Features and Importance of Consumer Awareness Programme "Jago Grahak Jago" In Indian Society

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Abstract: Any person who buys goods and services for personal consumption and not for commercial purpose or resale is called a consumer. Consumers form the largest economic group in any country. They are the pivots of all economic activities. Consumer is the real deciding factor for all economic activities. It is now universally accepted that the extent of consumer protection is a true indicator of the level of progress in a nation. The growing size and complexity of production and distribution systems, the high level of sophistication in marketing and selling practices and forms of promotion like advertising, etc. have contributed to the increased need for consumer protection. The contemporary era is marked as the era of consumers. No country can knowingly or unknowingly disregard the interest of the consumers. The Consumer Protection Act, 1986 is the most important legislation enacted to provide for effective safeguards to consumers against various types of exploitations and unfair dealings. In India, the government has taken many steps to protect consumers and in 2005 the Govt. of India started a national campaign "Jago Grahak Jago (Wake up Consumer)" to create awareness among consumers. An enlightened consumer is an empowered consumer. An aware consumer not only protects himself from exploitation but induces efficiency, transparency and accountability in the entire manufacturing and services sector. Realizing the importance of consumer awareness, Government has accorded top priority to 'Consumer Education, Consumer Protection and Consumer Awareness. The success of consumer movement mainly depends upon the level of consumer awareness generated in the country by educating the consumers about their rights and responsibilities. Within India itself, the level of consumer awareness varies from State to State depending upon the level of literacy and the social awareness of the people. Jago Grahak Jago is a consumer awareness programme from Ministry of Consumer Affairs, Government of India. The government has used multiple channels to create consumer awareness. Print media advertisements, Audio Campaigns, Video Campaigns are being used for consumer information and education about initiatives like Insurance Ombudsman channel. The main objective of the Consumer Protection Act is to ensure the better protection of consumers. Hence, this paper attempts to study the features and importance of consumer awareness programme jago grahak jago in Indian society.

Keywords: consumer, protection, goods and services, awareness, "Jago Grahak Jago."

1. INTRODUCTION

"The customer is the most important visitor on our premises. He is not dependent on us. We are dependent on him. He is not an interruption on our work. He is the purpose of it. He is not an outsider on our business. He is part of it. We are not doing him a favour by serving him. He is doing us a favour by giving us an opportunity to do so."

- MAHATMA GANDHI

The moment a person comes into this would, he starts consuming. He needs clothes, milk, oil, soap, water, and many more things and these needs keep taking one form or the other all along his life. Thus we all are consumers in the literal

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sense of the term. When we approach the market as a consumer, we expect value for money, i.e., right **quality, right** quantity, right prices, information about the mode of use, etc. But there may be instances where a consumer is harassed or cheated. The Government understood the need to protect consumers from unscrupulous suppliers, and several laws have been made for this purpose. We have the Indian Contract Act, the Sale of Goods Act, the Dangerous Drugs Act, the Agricultural Produce (Grading and Marketing) Act, the Indian Standards Institution (Certification Marks) Act, the Prevention of Food Adulteration Act, the Standards of Weights and Measures Act, etc.



Which to some extent protect consumer interests? However, these laws require the consumer to initiate action by way of a civil suit involving lengthy legal process which is very expensive and time consuming. The Consumer Protection Act, 1986 was enacted to provide a simpler and quicker access to redressal of consumer grievances. The Act for the first time introduced the concept of 'consumer' and conferred express additional rights on him. It is interesting to note that the Act doesn't seek to protect every consumer within the literal meaning of the term. The protection is meant for the person who fits in the definition of 'consumer' given by the Act. [u/s 2(1) (d)] Confident, informed and empowered consumers are the backbone of a vibrant economy. Consumer is the core of business world in the present day economy. Quantity and quality of goods are produced as per the needs of the consumer. Advancement of any business unit depends on the satisfaction of the consumer. That product will be in great demand which gives maximum satisfaction to the consumer and so will be produced on large scale. As a result, the concerned production unit will develop and earn large profit. Despite the fact that importance of the consumer is widely recognized, he is deprived of his rights and privilege and is subjected to diverse kinds of exploitation. For instance exploitation in the form of short weight and measure, poor quality of the product, adulteration supply of fake goods, hoarding and black marketing of the goods, delivery of goods not on schedule. Business firms spend huge amount of money on advertising their products and services. Not only are those, even doubtful and false advertisements indulged into by the producers to attract consumers. Most of these advertisements contain exaggerated and unprovable claims. Commonly seen advertisements of tooth-pastes, cosmetics, tonics, body-building, figure improving and height increasing instruments makes claims in very attracted way and catchy way. Through these advertisements do not explain how the claimed qualities of the products produce the benefits; the consumer believes them because of the appealing way of presentation, ultimately the consumer feel cheated at last. Although the above points clearly states the problems exploitation of consumer, but some other points can also be mentioned in support of these. These exploitation are in the forms of: (i) unfair trade practices (ii) spiraling prices (iii) adulteration (iv) poor quality products (v) deceptive packing (vi) deficiency in services (vii) monopolistic trade practices etc. With a view to protecting the consumers from such exploitation and making them aware of their rights, a method of consumer protection has been launched. Need for protection and satisfaction of the consumer is now being widely recognized across the world. India has also adopted the concept of consumer protection more seriously and vigoursly. The Consumer Protection Act, 1986 (68 of 1986) is a milestone in the history of socio-economic legislation in the country. The main objective of the new law is to provide for the better protection of the consumers unlike existing laws which are punitive or preventive in nature. The Act intends to provide simple, speedy & inexpensive redressal to the consumer's grievances.

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2. OBJECTIVE OF THE STUDY

To assess consumer's awareness in the society.2.) To assess the relationship of consumers and traders. 3.) To identify basic features of Consumer Protection Act, 1986. 4.) To protect and promote the rights of the consumers. 5.) To know the redressal forum working. 6.) To draw some conclusions and give some recommendations for strengthening the consumer awareness programme more effective.

3. RESEARCH METHODOLOGY

The present study is based on the secondary data published by various agencies and organizations. The present study makes use of data and information provided by, Ministry of Consumer Affairs, Government of India, Annual Report 2013-2014, ,www.standardsdata.in, Consumer Protection Act, 1986 - Wikipedia, Jago Grahak Jago is a consumer awareness programme from Ministry of Consumer Affairs, Government of India. Newspapers, Magazines, Books, Economic journals and Internet etc.

4. EXTENT AND COVERAGE OF THE ACT

The Consumer Protection Act applies to all goods and services, excluding goods purchased for resale or for commercial purpose & services rendered free of charge & under contract of personal service.

5. WHO IS A CONSUMER?

Consumer is one who ----Buys any goods for a consideration and includes a hire- purchaser. Any user of such goods for consideration but excludes one, who obtains for re-sale or for commercial purposes; Hires a service for consideration and includes a beneficiary of such service, if availed of with the approval of the hirer. The consumer need not have made full payment. Goods mean any movable property and also include share, but do not include any actionable claims. Service of any description is covered under Consumer Protection Act & includes banking, financing, insurance, transport, processing, and housing, and construction, supply of electrical energy, entertainment, amusement, board and lodging, among others.

6. WHO IS A COMPLAINANT?

A consumer, Any voluntary consumer association registered under the Companies Act or any other law, Central or State Government, if it makes a complaint, One or more consumers having same interest, In case of death of a consumer, his legal heir or representative. A Consumer Dispute arises when a complaint is denied or disputed.

7. WHO CAN FILE A COMPLAINT?

A complaint on a plain paper either handwritten or typed, can be filed by a consumer, a registered consumer organisation, central or State Government & one or more consumers, where there are numerous consumers having the same interest. No stamp or court fee is needed. An allegation in writing by a complainant that:-An unfair or restrictive trade practice is practiced by trader or service provider, Goods bought or to be bought or services hired or to be hired suffered from any deficiency, Trader or service provider has charged excess price, Goods and services are hazardous or are likely to be hazardous to life and safety.

8. WHERE TO FILE A COMPLAINT?

After the Computerization and Computer Networking of Consumer Forums in Country (CONFONET) (External website that opens in a new window), users can track their case online. The scheme of (CONFONET)' was launched during the 10th Plan period in March, 2005 at a cost of Rs.48.64 crores. It is an internet based Case Monitoring System developed for automating the work flow of the consumer forums, starting from case registration until announcement of judgment. Users can search Judgments and check Case Status.

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(Figure-1) Ministry of Consumer Affairs, Government of India, Annual Report 2013-2014

9. CONSUMERS CAN MAKE, COMPLAINTS AGAINST

A) Any unfair trade practice or restrictive trade practice adopted by the traders. B) Defective goods. C) Deficiency in service. D) Excess price charged by the trader. E) Unlawful goods sale which is hazardous to life and safety when used.

10. TIME LIMIT FOR FILING COMPLAINT

Within two years from the date on which the cause of action arises. Even where the time limit expires, the complaint can be taken up, provided complainant is able to satisfy the Forum or Commission about the reasonableness in the delay. The delay for every single day has to be explained.

11. INFORMATION REQUIRED FROM A COMPLAINT

The following are the elements witch a complaint must constitute :- Name and full address of complainant, Name and full address of opposite party, Description of goods and services, Quality and quantity, Price, Date & proof of purchase, Nature of deception and Type of redressal requested.

12. MACHINERY UNDER THE ACT

Today an average Indian consumer is poor, illiterate, ignorant, passive, unaware, unorganized and sometimes helpless. Due to illiteracy, unawareness, traditional or passive outlook consumer is being exploited in different ways. In order to protect and promote the consumer rights and to forward suggestions to the Government. According to the Consumer Protection Act, the following councils for consumer protection are established-

A) Central Consumer Protection Council:

to be established by Central Government• It shall consist of the following members, namely • (a) the Minister in charge of Consumer Affairs in the Centre Govt. as its Chairman, and (b) such number of other official or non-official members as may be prescribed. • The Council shall meet at least once in a year.

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B) State Consumer Protection Council:

To be established by State Government• It shall consist of the following members, namely: (a) the Minister in-charge of consumer affairs in the State Govt. as its Chairman; (b) such number of other official or non-official members as may be prescribed by the State Government. • The State Council shall meet at least twice in an year. • The procedure will be prescribed by the State Govt.

C) District Consumer Protection Council:

To be established by State Government for every district• It shall consist of the following members, namely:- (a) the Collector of the district (by whatever name called), as its Chairman; and (b) such number of other official and non-official members as may be prescribed by the State Govt.• The District Council shall meet at least twice in an year. • The procedure will be set by State Govt.

13. THREE-TIER GRIEVANCE REDRESSAL MACHINERY

To provide simple, speedy and inexpensive redressal of consumer disputes, the Consumer Protection Act envisages three tier quasi-judicial machinery at the National, State and District levels. It is an alternative to the ordinary process of instituting actions before a civil court. These forums are mandated to provide simple, speedy and inexpensive redressal of the consumers' grievances. The three redressal agencies are the National Consumer Disputes Redressal Commission (NCDRC), State Consumer Disputes Redressal Commissions and District Forums. Any verdict given by the National Commission can be challenged in the Supreme Court.

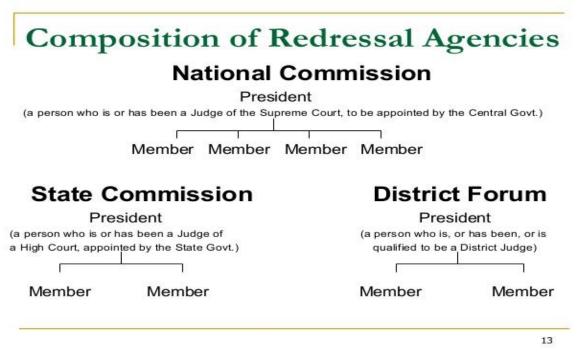


Figure:2

14. PECUNIARY JURISDICTION

Forum where complaints can be entertained, Depends on value of goods and service and compensation claimed.

Limits are:--District Forum ----- not exceeding Rs.20 lakhs.

State Commission----exceeds Rs.20 lakhs but does not exceed Rs.1 Crore.

National Commission -----exceeds Rs.1 Crore.

15. DISPOSAL OF DISPUTES

District Forum may ask the opposite party to remove the defect, replace the goods with new goods and free from defect, to return to the complainant the price of goods or to pay any amount as compensation. Appeals to be preferred within thirty (30) days. From the order of the District Forum to the State Commission and from the order of the State Commission to the National Commission Can entertain appeals beyond thirty days on sufficient cause shown for the delay. It has to be disposed within ninety days from its admission.

TOTAL NUMBER OF CONSUMER COMPLAINTS FILED / DISPOSED SINCE INCEPTION 16. **UNDER CONSUMER PROTECTION LAW. (UPDATE ON 08.01.2014)**

As per the latest reports made available by the National Commission the average % disposal of cases in all three levels of Consumers Forum in the country is an impressive 91.05% The total number of cases filed and disposed of in the National Commission, State Commissions and District Forum, as on 8.01.2014, since inception, are given below: Table-1 depict the data of whole the country in this direction. As per the table total number of cases filed since inception are 624795, cases disposed of since inception are 532814 and cases pending are 91981. Percentage of total disposed cases is 85.25% up to 08.01.2014. This is the big achievement of the act. Maximum pending 28100 (i.e. 59.41%) cases are in Uttar Pradesh and minimum pending 01 (i.e.98.51%) cases are in Arunachal Pradesh.

(Table---1): Ministry of Consumer Affairs, Government of India, Annual Report 2013-2014

STATEMENT REFERRED TO IN REPLY TO PARTS (a) & (b) OF RAJYA SABHA UNSTARRED QUESTION NO. 1787 FOR 07.02.2014 REGARDING PENDENCY OF CASES BEFORE CONSUMER FORUMS.

Total Number of Consumer Complaints Filed / Disposed since inception Under Consumer Protection Law.

			<u>19</u>		(Update on 08.01.2014)		
SI. No.	Name of Agency	Cases filed since inception	Cases disposed of since inception	Cases Pending	% of total Disposal	Remarks	
1	National Commission	86203	74966	11237	86.96%		
2	State Commissions	624795	532814	91981	85.28%		
3	District Forums	3360815	3099741	261074	92.23%		
	TOTAL	4071813	3707521	364292	91.05%		

SI. No	Name of State	Cases filed since inception	Cases disposed of since inception	Cases Pending	% of Dispos al	As On
	National Commission	86203	74966	11237	86.96	31.12.2013
1	Andhra Pradesh	30137	28782	1355	95.50	30.11.2013
2	A & N Islands	42	38	4	90.48	31.01.2008
3	Arunachal Pradesh	67	66	1	98.51	30.11.2013
4	Assam	2577	1867	710	72.45	31.12.2012
5	Bihar	15860	11120	4740	70.11	30.09.2013
6	Chandigarh	12804	12667	137	98.93	30.09.2013
7	Chattisgarh	9186	8324	862	90.62	30.11.2013
8	Daman & Diu and DNH	25	20	5	80.00	31.03.2011
9	Delhi	36650	34074	2576	92,97	31.12.2013
10	Goa	2461	2415	46	98.13	31.12.2013
11	Gujarat	47061	42573	4488	90.46	30.11.2013
12	Haryana	43726	43483	243	99.44	30.11.2013
13	Himachal Pradesh	8298	8102	196	97.64	31.12.2013
14	Jammu & Kashmir	6727	6170	557	91.72	31.03.2013
15	Jharkhand	5239	4774	465	91.12	30.09.2013
16	Karnataka	46324	42400	3924	91.53	30.11.2013
17	Kerala	26654	24987	1667	93.75	30.11.2013
18	Lakshadweep	18	16	2	88.89	30.11.2013
19	Madhya Pradesh	44212	38477	5735	87.03	30.11.2013
20	Maharashtra	58904	45091	13813	76.55	30.06.2013
21	Manipur	139	96	43	69.06	30.09.2008
22	Meghalaya	262	175	87	66.79	31.10.2012
23	Mizoram	207	199	8	96.14	30.11.2013
24	Nagaland	25	6	19	24.00	31.12.2011
25	Odisha	22360	16036	6324	71.72	30.09.2013
26	Puducherry	972	952	20	97.94	30.11.2013
27	Punjab	30377	24737	5640	81.43	30.06.2013
28	Rajasthan	53414	48829	4585	91.42	31.10.2013
29	Sikkim	42	41	1	97.62	31.12.2012
30	Tamil Nadu	25048	22742	2306	90.79	30.11.2013
31	Tripura	1538	1428	110	92.85	30.11.2013
32	Uttar Pradesh	69226	41126	28100	59.41	31.07.2013
33	Uttarakhand	4989	4075	914	81.68	30.11.2013
34	West Bengal	19224	16926	2298	88.05	30.06.2013
	TOTAL	624795	532814	91981	85.28	50.00.2015

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PROPOSAL FOR CONSUMER PROTECTION & REDRESSAL, ADR AND CONSUMER COUNSELING

BUDGET ESTIMATES (Rs. in crores)

Sl. No	Name of the Schemes	2012-13	2013-14	2014-15	2015-16	2016-17	Total
1	Strengthening of Consumer Forum	25.00	35.00	35.00	35.00	30.00	160.00
2	CONFONET	6.30	10.47	9.09	4.84	4.59	35.29
3	Consumer counseling and Mediation	8.40	21.00	33.60	46.20	53.76	162.96
4	Consumer counseling and Mediation	5.00	5.33	5.67	5.67	5.67	27.3

Summary of Proposed Plan Schemes for 12th Five Year Plan Table-2

Source: Twelfth Plan (2012-17) Volume – I

Table-2 indicate the Summary of Proposed Plan Schemes for 12th Five Year Plan expenditure in the field of various activities namely Strengthening of Consumer Forum, CONFONET, Consumer counseling and Mediation, Consumer counseling and Mediation to create consumer awareness in the society.

17. CONSUMER RIGHTS UNDER THE CONSUMER PROTECTION ACT

Many of us do not know our rights as a consumer and often hesitate to complaint or even stand up to unfair practices. That is why the consumers are cheated by the traders. It is time that we indulge ourselves and motivate others to do the same. To start with here are some facts and rules that you could refer to as starters. We invite SME's (subject matter experts) or people having knowledge or even experiences of personal case to share with us and put their comments. Although businessman is aware of his social responsibilities even then we come across many cases of consumer exploitation. Consumer rights awareness (CRA) is most vital to society. It is therefore, required that the people should at large scale be aware about their rights and available remedies under the Act. The areas where it is needed we should pay more attention to our villages. The awareness is much needed today as we pay for the products from their hard earned money and they should get its worth. That is why government of India provided following rights to all consumers under section (6) of the Consumer Protection Act. These rights are given below:-

i). Right to Safety:

According to this right the consumers have the right to be protected against the marketing of goods and services which are hazardous to life and property, this right is important for safe and secure life. This right includes concern for consumer's long term interest as well as for their present requirement. Sometimes the manufacturing defects in pressure cookers, gas cylinders and other electrical appliances may cause loss to life, health and property of customers. This right to safety protects the consumer from sale of such hazardous goods or services.

ii). Right to Information:

According to this right the consumer has the right to get information about the quality, quantity, purity, standard and price of goods or service so as to protect himself against the abusive and unfair practices. The producer must supply all the relevant information at a suitable place.

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Figure: 3

iii) Right to Choice:

According to this right every consumer has the right to choose the goods or services of his or her likings. The right to choose means an assurance of availability, ability and access to a variety of products and services at competitive price and competitive price means just or fair price. The producer or supplier or retailer should not force the customer to buy a particular brand only. Consumer should be free to choose the most suitable product from his point of view.

iv) Right to be Heard or Right to Representation:

According to this right the consumer has the right to represent him or to be heard or right to advocate his interest. In case a consumer has been exploited or has any complaint against the product or service then he has the right to be heard and be assured that his/her interest would receive due consideration. This right includes the right to representation in the government and in other policy making bodies. Under this right the companies must have complaint cells to attend the complaints of customers.

v) Right to Seek Redressal:

According to this right the consumer has the right to get compensation or seek redressal against unfair trade practices or any other exploitation. This right assures justice to consumer against exploitation. The right to redressal includes compensation in the form of money or replacement of goods or repair of defect in the goods as per the satisfaction of consumer. Various redressal forums are set up by the government at national level and state level.

vi) Right to Consumer Education:

According to this right it is the right of consumer to acquire the knowledge and skills to be informed to customers. It is easier for literate consumers to know their rights and take actions but this right assures that illiterate consumer can seek information about the existing acts and agencies are set up for their protection. The government of India has included consumer education in the school curriculum and in various university courses. Government is also making use of media to make the consumers aware of their rights and make wise use of their money. Apart from the above six rights two additional rights are recommended by the UNO.

vii) Right to value:

Consumer also has the right to get the value in consideration of the price paid. He has the right to get the premises or warranty fulfilled which were given at the time of sale or advertisement.

viii) Right to a Healthy environment:

The Consumer has the right to expect healthy physical environment for the improvement in the quality of life. The Businessman must use such type of material and technique which is not harmful to the environment. This right gives remedy to the consumer against water pollution, air pollution and noise pollution. The right is not included in this act and hope that sooner or later it will be added.

18. RELIEF AVAILABLE TO CONSUMERS

Consumer courts may grant one or more of the following reliefs: A) Repair of defective goods. B) Replacement of defective goods.C) Refund of price paid for the defective goods or service. D) Removal of deficiency in service. E) Refund of extra money charge. F) Withdrawal of goods hazardous to life and safety. G) Compensation for the loss or injury suffered by the consumer due to negligence of the opposite party. H) Adequate cost of filing and perusing the complaint. I) Grant of punitive damages.

Now complaint registration is easier, just call us on toll free no. and tell us your problem. File your complaints on Toll Free No- 1800-11-4566, National Consumer Helpline - 1800-11-4000 Jago Grahak .

19. RECOMMENDATIONS/ SUGGESTIONS

The philosophy of marketing is based on consumer. The consumer is not only the heart of marketing but also the controller of marketing functions. The reality consumer may be 'King' of corporate activities, but King is misguided by his Kingdom. As per this paper the following recommendations/suggestions are made-

1. Educate consumers to develop an understanding about their responsibilities as consumers. So the consumer education must be vigorously developed in urban as well as rural areas of the society.

2. Consumer should organize together to develop the strength and influence to promote and protect their own interest. For this consumer awareness is must.

3. Government should make and implement rules of punishment more harsh so that manufacturer and shopkeeper think twice before adopting fraudulent practices.

4. A campaign should be set in motion to involve each and every consumer for making them more conscious and aware of their right and responsibilities.

5. Government and other consumer agencies should make efforts in the direction of propaganda and publicity of district forum, state and national judiciary established for consumer protection so as to make more and more consumer aware about machinery for their greater involvement and to seek justice in case of grievances.

6. Redress procedure should be made more logical, easy enough to be understood by a large number of consumers. Further procedures shall so designed as to have easy handling and quick disposal of cases.

7. The unfair trade practice adopted by the large house must be included in the act and consumers may have a choice between the forum and councils for complaint.

8. The compensation must be clearly specified in the Act. The compensation should be based on the gravity of the offence and its ill effects on the consumers.

9. The right of healthy environment must be included for better environment of our beautiful world.

10. The central and state government must implement this act in order to support consumer movement in the country.

11. The government must take strong step towards businessmen, manufacturers, and traders who are involved in the mass media and they should be debarred from all government assistance.

12. The government should give financial support to registered consumer associations for better consumer movement.

13. Consumer Protection Act (CPA), 1986 should include e-commerce, product liability, and misleading advertisements within its purview. Following points must be taken into consideration while purchasing a goods and services:--

Always Insist On Cash Memo, Look For The "Best Before" Or "Expiry Date" When Buying Food Or Medical Products Always Look For Standard Marks Like ISI, FPO, Agmark Etc... Do Not Pay More Than MRP. Always Fight For Your Rights in the Consumer Forum, the Consumer Is Always Strong. International Journal of Social Science and Humanities Research ISSN 2348-3164 (online)

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20. CONCLUSION

It may be concluded that even than several laws meant to protect consumers against such unfair trade practices, false and misleading advertisements continue exploit the consumers. In the society Consumers play a vital role in the economic system of a nation because in the absence of effective demand that emanates from them, the economy virtually collapses. The intention of the legislature to provide for extensive consumer protection is to be welcomed. we are all consumers and haven't previously been adequately protected. The danger is that the principles may not adequately cater for every business eventuality and that the uncertainty created through the removal of established common law principles will result in increased litigation and a lack of confidence in the South African economy. Despite the plain and understandable language requirement included in the Act, the Act itself is not user friendly and will probably be very difficult for the average consumer or supplier to make sense of. Suppliers will need to familiarise themselves with the Act sooner rather than later and ensure that they comply. The consumer protection Act, 1986 is unique in coverage and compensatory in nature. But, the success of the new legislation would however depends on removing the lacunae in the act and considering the wealthy suggestions and ultimately on its effective implementation by the central and state government. Strong and effective consumer movement is the need of the hour. It should be the way of life for all the section of the society to be a being a real consumer. The Consumer protection act, 1986 will ensure consumerism in the country. In this study it was fond that people are still hesitating or affording to file a complaint against the trader. That may be due to lack of courage, education and legal complications. The need of the hour is for total commitment to the consumer cause and social responsiveness to consumer needs. This should, however, be proceeded in a harmonious manner so that our society becomes a better place for all of us to live in.

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