

Consumer Rights

Political Science

Class-10

Consumer in the market place

Participation of consumers

We participate in two ways-

- As producer- we produce goods and services by working in any sector – agricultural, industry or service
- As consumer – we buy goods and services as per our needs.
- Example: a farmer is a producer when he grows cereals and he is a consumer when he buys agricultural implements.

Board Questions:

1. How do we participate in the markets as Producers and consumers? Explain with three examples. (2013)
2. In which two different forms do we participate in the market? (2010)

Need for rules and regulations for the protection of consumers

- To save consumers from the unethical and mal-practices of the markets
- Consumers often find themselves in a weak position after the sale is completed
- Sellers tend to pass shift the responsibility on the buyers
- Markets do not work in a fair manner
- False information is passed through the media (example of powder milk, page 76-77)
- There is a lack of proper awareness amongst consumers

Board Questions:

1. Why are rules and regulations required for the protection of Consumers' interests in the market place? Justify and explain with examples. (2010, 13, 14, 16)

Factors causing exploitation of consumers:

- **Limited information** - consumers are not aware of their rights and
- **Low literacy and awareness** – Consumers are not able to judge different the products- quality, adulteration, extra charges on MRP.
- **Limited competition and manipulation of market** – Markets are not fair when producers are few and consumers are scattered because the large companies are able to manipulate the market with their huge wealth and power.
- **Low supply, hoarding and black marketing**- Consumers also fall prey to such unethical of markets.

Board Questions:

1. What are the factors which cause exploitation of consumers? Explain with three factors. (2016)

Different ways in which Consumers are exploited

- **Underweight and under-measurement** – Shopkeepers indulge in unfair trade practices to under-eye and under-measurement things than their actual weight and measure
- **Adulteration of goods** – Adulteration dilutes the purity of goods like oil, ghee, milk, spices etc. It causes loss of health and money to consumers.
- **Defective goods** – Selling of defective goods and items and expired medicines.

Board Questions:

1. Explain ways in which Consumers are exploited in the market. (2008, 09, 12, 16)

- **False and incomplete information** – Fake and incomplete information about products are passed through the media.
- **Manipulation of market** – The big companies having great wealth and power try to manipulate markets
- **Poor after sale service**- It is also a big problem with many companies. Consumers have to suffer for this.
- **Charging higher than MRP**
- **Duplicity of products** – fake and duplicate items are sold in the name of genuine products

Unfair market conditions or manipulation of markets:

The market conditions become unfair when a few producers control the supply over the scattered Consumers. The companies with huge wealth and power try to manipulate market in various ways.

They pass on false information through the media to attract consumers.

Example: A company selling baby powder milk claimed to have most scientific product even better than mother's milk. After years of litigation the company admitted making false claims.

Board Questions:

1. Explain the circumstances under which markets do not work in a fair manner. (2012)
2. How do the large companies manipulate the market? Explain with examples. (2015)

Consumer Movement

Dissatisfaction of Consumers in the market place has been the basis of Consumer movements

Factors that have birth to Consumer Movements:

- Unfair and unethical trade practices in the market place
- Consumers were held responsible for any wrong buying of products and services
- Lack of any legal system of Consumer protection against market place malpractices

In India – the cause of rise of consumer movement-

- Rampant food shortages, hoarding, black marketing, adulteration v food and edible oil

Board Questions:

1. What factors gave birth to Consumer Movement in India? Trace its evolution. (2009, 11, 14)
2. How has the consumer movement evolved? (2012)
3. "The Consumer movement arose out of dissatisfaction of the consumers". Justify the statement with arguments. (2016)

Evolution of Consumer Movements in India:

- In 1960s, The Consumer Movements started in the form a 'social force' against market place malpractices
- The consumer movements felt it a necessity to make efforts to protect and promote consumer interests
- Till 1970s Consumer organisations wrote articles and held exhibitions to highlight unfair trade practices
- Consumer groups looked into the malpractices at ration shops and overcrowding in the road passenger transport
- Consumer movements succeeded in getting business firms to correct business conducts
- In 1986 COPRA was enacted to safeguard consumer interests

Consumers International (CI)

In 1985 UN adopted the UN guidelines for consumer protection

CI has become a global foundation for Consumer Movement

It asks for formation of Consumer Advocacy Groups

It is an umbrella body to over 220-member organisations from over 115 countries.

COPRA (Consumer Protection Act-24 Dec, 1986)

It was a landmark step toward safeguarding the interests of the consumers. The Consumer Movement in India forced the government to make this law to protect consumers from the malpractices at the market place and anti-consumer trade practices by the producers and traders.

Features of COPRA.

- It was enacted by government on 24 Dec, 1986 and came into effect on 1 July, 1987
- It has to the setting up of separate Consumer Affairs departments in central and state governments
- It gives various Consumer Rights to consumers
- It provides a separate three-tier quasi-judicial machinery at the nation, state and district levels
- It also establishes Consumer Protection councils to protect consumers
- 24th December is celebrated as 'National Consumer's Day'.

Board Questions:

Why was the Consumer Protection Act enacted by the Parliament? (2015)

The rights of consumers under COPRA

- Right to safety-** The consumers have right to to be protected against production and marketing of goods and services which may be hazardous to life and property.
e.g. the defective safety valve of a pressure cooker can cause accident
- Right to be informed-** Consumers have the right to be informed about the particulars of goods and services that they purchase. E.g. In case of a commodity- details about ingredients used, prices, batch number, date of manufacture and expiry and address. The . of India enacted RTI in 2005. (यहां पर RTI के बारे में जानना जरूरी है पर ये टॉपिक बाद में अलग हेडिंग में मिलेगा)
- Right to choose** – Any Consumer who receives a service has the right to choose whether to continue or not to receive the service. E.g. The case of Abhirami (book, page, 81). Sometimes we are forced to buy things against our wish. E.g. brush with toothpaste and stove with cylinder.
- Right to seek redressal** – Consumers have the right to seek redressal and be compensated if consumers become victim to the market place trading mal-practices and find any product defective or service deficient or any damage is done to a Consumer. E.g. the case of Prakash whose money-order did not reach in time and he filed a case at district level Consumer court. (यहां consumer court के बारे में भी जानना जरूरी है पर ये आगे अलग हेडिंग में मिलेगा)
- Right to represent**– A Consumer has the right to represent in the Consumer court. If he needs he can approach higher Consumer courts at state and national level to represent his case

Board Questions:

1. Explain the rights of a consumer as enshrined. (2011)
2. Explain any five rights of consumers that protect them from exploitation in the market place. (2017 sample paper)
3. Give one example of violation of consumer's right to choose. (2017 sample paper)

(redressal of consumer disputes)

Under COPRA a three-tier quasi-judicial machinery at the district level was set up for redressal of Consumer disputes. Consumers can exercise their right to represent in the courts and get the redressal.

1. **District level court (District Forum)** - deals with the cases involving claims up to RS 20 Lakhs

2. **State level court (State Consumer Commission)** - cases between ₹20lakhs - ₹1 crore.
3. **National level court (National Consumer Commission)** case involving claims more than ₹one crore

Under the *right to represent* consumers can approach to higher. Consumer courts if they are not satisfied with verdict of lower courts at district and state level.

These courts look into grievances, complaints of consumers against manufacturers and traders and provide them necessary and due relief and compensation.

Board Questions:

1. Describe the provisions made under Consumer Protection Act, 1986, for redressal of consumer disputes. (2013)
2. Explain briefly the three-tier quasi-judicial machinery (courts) set up under the Copra. 1986. (2011, 12, 13)
3. What are the institutions set up under COPRA for the redressal of grievances.? Explain. (2011)
4. How can Consumer get justice when his rights are denied? (2012)
5. Explain with an example how you can use the right to seek redressal? (2013, 15)

Helping agencies to consumers

Consumer Forums! (or protection Council)

These are the result of consumer movement. These are Many such organisations came to be established. They help consumers in the following.

- They guide and educate consumers in filing the case in consumer courts
- They also represent individuals in consumer courts
- They create awareness among people about their rights as consumers
- These organisations also get fund from the government for creating awareness among people
- Their main focus is on the protection of the Consumers

Board Questions:

1. How do Consumer Protection Councils help consumers? Explain three ways. (2011, 12)

Residential Welfare Associations

In residential colonies such associations take up the cases of cheating or unfair trade practices to protect the consumers.

RTI (Came into force on 12 Oct, 2005)

Significance, impact and importance of RTI

- It is a tool to participative democracy empowering citizens of India
- Ensures quick access to information about the functions of got department and other public authorities
- Brings transparency and accountability in the working of government
- It entails timely response to applicants

Impact on consumers: Consumers get info on products regarding MRP, manufacturing, expiry, contact and address etc. They can complain in case of any defective product or deficient service.

- e.g.- 1. Fire RTI was filed on 12 Oct, 2005 by Zahid Raza Burney to a police station in Pune
2. the case of Amritha (page, 80 text book)

Board Questions:

1. How are consumers enjoying the 'right to be informed' in their daily life? Explain with examples. (2019)
2. Explain with examples the impact of RTI . (2014)
3. How far RTI of 2005 is the improvement over previous Act? Explain. (2013)
4. How can a Consumer use his Right to Information when he is not satisfied with the service he gets? (2013)

Taking the Consumer movement forward

Consumer awareness

- Consumers should be aware of their rights and duties to get a fair treatment in market place. It is better to be careful in purchases to avoid any mishap or any inconvenience.

Board Questions:

1. How can consumer awareness be spread among consumers to avoid exploitation in the market place ? Explain any three ways. (2018)
2. "Consumer awareness is essential to avoid exploitation in the market place". Support the statement. (2016)

- 24, December is observed as 'National Consumers 'Day' to create awareness among consumers. The Consumer movement has moved ahead in as more and more Consumer groups have come up.
- Campaigns like 'Jogo Grahak Jogo' are aimed at creating awareness
- But, yet, the Consumer awareness is at slow pace Consumer awareness is must to enjoy the rights of consumers in choosing and be informed and getting redressal in case of complaints.

Obstacles to consumer awareness (The redressal process is becoming cumbersome)

The Consumer redressal process is becoming cumbersome, expensive and time consuming .

- Many a time lawyers need to be engaged
- Time is required for filing and attending court cases
- Mostly purchases are small retail sales
- Evidences is not easy to gather in purchases where cash memo are not issued
- The existing laws are not clear on issues of compensation in case of any injury by defective products
- Implementation and enforcement of laws are weak, especially in unorganised sector
- Rules and regulations for working of markets are often not followed

Board Questions:

1. How can consumers use their rights to seek redressal? Explain with example. (2019)
2. How is the Consumer redressal process becoming cumbersome? Give four reasons. (2010, 11, 12)
3. "Consumer awareness in India faced so many obstacles had not been an easy growth". Explain. (2013)

Role of Consumers to show solidarity with Consumer movement

- Consumers should realise their importance
- They should actively involve in Consumer movement
- Consumer should volunteer and struggle to boost Consumer movement
- Participation of one and all can make Consumer movement effective
- Media can play a great role in mobilising public support to Consumer Movement and create awareness

Duties of consumers

Duties of consumers while making a purchase

1. Be careful about the quality, warrantee and after sale services of the products and services
2. Ask for cash memo
3. Look for Marks of quality like Isi, Agar, etc
4. Be aware of the Consumer rights
5. Not be misguided by claims of advertisements
6. Go through the reviews of the products and services via media
7. Form or be a part of any consumer organisation to show solidarity with the consumer movement
8. Any complaints regarding products and services should be raised at relevant platforms

Standardization of products:

Role of logos.

Standardisation certificates are not necessary for all products but Logos and certification assures of quality. Consumers can know the quality standards of the goods and services by seeing the different logos and certification issued for the products.

Certification is mandatory for-

- The products which affect the health and safety of Consumer
- Products of mass consumption
- E.g. LPG cylinders, food colours, cement, packaged drinking water etc

Organisations that issue certification:

1. Bureau of Indian Standards (BIS) – It issues **ISI** (Indian Standards Institution) mark certification for industrial, electrical appliances and Consumer goods. Such certification is issued after judging the products on scientific and quality standard basis. E.g. Cement, packaged drinking water

2. Agmark- It is issued for agricultural sector products and monitored by the **DMI** (Directorate of Marketing and Intelligence) e.g. honey, masala,

3. Hallmark (issued by BIS)- (AI hallmark) certifies the purity of gold jewellery.

Efforts by government to protect the interests of Consumers:

1. COPRA (1986)
2. RTI (2005)
3. Standardisation of products (ISI , Agmark- , Hallmark)
4. 24 December, is observed as 'National Consumers Day'
5. Campaigns like 'Jago Grahak Jago'

Board Questions:

1. How do the logos and certification on cover help the consumers to buy standardised products? (2013)

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