

AWARENESS OF CONSUMER RIGHTS: A REVIEW OF LITERATURE

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ABSTRACT:

Awareness refers to knowledge of a whole problem. Consumer rights awareness claims information to be passed and made known to customers of various goods, products and services what a customer needs that is aimed at ensuring consumer rights and the smooth flow of honest information in the market. Awareness is essential to take right decision at right time by the customer. Awareness goes hand in hand with the knowledge of all six rights under consumer protection act giving insight of what actually does a customer hold as it comes to seller while selling the goods or services. The customer is foremost important component to go commercial as to fulfil the reason of business activity and update, secure and give privilege to society with superior variants by organization and keeping up its goal of welfare. Consumer owes responsibility towards society, as an aware customer will represent changes within society and will put a fight against unfair practices of business in market and such rights are subject to considerable discussion since past few decades and a collective and organized movement.

Design / Methodology -The present research paper is grounded from secondary data.

Findings- This study found that there is still need of awareness of consumer regarding their rights as a consumer. Overall, there is affirmative relationship between awareness campaigns and consumer rights.

Practical implications- This study will encourage people to better utilize their rights as a consumer.

Keywords: Awareness, Consumer Rights, Protection, Unfair trade

INTRODUCTION

Selvi and Anusuya expressed the consumer rights to choose the goods and know the background of production of a consumable product as about its merchantability, safety and benefits of use for consumer. Awareness is better understanding of rights of customers as of consumer protection act. All the rights are detailed explanations and the basis to understand the customers rights and improvising knowledge about goods or in one word may be explained as awareness. The consumer rights are designed to upgrade the basic requirements

to be fulfilled by production houses. To get the complete knowledge of product along with prevention measures of unfair trade practices, the knowledge of availability at market place and how to get rid of any complaints all the perspectives and such information is elaborated in the act. The better the understanding of the rights the more aware the customer is.

The act advocates and profounds the consumerism and safeguards the consumer interest and also promotes new services and goods to follow and save them at large in-relation to sellers. The act covers all the aspects in terms of reach and size, the customers are provided with the shield of act, the act also penetrates in community, it is promoted and educated by the production houses and service providers. The act secures customers by giving less expensive redressal against grievances but still the challenges are in ways which create hazels in seeking redressal as law adopts the formal approach in terms of procedural part. The hazels are such as infinite problems and limited means to educate the consumer, court demands for engaging a public lawyer for a case, the appointment of committees formulated for redressal are not on the basis of merit and the outcome is inordinate delays in hearings and further the orders by consumer forums. The plethora of law and other mechanism can find the way to raise the voice of customers and not tolerate the acts of sellers in silence.

Consumer rights are as follows:

Right to safety: The right shifts the responsibility towards producers of goods to remark about the hazards associated with the product if any. The hazards in usage, its carriage, life-threatening and property-threatening services and goods. The knowledge of hazards will update the customer and help to understand the purpose and safety measures behind.

Right to information: For prompt liberty of speech and expression is guaranteed by the constitution to the applicant under this right. The liberty and adequate knowledge and information of potency of product, price, goods, quantity, quality or services the transparency and fair commercial practices are included under the right between citizens and officials of government and render information and rational assistance for the person seeking such information. The right provides with the protection against unfair trade practices and safeguards the consumers by making them aware and informed through this right. The right empowers with two things one the transparency for customers regarding product and services and second protection against any unfair trade practices.

Right of choose: To reduce the impact of monopolistic markets and reduce and discourage the customers bargaining power and to provide goods and services at competitive and fair prices are the motto behind the right.

Right to be heard: The right explains core of the Consumer Protection Act, as it is based on consumers interest in the way as something goes wrong with consumers interest then it will receive due attention in corresponding the forum.

Right to redress: If a consumer has experienced a loss or injury as a result of such unfair trading practices or the restraining business practice has been demonstrated and the claims

contained in the complaint, Forum, in the event of a complaint, will insure and recompense the consumer.

Right to education: This right explains the consumer about the practices and their remedies to be used.

NEED FOR CONSUMER PROTECTION

Consumer protection rights are to protect consumer from the seller's fraudulent practices. Each diurnal customers use uncountable goods and also services assuming the products are consumable and safe. The goods are getting more complex due to use of technology modernization, shrill advertising and huge marketing strategies may deceive the consumer. Customer need an effective system to safeguard themselves and deal with the problems and help prevent themselves from the unlawful practices.

PROBLEMS FACED BY CONSUMERS

Consumers may be deceived in various ways by unscrupulous businessmen including traders, dealers, producers and manufacturers as well as service providers.

1. Adulteration makes the product of good quality in poor quality product being sold or providing poor services. This is a practice people come across in the many products like weight gaining products, honey the most and the ingredients too are modified in the adulteration and it may injurious to health.
2. Sale of spurious products is an illegal offence or fraud, the intention behind is selling zero value product rather than real product. This practice is commonly used in branded products, health care products and drugs.
3. False or wrong weights and measures is also a malpractice where the given rules of government are not properly implemented, that is the quantity is served less by seller of product. Somehow packed goods and sealed containers contain less quantity than mentioned on the outer packaging and labels.
4. Sale of duplicates or counterfeit products are illegal and create offence. Selling of first copy or duplicity of products are not accepted without the legal permission of the legal owners. As if a person produces imported quality of goods locally and sales at a higher price as imported items expected to be of superior quality.
5. Hoarding and black-marketing is also a major challenge. As the practice is to hold and create an artificial scarcity, to push up the prices. Were as the black marketing is the practice of selling goods outside the government created boundaries of hoarded goods and selling it at a higher price.
6. Tie-in-Sales: Buyers of durable consumer goods are sometimes required to buy some other goods as a pre-condition to sale or may be required to pay after-sales service charges for one year in advance.
7. Offering gifts having no additional value or coupons to collect a gift on the next purchase of some product are practices aimed at alluring consumers to buy a product. Often gifts are offered after the price of the product on sale has been increased.

8. Misleading advertisement is yet another practice by which consumers are deceived. Such advertisements falsely represent a product or service to be of superior quality, grade or standard, or falsely assert the need for or usefulness of a product or service. A company announced in its advertisement that it was manufacturing 150 cc. scooters in technical collaboration with a foreign company, although no such collaboration had been entered into.
9. Sale of sub-standard goods this does not adapt set of expected quality standard particularly for safety. The products are as such pressure cookers, stoves, Electric gadgets (heaters, toasters, etc.) and cooking gas cylinders.¹

PROBLEM STATEMENT

In any country, consumers drive the economy as their demand for goods and services facilitates their production and continuous supply. Generation of employment and income are the result of consumer demand. Fluctuations the demand for goods and services leads to a recession, depression, recovery or boom in the market and economy. This suggests that consumer rights must be protected strong legal framework, which can encourage consumers and consumerism in a unhindered way. However, consumer rights and their protection are being ignored comprise various segments such as rich and poor, literate and illiterate, urban and rural, men and women etc. So, they are not organized, they are not educated in their rights, they are not aware of the same and there is no quick mechanism to fix consumers complaints and disputes. The advent of modern technologies such as computers, the Internet and cell phones. has made a change in pattern of marketing. Online shopping for almost everyone convenience and the possibility of online payment for any service, no doubt, helped a lot to consumers, saving them time, money and energy, even if it has exhibited to high-tech fraud such as cybercrime. Sellers and consumers don't need to meet personally to carry out your business transaction and they do not need to know each other, since operate in the virtual market. The current consumer protection law at present, it does not cover any of the internet marketing or cyber marketing activities or shop online. In this evolving world of marketing, the role and importance of consumers are totally curtailed, their rights are inadequate and protection is ongoing dismantled Therefore, it becomes important to examine the security shell of consumers, their civil liberties and the degree of awareness between them in the context of the changing world consumers, as is attempted in this study.

SIGNIFICANCE OF THE STUDY

The legal protection of consumer law is of recent origin in India, which was introduced in 1986 and the Consumer Protection Act was introduced. Today, in the last decade, the world of marketing has suddenly changed profoundly with the advent of modern technologies. In the virtual market nobody knows the identity of the consumer or the seller, I learn the way to the new method of fraud and deception. It has become too easy for vendors, manufacturers, manufacturers, brokers, wholesalers and retailers to tempt fraudulent businesses, as existing laws have not been required to address the changing nature. The market, the nature of marketing, the way we benefit and the service we have bought and sold, and the way in which the payment is made and paid on a permanent basis, while the legislation that protects and protects the consumer and the interests of the consumer are obsolete. , leaving large

loopholes to be manipulated by the organized group of suppliers and manufacturers. In the meantime, it is pertinent to directly analyze the consumer's opinion, the protection legislation and the knowledge of the evolving market. This helps to understand the degree of awareness among consumers about their rights and consumer protection laws in today's world.ⁱⁱ

OBJECTIVES OF THE STUDY

1. To know the awareness of the consumer rights in the process of consumption of goods and services.
2. To study knowledge of the consumer towards complains filing procedure.
3. To suggest for raise the consumer awareness towards consumer rights.

REVIEW OF LITERATURE

Jayasubramanian and Vaideke (2012) stated that consumer protection measures are not known to the general public due to a lack of adequate communications. So, in this context, it goes without saying that information has to reach every single consumer. Furthermore, it reveals that the government proposes many measures to safeguard the consumer, but the consumer is not using them properly. Sundaram & Balaramalingam (2012) pointed out that Female consumers have little awareness of consumer rights. The reason behind is little knowledge of consumer rights even low literacy and low socio-economic status. So, it reveals women's awareness of consumer rights is decreases, the use of their rights also decreases. Nair (2012) found out that only few students from all the six colleges taken together were aware of the law. Majority of the students were unaware of the law. Chandra and parvez (2012) stated that before buying any goods or services an aware educated consumers should seek full information regarding quality and price of the goods and services. Consumers should be aware false and /or misleading information. Consumers should not purchase blindly and ask full information before buying. Sewanand (2012) in his study entitled Consumer Awareness and Consumer Protection Act-A study. He pointed out that most of the consumers have general awareness towards consumer protection right. They are well known with jago grahak jago, Quality standards Like ISO, ISI Agmark etc. Hamid and Ananda (2013) stated that Most of the people in Bangladesh do not know about the existence of their rights as consumers. One of the main reasons for this is the lack of basic education. So, if all the parties (government, non-profit organizations, consumers) take initiatives, consumers will become aware about their rights. Enforcement of law by government can make businessmen do the right things. Singh and Grewal (2013) stated that several laws have been formed to protect consumers against unfair trade practice in spite of that wrong and misleading advertisements continue exploit the consumers. Deepika and Kumari (2014) in her study entitled A Study on Awareness on Legal act of Consumer Protection among Students. She conducted a study to know the level of awareness of students towards consumer protection regulations. Most respondents were having knowledge of the Indian Penal Code, 1860 and other such related acts. Low knowledge of hire Purchase Act and the Railway Claims and Tribunal Act was also noted. It also revealed that most of students were getting information by different modes such as newspapers, journals and from course syllabus. Jamuna (2014) Studied the level of consumer awareness and answers were drawn from the respondents in

relation to consumer responsibilities. Most respondents gave first place to warranty and its certificate. The majorities of respondents are aware of consumer forums and believe that the procedures are straightforward. Most of them also disagreed about increase in consumer awareness has enhanced with the Consumer Protection Act. Gurusamy et al (2014) stated that there is the correlation between the education level and awareness level with reference to Coimbatore districtⁱⁱⁱ. Njuguna et al (2014) stated that level of consumer rights awareness was high among household consumers. Most household consumers were aware of their basic rights as compared to the complex rights. Most of the respondents were not utilizing their rights due to complex procedure of filing complain in the country. Arora et al (2014) stated that Teens are not fully aware of the quality assurance marks on different products. They usually check information such as price, expiration and production date, brand, etc. listed on product labels. Research also indicates that teenage boys are more aware of consumer rights than teenage girls.

Tamilmani (2015) stated that very few consumers are aware of their rights or understand their fundamental rights as consumers of the various laws that have been enacted to protect consumer rights in India, the most important is the Consumer Protection Act of 1986. Sundaram and Sriram (2015) stated that the government continually strives to regularize the problems faced by consumers, but until and unless the consumer is ready to be aware regarding their right as a consumer the government's effort will not work. Cihatpolat (2016) examined the types of problems faced by Turkish consumers on the ground, how they use consumer rights in practice when they have problems, what kind of remedy they get when applied to the competent authorities. Islam et al (2016) stated that consumer illiteracy is the main reason for poor consumer rights protection. Kirillova et al (2016) examined the details of e-commerce and online consumer rights protection issues. Devi and Rao (2016) stated that most consumers, both educated and uneducated, are unaware of their rights, laws and consumer protection provisions. They do not have enough confidence in the government other than having a negative opinion on existing measures. Kumar (2016) stated that most of the respondents showed a low level of awareness and a low level of use of consumer rights. Burna (2017) stated that customers buy products, both branded and non-branded, and most customers experience quality defects. Most of the customers reject the product and complain to the merchants and more than 54% of the customers are aware of the Consumer Protection Act and 92% of the consumers do not receive the reply within the specified time. Chaudhury (2017) concluded that most of the students were unaware of their rights. Some of the graduate students are unaware about their rights as a consumer. Lacks of knowledge tells them that only the one who pays for the product / service is a consumer. Rambabu (2017) determined correlation between awareness of consumer rights and education. There is a significant difference in profession, age and income. There is no significant difference between consumer rights awareness and gender.

Sadyojathappa (2017) stated as government continually sought to protect consumers interest through legislation the 1986 CPA is the progressive consumer protection law. Law reflects consumers' interests are better protected than before. Alsmadi and Alnawas (2018) stated that public policy makers should regularly review product safety standards and give preference to environmentally friendly products. Boro (2018) concluded that only 40% of the respondents

know the consumer protection law and 60% of the respondents do not know it in kamrup district Assam. Natarajan et al (2018) stated that only fourteen percent of consumers surveyed have a high level of awareness of the six recognized consumer rights, and the level of awareness of the remaining eighty-six percent is not good enough in Dindigul District. Latha and ThamaraiKannan (2019) stated that respondents in 21 to 40 age categories who are professionals earn an income of Rs. 10001 to Rs. 20,000 were well aware of the right to consumer protection. Most of the consumers were aware of the consumer rights and corrective measures of the consumer forum, such as payment of the insured sum, compensation and replacement of the goods.

Kalra (2019) stated that consumers are exploited in many ways through the most dominant and informed sources. On the other hand, consumers need to be aware not only of the commercial aspects of buying and selling goods, but also of the health and safety aspect. Rane (2019) stated that there is a real need for consumers to speak out against any kind of exploitation to contribute to a progressive nation and safeguard the consumer.

Chhetri (2020) stated that college students knowledge level on consumerism is quite good. It is noted that practices and behavior during the buying process are appreciable. They checked the tools and instruments used in the measurement during the purchase. They also checked the details of MRP, production date and expiration date. The awareness level of UG students is good compared to PG students in several aspects. Venkatesan and Leelavathi (2020) pointed out that most of the respondents do not know their rights as consumers. It refers to the fact that 43% of the respondents always check the MRP, 41% of the respondents never check the MRP and 16% of the respondents sometimes check the MRP when buying goods and services. Nedumaran and mehala (2020) stated that most of the consumers were unaware about their right and did not know about filing the complaint procedure. Media and educational institution always play an important role in consumer awareness and sharing information regarding organizations working for the consumer satisfaction in their area. Chawala and Kumar stated that the lack of confidence in the goods and their suppliers / producers was one of the main reasons people don't shop online. Widespread Internet penetration and increasing use of computers / tablets / smart phones have driven e-commerce growth in all countries, including India. fast e-commerce the development brought with it a new distribution method. It has brought new opportunities to consumers, forcing vulnerable consumers to new forms of unfair trade and immoral business.

CONCLUSION

The Consumer rights gives consumers of India an opportunity to understand and protect the rights as consumers. It provided necessary protection to them against different unfair trade practices to protect the interests and rights of the consumers. It also consisted redressal mechanism and clauses for compensation to the aggrieved consumers. However, such legislation has to be backed by well informed and responsive citizenry and strong consumer protection groups should take up issues fearless of opposition. This study has brought out the fact that people are still not taking sufficient care in verifying the MRP of the products they purchase, their expiry date, genuineness of the products and their degree of awareness in demanding replacement for defective products is also less. Moreover, most of them do not

ask for the sales receipt from the shopkeeper or seller of the goods. This underscores the extent of ignorance that prevails among the consumers. Also, there is still lack of knowledge about the existence of CPA and various measures which are available under the Act. Respondents also opinion that it takes undue time in getting a complaint heard by the Commission and for the award of compensation. Moreover, the arrival of corporate houses into retailing, globalization and information technology has changed the nature of trade in the country. This calls for thorough changes in the existing consumer protection measures so as to include these new facets of business. If need be, the Government can also consider about bringing new Consumer Protection bill in order to strengthen consumer rights and protection. Consumer awareness and consumer movement has an important role to play in augmenting consumer protection and also consumerism in a society. Many countries have acknowledged the significance of consumer protection by enacting legal measures to safeguard the interests of consumers and by allocating huge amount on consumer education and their awareness. However, consumer awareness and development of a country are seemed to be directly related, since in most of the developing countries consumer exploitation is quite proliferating. The developing countries lack sufficient capital to invest on education among the people and more so for consumer education. This is also the reason for lack of consumer awareness towards consumer rights.

SUGGESTIONS:

- 1) It is quite necessary for carry out the programs and meetings necessary to raise awareness of the consumers on various provisions of the consumer protection rights .
- 2) Efforts can also be made to include consumer awareness in the school. Curriculum, which will help even the youngest to understand the importance of consumer protection and consumer rights.
- 3) Unfair trading practices should be more punitive, reinforcing the consumer protection measures.
- 4) The existing CPA must be completely modified to include the change of nature and business model. It must include online shopping and shopping by correspondence.
- 5) Time to time seminar should be organize to raise the awareness of consumer rights.

Complain filing and redressal procedure should be in such a manner that there should not be any problem to the consumer.

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