

The Women Education in Consumer Protection: A dire need of the hour.

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Abstract: According to the Mahatma Gandhi, Customer is the important person to any form of business. No doubt without a customer there is no existence of any business. But what is happening today. Customer is being exploited by many businesses activities. Each and every product is contaminated; this business in India is around 1000 crores per annum. Every year 22 lakh people in the world are dying due to the consumption of adulterated products. The adulteration causes 200 types of diseases in recent times; cancer is the common disease that happens because of contamination of the food products. Many consumers in India are not even aware that they are protected by the Consumer Protection Act. Unless they know about their rights they cannot seek justice when they are actually exploited. This paper gives a view about the consumer protection act and its amendments 2019 and also explains why the consumer protection act is not much successful in India while comparing with the other countries in the world.

Key words: Consumer Protection Act, women education in consumer protection.

Consumers play an important role in the market. If there is no consumer, producers will have no one to provide the good. So his rights are to be protected. If it is found any unfair trade practices, then there is a right to consumer to lodge a complaint against the company/business in various consumer forums. Many consumers in India are not even aware that they are protected by the Consumer Protection Act. Unless they know about their rights they cannot seek justice when they are actually exploited.

Consumer Rights: There are six broad consumer rights defined as per the Consumer Protection Act, 1986. These are:

- 1) **Right to Safety:** The Consumer Protection Act defines this right as a protection, against goods and services that are 'hazardous to life and property'. This applies particularly to medicines, pharmaceuticals, foodstuffs, and automobiles. So the companies which are producing such products should be tested carefully and validated before being marketed to the consumer.

- 2) ***Right to Information:*** This right mentions the need for consumers to be informed about the quality and quantity of goods being sold. At the same time it is the responsibility of the consumer to take the detailed information of the product. They must be informed about the price of the product and have access to other information specific to the product that they wish to consume.
- 3) ***Right to Choose:*** The consumer must have the right to choose between different competitive products and its prices. In the competitive market, there are many sellers who sell similar products, among those, consumer can choose what he wants to be consumed and in what quantity.
- 4) ***Right to Seek Redressal:*** When a consumer feels exploited, he/she has the right to approach a consumer court to file a complaint. A consumer court is a forum that hears the complaint and provides justice to the party that has been hurt.
- 5) ***Right to be Heard:*** The purpose of this right is to ensure that the consumer gets due recognition in consumer courts or redressal forums. Basically, when a consumer feels exploited, he has the right to approach a consumer court to voice his complaint. This right gives him/her due respect that his/her complaint will be duly heard. The right empowers consumers to fearlessly voice and seek justice in case he is exploited.
- 6) ***Right to Consumer Education:*** Consumers must aware of their rights and must have access to enough information while making consumption decisions. Such information can help them to choose what to purchase, how much quantity is to be purchased and at what price.

Responsibilities of a Consumer:

Various efforts have been made by government and non-government organisations to protect the interest of consumer but exploitation of consumer is not to be stopped until the consumer himself will come forward to safeguard his own interest. Consumers have to bear some responsibilities they are:

1. ***Consumer must Exercise his Right***
2. ***Cautious Consumer***
3. ***Filing Complaints for the Redressal of Genuine Grievances***
4. ***Consumer must be Quality-Conscious***
5. ***Do not be carried away by Advertisements***
6. ***Insist on Cash Memo***

Redressal Mechanism: If a consumer found any defect in the products and services that he is availed then he has to right to seek the justice and get compensation from the producers/

business concerns. But the time limit for filing the case in various consumer forums is 2 years from the date of the defect of the products or services. Court may consider further with the satisfactory reason from the consumer. There are 3 tiers of redressal mechanism in India to redress the consumer grievances.

District Consumer Forums / (District Consumer Disputes Redressal Forum):

Throughout the country there are 620 District Consumer Forums. The State Government appoints District consumer Judge and two other members (one must be female) in this forum. If any person is not satisfied with the judgement of the District Consumer Forum he may appeal to the State Consumer Forum for further justice. But he has to appeal within 30 days from the date of the judgement.

State Consumer Forums/State Consumer Disputes Redressal Commission (SCDRC):

There are 35 State Consumer Forums in India. The State Government appoints State consumer forum judge and 4 other members (one must be female) in this forum.

National Consumer Forum/National Consumer Disputes Redressal Commission (NCDRC): 1 National Consumer forum in India. Appointment of Judge and 10 other members by Central Government, maximum age limit of the members is 70. If any person is not satisfied with the judgement of the National Consumer Forum, he may appeal to Supreme Court for further justice he has to appeal within 30 days.

Though we have a very good consumer protection act in India, but adulteration of the products is not at all stopped. Each and every product is contaminated. This business in India is around 1000 crores per annum. In every year 22 lakh people in the world are dying due to adulteration of the products. The adulteration caused 200 types of diseases in the recent times, cancer is the common disease that happens because of contamination of food products. So there is a dire need to sharpen the old consumer protection act and bring the changes in the new consumer protection act 2019.

HIGHLIGHTS OF THE LATEST CONSUMER PROTECTION ACT, 2019

The Government of India has recently passed the Consumer Protection Bill 2019, which received the Presidential assent on 9th August, 2019. This Consumer Protection Act, 2019 (the New Act) replaced the previous Consumer Protection Act 1986. The New Act aims of strengthening consumer rights and protecting consumer interests, and further lays down

simpler procedures to give consumers a speedy redressal. The Act also brings under its jurisdiction, the e-commerce and the tele-shopping industry.

1) *Separate Regulatory Authority:* Establishment of the Central Consumer Protection Authority (CCPA) The New Act seeks to establish a Central Authority i.e. the Central Consumer Protection Authority. It looks into matters which relates to violation of consumer rights, false and misleading advertisements, unfair trade practices. The new Authority also can “promote”, “protect” and “enforce” the rights of all classes of consumers. CCPA does not deal directly with the consumer cases. It provides directions to the consumer courts. The Authority would also have a dedicated investigation wing which will be responsible for conducting various inquiries/ investigations and it will also have the power of search and seizure.

2) *Consumers can Complaint from anywhere in India:* According to the consumer protection act 1986 a consumer is required to file complaint in the area where the seller or service provider was located. So many cases were not filed, because consumer had to pay extra money and time to attend the court for hearing. But the consumer protection act 2019 gives a big relief to consumers that he can file his complaint with the court from anywhere, as the seller may be located anywhere in the country. In addition, the Act also enables the consumer to seek a hearing through video conferencing, which saves money and time.

3) *Product liability:* The Act has proposed provisions for product liability under which a manufacturer or a service provider has to compensate a consumer if their goods/services cause injury or loss to the consumer due to manufacturing defect or poor service.

4) *Pecuniary jurisdiction:* The Act has increased the pecuniary jurisdiction, which means ability of courts to take up cases depending on the value of the case, of the consumer courts.

District Commission:—Previously it is Rupees 20 Lakhs which is extended to Rs. 1 Cr.

State Commission:— According to the Previous Act it is Rs. 20 Lakhs to 1 Cr, which is extended to Rs. Ten Cr.

National Commission:— According to the Previous Act it is Rs. 1 Cr, which is extended to above Rs. Ten Cr

5) *E-commerce under the radar:* As we know the e-commerce business is flourishing in India. Many of them are purchasing the products in online. E-commerce was started in India in 2007. The previous consumer protection act does not cover E-commerce business. The present consumer protection act 2019 cover e-commerce platforms. E-commerce will now be governed by all the laws that apply to direct selling. According to the new act the guidelines are also applicable to the e-commerce platforms. According to this act, they should disclose

the details of sellers' such as their address, website, email, etc. and other conditions related to refund, exchange, terms of contract and warranty on their website to increase transparency. This move is fitting since cases of fake products sold through e-commerce platforms are rampant. This means e-commerce sites cannot escape as aggregators anymore.”

6) Action against misleading Advertisements and liability of Endorsers:The New Act the endorsers are also penalised with misleading advertisements that falsely describe any product or service or give guarantee which can mislead the consumers. This act of the advertisers can be penalised with penalty up to Rupees 10 Lakhs and 2 years imprisonment for a term. Moreover the New Act mandates the Commission to suggest mediation between parties before admitting the complaint.

Undoubtedly the amendments in the new act will robust the Consumer Protection Act 1986. The New Act is changed according to the present situations for the protection of consumer interests in the country.

Role of Women in the Contemporary society: Indian culture is mainly depending upon the family system, in that women are the main stream of the family and she is taking care of their family members. Present generation women are successfully performing their work as well as they are discharging their family responsibilities. She is playing a vital role in decision making; this is possible only through proper education to women.

Women education in India: Women education at the time of independence is very low. The governments and other voluntary organisations have taken much care in promoting the women education in India, with this effect the women education is increased tremendously. The educated women are grabbing the opportunities in various fields. They are successfully handling their jobs as well as their families. The following table explains the literacy growth.

Table-1: Comparison of the growth percentage of Literacy from 1961 to 2011

Year	Total (%)	Male (%)	Female (%)
1961	28.30	40.40	15.35
1971	34.45	45.96	21.97
1981	43.57	56.38	29.76
1991	52.21	64.13	39.29
2001	64.84	75.26	53.67
2011	73.00	80.90	64.60

Source: Higher Education: All India Survey on Higher Education (AISHE) Reports, MHRD

Table-1 shows the comparison of the growth percentage of Literacy from 1961 to 2011. There is a progressive growth in the literacy rate of women since 1961. The literacy percentage in 1961 was 15.35, which rose to 64.6 per cent in the year 2011. There is a remarkable growth in the literacy rate of women during 1991-2001. The literacy growth rate in the male is increased by 2 times at the same time it is increased by 4 times in female during the period of study. The following table depicts the growth percentage with general literacy growth percentage from 1961 to 2011.

Table-2: Gross Enrolment in School level and Higher education in India (Regular).

Year	Upper Primary (%)			Secondary (%)			Higher Education (Cr)		
	Girls	Boys	Total	Girls	Boys	Total	Girls	Boys	Total
2013-14	88.6	85.0	86.7	73.5	74.2	73.8	-	-	-
2019-20	90.5	88.9	89.7	77.8	78.0	77.9	1.8	1.9	3.7
2020-21	92.7	91.6	92.2	79.5	80.1	79.8	1.9	2.0	3.9
2021-22	94.9	94.5	94.7	79.4	79.7	79.6	2.0	2.1	4.1

Source: Economic survey report 2022-23

Table-2 examines the gross enrolment in school and higher education institutions in India. The gross enrolment has been increasing significantly both girls and boys when it is compared with 2013-14. The total number of girls students in higher education (regular study) are increased by 20 lakhs and reached to 2 crore at the end of 2021-22. In addition to this the enrolment in Distance Education is 45.7 lakh (with 20.9 lakh females), an increase of around 7 per cent since 2020 and 20 per cent since 2015. The GER in higher education, based on 2011 population projections (revised), was recorded at 27.3 per cent in 2021, which is an improvement from 25.6 in 2020. GER for males increased from 24.8 in 2020 to 26.7 in 2021 while GER for females has also shown improvement from 26.4 to 27.9 during the same period.

The total number of Universities / University institutions registered at the end of 2021 is 1,113, number of colleges are 43,796 and number of standalone institutions is 11,296. The total number of faculty/teachers is 15,51,070 of which about 57.1 per cent are male and 42.9 per cent are female.

The above statistics are indicating the growth of women in education in India. Though there is a lot of growth in women education, but there is not having a proper education towards consumer education. The women can influence their families as well as the society because she is taking utmost care of her family members. If the consumer education is also

given to the women along with the regular curriculum with a practical exposure then she can safeguard herself as well as her family members. If men is educated he is only the educated in his family, if women is educated the entire family is educated.

Reasons for unsuccessful of Consumer Protection Act in India: Though we have a consumer protection act and redressal mechanism in our country, NGO organisations and also various departments are working to protect the consumer interest, still the consumers are exploited and this is taking place repeatedly in the country. These are some of the reasons for the unsuccessful of CPA in India.

1. Illiteracy: The total population of our country is around 135 crores, in that only 74 per cent of the people are literates; the remaining 26 per cent are illiterates. Though 74 per cent is literates only 4.5 per cent of them are completed graduation or more.

2. Poverty: According to the United Nations Millennium Development Goals (MDG) in 2018–19, out of 88 million people 1.2 billion Indians (roughly equal to 6.7% of India's population) lived below the poverty line and that they are not even to earn Rs. 100 per day. So they are forced to buy though they knew that these products are harmful to them.

3. Lack of Consumer Education: Though 74 per cent is literates only 4.5 per cent of them are completed graduation or more. Among them many people are unaware of consumer protection act.

4. Negligence of the Consumer: Most of the time consumer ignores the loss for he suffers on purchase of defective good or service but this attitude of not filing complaint encourages the corrupt businessmen to supply low standard or defective goods and services.

5. Shortage of man power in various departments and testing labs: Though consumer is aware of consumer protection act and lodged a complaint regarding the food adulteration, the problem is not solved immediately due to lack of manpower and sufficient testing labs to test the contaminated food or articles.

6. Corruption: Corruption is also one of the biggest problems in India. Many cases regarding consumers are not filed in a proper manner or not proved, the adequate witness are not submitted to the court by the few corrupted authorities.

7. Delay in judgements: Up to 2010 the verdict from the various consumer courts are in between 90 – 180 days. Present the same is taking place for 3-4 years. The number of consumer cases has been increasing year over year. At the same time number of courts are not being increasing, moreover the honorarium to the consumer court judge is nominal.

8. Carelessness of producers/Manufacturers:The producers/manufacturers that are producing the contaminated products are very careless. They are showing a lot of carelessness, because it takes a lot of time to get verdict in those cases. If fine is imposed that is nominal to them. So they are doing error again and again. Therefore saviour punishment should be imposed on them.

9. Failures from the side of the Governments: It is the duty of the Governments to safeguard the consumer interests by providing consumer education and expand the consumer courts and appoint the number of staff in various departments, but it is not happening. Government is spending crores of money for advertisements to promote their schemes. But how much money is being invested by the Governments to educate consumers?

Conclusion: Educational institutions have to play a key role in educating the student community especially the girl students from their childhood. Schools, colleges and NGO organisations have to create awareness among the girl students and the society by arranging interaction programmes with concerned authorities like District Legal Metrology, District Drug Control Authorities, Food Safety Authorities, Task Force, Vigilance and Enforcement Department and senior advocates who deals with the consumer related cases at least once in a year with live sessions. When the women are equipped with the consumer education she can educate her family members in detecting the adulterated products and also creates awareness to them regarding the redressal mechanism. As it is said rightly that “the prevention is better than cure” if adulteration of products are curtailed, then it is helpful to their families, for the better society and for the welfare of our future generations.

References:

- 1) Consumer Protection Act 1986 & Amendments 2019
- 2) Higher Education: All India Survey on Higher Education (AISHE) Reports, MHRD
- 3) Economic survey report 2022-23