerce Regulation: The act brings e-commerce platforms within its ambit and imposes obligations on them to ensure the authenticity of products, prevent unfair trade practices, and protect consumer data. It also mandates e-commerce platforms to provide information such as return, refund, exchange policies, and grievance redressal mechanisms.

Consumer Protection Councils: The act provides for the establishment of Consumer Protection Councils at the district, state, and national levels. These councils aim to promote consumer awareness, education, and protection. They also assist in the redressal of consumer grievances and advise the CCPA on consumer-related matters.

Consumer Dispute Redressal Commissions: The act provides for the establishment of Consumer Dispute Redressal Commissions at the district, state, and national levels. These commissions act as quasi-judicial bodies and have the power to hear and dispose of consumer complaints based on their value.

Penalties and Remedies: The act imposes stringent penalties on misleading advertisements, unfair trade practices, and violations of consumer rights. It provides for penalties ranging from fines to imprisonment, depending on the nature and severity of the offense. Additionally, it allows consumers to seek compensation, refund, or replacement of goods or services, and grants them the power to initiate class-action suits.

These are some of the main provisions of the Consumer Protection Act 2019 in India. The act aims to strengthen consumer protection, promote fair trade practices, and ensure the rights and welfare of consumers in the country.

Strict consequences for false or misleading advertisements for manufacturer, endorser, publisher

The CCPA may, following investigation, impose a penalty on the manufacturer or endorser of a false or misleading advertisement of up to Rs. 10 lakhs and with imprisonment up to 2 years. For every subsequent contravention a penalty up to Rs. 50 lakhs with imprisonment which may extend to 5 years.

The endorser of such an advertisement may be prohibited from making endorsement of any product or service for a period of up to one year and for subsequent contravention for a period of up to three years. However, if the endorser has exercised due diligence to verify the veracity of the claims made in the

advertisement, he/she shall not be penalised. The publisher or a person who is party to such publication may also be penalized for amount of up to Rs. Ten lakhs

Product Liability & Product Liability Action

Product liability has been defined to mean the responsibility of the product manufacturer or product seller of any product or service to compensate for any harm caused to a consumer by such defective product manufactured or sold or by deficiency in services relating thereto. A product liability action is a complaint filed for claiming compensation for any 'harm' caused to due to deficiency, inadequacy in the product service or manufacturing or design defects, deviation from specifications, not conforming to warranty or lacking adequate instructions regarding correct usage. A product seller who is not a product manufacturer is also liable if he has exercised substantial control over the designing, testing, manufacturing, packaging or labelling of a product that caused harm; or has altered or modified the product such that it caused harm.

Exceptions have also been provided to such actions, e.g., misuse, alteration or modification of the product at the time of harm being caused or failure on part of the manufacturer to warn or instruct about a danger which is obvious or commonly known or ought to be known on account of the characteristics of the product, etc.

"Harm" in relation to product liability includes damage to property other than the product itself, personal injury, illness or death and mental agony or emotional distress resulting from such harm.

Unfair contracts and enlarged scope of unfair trade practices

“Unfair contract” has been defined to mean a contract between a manufacturer or trader or service provider on the one hand, and a consumer on the other, having such terms which cause significant change in the rights of such consumer. Any complaint against unfair contracts can be filed with the State Commission or the National Commission. Six types of unfair contracts have been identified, namely,

- contracts requiring manifestly excessive security deposits;
- contracts imposing disproportionate penalty on the consumer for breach of contract;
- contracts refusing to accept early repayment of debts on payment of applicable penalty;
- contracts entitling a party to the contract to terminate such contract unilaterally without reasonable cause;
- contracts permitting or having the effect of permitting one party to assign the contract to the detriment of the other party, who is a consumer, without his consent;
- contracts imposing on the consumer any unreasonable charge, obligation or condition which puts such consumer to disadvantage.

The scope of unfair trade practices has been expanded to include the following practices:

- Not issuing bill or cash memo or receipt for the goods sold or services rendered in such manner as may be prescribed;

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Manonmaniam Sundaranar University

- Refusing, after selling goods or rendering services, to take back or withdraw defective goods or to withdraw or discontinue deficient services and to refund the consideration thereof, if paid, within the period stipulated in the bill or cash memo or receipt, or, in the absence of such stipulation within a period of thirty days;
- Disclosing to other person any personal information given in confidence by the consumer unless such disclosure is made in accordance with the provisions of any law for the time being in force

Redressal forums

Redressal forums, also known as grievance redressal forums or consumer dispute redressal forums, are mechanisms established to address and resolve complaints and grievances raised by individuals or consumers against companies, organizations, or government bodies. These forums provide a platform for individuals to seek justice, obtain compensation, or resolve disputes in a fair and impartial manner.

The primary objective of redressal forums is to ensure that consumers' rights are protected and their complaints are effectively resolved. These forums may be established at various levels, including local, regional, or national levels, depending on the jurisdiction and legal framework of a particular country.

Redressal forums typically handle a wide range of consumer-related issues, such as product defects, service deficiencies, unfair trade practices, billing disputes, misleading advertisements, and other violations of consumer rights. They may have specific procedures and guidelines for filing complaints, conducting investigations, and facilitating dispute resolution.

In many countries, redressal forums have been set up by the government or regulatory authorities to provide an accessible and affordable alternative to

traditional court systems. These forums often have quasi-judicial powers, allowing them to summon parties, gather evidence, and issue legally binding decisions.

Depending on the jurisdiction, redressal forums may have different names and structures. For example, in India, the consumer redressal forums are known as consumer courts or consumer dispute redressal commissions, which have three tiers: District Consumer Disputes Redressal Forum, State Consumer Disputes Redressal Commission, and National Consumer Disputes Redressal Commission.

It's important to note that the functioning, jurisdiction, and procedures of redressal forums can vary from country to country. If you have a specific issue or complaint, it is advisable to consult the relevant consumer protection laws or seek legal advice in your jurisdiction to understand the appropriate redressal forum to approach.

District-level redressal forums, also known as district-level grievance redressal mechanisms, are established to address complaints and grievances of individuals at the district level. These forums are typically set up by the government or relevant authorities to provide an accessible and localized platform for resolving disputes and addressing issues faced by the public.

The specific name and structure of these forums may vary from one country to another, depending on the legal framework and administrative setup. However, the underlying objective remains the same, which is to ensure that citizens have a means to seek redressal for their grievances at the district level without having to approach higher courts or authorities.

District-level redressal forums often handle a wide range of complaints and grievances, including but not limited to:

Public service-related grievances: This may include issues related to government departments, local administration, public utilities, and essential services such as water, electricity, transportation, and healthcare.

Land and property disputes: Matters related to land acquisition, property disputes, land records, and related issues are often addressed by these forums.

Consumer complaints: District-level redressal forums may handle consumer complaints related to defective products, unfair trade practices, deficient services, billing disputes, and other consumer-related issues.

Employment-related grievances: Individuals may approach these forums for complaints regarding workplace harassment, unfair termination, non-payment of wages, and other employment-related disputes.

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Manonmaniam Sundaranar University

Social welfare schemes and entitlements: Grievances related to social welfare schemes, government subsidies, pensions, scholarships, and other entitlements can be addressed through these forums.

District-level redressal forums are designed to be accessible to the public, providing an opportunity for individuals to present their complaints and seek resolution. The forums may have specific procedures and guidelines for filing complaints, conducting hearings, and delivering judgments or recommendations.

It's important to note that the exact structure and functioning of district-level redressal forums can vary between different countries, states, or regions. Therefore, it is advisable to consult the specific local laws, regulations, and authorities to understand the detailed processes and mechanisms in place in a particular jurisdiction.

State-level redressal forums, also known as state-level grievance redressal mechanisms, are established to address complaints and grievances of individuals at the state level. These forums serve as an intermediate step between district-level forums and higher-level judicial or administrative bodies, providing a platform for resolving disputes that could not be resolved at the district level.

The specific name and structure of state-level redressal forums may vary depending on the country or region. However, their primary objective remains the same: to provide a forum for individuals to seek redressal for their grievances at the state level.

State-level redressal forums typically handle a wide range of complaints and grievances, including:

Administrative and governance issues: These forums address complaints related to state government departments, public administration, public services, and other state-level agencies.

Public utility services: Grievances related to state-run utilities such as electricity, water supply, transportation, and healthcare services are addressed by these forums.

Consumer disputes: State-level redressal forums handle consumer complaints involving businesses, service providers, product manufacturers, and unfair trade practices.

Education-related matters: Grievances related to educational institutions, examination boards, scholarships, and educational policies may be addressed by these forums.

Employment and labor disputes: Individuals can approach state-level redressal forums for grievances related to labor rights, minimum wages, workplace harassment, and other employment-related issues.

State-level redressal forums have a specific structure and procedures for filing complaints, conducting hearings, and delivering judgments or recommendations. They may have powers to mediate, arbitrate, or adjudicate disputes, depending on the legal framework in place.

It's important to note that the functioning and jurisdiction of state-level redressal forums can differ between countries, states, or regions. Therefore, it is advisable to consult the specific local laws, regulations, and authorities to understand the detailed processes and mechanisms in place in a particular jurisdiction.

National level redressal forums, also known as national consumer dispute redressal commissions, are established in many countries to handle consumer complaints and disputes at a national level. These forums provide a platform for consumers to seek resolution for grievances related to product defects, deficient services, unfair trade practices, or any other issues concerning consumer rights.

Here are a few examples of national level redressal forums from different countries:

National Consumer Disputes Redressal Commission (NCDRC), India: NCDRC is the apex consumer dispute redressal forum in India. It adjudicates consumer complaints that are of significant value or have legal implications. It hears appeals against the orders of the State Consumer Disputes Redressal Commissions.

Federal Trade Commission (FTC), United States:

The FTC is an independent agency in the United States that works to protect consumers against unfair and deceptive practices in the marketplace. It investigates complaints related to false advertising, fraud, identity theft, and other consumer protection issues.

Office of Fair Trading (OFT), United Kingdom:

The OFT was the primary consumer and competition authority in the UK until its functions were transferred to other agencies in 2014. It was responsible for enforcing consumer protection laws, promoting fair trading practices, and handling consumer complaints.

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Manonmaniam Sundaranar University

Australian Competition and Consumer Commission (ACCC), Australia: The ACCC is an independent statutory authority that promotes competition and protects the rights and interests of consumers in Australia. It investigates and resolves complaints related to misleading advertising, unfair contracts, product safety, and anti-competitive behavior.

Competition and Consumer Protection Commission (CCPC), Ireland: The CCPC is responsible for enforcing consumer protection and competition laws in Ireland. It handles consumer complaints, investigates anti-competitive practices, and promotes consumer rights and fair trading practices.

These are just a few examples of national level redressal forums from different countries. Each country may have its own specific authority or commission dedicated to consumer protection and dispute resolution at the national level.

New penalties/punishments

The manufacturing, storing, selling, distributing or importing of products containing adulterants and spurious goods is punishable with both fine and imprisonment depending on the degree of harm, injury or grievous hurt caused ranging from imprisonment for 6 months with a fine of one lakh rupees to imprisonment for 7 years with a fine of five lakhs.

Life imprisonment along with a fine of ten lakh rupees may also be awarded in cases where such act has resulted in the death of any consumer, the minimum term of imprisonment in such cases being 7 years.

On the other hand, vexatious searches and seizures by the DG or any other officer are also punishable with imprisonment up to one year or with fine which may extend to ten thousand rupees or with both.

The Act establishes consumer protection councils to protect the rights of the consumers at both the national and state levels.

Central Consumer Protection Council

Under Chapter 2 Section 3 of the Consumer Protection Act, 2019 the Central Government shall establish the Central Consumer Protection Council which is known as the Central Council. It is an advisory body and the Central Council must consist of the following members;

1. The Minister-in-charge of the Department of Consumer Affairs in the Central Government will be appointed as the chairperson of the council, and
2. Any number of official or non-official members representing necessary interests under the Act.

The Central Council may meet as and when necessary, however, they must hold at least one meeting every year. The purpose of the Central Council is to protect and promote the interests of the consumers under the Act.

State Consumer Protection Councils

Every state government shall establish a State Consumer Protection Council known as the State Council having jurisdiction over that particular state. The State Council acts as an advisory body. The members of the State Council are:

1. The Minister-in-charge of the Consumer Affairs in the State Government will be appointed as the chairperson of the council,
2. Any number of official or non-official members representing necessary interests under the Act, and
3. The Central Government may also appoint not less than ten members for the purposes of this Act.

The State Councils must hold at least two meetings every year.

District Consumer Protection Council

Under Section 8 of the Act, the state government shall establish a District Consumer Protection Council for every district known as the District Council. The members of the District Council are:

1. The collector of that district will be appointed as the Chairperson of the District Council, and
2. Any other members representing necessary interests under the Act.

Central Consumer Protection Authority

The Central Government shall establish a Central Consumer Protection Authority which is known as the Central Authority under Section 10 of the Consumer Protection Act, 2019, to regulate matters relating to violation of the rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of the public and consumers and to promote, protect and enforce the rights of consumers. The Central Government will appoint the Chief Commissioner and the other Commissioners of the Central Authority as required under the Act.

The Central Authority must have an 'Investigative Wing' under Section 15 of the Act to conduct an inquiry or investigation. The investigative wing must comprise of the Director-General and the required number of Additional Director-General, Director, Joint Director, Deputy Director and Assistant Director possessing the required experience and qualifications to carry out the functions under this Act.

Functions and duties of the Central Authority

The functions and responsibilities of the Central Authority are laid down in Section 18 of the Act which includes;

1. To protect and promote the rights of the consumers as a class and to prevent violation of consumer rights,
2. To prevent unfair trade practices,
3. To ensure no false or misleading advertisements regarding any goods or services are promoted,
4. To ensure no person takes part in false or misleading advertisements,
5. Inquire or investigate in cases of violation of consumer rights or unfair trade practices.

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Manonmaniam Sundaranar University

6. File complaints before the National, State or District Commission as the case may be,
7. To review matters relating to the factors hindering the enjoyment of consumer rights.
8. To recommend the adoption of international covenants and best international practices concerning consumer rights
9. Promote research and awareness of consumer rights.
10. Lay down necessary guidelines to prevent unfair trade practices and protect the interests of the consumers.

Furthermore, the Central Authority also has the power to investigate after receiving any complaint or directions from the Central Government or of its own motion in cases where there is an infringement of consumer rights or unfair trade practices are carried out. And if the Central Authority is satisfied that infringement of consumer rights or unfair trade practices has occurred then it may:

- Recall the goods or services which are hazardous and detrimental to the consumers,
- Reimburse the prices of the goods and services to the consumers, and
- Discontinue the practices that are prejudicial and harmful to the consumers.

Under Section 21 of the Act, the Central Authority is authorized to issue directions to false and misleading advertisements which may extend to ten lakh rupees. While determining the penalty of the offence the Central Authority must keep in mind factors such as; the population affected by the offence, frequency of the offence and gross revenue from the sales of such product. The Central Authority can also direct search and seizure for the purposes of this Act and in that case the provisions of the Criminal Procedure Code, 1973 will apply.

Consumer disputes redressal commission

The state government shall establish a District Consumer Disputes Redressal Commission, known as the District Commission in each district of the state under the Consumer Protection Act, 2019. The District Commission shall comprise of a President and not less than two members prescribed by the Central Government.

Section 34 of the Act authorizes the District Commission to entertain complaints where the value of the goods or services paid as consideration does not exceed one crore rupees. The complaint relating to goods and services can be filed to the District Commission by the consumer, recognized consumer association, Central Government, Central Authority, State Government, etc.

Section 36 states that all the proceedings before the District Commission shall be conducted by the President and at least one member of the commission.

Mediation

Chapter 5 Section 74 of the Consumer Protection Act, 2019 states that a Consumer Mediation Cell shall be established by the Central Government at the national level and every state government shall establish Consumer Mediation Cell exercising within the jurisdiction of that state. The mediator nominated to carry out the mediation shall conduct it within such time and in such manner as may be specified by regulations.

Section 75 of the Act talks about the empanelment of the mediators

It states the qualifications, terms and conditions of service, the procedure for appointing, and the fee payable to the empaneled mediators.

It is the duty of the mediator to disclose certain facts such as; any personal, financial or professional in the result of the consumer dispute, the circumstances giving rise to their independence or impartiality and any other necessary information for the protection of consumer rights.

Offences and penalties under Consumer Protection Act, 2019

The offences and penalties listed under this Act are mentioned as follows.

1. **Punishment for false and misleading advertisements:** Under Section 89 of the Act any manufacturer or service provider who promotes false or misleading advertisements will be punished with imprisonment for a term that may extend to two years and with fine that may extend to ten lakh rupees.

2. **Punishment for manufacturing, selling, distributing products containing adulterants:** Under Section 90 of the Consumer Protection Act, 2019 any person who sells, manufactures, distributes products containing adulterants shall be penalized in case of the following circumstances;
 - If the adulterated product does not cause any injury to the consumer then the term for imprisonment will extend to a period of six months and fine which may extend to one lakh rupees,

- If the product containing adulterant causes injury not amounting to grievous hurt then the term for imprisonment will extend to a period of one year and fine which may extend to three lakh rupees,
- If the product containing adulterant causes injury amounting to grievous hurt then the term for imprisonment will extend to a period of seven years and fine which may extend to five lakh rupees,
- If the product results in causing death to the consumer then the term for imprisonment will be for a period of seven years which may extend to life imprisonment and fine not less than ten lakh rupees.

3. Punishment for manufacturing, selling, and distributing spurious products:

Section 91 states that any person who sells, manufactures, or distributes spurious products shall be punished for such acts.

Redressal forums, also known as consumer forums or consumer redressal commissions, are judicial bodies established to protect the rights and interests of consumers and provide them with a platform to seek redressal for grievances against sellers, service providers, manufacturers, or service deficiencies. The powers and functions of redressal forums may vary depending on the country and its specific laws, but here are some common powers and functions typically associated with these forums:

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Adjudication: Redressal forums have the power to adjudicate consumer disputes and provide judgments or orders on the matter. They can hear complaints related to defective goods, deficient services, unfair trade practices, misleading advertisements, overcharging, etc.

Jurisdiction: They have jurisdiction over a specific geographical area, usually defined by the applicable laws. Consumers can file complaints in the redressal forum within the jurisdiction where the transaction or the cause of action occurred.

Complaint filing: Redressal forums allow consumers to file complaints against sellers, manufacturers, or service providers. They provide a platform for consumers to present their grievances and seek appropriate relief.

Mediation and Conciliation: Redressal forums often attempt to mediate or facilitate a settlement between the parties involved in the dispute. Mediation and conciliation processes aim to resolve the dispute amicably without going through a formal hearing.

Summoning and Examination: Redressal forums have the power to summon witnesses, including the parties involved, and examine them under oath or affirmation. This allows them to gather evidence and obtain relevant information regarding the dispute.

Evidence and Documentation:

Redressal forums can receive and consider evidence presented by the parties involved in the dispute. This includes documents, witness testimonies, expert opinions, and any other relevant evidence that can help in resolving the complaint.

Compensation and Remedies:

If the redressal forum finds in favor of the consumer, they have the power to award compensation or provide appropriate remedies. This may include refunding the amount paid, replacing the defective product, compensation for mental agony, or ordering corrective actions by the service provider or manufacturer.

Enforcement of Orders:

Redressal forums have the authority to enforce their orders or judgments. They can issue directives to the concerned parties to comply with the decision and take necessary actions within a specified timeframe.

Consumer Education: Redressal forums often play a role in consumer education by conducting awareness programs, publishing guidelines, and disseminating information about consumer rights and responsibilities.

It's important to note that the specific powers and functions of redressal forums can vary based on the country, jurisdiction, and the legislation governing consumer protection. It's advisable to consult the relevant laws and regulations in your specific region for a comprehensive understanding of the powers and functions of redressal forums in your locality.

How do consumers benefit from Consumer Protection Act,2019?

The Consumer Protection Act, 2019 is a significant piece of legislation brought as it is beneficial for the consumers. The Act widens the scope of protection regarding the rights and interests of consumers.

1. **Unfair contracts:** The Act introduced 'unfair contract' under Section 2(46) of the Act, which includes contracts requiring excessive security deposits to be given by the consumer for the performance of contractual obligations. However, the inclusion of unfair contracts in the Act would enable the consumer to file complaints in such cases and would also keep the fraudulent businesses in check.

2. **Territorial jurisdiction:** The Act enables the consumers to file complaints where the complainant resides or personally works for gain thus it would benefit the consumers in seeking redressal for their grievances when their rights have been violated.

3. **False and misleading advertisements:** The Act defines the term 'false and misleading advertisements' and also lays down strict penalties for such acts or omissions.

4. **Product liability:** The term 'product liability' has been defined by this Act, which states that it is the duty of the product manufacturer, service provider or seller to compensate for any harm caused to a consumer by such defective product manufactured or service provided to the consumer.

5. **Mediation and alternative dispute resolution:** The Act enables the consumer to opt for mediation and alternative dispute resolution mechanisms for speedy and effective settlement of consumer disputes.

6. **E-filing of complaints:** The Act also facilitates e-filing of the complaints and seeking video conference hearings by the Commission. Thus, providing convenient means for the consumers to voice their grievances.

Redressal Agencies under the Consumer Protection Act, 2019

According to the Consumer Protection Act 2019, a Consumer is a person who buys any goods or avails any services for a consideration, which has been paid or promised to pay or partly paid or partly promised or under any scheme of deferred payment. A consumer also includes a person who is using the goods or beneficiary of service with the approval of the buyer and applies to both online and

offline transactions through electronic means of teleshopping or direct selling or multilevel marketing.

Redressal Agencies or Three-Tier Grievances Machinery under the Consumer Protection Act

The three redressal agencies under the Consumer Protection Act, 2019 are District Commission, State Commission, and National Commission.

1. District Commission

A district commission includes a president (who can be a working or retired judge of the District Court) and two other members. They are appointed by the state government. One can file a complaint for goods and services of ₹1 crore or less in this agency. For the complaints filed, if the district commission feels a requirement, it sends the goods to the laboratory for testing and gives its decision based on the laboratory report and facts.

If the aggrieved party is not happy with the jurisdiction of the district commission, then they can appeal against the judgment of this agency in the State Commission within 45 days.

2. State Commission

A state commission includes a president (who must be a working or retired judge of the High Court) and at least two other members. They are appointed by the state government. One can file a complaint of goods and services worth less than ₹10 crores and more than ₹1 crore in this agency. After receiving a complaint from the aggrieved party, the state commission contacts the party against whom the complaint has been filed. Also, for the complaints filed, if the state commission feels a requirement, it sends the goods to the laboratory for testing.

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Manonmaniam Sundaranar University**

If the aggrieved party is not happy with the jurisdiction of the state commission, then they can appeal against the judgment of this agency in the National Commission within 30 days by depositing 50% of the fine money.

3. National Commission

A national commission includes a president and four other members one of whom shall be a woman, and Central Government appoints them. One can file a complaint of goods and services worth more than ₹10 crores in this agency. After receiving a complaint from the aggrieved party, the national commission informs the party against whom the complaint has been filed. Also, for the complaints filed, if the state commission feels a requirement, it sends the goods to the laboratory for testing, and then gives judgement based on the reports.

If the aggrieved party is not happy with the jurisdiction of the national commission, then they can appeal against the judgment of this agency in the Supreme Court within 30 days by depositing 50% of the fine money.

District Commission v/s State Commission v/s National Commission

Basis	District Commission	State Commission	National Commission
Composition	A district commission includes a president and two other members, and one of the members has to be a woman.	A state commission includes a president and at least two other members, and one of the members has to be a woman.	A national commission includes a president and four other members one of whom shall be a woman.

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Manonmaniam Sundaranar University

Who can be a President	<p>A working or retired judge of the District Court can be a president of the District Commission.</p> <p>A working or retired judge of the High Court can be a president of the State Commission.</p>	<p>A working or retired judge of the Supreme Court can be a president of the National Commission.</p>
Appointment of President	<p>By taking the recommendation of the selection committee, the state government appoints the president of the District Commission.</p> <p>After consulting with the Chief Justice of the High Court, the state government appoints the president of the State Commission.</p>	<p>After consulting with the Chief Justice of India, the central government appoints the president of the National Commission.</p>
Jurisdiction	<p>One can file a complaint for goods and services worth ₹1 crore or less.</p> <p>One can file a complaint of goods and services worth less than ₹10 crores and more than ₹1 crore.</p>	<p>One can file a complaint of goods and services worth more than ₹10 crores.</p>
Appeal against orders	<p>If the aggrieved party is not happy with the jurisdiction of the district commission, then they can appeal against its judgment in the State Commission.</p> <p>If the aggrieved party is not happy with the jurisdiction of the state commission, then they can appeal against its judgment in the State Commission.</p>	<p>If the aggrieved party is not happy with the jurisdiction of the national commission, then they can appeal against its judgment in the Supreme Court within 30 days by</p>

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

within 45 days. in the National Commission for Consumer Protection. However, one can file the complaint only by depositing 50% of the value of goods and services exceeds ₹10 crores.

Filing Complaint under Consumer Protection Act 2019

The Consumer Protection Act, 2019 provides for efficient and effective settlement of consumer disputes while promoting the interest of the consumers. The introduction of online filing of complaints and mediation proceedings is a step towards speedy disposal of consumer cases and is a greater step towards digitization of consumer disputes.

Mechanism for filing complaints:

Under section 2 clause 6 of CPA, 2019 complaint is defined as:

Any allegation in writing, made by a complainant for obtaining relief provided under the act in case of unfair trade practices, defects in goods, deficiency in service, excess price of goods and services, selling of hazardous goods and product liability

Who Has the Authority to File a Complaint?

A complaint can be filed before designated authorities by:

- A consumer

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Manonmaniam Sundaranar University***

- Any voluntary consumer association registered under any law for the time being in force
- The Central Government or any State Government
- The Central Authority
- One or more consumers, where there are numerous consumers having the same interest
- In the event of a consumer's death, his legal heir or representative
- In the case of a juvenile, his parent or legal guardian
- It is to be noted, there is no need for an advocate to appear in consumer court. Consumers can file and represent their complaints themselves or via a representative.
- Mode of complaint:
- A complaint can be filed in form of writing or online via govt. Provided portal @ <https://consumerhelpline.gov.in/> or through mobile apps launched by the government of India like NCH app, Umang app or Consumer app.

The status of a complaint can be checked online and the fees for submission of the complaint can also be submitted through an online payment portal.

- Things to keep in mind when instituting consumer complaints

Issue an CEO notice:

It is recommended that a notification be sent to the opposing party before filing the complaint, outlining the defects/deficiencies in the products or services offered. If the parties are unable to reach an agreement, the complainant may submit a complaint with a jurisdiction authority/forum.

- Jurisdiction determination

- Pecuniary jurisdiction

The pecuniary jurisdiction limit has been modified under the CPA, 2019.

According to the new statute, the pecuniary limitation bar is as follows

1. District Commission: Amount not exceeding 1 crore
2. State Commission: 1 Crore - 10 Crore Rupees
3. National Commission: Amount exceeding Rupees 10 Crore

Territorial jurisdiction:

As per the CPA,2019 a complaint can be filed where the consumer resides or personally works for gains Aswell as the place where the opposite party resides or carry-on business. The complaint can also be filed where the cause of action, wholly or in part, arises.

Submission of Complaint:

A complaint can be submitted either online or in person. It might be submitted in person by the complainant or by his representative. It can also be sent by registered post with the court fee.

Three copies of the complaint are required to be submitted out of which one is retained for the official purpose, one is forwarded to the opposite party and one is for the complainant. If the number of opposing parties is increased, more copies of the complaint are necessary.

Contents of the Complaint:

The complaint should include the following information:

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Manonmaniam Sundaranar University***

- Name, description, and address of the complainant
- The name, description, and address of the opposing party or parties
- Facts about the complaint, such as when and where it occurred
- Documents to back up allegations, if any
- Specifics of the dispute: a flaw in the goods/a deficiency in the service
- The relief being sought

Limitation for filing Complaint/Appeal:

The complaint must be filed within two years of the date the cause of action arose. This would be two years from the day the deficit in service or defect in products was discovered. This is also known as the statute of limitations for filing a complaint under consumer court.

Appeal before state commission would have to be filed within 30 days from the order of District commission and appeal before National commission is to be made within 30 days from the order of the lower forum and for an appeal before Supreme court against the order of Nation commission is to be within 45 days.

Court Fees:

The court fees remain nil up to consideration of 5 lakh Rs involved before the district commission. In respect of state commission, the court fees range from 2,500 Rs

***DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University***

to 6,000 Rs whereas court fees in the case of the national commission are 7,500 Rs.

In the event of an appeal before the State Commission or the National Commission, a deposit of 50% of the entire award amount passed by the lower commission is required.

Alternative Dispute Mechanism:

With the advent of the procedure of mediation proceeding under CPA, 2019, it is possible to resolve consumer issues more quickly. If the commission believes there is a prospect of resolving the issue between the parties, the case might be referred to the Mediation Cell or either party may submit a formal request to the District, State, or National Commission.

Procedure to be followed:

The procedure to be followed might be mutually agreed upon by the parties. If the parties are unable to reach an agreement, the mediator will follow the procedure outlined below:

- The mediator will choose the time, date, and location where all parties must be present.

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Manonmaniam Sundaranar University***

- Mediation proceedings may be held in the Mediation Cell connected to the District, State, or National Commission, and joint/separate sessions of the parties may be held.
- Within 10 days following the session, both parties must submit a Memorandum of Concerns to the mediator and other parties involved, outlining the issues that must be resolved.
- The mediator shall encourage a consensual resolution between the parties, convey the parties' points of view, and aid the parties in resolving the issue using the necessary information supplied to the mediator by both parties. The parties should achieve an acceptable solution within 30 days.
- If the parties reach an agreement, it must be reduced in writing and signed by both the parties and the Mediator. The mediator must also provide a thorough report on the settlement to the relevant commission.
- If the parties are unable to achieve an agreement, the Mediator must submit a report to the
- Commission outlining the reasons for the failure to reach an agreement.

Filing of Complaints Procedure

The procedure for filing a complaint may vary depending on the jurisdiction and the specific redressal forum you are dealing with. However, here is a general outline of the steps involved in filing a complaint with a redressal forum:

Identify the appropriate forum: Determine the relevant redressal forum based on the nature of your complaint. This could be a district consumer forum, state consumer commission, national consumer commission, or any other designated consumer dispute redressal body.

Prepare necessary documents: Gather all the relevant documents related to your complaint. This may include invoices, receipts, warranties, correspondence with the seller or service provider, evidence of payment, and any other supporting evidence that strengthens your case.

Draft the complaint: Prepare a clear and concise written complaint explaining the details of your grievance. Include important information such as the date and nature of the transaction, details of the seller or service provider, the issue faced, and the relief sought. Be factual and provide a chronological account of events.

Attach supporting documents: Attach copies of all the relevant documents as evidence to support your complaint. Make sure to organize them in a systematic manner for easy reference.

***DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University***

Submit the complaint: Submit the complaint along with the supporting documents to the appropriate redressal forum. Pay attention to the filing fee, if any, and ensure that you comply with the prescribed format or guidelines for submitting the complaint.

Acknowledgment and case registration: Upon receiving your complaint, the redressal forum will acknowledge the receipt and assign a case number. This number will be used for future reference in all communications regarding your complaint.

Notice to the opposite party: The redressal forum will send a notice to the opposite party (the seller, manufacturer, or service provider) mentioned in your complaint, informing them about the grievance and asking them to respond within a specified period.

Exchange of documents and evidence: Both parties will have the opportunity to exchange documents and evidence related to the complaint. This ensures that all relevant information is available to the redressal forum for a fair and thorough consideration of the case.

Hearings and proceedings: The redressal forum will schedule hearings where both parties can present their arguments, provide explanations, and produce witnesses, if necessary. The forum may also attempt mediation or conciliation to settle the dispute amicably.

Judgment or Order: After considering the arguments, evidence, and relevant laws, the redressal forum will pass a judgment or order. This decision will outline the findings, provide relief or compensation (if applicable), and direct the parties to comply with the decision within a specified timeframe.

It's important to consult the specific rules and procedures of the redressal forum in your jurisdiction, as they may have additional requirements or variations in the filing process.

Regulatory authorities play a crucial role in consumer redressal by ensuring that businesses and service providers comply with relevant laws and regulations and by providing mechanisms for consumers to seek resolution for their complaints and grievances. Here are some examples of regulatory authorities involved in consumer redressal:

Consumer Protection Agencies: These agencies are established at the national, state, or local level to protect consumers' rights and interests. They often have the power to investigate consumer complaints, mediate disputes, and take legal action against businesses that violate consumer protection laws. Examples include the Consumer Financial Protection Bureau (CFPB) in the United States and the Competition and Consumer Protection Commission (CCPC) in Ireland.

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

Financial Regulatory Authorities: These authorities oversee the financial sector and address consumer complaints related to banking, insurance, investments, and other financial services. They may have specific ombudsman schemes or dispute resolution mechanisms to handle consumer grievances. Examples include the Financial Conduct Authority (FCA) in the United Kingdom and the Consumer Financial Protection Bureau (CFPB) in the United States.

Telecommunications Regulatory Authorities: These authorities regulate the telecommunications industry and handle consumer complaints related to telecommunication services, such as mobile phones, internet services, and cable TV. They ensure fair practices, resolve disputes, and enforce consumer protection regulations. Examples include the Federal Communications Commission (FCC) in the United States and the Australian Communications and Media Authority (ACMA) in Australia.

Utility Regulatory Authorities: These authorities oversee public utilities such as electricity, water, and gas providers. They address consumer complaints regarding billing, service interruptions, quality issues, and pricing disputes. Examples include the Public Utilities Commission (PUC) in the United States and the Office of Gas and Electricity Markets (Ofgem) in the United Kingdom.

Health Regulatory Authorities: These authorities regulate healthcare services, including hospitals, clinics, and pharmaceutical companies. They ensure compliance with safety standards, handle complaints related to medical negligence, and protect

consumer rights in the healthcare sector. Examples include the Food and Drug Administration (FDA) in the United States and the Medicines and Healthcare products Regulatory Agency (MHRA) in the United Kingdom.

These are just a few examples of regulatory authorities involved in consumer redressal. The specific regulatory bodies and their roles may vary from country to country, but their common goal is to safeguard consumer interests and provide mechanisms for resolving complaints and grievances.

Ombudsmen

An ombudsman is an official appointed to investigate complaints against government agencies or corporations and provide independent oversight. The term "ombudsman" originated in Sweden and is used in many countries around the world.

The role of an ombudsman is to ensure that individuals or groups have a fair and impartial process for resolving disputes or grievances. They act as a neutral third party, representing the interests of the public or specific stakeholders, and work towards finding a resolution that is fair and equitable.

The specific responsibilities and powers of an ombudsman can vary depending on the jurisdiction and the organization they serve. However, some common functions of an ombudsman may include:

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

Receiving complaints: Ombudsmen provide a channel for individuals or groups to submit complaints or concerns about the actions or decisions of government agencies, corporations, or other entities.

Investigating complaints: Ombudsmen have the authority to conduct independent investigations into complaints to gather relevant information and evidence. They may have the power to subpoena documents, interview witnesses, and gather necessary information to make an informed decision.

Mediation and facilitation: Ombudsmen often act as mediators or facilitators to help parties in a dispute find common ground and reach a mutually acceptable solution. They may hold meetings, facilitate negotiations, and encourage dialogue between the parties involved.

Providing information and guidance: Ombudsmen offer information, guidance, and advice to individuals or groups seeking assistance. They may explain rights, procedures, and options available to complainants and provide recommendations on how to address their concerns.

Advocacy and systemic improvements: Ombudsmen may identify systemic issues or patterns of complaints and advocate for changes to policies, procedures, or

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Manonmaniam Sundaranar University***

practices to prevent similar issues from arising in the future. They may make recommendations for improvements to the organizations they oversee.

It's important to note that ombudsmen are typically independent from the organizations they oversee and are meant to serve as a check and balance mechanism. Their goal is to promote transparency, accountability, and fairness in the functioning of government agencies, corporations, or other entities.

Ombudsmen can be found at various levels of government, such as national, regional, or local levels, and they may specialize in specific areas, such as human rights, healthcare, financial services, or environmental protection.

Unit IV

Consumer related Legislations and Organizations:

Prevention of Food Adulteration Act, 1954- Standards of Weights and Measures Act, 1976- The Drugs and Magic Remedies (Objectionable Advertisement) Act 1954 - Consumer pressure groups-voluntary consumer organizations-Consumer Protection Councils -Remedy and Redressal of Grievances

Consumer related Legislations and Organizations

There are several legislations and organizations related to consumer protection and rights. Here are some of the key ones:

Legislations:

Consumer Protection Act: Many countries have enacted consumer protection acts that outline the rights and responsibilities of consumers and regulate business practices. These acts typically cover areas such as product safety, fair trade practices, and dispute resolution mechanisms.

Fair Credit Reporting Act (FCRA): In the United States, the FCRA regulates the collection, dissemination, and use of consumer credit information. It gives consumers the right to access their credit reports, dispute inaccurate information, and protect their privacy.

General Data Protection Regulation (GDPR): Implemented in the European Union, the GDPR aims to protect the privacy and personal data of EU citizens. It establishes rules for data collection, storage, and processing by businesses, and grants individuals certain rights regarding their data.

Consumer Rights Directive: This EU directive sets out a range of consumer rights, including the right to clear information, the right to withdrawal from contracts, and protection against unfair contract terms. Member states of the EU are required to incorporate these rights into their national laws.

Magnuson-Moss Warranty Act: In the United States, this act governs warranties on consumer products. It requires manufacturers and sellers to clearly disclose warranty terms and prohibits unfair warranty practices.

Organizations:

Consumer Financial Protection Bureau (CFPB): The CFPB is a U.S. government agency that promotes fair and transparent financial practices. It regulates banks, lenders, and other financial institutions to protect consumers from abusive practices in areas such as mortgages, credit cards, and student loans.

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

Federal Trade Commission (FTC): The FTC is an independent agency in the United States that enforces consumer protection laws and promotes fair competition. It investigates and takes action against deceptive or unfair business practices that harm consumers.

European Consumer Centre (ECC): The ECC is a network of organizations across the European Union that provides assistance and information to consumers regarding their rights and cross-border disputes. It helps consumers resolve issues with traders in other EU countries.

Consumer Protection Agency (CPA): The CPA is an organization in many countries that focuses on consumer advocacy, education, and complaint resolution. These agencies work to enforce consumer protection laws and provide resources to help consumers make informed decisions.

International Consumer Protection and Enforcement Network (ICPEN): The ICPEN is a global network of consumer protection authorities from over 60 countries. It facilitates international cooperation to combat cross-border fraud, promote consumer education, and share best practices in consumer protection.

These are just a few examples of consumer-related legislations and organizations. The specific laws and organizations can vary from country to country, but

the overall goal is to ensure consumer rights are protected and fair business practices are upheld.

What is Food Adulteration?

Food adulteration is the addition of contaminants into food items or beverages to increase the quantity and decrease the price of the commodity. It is a major issue in India which lowers the quality of food and leads to serious illnesses in both humans and animals.

To curb these problems, it was necessary to form laws that could prevent such contamination. In India, since 1899, the food adulteration laws have been in legislation. Since it was the pre-independence era, states and provinces had their own rules and regulations for the prevention of food adulteration. Some of those acts are –

- The Calcutta Municipal Act, 1923
- The UP Pure Food Act, 1950
- The Punjab Pure Food Act, 1929
- The Bihar Prevention of Food Adulteration Act, 1948

These state or province-specific acts had different laws and regulations that did not have any uniformity. This created a barrier for interstate food promotion and transportation. There was a difference between the methods of analysis, punishment, implementation and standards. This made way for a more centrally organised law for the prevention of food adulteration.

Eventually, the Government of India approved the Food Adulteration Committee in 1943. The committee studied and reviewed the subject of Food Adulteration and hence advised for a central legislation. Thus, the Prevention of Food Adulteration Act (PFA) finally came into force in 1954.

The Act: Features

The Prevention of Food Adulteration Act, 1954 extends to the entire country of India and it came into effect on June 15th, 1955. The act defines adulteration or deems an item to be adulterated when –

- If the item sold by the vendor does not meet the standards of the customer or the standards the article purports to be.
- If the item contains any element that lowers the quality of the article.
- If the article has been manufactured or stored in unhygienic conditions.
- If the item contains any element that is unfit for human consumption such as putrid, decomposed or rotten plant or animal substances.
- If the article contains an element taken from a diseased animal.
- If the article contains any poisonous or injurious substances.
- If the container of the article is made up from any injurious substance.
- If any colouring agent other than the prescribed ones are added in the article.

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

- If the article consists of any prohibited preservative or preservative quantity above the prescribed limit.

- If the quality and purity of the article does not meet the standards set by the committee whether it is injurious or non-injurious to health.

Note: Under this act, vendors can also opt for enrichment of items such as iodisation of salt, adding minerals and vitamins to breads or cereals, and addition of vitamin C.

Table of Adulterants

Article	Adulterant
Baking Powder	Citric Acid
Spices	Lead or lead chromate in haldi, sawdust, sand
Starchy Foods	Arrowroot powder, sand and dust
Coffee and tea	Chicory, husk, used tea dust, grit
Milk	Water, abstraction of fat

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

Vanaspati	Excessive hydrogenation, animal fat
Arhar Dal	Met anil yellow
Mustard seed	Argemone seeds
Non-alcoholic beverages	Saccharin, copper, lead and arsenic.

Upon violation of the laws found under the act, there are penalties that are levied on the vendor. Let us look at some of those circumstances –

- On breaking the law for the first time the vendor can get imprisoned for a duration of 6 months to 1 year or can be fined with 2000 rupees (depending on the situation).
- On breaking the law for a second time, there can be imprisonment for upto 6 years and also cancellation of licence.
- When an adulterated food is injurious to health, the vendor can be punished under the Section 320 of the penal code.
- The Prevention of Food Adulteration Act (PFA Act) of 1954 was an important legislation enacted by the Government of India to prevent the adulteration of food items and ensure the availability of safe and wholesome food to the public. The

act aimed to protect the health and interests of consumers and regulate the manufacture, storage, distribution, and sale of adulterated food products.

- Key features of the Prevention of Food Adulteration Act, 1954, include:
- Definition of Adulteration: The act defined the term "adulteration" in relation to food, which includes the addition of inferior or harmful substances, removal of valuable ingredients, substitution of ingredients, and contamination with extraneous matter.
- Prohibition of Adulteration: The act prohibited the manufacture, sale, and distribution of adulterated food products that are likely to be injurious to health. It also imposed restrictions on the use of certain substances in the production or processing of food.
- Food Standards: The act established food standards and laid down guidelines for various food items to ensure their quality and safety. It provided specifications for purity, quality, and labeling of food products.
- Licensing and Registration: The act introduced a system of licensing and registration for food businesses. It mandated that food manufacturers, distributors, and sellers obtain licenses or register their establishments to ensure compliance with the prescribed standards.
- Inspection and Sampling: The act empowered designated food inspectors to inspect food premises, take samples of food products, and send them for analysis to laboratories. These inspections aimed to check for compliance with the provisions of the act and the prescribed standards.

- **Analysis of Samples:** The act provided for the establishment of food testing laboratories for the analysis of food samples. The results of these analyses were used as evidence in legal proceedings against offenders.
- **Punishments and Penalties:** The act specified penalties for violations of its provisions. Offenders found guilty of adulteration could face imprisonment, fines, or both, depending on the severity of the offense.
- Over the years, the Prevention of Food Adulteration Act has been amended and replaced by the Food Safety and Standards Act (FSSA) in 2006. The FSSA consolidated various food-related laws and established the Food Safety and Standards Authority of India (FSSAI) as the regulatory authority responsible for ensuring food safety and quality standards in India.

Responsibilities of Central Government

The prevention of food adulteration act looks to prevent the adulteration of the food and beverage items to be fit for human consumption, except water and drugs. This act gives the central government a variety of responsibilities which are stated below.

- To set up a Central Committee for Food Standards and central food laboratories for analysing and testing all kinds of articles.
- To review the sections of the PFA act along with the central committee for food standards.
- Organising training programmes for different sections of the act.
- Approving the state PFA rules.

- To check on the implementation of rules in states and union territories by collecting frequent reports and visitation.
- Conducting exams for appointing officials as analysts under the act.
- To approve the infant food labels.
- To check the quality of food being imported to India.
- Creating awareness among the consumers.
- To keep a check on the quantity and quality of food laboratories.

Food Inspectors

The central government or the state government can appoint an official representative by notifying them in the official gazette. The food inspector should have qualifications for the post and should not hold any financial position in the article he is investigating. The food inspector is deemed to be a public servant under section 21 of the Indian Penal Code.

The food inspector is authorised to collect samples from the vendors and send them to the laboratory for analysis. He/she can stop the article from being sold if it does not meet the food standards.

This sums up the Prevention of Food Adulteration Act. Stay tuned with BYJU'S for more updates on NEET.

STANDARDS OF WEIGHTS AND MEASURES ACT, 1976

An Act to establish standards of weights and measures, to regulate inter-state trade or commerce in weights, measures and other goods which are sold or distributed by weight, measure or number, and to provide for matters connected therewith or incidental thereto Be It enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:

PART 01: PROVISIONS APPLICABLE TO EVERY PART

SECTION 01: SHORT TITLE, EXTENT AND COMMENCEMENT

- (1) This Act may be called the Standards of Weights and Measures Act, 1976.
- (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification, appoint, and different dates may be appointed for different,
 - (a) provisions of this Act,
 - (b) areas,
 - (c) classes of undertakings,
 - (d) classes of goods,

(e) classes of weights and measures, or

(f) classes of uses of weights and measures, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision in such area or in respect of such classes of undertakings, goods, weights and measures or users of weights and measures in relation to which this Act has been brought into force:

Provided that the provisions of this Act (including the standards established by or under this Act) shall come into force in the State of Sikkim on such date, not being later than five years from the passing of this Act as the Central Government may, by notification appoint, and different dates may be appointed for different provisions of this Act or for different area or for different classes of undertakings or for different classes of goods, or for different classes of weights and measures or for different classes of users of weights and measures.

SECTION 02: DEFINITIONS

In this Act, unless the context otherwise requires, -

(a) 'calibration' means all the operations which are necessary for the purpose of determining the values of the errors of a weight or measure and, if necessary, to determine the other metrological properties of such weight or measure, and includes the actual fixing of the positions of the gauge marks or scale-marks of a weight or measure, or in some cases, of certain principal marks only, in relation to the corresponding values of the quantity to be measured.

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(b) 'commodity in package form' means commodity packaged, whether in any bottle, tin, wrapper or otherwise, in units suitable for sale, whether wholesale or retail;

(c) 'dealer', in relation to any weight or measure, means a person who, or a firm or a Hindu undivided family which, carries on, directly or otherwise, the business of buying, selling, supplying or distributing any such weight or measure, whether for cash or for deferred payment or for commission, remuneration or other valuable consideration, and includes, -

(i) a commission agent who carries on such business on behalf of any principal,

(ii) an importer who sells, supplies, distributes or otherwise delivers any weight or measure to any user, manufacturer, repairer, consumer or any other person, but does not include a manufacturer who sells, supplies, distributes or otherwise delivers any weight or measure to any person or category of persons referred to in this clause.

(d) 'Director' means the Director of Legal Metrology appointed under Sec. 28-;

(e) 'export' with its grammatical variations and cognate expressions, means taking out of India to a place outside India;

(f) 'false package' means any package which does not conform to the provisions of this Act or any rule or order there under in relation to such package;

(g) 'false weight or measure' means any weight or measure which does not conform to the standards established by or under this Act in relation to that weight or measure;

(h) 'General Conference on Weights and Measures' means the Conference General des Poids etc Measures established under the Convention Metre:

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(i) 'import', with its grammatical variations and cognate expressions, means bringing into India from a place outside India:

(J) International Bureau of Weights and Measures' means the Bureau International des Poids et Mesures, established under the Convention du Metre, at Serves in France;

(k) International Organization of Legal Metrology' means the Organization Internationale de Metrology Legate established under the Convention Institute Une Organization Internationale de MetrologyLegal;

(l) International prototype of the kilogram' means the prototype sanctioned by the First General Conference on Weights and Measures held in Paris in 1889, and deposited at the International Bureau of Weights and Measures;

(m) 'inter-State trade or commerce', in relation to any weight or measure or other goods which are bought, sold, supplied, distributed or delivered by weight, measure or number, means the purchase, sale, supply, distribution or delivery which, -

(i) occasions the movement of such weight, measure or other goods from one State to another, or (ii) is effected by a transfer of documents of title to such weight, measure or other goods during its movement from one State to another.

(n) label' means any written, marked, stamped, printed, or graphic matter affixed to, or appearing upon, any commodity or package containing any commodity:

(o) 'manufacture', in relation to any weight or measure, means a person who, or a firm or a Hindu undivided family which, -

(i) makes or manufactures such weight or measure,

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(ii) makes or manufactures one or more parts, and acquires the other parts, of such weight or measure and, after assembling those parts, claims the end product to be a weight or measure manufactured by himself or itself, as the case may be,

(iii) does not make or manufacture any part of such weight or measure but assembles parts thereof made or manufactured by others and claims the end product to be a weight or measure manufactured by himself or itself, as the case may be,

(iv) puts, or causes to be put, his own mark on any complete weight or measure made or manufactured by any other person and claims such product to be a weight or measure made or manufactured by himself or itself, as the case may be.

(p) 'notification' means a notification published in the Official Gazette;

(q) 'person' includes, -

(i) every department or office,

(ii) every organization established or constituted by Government,

(iii) every local authority within the territory of India.

(iv) every co-operative society,

(v) every other society registered under the Societies Registration Act, 1860 (21 of 1860);

(r) 'premises' includes,-

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(i) a place where any business, industry, production or trade is carried on by a person, whether by himself or through an agent, by whatever name called,

(ii) a warehouse, godown or other place where any weight, measure or other goods are stored or exhibited,

(iii) a place where any books of account or other documents pertaining to any trade or transaction are kept,

(iv) a dwelling-house, if any part thereof is used for the purpose of carrying on any business, industry, production or trade.

(s) 'prescribed' means prescribed by rules made under this Act and 'prescribed authority' means such authority as may be specified by such rules;

(t) 'reference standard' means the set of standard weight or measure which is made or manufactured by or on behalf of the Central Government for the verification of any secondary standard;

(u) 'repairer' includes a person who adjusts, cleans, lubricates or paints any weight or measure or renders any other service to such weight or measure to ensure that such weight or measure conforms to the standards established by or under this Act;

(v) 'sale', with its grammatical variations and cognate expressions, means transfer of property in any weight, measure or other goods by one person to another for cash or for deferred payment or for any other valuable consideration, and includes a transfer of any weight, measure or other goods on the hire-purchase system or any other system of payment by instalments, but does not include a mortgage or hypothecation of, or a charge or pledge on, such weight, measure or other goods;

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(w) 'seal' means a device or process by which a stamp is made, and includes any wire or other accessory which is used for ensuring the integrity of any stamp;

(x) 'secondary standard' means the set of standard weight or measure which is made or manufactured by or on behalf of the Central or State Government for the verification of any working standard;

(y) 'stamp' means a mark, which is made on, or in relation to, any weight or measure with a view to,-

(i) certifying that such weight or measure conforms to the standard specified by or under this Act, or

(ii) indicating that any mark which was previously made thereon certifying that such weight or measure conforms to the standards specified by or under this Act, has been obliterated.

(z) 'transaction' means-

(i) any contract, whether for sale, purchase, exchange or any other purpose, or

(ii) any assessment of royalty, duty or other dues, or

(iii) the assessment of any work done, wages due or services rendered;

(z-a) 'unverified weight or measure' means a weight or measure which, being required to be verified and stamped under this Act, has not been so verified and stamped;

(z-b) 'verification', with its grammatical variations and cognate expressions, includes, in relation to any weight or measure, the process of comparing, checking, testing or

***DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University***

adjusting such weight or measure with a view to ensuring that such weight or measure conforms to the standards established by or under this Act, and also includes re-verification and calibration;

(z-c) 'weighing or measuring instrument' means any object, instrument, apparatus or device, or any combination thereof, which is, or is intended to be, used, exclusively or additionally, for the purpose of making any weighing or measurement, and includes any appliance, accessory or part associated with any such object, instrument, apparatus or device;

(z-d) 'weight or measure' means a weight or measure specified by or under this Act, and includes a weighing or measuring instrument;

(z-e) 'working standard' means the set of standard weight or measure which is made or manufactured by or on behalf of Government for the verification of any standard weight or measure, other than a national prototype or national reference or secondary standard.

SECTION 03: PROVISIONS OF THIS ACT TO OVERRIDE THE PROVISIONS OF ANY OTHER LAW

-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

SECTION 04: UNITS OF WEIGHT OR MEASURE TO BE BASED ON METRIC SYSTEM

(1) Every unit of weight or measure shall be based on the units of the metric system.

(2) For the purpose of sub-section (1), -

(a) the international system of units as recommended by the Central Conference on Weights and Measures, and

(b) such additional units as may be recommended by the International Organization of Legal Metrology, shall be the units of the metric system.

SECTION 05: BASE UNIT OF LENGTH

(1) The base unit of length shall be the metre.

(2) The 'metre' is the length equal to 1650763.73 wave lengths in vacuum of the radiation corresponding to the transition between the levels 2p₁₀ and 5d₅ of the krypton-86 atom.

SECTION 06: BASE UNIT OF MASS

(1) The base unit of mass shall be the kilogram.

(2) The 'kilogram' is the unit of mass; it is equal to the mass of the international prototype of the kilogram.

SECTION 07: BASE UNIT OF TIME

(1) The base unit of time shall be the second.

(2) The 'second' is the duration of 9 192631 770 periods of the radiation corresponding to the transition between the two hyperfine levels of the ground state of the caesium-133 atom.

SECTION 08: BASE UNIT OF ELECTRIC CURRENT

(1) The base unit of electric current shall be the ampere.

(2) The 'ampere' is that constant current which if maintained in two straight parallel conductors of infinite length, of negligible circular cross-section, and placed one metre apart in vacuum, would produce between these conductors a force equal to 2.107newton per metre of length.

SECTION 09: BASE UNIT OF THERMODYNAMIC TEMPERATURE

(1) The base unit of thermodynamic temperature shall be the kelvin.

(2) The 'kelvin' is the fraction $1/273.16$ of the thermodynamic temperature of the triple point of water.

(3) The kelvin shall also be used for expressing the interval or difference of temperature.

(4) Zero degree Celsius corresponds to 273.15 kelvin.

(5) The degree Celsius may also be used for expressing the interval or difference of temperature, unit degree Celsius being equal to unit kelvin.

SECTION 10: BASE UNIT OF LUMINOUS INTENSITY

(1) The base unit of luminous intensity shall be candela.

(2) The 'candela' is the luminous intensity, in the perpendicular direction of a surface of $1/600,000$ square metre of a black body at the temperature of freezing platinum under a pressure of 101 325 newtons per square metre.

SECTION 11: BASE UNIT OF AMOUNT OF SUBSTANCE

(1) The base unit of amount of substance shall be the mole.

(2) The 'mole' is the amount of substance of a system which contains as many elementary entities as there are atoms in 0.012 kilogram of carbon 12.

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Manonmaniam Sundaranar University

(3) When the mole is used, the elementary entities shall invariably be specified and may be atoms, molecules, ions, electrons, other particle, or specified groups of such particles.

SECTION 12: SUPPLEMENTARY, DERIVED, SPECIAL AND OTHER UNITS OF WEIGHT OR MEASURE--THEIR SYMBOLS, DEFINITIONS, ETC

(1) The Central Government may, by rules made in this behalf, specify, in relation to the base units of weight or measure, such supplementary, derived, or other units or standard symbols or definitions as the General Conference on Weights and Measures or the International Organization of Legal Metrology may recommend.

(2) The Central Government may, by rules made in this behalf, specify, such multiples and submultiples of, and physical constants, and ratios or coefficients in relation to, units of weight or measure as the General Conference on Weights and Measures or the International Organization of Legal Metrology may recommend.

(3) The Central Government may, by notification, declare, for such period as it may consider necessary such special units of weight or measure as the General Conference on Weights and Measures or the International Organization of Legal Metrology may recommend.

SECTION 13: BASE UNIT OF NUMERATION

(1) The base unit of numeration shall be the unit of the international form of Indian numerals.

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Manonmaniam Sundaranar University

(2) Every numeration shall be made in accordance with the decimal system.

(3) The decimal multiples and sub-multiples of the numerals shall be of such denominations and be written in such manner as the Central Government may, after previous publication, specify by rules made in this behalf:

Provided that no such rule shall be made before the expiry of six months from the date on which the draft of the proposed rules was first published in the Official Gazette.

SECTION 14: STANDARD UNIT OF WEIGHT OR MEASURE

(1) The base unit of mass specified in Sec. 6-and base units of measures specified in Sec. 5- and Secs. 7-to 11 (both inclusive) and the supplementary and other units specified by rules made under Sec. 12-, shall be the standard units of weight or measure, as the case may be.

(2) The units of numeration specified by or under Sec. 13-shall be the standard units of numeration.

NATIONAL PROTOTYPES

(1) For the purpose of deriving the value of the kilogram, the Central Government shall cause to be prepared a national prototype of the kilogram and shall cause its accuracy to be certified by the International Bureau of Weights and Measures In terms of the

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Manonmaniam Sundaranar University

international prototype of the kilogram and shall deposit the same in such custody and at such place as that Government may think fit.

(2) For the purpose of deriving the value of the metre, the Central Government may cause to be prepared a national prototype of the metre and, where such prototype is caused to be made, shall also cause its accuracy to be certified by the International Bureau of Weights and Measures and deposit the same in such custody and at such place as that Government may think fit.

NATIONAL STANDARDS

(1) For the purpose of deriving the value of the base units, other than the base unit of mass, the Central Government shall cause to be prepared such objects or equipments, or both, as may be necessary for the purpose and shall cause the accuracy of such objects or equipments, or both, to be certified by the International Bureau of Weights and Measures at such periodical intervals as may be prescribed, and, shall, after such certification deposit such objects or equipments, or both, in such custody and at such place as that Government may think fit.

(2) For the purpose of deriving the value of the supplementary and other units specified under Sec. 12-, the Central Government shall cause to be prepared such objects or equipments, or both as may be necessary for the purpose and shall cause the accuracy of such objects or equipments, or both, to be certified at such periodical intervals and by such authority as may be prescribed, and, shall, after certification, deposit such objects or equipments, or both, in such custody and at such place as that Government may think fit.

SECTION 17: NATIONAL PROTOTYPE AND NATIONAL STANDARD HOW TO BE KEPT

Every national prototype specified in Sec. 15-and every object or equipment, or both, referred to in Sec. 16-, shall be kept in such manner and under such conditions as may be prescribed.

SECTION 18: REFERENCE, SECONDARY AND WORKING STANDARDS

(1) Every-

(a) reference standard,

(b) secondary standard, and

(c) working standard, shall conform to the standards established by or under this Act and be verified and authenticated at such periodical intervals and in such manner as may be prescribed.

(2) Every reference standard, every secondary standard and every working standard shall be kept in such manner and under such conditions as may be prescribed.

SECTION 19: POWER OF CENTRAL GOVERNMENT TO PRESCRIBE PHYSICAL CHARACTERISTICS, ETC., OF WEIGHTS AND MEASURES

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

(1) The Central Government shall, in relation to any weight or measure, prescribe the physical characteristics, configuration, constructional details, materials, equipment, performance, tolerances, methods or procedures of tests in accordance with the recommendations made by the International Organization of Legal Metrology : Provided that where no such recommendations has been made, the Central Government shall prescribe such physical characteristics, configuration, constructional details, materials, equipment, performance, tolerances, methods or procedures of tests in relation to any weight or measure as it may think fit.

(2) Where it is not reasonably practicable to give effect to any recommendation made by the International Organization of Legal Metrology, the Central Government may make such changes of a minor nature in the recommendation of the International Organization of Legal Metrology as may appear to it to be necessary.

STANDARD WEIGHT OR MEASURE ACT 1976

(1) Any weight or measure which conforms to the standard units of such weight or measure and also conforms to such of the provisions of Secs. 15-to19-(both inclusive) as are applicable to it shall be the standard weight or measure.

(2) Any numeral which conforms to the provisions of Sec. 13-shall be the standard numeral.

-No weight, measure or numeral, other than the standard weight, measure or numeral, shall be used as a standard weight, measure or numeral.

MANUFACTURE OF NON-STANDARD WEIGHT OR MEASURE PROHIBITED

No weight or measure shall be made or manufactured unless it conforms to the standards of weight or measure established by or under this Act: Provided that Central Government may permit the making or manufacturing of any weight or measure which does not conform to the standards established by or under this Act, if such weight or measure is made or manufactured exclusively for the purpose of any scient

The Standards of Weights and Measures Act, 1976 is an important legislation in India that establishes uniform standards for weights and measures used in trade and commerce. Here are some key points about the act:

Purpose: The act aims to ensure accuracy and reliability in weights and measures used for commercial transactions, industrial production, and protection of consumer interests.

Central and State Governments: The act empowers both the central and state governments to regulate and enforce standards of weights and measures within their respective jurisdictions.

Standards Organizations: The act provides for the establishment of national and state-level standards organizations. At the national level, the National Physical

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Manonmaniam Sundaranar University

Laboratory (NPL) is responsible for maintaining and disseminating national standards. State-level standards laboratories are responsible for maintaining standards within their respective states.

Legal Metrology: The act defines legal metrology as the science of measurement and sets the standards for weighing and measuring instruments, units, and methods used in trade and commerce.

Standard Units: The act recognizes the metric system of weights and measures and adopts the International System of Units (SI) as the standard for all commercial transactions. The SI units include the meter, kilogram, second, ampere, Kelvin, mole, and candela.

Verification and Stamping: The act requires all weighing and measuring instruments used for trade or commercial purposes to be verified, stamped, and periodically re-verified by authorized officials. This ensures that the instruments are accurate and meet the prescribed standards.

Offenses and Penalties: The act specifies various offenses and penalties for violations, including the use of unverified or non-standard weights and measures, tampering with instruments, and other fraudulent practices. The penalties can include fines and imprisonment.

Consumer Protection: The act also includes provisions for protecting consumer interests. It mandates the use of accurate weights and measures in packaged goods, and provides for the establishment of consumer courts to address complaints related to weights and measures.

Enforcement: The act establishes the legal framework for weights and measures enforcement authorities at both central and state levels. These authorities are responsible for enforcing the act's provisions, conducting inspections, and taking necessary actions against violators.

Amendments: Over the years, the act has been amended to align with international standards and to address emerging needs. It is periodically reviewed and updated to keep pace with advancements in technology and changing trade practices.

It's important to note that the specific provisions and regulations under the Standards of Weights and Measures Act, 1976 may vary depending on the jurisdiction and any subsequent amendments made to the act.

The Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954 is an Indian legislation that regulates the advertisement of drugs and magic remedies. The

purpose of this act is to prevent misleading advertisements regarding drugs, which could potentially be harmful to public health.

The Act was enacted to address the issue of false and exaggerated claims made in advertisements regarding the efficacy of certain drugs, particularly those claiming to have magical or miraculous properties. It aims to protect the general public from being misled by such advertisements and to ensure that only genuine and scientifically proven claims are made about drugs in advertisements.

Key provisions of the Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954 include:

Prohibition of misleading advertisements: The act prohibits the publication and dissemination of any advertisement that makes false, misleading, or deceptive claims about the efficacy or usefulness of drugs.

Prohibition of advertisements for magic remedies: The act specifically prohibits advertisements that claim to possess magical or supernatural properties in the treatment, diagnosis, prevention, or cure of any disease or condition.

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Punishment for offenses: The act specifies penalties for violations, including fines and imprisonment. It provides for the prosecution of individuals and companies involved in the publication of objectionable advertisements.

Regulatory authority: The act empowers the central government to appoint an authority to regulate and control the advertisements of drugs and magic remedies. This authority has the power to grant or cancel licenses for the manufacture and sale of such drugs.

It's important to note that the act primarily focuses on advertisements rather than the regulation of the drugs themselves. The objective is to prevent the promotion of false or misleading claims through advertisements and protect consumers from potential harm.

Consumer pressure groups, also known as consumer advocacy groups or consumer organizations, are organizations that work to promote and protect the rights and interests of consumers. These groups aim to ensure fair business practices, product safety, and consumer rights by advocating for changes in laws and regulations, raising awareness about consumer issues, and providing support and information to consumers.

Here are a few examples of well-known consumer pressure groups:

Consumer Reports: Consumer Reports is a non-profit organization that conducts independent product testing and provides unbiased ratings and reviews to help consumers make informed purchasing decisions. They also advocate for consumer rights and safety.

Public Citizen: Public Citizen is a consumer advocacy group that focuses on a wide range of issues, including consumer rights, product safety, healthcare, and environmental protection. They engage in research, lobbying, and public education campaigns to promote consumer interests.

National Consumer League (NCL): The National Consumer League is a non-profit organization that has been advocating for consumers since 1899. They work on issues such as fraud prevention, labor rights, and fair trade practices. NCL also operates the Fraud.org website to educate consumers about scams and frauds.

Consumer Federation of America (CFA): The Consumer Federation of America is an association of consumer organizations that works to advance consumer rights and

DIRECTORATE OF DISTANCE AND CONTINUING EDUCATION
Manonmaniam Sundaranar University

promote a fair marketplace. They focus on areas such as consumer protection, financial services, and energy policy.

It is a consumer advocacy group based in the United Kingdom. They provide independent reviews and advice on a wide range of products and services, including financial products, appliances, and travel. It also campaigns for consumer rights and works to influence policy and legislation.

Center for Science in the Public Interest (CSPI): The CSPI is a consumer advocacy organization that focuses on food and nutrition issues. They work to improve the food industry's practices, promote healthier diets, and provide consumers with information about the nutritional content and safety of food products.

These organizations, among others, play an important role in representing consumer interests, empowering consumers, and advocating for policies that prioritize consumer rights and protection.

Voluntary consumer organizations, also known as consumer advocacy groups or consumer associations, are non-profit organizations that work on behalf of consumers to protect their rights and interests. These organizations play a vital role in promoting consumer welfare by advocating for fair business practices, consumer education, and policy reforms.

Here are a few well-known voluntary consumer organizations:

Consumer Reports: Consumer Reports is a prominent nonprofit organization that provides unbiased product testing, reviews, and ratings to help consumers make informed purchasing decisions. They conduct independent research and testing across various categories such as appliances, electronics, vehicles, and more.

Consumer Federation of America (CFA): The Consumer Federation of America is an association of over 250 consumer organizations that work together to advance consumer protection policies. They focus on issues like consumer rights, fair pricing, financial services, and product safety.

National Consumers League (NCL): The National Consumers League is a nonprofit organization that advocates for consumer rights and provides educational resources to help consumers navigate the marketplace. They address a wide range of issues such as fraud, healthcare, labor rights, and privacy.

Public Citizen: Public Citizen is a consumer advocacy organization that aims to represent the public interest in various policy debates. They work on issues like healthcare, environmental protection, consumer rights, and government accountability.

Consumers Union: Consumers Union is the policy and advocacy arm of Consumer Reports. They work to promote a fair and safe marketplace by advocating for consumer-friendly policies and conducting research on various consumer-related topics.

These organizations typically engage in activities such as research, policy analysis, public awareness campaigns, lobbying, and legal action to protect consumer rights and interests. They provide a platform for consumers to voice their concerns, seek redressal, and access reliable information to make informed choices.

"Magic remedy" as defined in the Act includes a talisman, mantra, kavacha and any other charm of any kind which is alleged to possess miraculous powers for or in the diagnosis, cure, mitigation, treatment or prevention of any disease in human beings or animals or for affecting or influencing in any way the structure or any organic function of the body of human beings or animals.

Objectives:

- To control the advertisement of drugs in certain cases.
- To prohibit the advertisement of remedies alleged to possess magic qualities

Applicability:

The Drugs and Magic Remedies (Objectionable Advertisement) Act was enacted in 1954.

- to regulate the method of advertisement of medicines
- to prohibit the advertisement of treatments which are supposed to hold magic qualities,
- to prevent self-medication of harmful drugs. The Act lists the diseases and disorders in respect of which advertising is banned.

Penalties:

In case of offense under the act, the punishment includes:

- in the case of a first conviction, with imprisonment for maximum upto 6 months or with fine, or with both and
- in the case of a subsequent conviction, with imprisonment which may extend to 1 year, or with fine, or with both.

Consumer Pressure Groups

Introduction

- A pressure group is a group of people who are organised actively for promoting and defending their common interest. It is called so, as it attempts to bring a

change in public policy by exerting pressure on the government. It acts as a liaison between the government and its members.

- The pressure groups are also called interest groups or vested groups. They are different from the political parties, as they neither contest elections nor try to capture political power. They are concerned with specific programmes and issues and their activities are confined to the protection and promotion of the interests of their members by influencing the government.
- The pressure groups influence the policy-making and policy implementation in the government through legal and legitimate methods like lobbying, correspondence, publicity, propagandising, petitioning, public debating, maintaining contacts with their legislators and so forth.

Techniques Used by Pressure Groups

Pressure groups resort to three different techniques in securing their purposes.

- **Electioneering:** Placing in public office persons who are favourably disposed towards the interests the concerned pressure group seeks to promote.
- **Lobbying:** Persuading public officers, whether they are initially favourably disposed toward them or not, to adopt and enforce the policies that they think will prove most beneficial to their interests.
- **Propagandizing:** Influencing public opinion and thereby gaining an indirect influence over government, since the government in a democracy is substantially affected by public opinion.

Characteristics of Pressure Groups

- **Based on Certain Interests:** Each pressure group organises itself keeping in view certain interests and thus tries to adopt the structure of power in the political systems.
- **Use of Modern as well as Traditional Means:** They adopt techniques like financing of political parties, sponsoring their close candidates at the time of elections and keeping the bureaucracy also satisfied. Their traditional means include exploitation of caste, creed and religious feelings to promote their interests.
- **Resulting Out of Increasing Pressure and Demands on Resources:** Scarcity of resources, claims and counterclaims on the resources from different and competing sections of the society leads to the rise of pressure groups.
- **Inadequacies of Political Parties:** Pressure groups are primarily a consequence of inadequacies of the political parties.
- **Represent Changing Consciousness:** For instance, the increase in the food production or industrial goods does bring a change in the way individuals and groups look at the world. The stagnation in production leads to fatalism but increase in production leads to demands, protests and formation of new pressure groups.

Types of Pressure Groups

- **Institutional Interest Groups:** These groups are formally organised which consist of professionally employed persons. They are a part of government machinery and try to exert their influence. These groups include political parties, legislatures, armies, bureaucracies, etc. Whenever such association raises protest it does so by constitutional means and in accordance with the rules and regulations.

Example: IAS Association, IPS Association, State civil services association, etc.

- **Associational Interest Groups:** These are organised specialised groups formed for interest articulation, but to pursue limited goals. These include trade unions, organisations of businessmen and industrialists and civic groups.
- Some examples of Associational Interest Groups in India are Bengal Chamber of Commerce and Industry, Indian Chamber of Commerce, Trade Unions such as AITUC (All India Trade Union Congress), Teachers Associations, Students Associations such as National Students Union of India (NSUI) etc.
- **Anomic Interest Groups:** By anomic pressure groups we mean more or less a spontaneous breakthrough into the political system from the society such as riots, demonstrations, assassinations and the like.

- **Non-Associational Interest Groups:** These are the kinship and lineage groups and ethnic, regional, status and class groups that articulate interests on the basis of individuals, family and religious heads. These groups have informal structure. These include caste groups, language groups, etc.

Pressure Groups in India

- **Business Groups** – Federation of Indian Chamber of Commerce and Industry (FICCI), Associated Chamber of Commerce and Industry of India (ASSOCHAM), Federation of All India Food grain Dealers Association (FAIFDA), etc
- **Trade Unions** – All-India Trade Union Congress (AITUC), Indian National Trade Union Congress (INTUC), Hind Mazdoor Sabha (HMS), Bhartiya Mazdoor Sangh (BMS)
- **Professional Groups** – Indian Medical Association (IMA), Bar Council of India (BCI), All India Federation of University and College Teachers (AIFUCT)
- **Agrarian Groups-** All India Kisan Sabha, Bhartiya Kisan Union, etc
- **Student's Organisations-** Akhila Bhartiya Vidyarthi Parishad (ABVP), All India Students Federation (AISF), National Students Union of India (NSUI)
- **Religious Groups** – Rashtriya Swayam Sevak Sangh (RSS), Vishwa Hindu Parishad (VHP), Jamaat-e-Islamic, etc.

- **Caste Groups** – Harijan Sevak Sangh, Nadar Caste Association, etc

- **Linguistic Groups** – Tamil Sangh, Andhra Maha Sabha, etc

- **Tribal Groups** – National Socialist Council of Nagaland (NSCN), Tribal National Volunteers (TNU) in Tripura, United Mizo federal org, Tribal League of Assam, etc.

- **Ideology based Groups** – Narmada BachaoAndolan, Chipko Movement, Women's Rights Organisation, India Against Corruption etc.

- **Anomic Groups** - Naxalite Groups, Jammu and Kashmir Liberation Front (JKLF), United Liberation Front of Assam (ULFA), Dal Khalsa, etc.

Functions, Role & Importance of Pressure Groups

- **Interest Articulation:** Pressure Groups bring the demands and needs of the people to the notice of the decision-makers. The process by which the claims of the people get crystallized and articulated is called interest articulation.

- **Agents of Political Socialisation:** Pressure groups are agents of political socialisation in so far as they influence the orientations of the people towards the political process. These groups play a vital role as two-way communication links between the people and the government.

- Pressure groups play a **vital role in the legislative process**, not only as important structures of interest articulation, but also as active agencies engaged

in lobbying with the legislators for securing desired laws or amendments in laws and policies of the government.

- Right from the time of preparation of election manifestos of various political parties to the passing of laws by the legislators, the pressure groups remain associated with the process of rule-making.
- **Pressure Groups and Administration:** Pressure Groups are actively involved with the process of administration. Through lobbying with the bureaucracy, the pressure groups are usually in a position to influence the process of policy implementation.
- **Role in Judicial Administration:** Pressure Groups try to use the judicial system for securing and safeguarding their interests. Interest groups often seek access to the court for redressal of their grievances against the government as well as for getting declared a particular decision or policy as unconstitutional.
- Pressure groups play a leading role in the **formulation of public opinion**. Each pressure group is continuously engaged in evaluating all such laws, rules, decisions and policies which have a direct or indirect bearing on the interests it represents. It always places the pros and cons not only before its members but also before the general public for eliciting popular support as well as for catching the attention of the government.
- They try to gain public support and sympathy for their goals and their activity by carrying out information campaigns, organising meetings, file petitions, etc. Most of these groups try to influence the media into giving attention to these issues.

- Pressure groups help in **improving the quality of government**. Consultation with affected groups is the rational way to make decisions in a free society. It makes government more efficient by enhancing the quality of the decision making process – the information and advice provided by these groups helps to improve the quality of government policy and legislation.

- Freely operating pressure groups are essential to the effective functioning of liberal democracy.
 - They serve as a vital intermediary institution between government and society;
 - They assist in the dispersal of political power;
 - They provide important counterweights to balance the concentration of power.

- Pressure groups enable new concerns and issues to reach the political agenda, thereby **facilitating social progress and preventing social stagnation**. For example, the women's and environmentalist movements.

- Pressure groups **increase social cohesion and political stability** by providing a 'safety-valve' outlet for individual and collective grievances and demands.

- Pressure groups complement the work of opposition political parties by exposing the bad policies and wrongdoings of the government. Pressure groups thereby **improve the accountability of decision makers** to electorates.

- Pressure groups help to educate people, compile data and provide specific information to policy makers; thus, they work as an informal source of

information. Active constructive participation of numerous groups in polity helps to reconcile general interest with individual group interests.

Shortcomings of Pressure Groups

- **Narrow selfish interests:** Unlike the pressure groups in the developed countries of the West, where these are invariably organised to safeguard economic, social, cultural interests, etc. in India these groups are organised around religious, regional and ethnic issues. Many a time factors of caste and religion eclipse the socioeconomic interests. The result is that instead of serving a useful purpose in the political administrative process, they are reduced to work for narrow selfish interests.
- **Misuse of power:** Instead of the pressure groups exerting influence on political process, they become tools and implements to subserve political interests.
- **Instability:** Most pressure groups do not have autonomous existence; they are unstable and lack commitment, their loyalties shift with political situations which threatens general welfare. They many a times resort to unconstitutional means like violence. Naxalite movement started in 1967 in West Bengal is one such example.
- **Propagating extremism:** Pressure groups can allow too much influence over the government from unelected extremist minority groups, which in turn could lead to unpopular consequences.

Voluntary Organizations for Consumer Awareness

Consumer is a broad label for any individuals or households that use goods and services produced within the economy. Voluntary consumer organisations refer to the organisation formed voluntarily by the consumers to protect their rights and interests.

Objectives

1. The Department of Consumer Affairs (DCA) operates the Consumer Welfare Fund (CWF). The primary objective of the CWF is to strengthen the Consumer Advocacy Movement in India.
2. A wide network of Voluntary Consumer Organisation (VCO) is doing commendable work to raise awareness amongst consumers.
3. To strengthen consumer protection and welfare and to provide counselling, guidance and mediation services.
4. VCO's supported through CWF provides grants for diverse projects including comparative testing of products and services and dissemination of the findings
5. Steps have been taken to enhance transparency and to digitalise the government's interface with its citizens.

Accelerating Consumer Awareness/Educating Consumers

The first priority of a consumer organization is to accelerate consumer awareness towards their rights. To accomplish this task the following efforts are made:

- i. To publish brochures journals and monographs.
- ii. To arrange conferences, seminars and workshops.
- iii. To educate consumers to help themselves.
- iv. To provide special education to women about consumerism.

To maintain desirable standards, the following steps are followed:

i) Collecting Data on Different Products and testing them

These organizations collect samples of different products from time to time and test them. After that the results of the tests are declared to public. In this way, these organisations provide prior information to consumers about the authenticity of product and protect them.

ii) Filing Suit on Behalf of Consumers

Whenever a consumer fails to raise his voice of protest regarding his complaints, these consumers' organisations come to the rescue and file a case in the court, on behalf of a consumer. By giving this service to the consumers, the consumers get a feeling that they are not alone in their struggle.

iii) Organising Protests against Adulteration etc.

The consumer's organizations play a significant role in eliminating the evil of adulteration, hoarding black-marketing and under-weight selling.

iv) Helping Educational Institutions

These organizations advise the educational institutions the way to prepare courses of study keeping in view the interests of the consumers.

v) Promoting Network of Consumer Association

Consumer organizations are trying to grow their numbers. They want to cover all the regions of the country so that consumers of all the regions are benefited by their services.

vi) Extending Support to Government

Consumer organisations keep informing the government agencies about adulteration, artificial scarcity, inferior quality produce etc. to help the government.

Procedures for Filing Complaint

A complaint can be filed by a complainant against the seller, manufacturer, or dealer of goods which are defective or against the provider of services, if they are deficient in any manner whatsoever. An unfair trade practice or restrictive trade practice can also invite complaint.

Steps involved in filing Complaint in Consumer Court

The first step in filing a consumer complaint is to send a legal notice to the seller or company. A legal notice must be drafted with the help of a consumer court lawyer and include the following:

1. Details of the consumer like name, address, product or services purchase details of the company, etc.
2. Necessary details of the problem faced and describe the deficiency in service.
3. Action taken by the company in response to the customer complaint
4. Action expected from the company
5. Time period given to the company to take action
6. The legal action that will be taken upon failure by the company in sending a reply to the legal notice.

Who can make complaint?

1. A consumer as defined under Consumer Protection Act, 1986
2. A registered Voluntary Consumer Association

3. Central Government
4. State Government / Union Territory
5. One or more consumer representing numerous consumers having the same interest.

When the complaints can be made?

A complaint may be made in writing under the following circumstances:

1. Loss or damage is caused to the consumer due to unfair trade practice of a trader.
2. If the article purchased by a consumer is defective.
3. If the services availed of by a consumer suffer from any deficiency.
4. When the price paid by a consumer is in excess of the price displayed on the goods or when the price is in excess of the price fixed under any law in force.
5. Goods, which will be hazardous to life and safety, when used are being offered for sale to the public in contravention of the provisions of any law.

How to register the complaints?

The complaint should be registered by the following ways:

1. Complaint can be registered within 2 years from the date on which the cause of action has arisen, to the date on which the completion from the deficiency in service.

2. Stamp paper is not required for declaration
3. Complaint can be registered, in person, by the complainant or through his authorised agent or by post addressed to the Redressal Agency.
4. Advocates are not necessary.

What are the particulars that should be furnished along with the complaint?

The complaint should contain the following particulars:

1. The name and complete address of the complainant
2. The name and complete address of the opposite party/parties
3. Date of purchase of goods or services availed
4. Amount paid for the above purpose
5. Particulars of goods purchased with number or details of services availed
6. The details of complaint, whether it is against Unfair Trade Practices/supply of defective goods/deficiency in service provided/collection of excess prices, should explicitly be mentioned in the complaint petition.
7. Bills/receipts and copies of related correspondence, if any.

Relief to the Consumers

The District Forum / State Commission can order the following reliefs to the consumers:

1. To remove the defects in the goods pointed out
2. To replace the goods
3. To return to the complainant the price of the goods
4. To pay such amount of compensation for the loss or injury suffered by the consumer
5. To discontinue the unfair trade practice or not to repeat it
6. To withdraw the hazardous goods from being offered for sale
7. To provide the cost of expenditure incurred by the complainant.

What is the appeal provision?

1. Aggrieved by the orders issued by the District Consumer Redressal Forum appeal, petition can be filed before State Consumer Dispute Redressal Commission within 30 days from the date of receipt of orders
2. Aggrieved by the orders issued by the State Consumer Dispute Redressal Commission appeal petition can be filed before National Consumer Dispute Redressal Commission within 30 days from the date of receipt of orders

3. Aggrieved by the orders issued by the National Consumer Dispute Redressal Commission appeal petition can be filed before Supreme Court of India within 30 days from the date of receipt of orders

4. No fee is charged for registering an appeal petition before State / National Consumer Dispute Redressal Commissions

5. The appeal petition has to be filed with the grounds for appeal with copies of orders of the lower redressal agencies and registering procedures are same, as is being done in the case of registering complaint.

The International Organisation of Consumers Unions (IOCU) was first established in 1960 to create cross-border campaigns and share knowledge; it has over 250 member organisations in 120 countries. Its head office is based in London, England, with regional officers in Latin America, Asia, Pacific, Middle East and Africa.

What is the Consumer Protection Council?

The Consumer Protection Council is an organisation that provides legal assistance to Indian consumers. They do this by developing and promoting effective consumer protection measures, as well as educating people about their rights under the law. It has a wide range of services that it offers, including product liability, consumer disputes, and credit information. Additionally, the council conducts awareness campaigns to educate people about their rights as consumers. The council offers free information and support to individuals who have been wronged by companies or government agencies. So, whether you're the victim of a scam or just feel like you've been wronged in the past, the Consumer Protection Council can help.

Composition of the Consumer Protection Council

The Consumer Protection Council acts as the mediator between businesses and consumers, providing education and legal interpretations of consumer rights. In addition, the council tries to make it easier for consumers to take action if they feel that their rights have been violated.

The Consumer Protection Council is a government body that looks after the interests of consumers in India. It has a total of 20 members and all are appointed by the President of India on the advice of the Prime Minister. The term of all members is 5 years and they can be re-appointed once their term ends. The primary mandate of the council is to provide effective and affordable consumer protection through the formulation, implementation, and review of consumer-related laws/regulations. It also provides guidance to other government departments/organisations on issues pertaining to consumer affairs. Overall, the council plays an important role in ensuring that consumer interests are always well-protected.

Objectives of the Consumer Protection Council

The Consumer Protection Council provides impartial advice and support to consumers with regard to their rights under the law. Its members are experts in consumer protection and come from different parts of the business community. They work together to provide objective, impartial guidance, and support to consumer concerns. In addition, the council also works towards increasing consumer awareness of their rights and protecting businesses from unfair practices by customers.

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Manonmaniam Sundaranar University

It performs functions like:

- To formulate policy guidelines for the protection and promotion of consumer interests.
- To provide guidance on matters relating to consumer protection.
- To advise Government on all issues related to consumer protection.
- To monitor compliance with rules/regulations issued by the Government or any other authority or organisation as per directions given by it.
- To receive complaints from consumers regarding violations or non-compliance with any provision.

Consumer Protection Councils (CPCs)

Consumer Protection Councils (CPCs) are governmental or non-governmental organizations established to protect and promote the interests of consumers. These councils play a crucial role in ensuring consumer rights are upheld and that consumers are not exploited or subjected to unfair practices by businesses or service providers.

The specific functions and powers of consumer protection councils may vary from country to country, but their overall objective is to safeguard consumer interests. Here are some common features and activities associated with CPCs:

Advocacy and Awareness: CPCs raise awareness among consumers about their rights and responsibilities. They educate consumers about various aspects of consumer protection, including product safety, fair pricing, contract terms, and complaint procedures. They may conduct campaigns, distribute informational materials, and organize seminars or workshops.

Complaint Resolution: CPCs provide a platform for consumers to lodge complaints against businesses or service providers. They receive, investigate, and mediate consumer complaints, aiming to resolve disputes in a fair and impartial manner. CPCs often have the authority to take legal action against companies engaged in fraudulent or unfair practices.

Policy Development: Consumer protection councils contribute to the development and improvement of consumer protection policies and regulations. They conduct research, collect data on consumer issues, and make recommendations to government agencies regarding legislation, standards, and guidelines to enhance consumer rights and welfare.

Product Testing and Quality Control: Some CPCs perform product testing and quality control inspections to ensure compliance with safety standards. They may conduct inspections, monitor manufacturing practices, and test products for safety,

reliability, and accuracy. This helps protect consumers from unsafe or substandard products.

Consumer Education and Empowerment: CPCs focus on empowering consumers by equipping them with knowledge and skills to make informed choices. They educate consumers about their rights and responsibilities, provide guidance on consumer decision-making, and offer advice on how to avoid scams or deceptive marketing practices.

Collaboration and Cooperation: Consumer protection councils often collaborate with other stakeholders, such as government agencies, businesses, consumer organizations, and industry associations. They work together to address consumer issues, share information, and promote responsible business practices.

It's important to note that the specific structure and authority of consumer protection councils can vary significantly between countries. Some countries may have a dedicated national consumer protection agency, while others may have regional or local councils. The powers, functions, and mechanisms for consumer redressal can also differ based on the legal framework of each country.

Grievance Redressal

A grievance redressal system is a process to address employee grievances, and it can be defined as a mechanism that enables employees to communicate their concerns to management. The grievance redressal system helps in resolving employees' grievances in a formal manner which may be between an employee to employee or either between employee and management.

For an organization to function effectively, it is important that the employees are satisfied and happy about their job. Upon dissatisfaction with the response they receive, they can go higher up the chain until they finally reach someone who will listen to them.

The grievance redressal system provides a fair and transparent process for resolving employee complaints. It ensures that all employees are treated equally and fairly, regardless of their position or seniority. The system is implemented through various policies and procedures designed to ensure that grievances are handled fairly and impartially, without bias towards anyone involved in the process.

The 7 Key Points of a Good Grievance Redressal System



1. **Document the issue/complaint:** The employee should make an initial effort to resolve the grievance with their immediate supervisor. The first step is to write a letter to the grievance redressal committee/concerned department head/supervisor containing all relevant details of the issue. The supervisor's decision is final unless it is unreasonable, arbitrary, or irrational.
2. **Problem identification:** A supervisor should identify the problem and assess the situation.
3. **Collecting the information:** When the problem has been identified, the supervisor should collect all relevant information about the grievance before developing a plan of action.

4. **Analyze:** To find the root of the problem, the supervisor must study various aspects such as the employee's history, frequency of occurrences and management practices.

5. **Decision making & Implementation:** The management work out several alternative courses of action, and the consequences of each course on the employee and the administration are evaluated. A final decision is reached based on which course of action will benefit all parties concerned and is implemented.

6. **Take action:** If a grievance refers to a higher authority under this procedure and the outcome does not meet their expectations, both parties can agree to appoint an arbitrator.

What type of complaints come under the system?

Complaints that come under this category are:

1. Unfair treatment at work due to age and gender discrimination

2. Unfair promotion practices that do not follow meritocracy principles (e.g., favouritism)

3. Inappropriate behavior from a manager or supervisor

4. Sexual harassment

5. Disputes between co-employees

Grievances of Citizens in India – Different Types

Public grievances are classified into different categories which are mentioned below.

Grievances against Policies

1. Citizens may have grievances against the policies of the Government, which may affect a large group of people.
2. Such grievances are raised in the media and legislatures.

Grievances due to Maladministration

1. This grievance arises when the Government policies are not implemented efficiently by the administration due to various issues like lack of coordination between different departments or agencies or may be due to inefficiency of officials stemming from the heavy workload.

Grievances due to Corruption

1. This arises due to a lack of integrity among officials working in the administration. For many years India is known for its high levels of corruption. For many years the public has been suffering due to rampant corruption at all levels. However, there are efforts from the current Government to control corruption.

Grievances in Rural Areas

Majority of the population in India resides in rural areas. The grievances faced by them are given below.

1. **Non-availability of supplies** – Grievances due to intermittent supply of essential commodities like electricity, seeds, pesticides, fertilizers, medicines etc. Instead of making sure the supplies reach intended beneficiaries, it gets leaked into black markets for profiteering.
2. **Delay in Supplies or Services** – This happens due to inefficient public distribution systems.
3. **Harassment** – Many villagers at the hands of officials when they wanted to avail medical, administrative and agricultural services.

Grievance Redressal – Nodal Agencies & Other Mechanisms

The 2 most important nodal agencies that are responsible for addressing grievances at the Central Government are listed below.

1. **Department of Administrative Reforms and Public Grievances (DARPG)** – It functions under the Ministry of Personnel, Public Grievances and Pensions.
2. **Directorate of Public Grievances** – It is part of Cabinet Secretariat

Department of Administrative Reforms and Public Grievances (DARPG)

1. The primary role of this department is to plan and implement citizen-centric measures in the domain of public grievances and carry out administrative reforms so that the Government is in a position to deliver quality public services without any obstacles.
2. The grievances received will be forwarded to the respective ministries, departments, and state governments. The cases will be followed until it is closed.

Directorate of Public Grievances (DPG)

1. It was set up in the Cabinet Secretariat in 1988. They handle complaints pertaining to 16 Central Government Organisations.

Ombudsman

This concept came from Sweden. It means an officer appointed by the Legislature to handle complaints against a service or administrative authority. In India Government has appointed Ombudsmen to resolve grievances in the following sectors.

1. Insurance Ombudsman
2. Banking Ombudsman
3. Income Tax Ombudsman

Insurance Ombudsman

The Insurance Ombudsman is an independent authority or office established to resolve disputes between insurance companies and policyholders or beneficiaries. It serves as a mediator and arbitrator, providing an impartial forum for the resolution of complaints and grievances related to insurance policies.

Here are some key details about the Insurance Ombudsman:

Role and Responsibilities:

Dispute Resolution: The primary role of an Insurance Ombudsman is to facilitate the resolution of disputes between policyholders and insurance companies. They act as a neutral third party to investigate complaints and help parties reach a fair settlement.

Complaint Investigation: Ombudsmen have the authority to investigate complaints made by policyholders regarding issues such as claim rejections, delays in claim settlement, unfair policy terms, premium disputes, misrepresentation, or any other matter related to insurance policies.

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Mediation and Conciliation: Ombudsmen assist in resolving disputes through mediation or conciliation. They review the facts, evidence, and policy terms, and work towards finding a mutually acceptable resolution between the parties involved.

Legal Expertise: Ombudsmen possess knowledge and expertise in insurance laws, regulations, and industry practices. They interpret policy terms, assess the validity of complaints, and provide guidance based on legal principles and industry standards.

Fairness and Impartiality: Ombudsmen ensure that the resolution process is fair, impartial, and unbiased. They consider the rights and interests of both the policyholder and the insurance company, striving to achieve a balanced outcome.

Non-Binding Decisions: While Ombudsmen make recommendations or decisions based on their investigations, their rulings are usually non-binding. However, insurance companies often comply with these decisions as a means of maintaining good customer relations and public image.

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Manonmaniam Sundaranar University

Confidentiality: Ombudsmen handle complaints and investigations with utmost confidentiality. They respect the privacy of the parties involved and protect sensitive information related to the dispute.

imitations:

Jurisdictional Limits:

Insurance Ombudsmen typically operate within specific jurisdictions or regions. They can only handle complaints related to insurance policies issued within their jurisdictional boundaries.

Monetary Limits:

There may be limitations on the monetary value of claims that can be considered by an Ombudsman. Higher-value claims may need to be pursued through alternative legal channels.

Exclusion of Certain Insurance Types:

Some insurance policies, such as group policies or policies issued to businesses, may not fall within the purview of the Insurance Ombudsman. These cases might require legal recourse through the court system.

No Regulatory Powers:

Ombudsmen do not have regulatory powers to enforce their decisions. However, their recommendations and decisions can carry significant weight, and insurance companies often comply voluntarily.

Non-Binding Decisions: As mentioned earlier, Ombudsman decisions are usually non-binding. If either party is dissatisfied with the decision, they may seek further legal action.

The establishment of an Insurance Ombudsman aims to provide policyholders with an accessible and efficient means of resolving disputes without resorting to lengthy and costly legal processes. It promotes transparency, fairness, and accountability within the insurance industry, ultimately benefiting both policyholders and insurers.

Banking Ombudsman

The Banking Ombudsman is an independent and impartial authority or organization established by a government to resolve disputes between customers and their banks or financial institutions. Its primary function is to provide a fair and efficient mechanism for resolving complaints and grievances related to banking services.

The Banking Ombudsman's role may vary from country to country, as it depends on the specific regulatory framework and laws governing the banking sector in each jurisdiction. However, in general, the Banking Ombudsman acts as a mediator or arbitrator between customers and banks, aiming to resolve complaints through negotiation, conciliation, or adjudication.

Here are some key points regarding the Banking Ombudsman:

Independence: The Banking Ombudsman operates independently of the banks and financial institutions it oversees. This independence ensures that the resolution process remains fair and unbiased.

Dispute Resolution: The Banking Ombudsman handles complaints related to various banking services, such as account operations, deposit and loan issues, credit cards, electronic funds transfers, and unfair banking practices.

Informal Approach: The Ombudsman encourages an informal approach to dispute resolution, attempting to mediate and settle complaints amicably. The goal is to achieve a mutually acceptable resolution without resorting to legal proceedings.

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Jurisdiction: The Ombudsman's jurisdiction typically covers licensed banks, financial institutions, and other entities regulated by the banking authorities. It may have limitations on the types of complaints it can handle, depending on the specific laws and regulations.

Decision-Making: When a complaint is filed, the Ombudsman investigates the matter, gathers relevant information, and evaluates the evidence provided by both parties. Based on the findings, the Ombudsman may issue recommendations or binding decisions, depending on the authority granted by the relevant laws.

Enforcement: The decisions or recommendations made by the Banking Ombudsman are typically binding on the bank or financial institution involved. This means that the institution is legally obliged to comply with the resolution and provide the necessary remedies to the customer, such as compensation, rectification of errors, or changes in policies and practices.

It's important to note that the specific processes, powers, and jurisdiction of the Banking Ombudsman can vary between countries. Therefore, it's advisable to refer to the relevant banking regulatory authority or consumer protection agency in your jurisdiction to understand the specific details and procedures applicable in every country.

Income Tax Ombudsman

The Income Tax Ombudsman is an independent authority in some countries, including India, that helps in the resolution of income tax-related grievances and complaints. The ombudsman's office acts as a mediator between taxpayers and the income tax department, ensuring that complaints are addressed fairly and impartially.

The primary role of the Income Tax Ombudsman is to provide a quick and cost-effective resolution mechanism for grievances relating to income tax matters. The ombudsman's office is intended to be an alternative to the lengthy and formal process of approaching the courts or tribunals.

Here are some key points regarding the Income Tax Ombudsman in India:

Establishment: The Income Tax Ombudsman's office in India was established under the provisions of the Income Tax Act, 1961.

Jurisdiction: The ombudsman has jurisdiction over matters related to income tax, such as delays in issue of refunds, non-credit of tax payments, non-adherence to due process, or any other administrative issues faced by taxpayers.

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Grievances Covered: The ombudsman can address grievances of individual taxpayers, Hindu Undivided Families (HUFs), and some other specified entities. However, certain categories of grievances, such as those related to tax disputes or matters pending before courts, are generally not covered.

Process: Taxpayers can approach the Income Tax Ombudsman by filing a complaint in the prescribed format. The complaint should be filed within one year from the date of receipt of the order or the date of occurrence of the grievance.

The ombudsman investigates the complaint and facilitates its resolution through negotiations or recommendations.

Powers: The ombudsman has the power to summon and examine witnesses, call for records, and obtain information from relevant authorities. They can also recommend appropriate actions to be taken by the income tax department to redress the grievance.

Decision and Implementation: After examining the complaint, the ombudsman issues recommendations or a report to the income tax department and the taxpayer. The department is required to comply with the ombudsman's recommendations within a specified time frame, and the taxpayer has the option to accept or reject the recommendations.

It's important to note that the specific functions, powers, and procedures of the Income Tax Ombudsman may vary from country to country. If you have a specific query or require assistance regarding the Income Tax Ombudsman in a particular jurisdiction, it is advisable to refer to the relevant legislation and regulations of that country.

Importance of Ombudsman

The Ombudsman plays a crucial role in safeguarding the rights and interests of individuals in various contexts, such as government, corporations, and organizations. Here are some key reasons highlighting the importance of the Ombudsman:

Promoting Transparency and Accountability:

The Ombudsman acts as an independent and impartial entity that holds public officials, agencies, and organizations accountable for their actions. By investigating complaints and grievances, the Ombudsman ensures transparency and fairness in decision-making processes, thereby promoting trust in public administration.

Protecting Citizens' Rights:

The Ombudsman serves as a vital guardian of citizens' rights by receiving and addressing complaints related to violations of legal, administrative, or ethical standards. This includes issues such as human rights abuses, discrimination,

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Manonmaniam Sundaranar University

corruption, bureaucratic misconduct, and maladministration. The Ombudsman investigates these complaints, mediates disputes, and strives to provide remedies to affected individuals.

Resolving Disputes and Reducing Litigation:

As a neutral third party, the Ombudsman offers an alternative dispute resolution mechanism that helps individuals resolve conflicts without resorting to formal legal proceedings. This not only saves time and resources but also alleviates the burden on the judicial system.

Improving Public Services:

The Ombudsman contributes to the enhancement of public services by identifying systemic issues and inefficiencies. Through investigations and recommendations, the Ombudsman can drive improvements in the delivery of services, thereby benefiting the public at large.

Fostering Good Governance:

By ensuring transparency, accountability, and fairness in governance, the Ombudsman helps foster good governance practices. This includes promoting integrity, ethics, and adherence to the rule of law within public administration, leading to increased public trust and confidence in governmental institutions.

Empowering Vulnerable Groups:

The Ombudsman often pays special attention to the needs and concerns of marginalized and vulnerable groups, including children, the elderly, immigrants, and individuals with disabilities. By advocating for their rights and addressing their grievances, the Ombudsman contributes to a more inclusive and equitable society.

Encouraging Organizational Improvement:

The Ombudsman serves as an internal resource within organizations, helping to identify systemic issues and recommending necessary changes to prevent future problems. This can lead to improved organizational culture, increased efficiency, and enhanced employee well-being.

In summary, the Ombudsman plays a vital role in upholding democratic principles, protecting individuals' rights, and ensuring accountability and fairness in various sectors. By addressing grievances, resolving conflicts, and advocating for systemic improvements, the Ombudsman contributes to the overall well-being of society.

Lokpal

Lokpal was established under the Lokpal and Lokayuktas Act 2013 to investigate corruption against public functionaries, even the Prime Minister. Lokpal can order investigation from its internal inquiry wing, Central Bureau Investigation (CBI), Central Vigilance Commission (CVC).

Tribunals

Tribunals are formed to address delays in disposal of cases in courts. These are quasi-judicial institutions. Some of the most important tribunals are mentioned below.

1. Central Administrative Tribunal (CAT)
2. Railway Claims Tribunal
3. Debt Recovery Tribunal
4. Customs, Excise and Service Tax Tribunal
5. Income Tax Appellate Tribunal
6. Labour Tribunal

Central Administrative Tribunal (CAT)

The Central Administrative Tribunal (CAT) is a specialized administrative tribunal in India that deals with disputes and grievances of civil servants and employees of the central government. It was established under the Central Administrative Tribunal Act, 1985.

The CAT was established to provide a dedicated forum for addressing disputes and service matters related to recruitment, promotion, disciplinary actions, and other administrative issues concerning government employees. It aims to ensure a speedy and efficient resolution of such matters and reduce the burden on regular courts.

The jurisdiction of the CAT extends to various categories of employees, including civil servants, defense personnel, and employees of public sector undertakings, autonomous bodies, and statutory authorities falling under the central government. State governments also have the option to establish State Administrative Tribunals (SATs) for their respective employees.

The CAT consists of administrative members who are usually retired judges or civil servants with expertise in administrative matters. The tribunal operates through multiple benches located across different cities in India. These benches

are responsible for hearing and adjudicating cases within their respective jurisdictions.

Decisions of the CAT can be appealed to the respective High Courts and further to the Supreme Court of India if there are questions of law involved.

Overall, the Central Administrative Tribunal plays a crucial role in providing an exclusive platform for resolving disputes related to service matters of central government employees, ensuring quick and fair justice in administrative matters.

Railway Claims Tribunal

The Railway Claims Tribunal (RCT) is a specialized judicial body in India that handles and adjudicates claims related to accidents and other incidents involving Indian Railways. It was established under the Railway Claims Tribunal Act, 1987, and functions as an independent authority.

The primary purpose of the Railway Claims Tribunal is to provide an efficient and accessible forum for resolving compensation claims arising from accidents, untoward incidents, or other matters related to the Indian Railways. It aims to ensure speedy justice and provide relief to individuals who have suffered loss or injury while using railway services.

The RCT has the authority to hear various types of claims, including:

Accidental death or injury claims: When a person suffers injury or death due to a railway accident, the RCT can adjudicate claims for compensation filed by the affected individual or their legal heirs.

Claims for loss, destruction, or damage to goods: If goods transported by the Indian Railways are lost, destroyed, or damaged during transit, the RCT can hear claims for compensation filed by the affected party.

Claims for refund of fares: The RCT can also entertain claims for refund of fares in cases where passengers are not able to undertake the journey due to cancellation, delay, or other reasons attributable to the railway administration.

The Railway Claims Tribunal consists of a Chairman and other members who are appointed by the Indian government. The Chairman is usually a retired Judge of a High Court or an administrative officer of the rank of Secretary to the Government of India.

The RCT operates through its various benches located in different parts of the country, allowing claimants to file their claims at the nearest bench based on their jurisdiction.

It's important to note that while the information provided here is accurate up until September 2021, it is always recommended to consult the latest official sources or legal experts for the most up-to-date and accurate information regarding the Railway Claims Tribunal in India.

Debt Recovery Tribunal

The Debt Recovery Tribunal (DRT) is a specialized legal body in India that was established under the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (also known as the DRT Act). The primary objective of the DRT is to provide a quick and efficient mechanism for the recovery of debts due to banks and financial institutions.

Here are some key points about the Debt Recovery Tribunal:

Jurisdiction: DRTs have jurisdiction over cases involving the recovery of debts exceeding a specified threshold, which is currently 20 lakh rupees (2 million

rupees) or more. They handle cases related to loans and advances granted by banks and financial institutions, including non-performing assets (NPAs).

Powers and Functions: DRTs have the power to hear and decide on applications filed by banks and financial institutions for the recovery of debts. They can also entertain counter-claims and set-offs raised by the borrowers. DRTs can issue recovery certificates, which are then executed by the Recovery Officer to recover the outstanding dues.

Establishment: DRTs are established by the central government and are located in various cities across India. Each DRT is headed by a Presiding Officer, who is usually a judicial officer of the rank of a District Judge.

Appellate Authority: Aggrieved parties can appeal against the orders passed by the DRTs to the Debt Recovery Appellate Tribunal (DRAT). The DRAT acts as an appellate body and provides an avenue for review of DRT decisions.

Time-bound Proceedings: The DRT Act aims to ensure expeditious disposal of cases. The Act provides for strict timelines within which the DRTs are required to complete the proceedings and deliver judgments.

Recovery Mechanisms: DRTs have various mechanisms at their disposal for the recovery of debts. These include attachment and sale of the borrower's assets, appointment of a receiver, and other measures to facilitate the recovery process.

It's important to note that the information provided here is based on the DRT Act and general understanding of the subject. It's always advisable to consult relevant legal sources or professionals for precise and up-to-date information on specific cases or situations related to debt recovery in India.

Customs, Excise and Service Tax Tribunal

The Customs, Excise and Service Tax Tribunal (CESTAT) was an Indian appellate tribunal that handled cases related to customs, excise, and service tax matters.

CESTAT served as an independent quasi-judicial body that heard appeals against the decisions of lower-level authorities in matters related to customs, excise, and service tax. Its primary function was to adjudicate disputes and provide a fair and impartial resolution for issues concerning the levies and collections of these taxes.

The tribunal consisted of judicial members who were typically retired judges from the High Courts or were qualified legal professionals with experience

in relevant fields. These members were responsible for conducting hearings, examining evidence, and delivering judgments based on the merits of each case.

The decisions of the CESTAT were binding and could be further appealed to the High Court or the Supreme Court of India, depending on the nature and complexity of the case.

Income Tax Appellate Tribunal

The Income Tax Appellate Tribunal (ITAT) is an independent judicial body in India that specializes in hearing appeals related to income tax matters. It is the second highest forum for income tax disputes in the country, below only the High Court and the Supreme Court.

The ITAT was established in 1941 as a statutory body under the Income Tax Act, 1961. Its primary function is to provide an impartial and independent platform for resolving disputes between taxpayers and the Income Tax Department. The tribunal consists of judicial members who are typically retired judges of the Indian Revenue Service (IRS) or retired officers of the Indian Legal Service, as well as accounting members who are experts in accounting and taxation matters.

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The jurisdiction of the ITAT extends to the whole of India, and it has benches located in various cities across the country. Taxpayers have the right to appeal to the ITAT against the orders passed by the tax authorities, such as the Assessing Officer or the Commissioner of Income Tax (Appeals). The tribunal has the authority to hear and decide on a wide range of income tax matters, including assessments, penalties, disputes related to tax treatment of certain transactions, and transfer pricing issues.

The ITAT follows certain principles of natural justice and conducts its proceedings in a quasi-judicial manner. It has the power to summon witnesses, examine evidence, and make its decisions based on the merits of the case and the provisions of the Income Tax Act. The decisions of the ITAT are binding on the Income Tax Department as well as the taxpayer, although both parties have the option to further appeal to the High Court and eventually the Supreme Court.

Overall, the ITAT plays a crucial role in the Indian tax administration system by ensuring an independent and efficient mechanism for resolving income tax disputes.

Labour Tribunal

The Labour Tribunal, also known as an employment tribunal or labor court in some jurisdictions, is a specialized judicial body that resolves disputes

between employers and employees. It is designed to provide a fair and impartial forum for resolving employment-related conflicts and ensuring compliance with labor laws.

The specific structure and procedures of a Labour Tribunal may vary depending on the country or jurisdiction in which it operates. However, the general purpose is to hear cases related to employment, such as unfair dismissals, wage disputes, discrimination claims, breach of employment contracts, and other labor-related issues.

Typically, the Labour Tribunal consists of a panel or single judge with expertise in employment law. Parties involved, including the employer and employee, present their cases and provide evidence supporting their claims. The tribunal then evaluates the evidence, applies relevant labor laws, and makes a decision based on the merits of the case. The decision of the tribunal is legally binding and enforceable.

Labour Tribunals often aim to provide a less formal and more accessible process compared to traditional courts. They may encourage parties to resolve their disputes through mediation or other alternative dispute resolution methods before proceeding to a formal hearing. This approach helps promote quicker resolutions, reduces costs, and eases the burden on the regular court system.

The decisions of Labour Tribunals can vary. They may order financial compensation, reinstatement or compensation for unfair dismissal, enforcement of contractual rights, or other appropriate remedies. However, the specific remedies available will depend on the labor laws and regulations of the jurisdiction in which the tribunal operates.

It is important to note that labor laws and the structure of Labour Tribunals can differ significantly between countries. Therefore, it's advisable to consult the labor laws and regulations specific to every jurisdiction to obtain accurate and up-to-date information.

Committee on Petitions – Parliamentary Committee

This is a Parliamentary Committee which works on redressing grievances of the public, and a citizen can submit petitions to secure redress against grievances.

E-Governance – To Address Public Grievances

The current Government has been working on addressing the public grievances by utilising Information and Communications Technology (ICT). Some of the noteworthy efforts of the Government to implement E-governance to reduce Public Grievances in a timely manner has been mentioned below.

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- **Central Public Grievance Redress and Monitoring System (CPGRAMS) –**
 - It is an integrated online grievance redressal and monitoring system developed by National Informatics Centre (NIC) in collaboration with DARPG and DPG. Citizens can lodge complaints and monitor the status of their complaints through CPGRAMS. This system was developed in 2007.
 - Pro-Active Governance and Timely Implementation (PRAGATI) – It is a multi-modal and multi-purpose grievance redressal system designed by the Prime Minister’s Office (PMO) and NIC. It increases the cooperation and coordination between the Union Government and State Government in addressing the grievances and monitoring government schemes.
 - E-Nivaran – It was launched by the Central Board of Direct Taxes for online redressal of grievances related to taxpayers. The taxpayers can register and track their grievances in this system.
 - Unified Mobile Application for New-Age Governance (UMANG) – It is a single platform through which citizens across India can access e-governance services, starting from Central Government to local government bodies.
 - MyGov – It is a platform launched in 2014 to disseminate information by the Government and Government can seek public opinion.
 - Nivaran – It is an online portal launched by the Indian Railways in 2016, to address the grievances of lakhs of Railway Employees.

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- Integrated Grievance Redressal Mechanism (INGRAM) – It is a portal launched by the Ministry of Consumer Affairs to address grievances of the public when they purchase any goods or services.

- Mera Aspataal (My Hospital) – It was an app and portal launched by the Ministry of Health in 2017 under the National Health Mission. It was to capture patient feedback for the services received at the Government Hospitals. This is to help the Government enhance the quality of health care services provided across public facilities.

Other Citizens Grievance Redressal Mechanisms

- **Right to Information Act (RTI)** – The RTI act was passed in 2005. It empowers the citizens to ask any questions to the Government, seeks information, obtains Government documents, inspects Government works. This act is to not only empower citizens but also promote transparency and accountability in the functioning of Government.

- Citizens Charter – The task of formulating and operationalising Citizens Charter was undertaken by DARPG. The idea was to bring in transparency in public services and to correct things when they go wrong. The idea of Citizen Charter was first pioneered in the United Kingdom in 1991, with a focus on public services. However there have been many loopholes in the citizens charter which needs to be fixed.

- Gram Sabha – Conducted at village levels to address the grievances of village community members.

- Senior Citizen Act – It has been passed to address the grievances of senior citizens.
- Hostels Act – This has been passed to address the grievances of working women.

Administrative Reforms Commission (ARC) – 2 Commissions

The Administrative Reforms Commission (ARC) is the committee appointed by the Government of India for giving recommendations to reform the Public Administration System in India. So far there have been 2 Administrative Reforms Commissions. The details are shared below.

1st Administrative Reforms Commission (ARC)

1. The 1st ARC was established on 5th January 1966.
2. The commission was chaired by Morarji Desai and was later chaired by K. Hanumanthaiah

The mandate of 1st ARC

1. They were tasked with the mandate to suggest measures to improve financial, personnel, economic, district, agricultural administrations.
2. The administrations concerning Defence, Intelligence, External Affairs, Railways were excluded from the purview of 2nd ARC.

2nd Administrative Reforms Commission (ARC)

1. 2nd ARC was constituted on 31st August 2015.
2. Veerappa Moily was the chairman of the 2nd ARC.
3. It was tasked to revamp the public administrative system.

2nd ARC Report

The 2nd ARC submitted 15 reports covering the following areas

1. Right to Information (RTI)
2. Ethics in Governance
3. Local Governance
4. Public Administration
5. E-Governance
6. Combating Terrorism

Sevottam

1. This is a model proposed by the 2nd Administrative Reforms Commission.

2. When translated into English, Sevottam means Excellent Service.
3. This would provide a standard model for grievance redressal mechanisms. It will plug the loopholes of the Citizen Charter.
4. Sevottam focuses on improving the quality of service delivered to the citizens.

Sevottam – Focus Areas Sevottam will work on rectifying problems in the following 3 main domains.

1. Public Grievance Mechanism
2. Citizen Charter
3. Service Delivery

Remedy and redressal of grievances

Remedy and redressal of grievances refer to the processes and mechanisms in place to address and resolve complaints, concerns, or issues faced by individuals or groups within an organization, institution, or society. These mechanisms aim to provide a fair and just resolution to the problems faced by the aggrieved parties. Here are some common approaches to remedy and redress grievances:

Internal Complaint Mechanisms: Many organizations have internal complaint mechanisms in place to handle grievances. This typically involves a designated department or committee responsible for receiving, investigating, and

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resolving complaints. Employees or individuals affected by an issue can file a complaint through these channels, and the organization will initiate an investigation and take appropriate action based on the findings.

Ombudsman: An ombudsman is an independent official appointed to investigate and address complaints against public or private institutions. They act as a neutral party and work to ensure fair treatment and resolution of grievances. Ombudsmen can be found in various sectors, such as government, healthcare, education, and financial services.

Mediation and Arbitration: Mediation and arbitration are alternative dispute resolution methods used to resolve conflicts and grievances. Mediation involves a neutral third party facilitating communication and negotiation between the parties involved to reach a mutually agreeable solution. Arbitration, on the other hand, involves a neutral arbitrator who hears the arguments from both sides and makes a binding decision to resolve the dispute.

Legal Recourse: In situations where other remedies are ineffective or unavailable, individuals can seek legal recourse. This involves filing a complaint or lawsuit in a court of law to address the grievance. Legal proceedings can result in compensation, injunctions, or other forms of relief, depending on the nature of the complaint and the legal jurisdiction.

Grievance Redressal Authorities: Many countries have specific grievance redressal authorities or commissions that are responsible for addressing complaints and grievances in various domains. These authorities typically have the power to investigate complaints, issue orders, and provide redress to the affected individuals or groups.

It's important to note that the specific remedy and redressal mechanisms available may vary depending on the jurisdiction, organization, or context. It is advisable to refer to the relevant policies, laws, or guidelines in place to understand the specific processes and procedures for addressing grievances in a particular situation.

UNIT V

Consumer awareness and Education in India:

Lack of awareness- Lack of access to information-Methods of creating awareness and promotion of Consumer rights and duties- E-Commerce and Consumer Rights- Role of media in consumer education

Why is Consumer Awareness Important?

Merchants and manufacturers exploit consumers through artificial shortages, improper conditions, rude behavior, and high prices. The protection and promotion of consumer rights is an essential function of government in any economy. Government agencies and consumer groups regularly initiate consumer awareness campaigns to help consumers understand new products and services on the market.

Consumer awareness is essential to help consumers exercise their consumer rights. The Department of Consumer Affairs (DCA) has been conducting country-wide multimedia awareness campaigns titled “Jago Grahak Jago.” Through this campaign, consumers can learn about fraudulent practices and problems and how to tackle these problems with the help of concerned government authorities.

Stages of Consumer Awareness:

Consumer awareness is a very crucial aspect of the success or failure of products. If the consumer is aware of the products and can make informed decisions, there is a high chance that the sales of such products will be higher.

There are five stages of awareness of a potential consumer –

1. Completely unaware: A consumer who is completely unaware of the problem and hence does not know the solution to that problem.
2. Problem Aware: A customer who knows they have a problem but doesn't know there are solutions to that problem.
3. Aware of the solution: The consumer knows the problem. He knows there are solutions but has not yet opted for one and does not know the product.
4. Product Aware: A consumer who already knows about the goods or services but isn't sure it will solve their problems. In such cases, the merchant needs to work on objections.
5. Fully aware: Finally, the customer who knows a lot of information about your product is about to buy but needs one last nudge.

Knowing the potential buyers' awareness level is an excellent advantage for any business. This allows the businesses to design the appropriate strategies to increase sales volume according to the level of awareness of the potential customers.

Understanding these five levels of consumer awareness enables businesses to reach the right person with the right message at the right time.

As consumers, we also have duties and responsibilities. We must be demanding and inform ourselves about the products we want to acquire.

CAUSES FOR LACK AWARENESS OF EDUCATION

1. **Poverty**
2. **Orphanism**
3. **Homelessness**
4. **Parenting**
5. **Substance abuse**
6. **Bad company**
7. **Laziness**
8. **Cultural factors**
9. **Religion**
10. **Conflicts**
11. **Natural disasters**

12. Insufficient social aid

13. Insufficient educational infrastructure

14. Teacher gaps

15. Low qualification levels of teachers

16. Lack of learning materials

17. Gender discrimination

18. Disabilities

Poverty

Poverty can be regarded as a big cause of a lack of education and for educational inequality.

Children from poor families often do not have access to proper education since it is simply too expensive for their families to send them to school.

Moreover, these children also often have to work instead of attending school since they have to contribute to the family income in order to support their family members financially.

Orphanism

Orphans are at greater risk to suffer from a lack of education compared to “normal” kids since they often have no one who takes care of them.

This could lead to financial trouble since it is quite hard to earn enough money to cover your expenses while you are still a kid.

In turn, this may result in a state where these children have to work quite a lot to earn enough money to survive.

Thus, these orphans will have no time to attend school since they need all their time to work.

Homelessness

If you grow up in a family with homeless parents, chances are that you will not get proper education since your parents will not have sufficient money to send you to school and they might not even care too much since they often have other problems like drug addiction and you may therefore be at great risk to be neglected.

Thus, growing up in a family with homeless parents may also contribute to educational inequality.

Parenting

Parenting is a big factor when it comes to a lack of education.

The more your parents care about you, the less likely it is that you end up with a low level of education.

They may themselves have a low level of education and think that this education level is enough for a happy life. Therefore, they may lead you on the same education path which may lead to a lack of education for you.

Substance abuse

The abuse of substances of all sorts can also contribute to a lack of education. If you consume drugs on a regular basis, chances are that you become unreliable and you may also refrain from attending school too often.

Thus, substance abuse at a young age may also increase educational inequality since children who consume drugs will often prioritize substance consumption over school and their education levels are likely to suffer due to that.

Bad company

If you hang out with family members or friends who are doing drugs or other illegal stuff, chances are that you get influenced by these people and they may eventually drag you down in life.

You may also start to consume substances or skip school which may translate into a lack of education in later stages.

Laziness

Laziness may also be a factor when it comes to educational inequality.

Some people have a higher motivation to learn and develop themselves than others.

People who are not gifted with this drive to learn and progress may have a hard time in school since they may have no motivation to get good grades in order to be able to attend university later.

This may also lead to a serious lack of education if the will to learn is extremely limited.

Cultural factors

In some cultures, it is also quite common that people often only get quite basic education.

These cultures often rely on certain beliefs and may not value advanced education enough to send their children to university or other educational institutions.

Religion

Religion can also play a big role in the level of education.

Religious families often live quite conservative, which often makes it hard for children to get proper education since the religious beliefs of parents may not be in line with the education goal.

This may be especially true for girls since they are often supposed to stay at home and to cook and do the household instead of getting proper education and start a career.

Conflicts

Conflicts can also be a big cause of a lack of education. In regions where conflicts are common, people simply feel that the protection of their life is more important than sending their kids to school.

Moreover, due to conflicts, many people have to leave their homes and migrate to other countries to save their life.

Thus, children who are suffering from these adverse conditions are likely not be able to get proper education due to conflicts.

Natural disasters

Natural disasters may also play a role when it comes to a lack of education.

When regions get hit by natural disasters like tsunamis or other catastrophes, people living in these regions will suffer from vast destruction of public infrastructure.

They may also suffer from serious health issues due to these natural disasters.

Under these horrible conditions, it will be quite hard for children to get proper education since schools and other educational facilities may have been destroyed.

Insufficient social aid

In many countries, there is a lack of or only insufficient social aid and welfare.

If people become unemployed, they may not get any financial subsidies from the government.

Insufficient educational infrastructure

In some regions, the overall educational infrastructure is quite bad.

This is especially true for rural areas.

People who live in these regions often have to bring their children to the next school.

However, many poor people do not even have a car.

This will likely lead to a lack of education for their children since these children may not be able to attend school simply due to the long distance.

Teacher gaps

Some regions may also suffer from a shortage of teachers.

In those regions, classes are often quite big and teachers will not be able to respond to every school kid individually.

This may in turn lead to educational inequality since some children learn faster than others.

Children who learn quite slow may be left behind and their overall education level may significantly suffer due to that.

Low qualification levels of teachers

Another issue related to a lack of education may be an insufficient qualification of teachers.

If teachers have no high level of education, chances are that school kids will also have a low level of education when they finish school since their teachers have simply not been able to teach them on a high level.

Lack of learning materials

Especially in poor developing countries, children also often suffer from a lack of learning materials.

If children do not have the appropriate books or other facilities to learn, chances are that their level of education will suffer.

Gender discrimination

Although the tolerance towards women and girls who want to attend school has increased over the past decades, there are still many countries in which women are meant to stay at home and do the household instead of getting proper education and to work in a normal job.

This gender discrimination will lead to a lack of education for many girls since their families may not want them to attend school.

Disabilities

Children who suffer from disabilities, especially in poor countries, are likely to get only insufficient education since parents will often not have enough money to send all of their kids to school.

These parents will often choose a family member who has the best chances to succeed in school in order to secure the family income.

Thus, children with disabilities will rather stay at home instead of attending school.

ACCESS TO INFORMATION

The right to access information is an essential component of a democratic society – enabling citizens to hold their elected representatives accountable for the decisions they make and the ways in which they spend public money. It is recognized as a **fundamental right** by leading human rights bodies and courts.

Why is access to information so important?

The right of access to information empowers citizens to obtain information held by public bodies (with limited exceptions). It encompasses a right to request and receive information, as well as an obligation for governments to publish information proactively.

With information, civil society activists and the public are equipped to participate in public debates, engage directly and in a knowledgeable manner with public decision-makers, and have their rightful say in the development of public policy and law.

Access to information is an essential tool in the fight against corruption too, by increasing democratic accountability and transparency, identifying and uncovering corrupt practices and enabling participation in the development of anti-corruption policy and law. To date, 129 countries have access to information laws (or freedom of information laws) and over 50 constitutions worldwide recognize this as a right, along with much jurisprudence confirming it.

How does the UNCAC help promote the right of access to information?

The UN Convention against Corruption (UNCAC) establishes that there should be specific mechanisms to ensure respect for access to information and to ensure transparency.

There are also provisions that require public disclosure and dissemination of specific information relating to the functioning of the administration and its anti-corruption measures.

Transparency of specific information

The UNCAC identifies a number of classes of information that should be publicly available to assist the fight against corruption and to ensure effective government accountability. Transparency requirements include:

- **Employment of public officials (Article 7 (1)):** Transparency with respect to the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials.
- **Election campaign funds / political parties (Article 7(3)):** States Parties are required to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.
- **Public sector systems (Article 7 (4)):** States Parties are required to endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.
- **Public procurement (Article 9 (1)):** States Parties are obliged to ensure that systems of public procurement are based on the principle of transparency.
- **Public sector finances (Article 9 (2)):** States Parties are required to promote transparency and accountability in the management of public finances.
- **Public administration (Article 10):** States Parties are required to enhance transparency in the public administration with regard to its organization, functioning, and decision-making processes.
- **Private sector transparency (Article 12 (2c)):** The UNCAC refers to the need for transparency in the private sector for anti-corruption measures to be effective.

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In particular, it requires States Parties to promote transparency among private entities, including where appropriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities.

- **Decision-making process in government (Article 13 (1a)):** States are required to enhance the transparency of and promote the contribution of the public to decision-making processes.

The access to information is important as they:

- **Push for stronger laws:** The UNCAC holds an important role in highlighting and pushing states to adopt legal frameworks incorporating the right of access to information. A strong access to information law would help to give citizens the right to request information and shine a light when there are suspicions of corruption.
- **Encourage proactive transparency:** Many types of information described above are simply not available to the public. The UNCAC encourages a significant increase in the volume of information that is automatically available to the public and published proactively.
- **Monitor implementation:** The official reports by States Parties and the parallel review reports by civil society help to uncover where States Parties are not fully implementing the UNCAC, or where improvements can be made, including on transparency measures.

Advancing in the right of access to information at the national level

At the national level, civil society can use UNCAC to promote access to information by:

- **Using the UNCAC as a lever:** Encouraging national governments to adopt and develop access to information laws that meet the highest international standards to improve the national legal framework for transparency.
- **Using the UNCAC review process for advocacy in the current cycle:** Highlighting the need for greater transparency and access to information in practice by using the available legislation to get access to full UNCAC country implementation reports, or access to the consultation process.

Organizations can also campaign to highlight the poor quality or implementation of access to information legislation, and under the auspices of the UNCAC demands both legal and practical improvements.

- **Using the UNCAC review process for advocacy in the second review cycle:** This cycle will cover all of the (Preventive measures) transparency provisions.
- **Sharing information:**

The UNCAC Coalition is a network for civil society to share stories and experiences about access to information and transparency with other organizations. This can inspire cooperation and support at the national, regional, and international levels, in order to tackle opaque systems around the world.

- **Engaging with global networks:**

UNCAC Coalition members working to promote the right of access to information can also benefit from linking their campaigns to those of other transparency activists.

There are regional right to information networks in Latin America (Alianza Regional) and Africa (AFIC), as well as the global Freedom of Information Advocates Network, which can provide useful resources and support.

What are the obstacles to effective access to information?

Some key obstacles to effective and successful implementation of the right of access to information include:

- **Poor quality of the legal framework:**

A weak or restrictive legal framework is one of the major obstacles to effective access to information. The scope of a weak law may exclude many kinds of information, and/or exclude certain branches of government or private bodies that perform public functions or receive public money. This can be a particular problem when trying to identify or prevent corruption.

- **Other laws in conflict with access to information:**

Other laws, regulations or bilateral agreements that increase secrecy (e.g., trade agreements), or protect other areas such as personal data, can also be obstacles to accessing information held by public bodies.

- **Lack of citizen awareness:**

An effective access to information law can only help to prevent corruption and improve public services and accountability if citizens and civil society know how to use it. Inadequate promotion of the right to access information, which does not reach citizens and encourage them to exercise this right, can be a significant obstacle to transparency.

- **Administrative cultures of secrecy:**

Coupled with a lack of citizen awareness, a culture of secrecy within a public administration can result in low response rates to access to information requests.

Advancing the right of access to information in UNCAC fora

UNCAC fora, such as the Conference of State Parties, and the Working Group on Prevention can consider and adopt proposals on the issue of access to information. Where access to information laws work effectively, they can have positive and wide-reaching benefits including furthering the fight against corruption and improving public services:

- **In India** access to information cases have uncovered corrupt practices that limited the right to food intended for the most vulnerable sections of society; other cases have revealed the payment of bribes for issuing documents such as passports and birth certificates.
- **In Canada** access to information has successfully improved practices in the policing of protests.

- **In Ireland** access to information has improved services for the elderly.

- **In Thailand** access to information has improved equality in education – enabling the poorest people to access education based on merit.

Past events and initiatives

The UNCAC Conference of States Parties' Resolution 5/4 on the Follow-Up to the Marrakech Declaration on Prevention of Corruption, adopted at the 5th Conference of States Parties in Panama in 2013:

- Reaffirms the need for a culture of integrity, transparency and accountability (paragraph 2)

- Urges the adoption of transparent principles in the public service (paragraph 17)

- Calls for effective processes to promote transparency, competition etc. in public procurement (paragraph 22)

- Urges States Parties (in line with articles 10 and 13 of the UNCAC) to continue to take measures to enhance transparency in public administration, including through the introduction of effective measures facilitating access by the public to information (paragraph 23)

- Requests that the Secretariat to provide technical assistance upon request to States Parties seeking to introduce or enhance measures in this area, in cooperation, where appropriate, with interested donors (paragraph 23)

The UNCAC Coalition advocated for such language through statements, letters, briefing notes and policy discussions. Ahead of the 5th Conference of States Parties the Coalition had the following asks on access to information:

- Countries should adopt and implement comprehensive access to information legislation that protects the right of access to information in line with international standards and ensures they are being properly implemented in practice.
- UNODC should include specific questions on access to information in its assessment questionnaire for countries, and the Working Group on Prevention should include the issue of “ensuring that the public have effective access to information” in its work plan.

The meetings of the UNCAC Working Group on Prevention also provide opportunities for advocacy on the issue of access to information.

Brand awareness

Brand awareness is a measure of how well people recognize your brand, including how “aware” they are that your brand exists at all. Rather than a simple individual metric, brand awareness is a concept that touches on many different KPIs, from traffic to social share of voice.

How to measure brand awareness

Brand awareness is not a single metric. But there are a number of stats you can use to measure it.

Here are some of the most important brand awareness metrics and how to track them.

Note that while each of the social platforms offers its own analytics tools, those give you a siloed picture of your results one account at a time. For an overall view of your brand awareness success, it's important to look at all the platforms together.

An analytics dashboard like Hootsuite Analytics makes measuring brand awareness metrics much easier by tracking data from all your social accounts in one place with the ability to create custom graphical reports that help you see changes in brand awareness over time.

Reach

Reach indicates the number of people who see your social content. When more people see your content, more people are likely to start to recognize what differentiates you as a brand. (This is why it's so important to have a consistent brand voice and aesthetic.

When tracking your reach as a measure of brand awareness, pay special attention to the number of followers and non-followers.

Non-followers who see your content are potentially being exposed to your brand for the first time, generating new awareness. They're seeing your content because it was recommended to them, either by one of their social contacts or by a social algorithm.

Impressions

As noted above, reach measures the number of people who saw your content (or, more specifically, the number of accounts that saw your content). By contrast, impressions measure the number of *times* people saw your content.

If your number of impressions is significantly higher than your reach, people are looking at your content multiple times. This can be a great signal of brand awareness. After all, the more times someone looks at a single piece of content, the more likely they are to remember the brand behind it.

Audience growth rate

Audience growth rate measures how quickly your audience is growing. This provides great signals of brand awareness, as followers are certainly more likely to know about and recognize your brand than are people who don't yet follow you.

To calculate audience growth rate, take your number of new followers over a certain period and divide it by your total existing followers. Then, multiple by 100 to get your audience growth rate as a percentage.

Social share of voice

Social share of voice is a good way to measure awareness of your brand compared to your competitors. It indicates how much of the social conversation in your industry is dedicated to your brand.

To calculate social share of voice:

1. Tally all the mentions of your brand across social networks – both tagged and untagged. (A social listening tool like Hootsuite is extremely helpful here.)
2. Do the same for your key competitors.
3. Add both sets of mentions together to get a total number of mentions for your industry.
4. Divide your mentions by the total.
5. Multiply by 100 to get a percentage.

Direct traffic

Direct traffic is an indication of how many people land on your website by typing in your website address directly. (As opposed to finding you through a search engine, social channel, and so on.)

If someone knows your URL, they're pretty clearly aware of your brand.

Using a web analytics tool like Google Analytics, you can see how people find your website online. Look for the direct traffic information to see how many people are typing your URL directly into their browsers.

Examples of brand awareness campaigns on social media

1. The Balvenie

The Balvenie Whisky brand awareness campaign featured a YouTube web series in partnership with Questlove. The series featured meaningful interviews with celebrity creatives and thinkers, while raising awareness for the brand.

The marketing campaign brought in new YouTube subscribers and raised key brand awareness attributes above the relevant benchmarks.

2. Naked Juice

Naked Juice used Facebook and Instagram video and photo collection format ads with the reach objective for its brand awareness campaign. The ads, which appeared in both feed and Stories, used strong imagery and large text overlay to raise brand awareness with or without sound.

3. Savage X Fenty

Savage X Fenty used brand awareness and objectives to reach new audiences on Facebook and Instagram. The awareness ads focused specifically on creating a strong sense of brand, with sales or offers as a secondary focus.

Targeting all women in France, Savage X Fenty created half the ads themselves, and partnered with a group of Instagram influencers to create the rest.

RIGHTS AND DUTIES OF CONSUMER

Introduction to Rights and Duties of Consumer

Consumers are the ones who buy or avail commodities or services. In the process of buying the goods and services till the time they use those goods and services; they have certain rights and duties as a consumer which he or she is not always aware of. This might happen due to lack of knowledge and ignorance. Apart from the basic necessities of food, clothing and shelter, we use a wide variety of things in our daily life such as cell phones, digital cameras, soaps, perfumes, cosmetics, etc. Thus, we are all consumers in the literal sense of the word when we buy.

As a consumer of things from the market, we expect value for money, i.e., quality, quantity, exact price, information about how to use, etc. However, there may be examples where the consumer is cheated.

In such cases, most of us do not know who to contact for redressal. In addition, most of us are also unaware of our “rights” as a consumer and are often hesitant to make a

complaint or even protest for inappropriate behaviour. We don't even have expensive support litigation to demand justice and we continue to tolerate such injustice.

What are the rights of a consumer?

Every country prescribes its own set of consumer rights to its people to ensure maximum protection to the citizens of a country. The meaning of consumer awareness extends to knowing the meaning of consumer rights.

There are six important consumer rights that have been listed down for the people of India by the government of India;

The rights of a consumer are given under Section 6 in the Consumer Protection Act, 1986. The rights of a consumer are as follows: –

1. **Right to Protection:** – It means the right to be protected from the marketing of goods and services dangerous to life and property. The benefits of the goods and services purchased should meet not only their immediate needs, but also their long-term interests. Before buying, consumers should emphasize on the quality of the products as well as the guarantee of the products and services. They should preferably buy quality marked products like ISI, AGMARK, etc.

2. **Right to Choose:** – It means the right to have access to a wide variety of goods and services at a competitive price. In the case of a monopoly, it means the right to be assured of satisfactory quality and service at a reasonable price. It also includes the right to basic goods and services. This is because the unrestricted right of the minority to choose can mean the denial of its fair share to the

majority. This right can be better exercised in a competitive market where a wide variety of goods are available at competitive prices.

3. **Right to Information:** – It means the right to be informed about the quality, quantity, potency, purity, standard and price of the goods so as to protect the consumer from unfair trade practices. The consumer should insist on getting all the information about the product or service before making a choice or decision. This will enable him to act wisely and responsibly and also prevent him from falling prey to high pressure selling techniques.
4. **Right to Consumer Education:** – It means the right to acquire the knowledge and skills to be an informed consumer throughout life. Ignorance of consumers, especially rural consumers, is mainly responsible for their exploitation. They should know their rights and exercise them. Only then can real consumer protection be achieved with success.
5. **Right to be Heard:** – This means that the interests of the consumer will be given due consideration at the appropriate forums. It also includes the right to be represented in various forums constituted to consider the welfare of the consumer. Consumers should form non-political and non-commercial consumer organizations which can be given representation in various committees constituted by the government and other bodies in matters related to consumers.
6. **Right to Seek Redressal:** – It means the right to redress against unfair trade practices or dishonest exploitation of consumers. It also includes the right to fair disposal of genuine consumer complaints. Consumers should complain for their genuine complaints. At times their complaint may be of little value but its impact on the society as a whole can be huge. They can also take the help of consumer organizations for redressal of their grievances.

What is the meaning of Consumer Awareness?

Meaning of Consumer Awareness: Consumer Awareness is the process of making the consumer of goods and services aware of his rights. It involves educating a consumer about safety, information and the redressal options available to him.

Consumer Awareness is an act of making sure the buyer or consumer is aware of the information about products, goods, services, and consumers rights. Consumer awareness is important so that buyer can take the right decision and make the right choice. Consumers have the right to information, right to choose, right to safety

Consumer awareness is one of the most persistent problems the government faces when it comes to consumer protection. To resolve this problem the government has come up with various methods over the years. In fact, it is the main aim of the Department of Consumer Affairs.

Promoting consumer interest

Lack of laws or difficulties in their enforcement gives an incentive to the 'black ships' on the market. Some companies are then tempted to unfair commercial practices, which affect consumer welfare.

Consumers should be thus provided with adequate instruments and information in the decision-making process. The OECD Committee on Consumer Policy guides its Member economies in the development of policies and use of legal and non-legal instruments aimed at promoting consumer interest.

Consumer dispute resolution and redress

Fostering the development of effective, low-cost ways for consumers to resolve their disputes and obtain monetary compensation is a key consumer policy objective. Currently, consumers are facing difficulties in enforcing their rights. This is particularly true in the cross-border context, where the obstacles to receiving resolution and redress are even greater. The OECD Committee on Consumer Policy has been working on dispute resolution and redress for a number of years.

Consumer Dispute Resolution and Redress in the Global Marketplace

Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders (2003)

Resolving E-commerce Disputes Online: Asking the Right Questions about Alternative Dispute Resolution (2004)

Legal Provisions Related to Business-to-Consumer Alternative Dispute Resolution in Relation to Privacy and Consumer Protection

Consumer awareness and education

Consumers today are challenged by growing amounts of information and wider choices of products. To make good choices in increasingly complex markets, they must become aware of their rights and obligations on the marketplace.

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The OECD Committee on Consumer Policy is, thus, examining consumer policies and developing guidance and recommendations towards improved consumer awareness.

Consumer Policy Toolkit Workshop:

Communication Services enhancing the value and effectiveness of environmental claims: promoting and empowering consumers

Consumer Education: Policy Recommendations of the OECD's Committee on Consumer Policy

Promoting consumer education: Trends, Policies and good Practices

Joint Conference on Consumer Education

The Interface between Competition and Consumer Policies

Roundtable on Economics for Consumer Policy

Roundtable on Demand-Side Economics for Consumer Policy

Consumer product safety

Health and consumer safety are at the heart of consumer policy. The increasing number of unsafe products, particularly for children, requires rigorous legislation and better enforcement. This is especially prominent for the more sophisticated products of

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which parts are produced and traded globally. Therefore, the OECD Committee on Consumer Policy renewed its work on this emerging issue.

Better information sharing on product issues will enhance consumer safety

Enhancing information sharing on consumer product safety

Roundtable on consumer product safety

Consumer product safety

Analytical report on consumer product safety

Compliance of the responses to the 2008 Questionnaire

Decision-Recommendation on the OECD Notification System on Consumer Safety Measures

Understanding Consumers and Consumer Rights in The World of E-Commerce

On beginning to dwell into a discussion regarding technological advancements in consumer rights, it is pertinent to understand the basics of consumer rights.

When we refer to the word **consumer**, in a layman's language, we simply understand it to be a person who is at the receiving end of consumption of goods or services. Any person who buys a certain thing for purposes of resale, is not a consumer because he is furthering such a purchase with a commercial intent.

When we look at consumers from the perspective of businesses and service

providers, the consumers seem to be the primary purpose behind the establishment of any enterprise. One creates a product or service majorly with a view to provide it further to a consuming resource.

It is essential to open the doors towards legal understanding of the position of consumers. The Ides of March (15th of March) every year is observed as National Consumers' Day in India. This day has a historic importance as it was on this day in 1962, that the Bill for Consumer Rights was moved in the US Congress.[1] In the year 1985, the United Nations laid down and adopted certain guidelines which would make sure that the consumers were protected and that the distribution of goods and services was done in a regulated manner.

In India, the legal framework for consumer protection was adopted in the form of Consumer Protection Act in 1956. This was one law which was recognized as the 'poor man's legislation'. This brought out a scenario when the concept of Buyer Beware became a mere idea of caution and not principle.

Prior to the enactment of the Consumer Protection Act, it was the Sale of Goods Act which used to govern the rights of consumers and protect them against exploitation. However, then the terms 'buyer' and 'seller' were taken as reference.

E-Commerce

In terms of E-Commerce, the Consumer Protection (E- Commerce) Rules, 2020 ("Act") have been notified by The Ministry of Consumer Affairs, Food and Public Distribution (Ministry) on July 23, 2020, under the Consumer Protection Act, 2019 ("Act"), with an intent to prevent unfair trade practices in e-commerce and to protect the interest of the consumers and to ensure that there is transparency in the e-commerce platforms and also to further strengthen the regulations that govern the same.

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With the development of e-commerce and technology, several electronic platforms are made available to the consumers so as to help them in filing a complaint. A Nodal Officer is appointed for each e-commerce platform in order to check that the platform abides by the rules notified by the Government.

The objective of laws concerning consumer protection is not merely to protect and preserve the rights; they also aim towards providing a market with fair trade practices. This will also help several honest businesses to grow and prevent fraudulent businesses from entering or staying in the market. This is even more important today than ever because of the advent of technologies and convenient means of establishing businesses.

With an extensive platform for establishing businesses, there are even more chances of consumers getting exploited. The impact of the new technological advancements and the massive convergence of e-commerce transactions, have caught the attention of individual consumers, business enterprises, governments and international organizations not as only facilitating the growth of business endeavour but also posing a variety of challenges and confronts to various segments of social and individual interests like data protection, consumer protection, privacy violations etc.

The adequate and efficient regulatory mechanisms and legal concepts to attend to the need of consumer protection in e-commerce will give protection to globally recognized consumer protection mandates in electronically equipped commercial transaction.

According to the Consumer Protection Act, every consumer is entitled to have the following rights:

1. Right to Safety
2. Right to Information
3. Right to Choose
4. Right to be Heard
5. Right to Seek Redressal and
6. Right to Consumer Education

E-Commerce and Consumer Rights

E-commerce refers to the buying and selling of goods and services over the internet. As online shopping has become increasingly popular, it is important to understand consumer rights in the context of e-commerce transactions. Here are some key aspects of consumer rights in e-commerce:

Right to Information:

Consumers have the right to access accurate and transparent information about the goods or services they are purchasing. E-commerce platforms should provide clear product descriptions, pricing details, shipping information, return policies, and any other relevant information that enables consumers to make informed decisions.

Right to Privacy and Data Protection:

Consumers have the right to privacy and the protection of their personal data when engaging in e-commerce transactions. Online businesses should have clear privacy policies in place, obtain consent for collecting personal information, and take appropriate measures to secure and protect consumer data.

Right to a Secure Transaction:

Consumers have the right to a secure and safe online transaction environment. E-commerce platforms should implement secure payment methods, encryption technologies, and other measures to protect consumers' financial information from unauthorized access or fraudulent activities.

Right to Redress:

Consumers have the right to seek redress in case of product defects, delivery issues, or other problems with their online purchases. E-commerce platforms should have accessible and effective customer support mechanisms to handle consumer complaints, provide refunds or replacements when necessary, and resolve disputes in a fair and timely manner.

Right to Cancellation and Returns:

Consumers typically have the right to cancel their orders or return products purchased online within a certain timeframe. E-commerce platforms should clearly communicate the cancellation and return policies to consumers and facilitate the process for returning goods and obtaining refunds or exchanges.

Right to Consumer Protection Laws:

Consumers engaging in e-commerce transactions are entitled to the protections provided by consumer protection laws in their respective jurisdictions. These laws may include provisions related to unfair trade practices, misleading advertising, product liability, and other regulations aimed at safeguarding consumer rights.

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It is important for consumers to be aware of their rights and responsibilities when participating in e-commerce. Reading and understanding the terms and conditions, privacy policies, and refund/return policies of e-commerce platforms can help consumers make informed decisions and protect their rights.

Although Consumer Law is not an unknown area to us, it was necessary to pick up this topic for an understanding because this is an area where Consumerism meets Technology. When we focus on the threats towards the rights of the consumers in the cyberspace, it is essential to have an inclusion of the Information Technology Act as well.

The Consumer Protection Act takes care of the procedures to preserve the rights of the consumers, but the massive control in order to prevent an abusive environment lies with the Information Technology Act when it comes to E-Commerce.

Information Technology Act is in place so as to legally bind the cyberspace. However, the problem is that there is no specific provision in the Act which specifically focuses upon the protection of rights of the consumers. The IT Act is limited and focused on encouraging the growth of e-commerce nevertheless, it fails to pursue and protect the basic preconditions for such growth that is building trader and consumer confidence.

Consumers require security in cyberspace in order to prevent being defrauded with duplicate products, transactions and non-responding helplines. Major complaints are made with regards to lack of response from the seller after a payment has been made. Hence, it is necessary to find and establish a link between Consumer Protection Act and the Information Technology Act to give a legal framework to the already existing remedies regarding protection of rights of the consumers.

ROLE OF MEDIA IN CONSUMER EDUCATION

1. Media may refer to communications. Communication tools used to store and deliver information or data.
2. Print Media Newspapers, Magazines, Books and other printed material
3. Electronic Media Radio, Television, Internet, Cinema etc
4. Media is everywhere, it has become a part of our daily life. The media play a dominant role in the learning process. Media has potential to shape personalities, change the way we perceive and understand the world and our immediate reality.
5. The role of Print Media in the process of education is of special importance. Print Media like Newspapers, Journals and Magazines are the basic oldest channels of communication between one source to other. Print Media are being printed in every regional language to facilitate, the readers to get information and knowledge in one's own mother tongue.

6. Newspapers: Through newspapers, we can get news, information, and we can learn our National Language, and English Newspapers are very helpful to learn the English Language. Newspapers were the best way of learning even before Independence.

Journals: Journals are magazines which publish on the daily bases. There are international, professionally referred, state of the art scholarly journals, reflecting the most important ideas and evidence of educational change.

7. The journals welcome and support contributions from a range of disciplines, including history, psychology, political science, sociology, anthropology, philosophy and administration and organizational theory and from a broad spectrum of methodologies including quantitative and qualitative research and conceptual developments.
8. Magazines Through magazines, we can learn by articles, features, interviews, short stories, and we can get very nice literature by magazines. Different types of magazines having different and versatile knowledge of over all the world.
9. Book is the best source of education. A lot of material of formal and informal education is available in the books. Mostly students depend upon this medium to learn the education. In spite of modern technology, still this medium is popular for the learning.
10. First of all, Role of Radio in the Educational Process Radio is also playing a important role in education. Talk shows about politics, finance and other programmes are the source of informal education. Many Personalities, Scholars, Professionalisms come in radio as a chief guest, by live calls, we take a lot of information and learn by this way.

11. Community Radio System: Community Radio System has made for education. Radio has now started to enter into the education sector with the name of community radio system. The term community radio signifies radio broadcasting with the objectives of serving the community by involving members of the community. It will help the students to hone their public speaking skill.

12. The number of broadcasting organizations has moved forward to introduce community radio in schools and colleges. With the introduction of this technology, quite a few civil society organizations have come forward to broadcast their educative radio programming. Moreover, this kind of radio will help students to revise their classroom teaching, which they may forget. The impact of community radio is massive and its impact felt on every section of the society.

13. Internet is a medium, which made the World a Global Village. Around the World students are being globally connected with one another via Internet. We've been seen that large number of people depends on the Internet to collect information, read news, play games and also for searching process and business work. Online learning has assumed the role of an important media for imparting distance education.

14. The most important advantage of online distance education is to earn a degree from one's home or work place. We can get knowledge and information through charts, maps, graphs, moving images, slides, and video clippings and even audio recordings via Internet. It helps to understand the entire syllabus without the help of a teacher. The students are able to interact with their peers through online class projects-mails and also with the help of online conferencing and chat make learning easier and entertaining. The availability of online libraries with their huge collection of books has also made the learning process easier and worthwhile.

15. Television is the powerful media that will reach all sorts of people. It is a source of informal education. TV does play an important role in shaping a person's life, both professionally and personality. It does provide the value addition knowledge to the concerned person, irrespective of his profession. We've a lot of programs on almost everything. There is something for everyone, Channel like Discovery, National Geographic, Animal Planet etc does provide us with immense knowledge from the subject inventions. TV provide to learn so many things like politics, business, finance, nature, different languages learn through dramas and movies, cooking etc. Different News Channels help to up update our knowledge.
16. Films are considered a major mass medium because of their mass appeal and influence on society. Film is also a source of informal education We can know about different cultures, and other societies norms, values, civilizations, and way of living by films. Film is playing important role for learn the different languages. Film deliverers a moral lesson to the viewers. It depends upon viewers, how that they perceive. Many historical films tell us the old history of the Nations. In a dramatic way, films tell us a current situation of the World like terrorism, corruption, extremism, social evils etc
17. We can rightly conclude that the effect of media is vast on the life of each and every individual. With the on-going development of information and technology in the society, media has given particular attention to the need of education and cultural diversity and promoted media consciousness among individuals. Last but not the least, Media has opened a new dimension and gave a new meaning to education. Education has become more entertaining like never before.

Significance of Media in consumer education

The media plays a significant role in consumer education by providing information, raising awareness, and empowering individuals to make informed decisions. Here are some key ways in which the media contributes to consumer education:

Information dissemination: The media acts as a vital channel for delivering information to consumers. It provides news, articles, investigative reports, and expert opinions on a wide range of consumer-related topics such as product reviews, safety warnings, consumer rights, and new regulations. By sharing this information, the media helps consumers stay updated and knowledgeable about their choices and rights.

Product reviews and comparisons: Media outlets often conduct product reviews and comparisons, evaluating the features, performance, and value for money of various products and services. These reviews help consumers make informed decisions by highlighting the strengths and weaknesses of different options, enabling them to choose products that best meet their needs.

Consumer rights advocacy: The media plays a crucial role in advocating for consumer rights. Journalists and investigative reporters expose fraudulent practices, scams, and unethical behavior by businesses, thereby alerting consumers to potential

risks. This helps create awareness and encourages consumers to be cautious, assert their rights, and demand fair treatment.

Public awareness campaigns: Media platforms frequently run public awareness campaigns on issues that impact consumers. These campaigns focus on topics such as financial literacy, health and safety precautions, environmental sustainability, and responsible consumption. By disseminating such information, the media aims to educate and empower consumers to make choices that benefit both themselves and society as a whole.

Consumer education programs: Some media outlets create specialized consumer education programs, both in print and on television or online platforms. These programs delve into topics like personal finance management, consumer rights and protection, smart shopping techniques, and understanding complex products or services. They provide practical advice, tips, and resources to enhance consumer knowledge and decision-making skills.

Social media and user-generated content: The rise of social media has given consumers a platform to share their experiences and opinions about products and services. User-generated content, such as online reviews and ratings, blog posts, and social media discussions, has become a valuable source of consumer education. It helps individuals learn from others' experiences, gain insights, and make informed choices based on the collective wisdom of the crowd.

It's worth noting that while the media plays a crucial role in consumer education, it's important for consumers to be critical and discerning. Not all information presented by the media may be accurate or unbiased. Consumers should verify facts from multiple sources, consider different perspectives, and develop their own judgment to make the best decisions for themselves.
