

Protection of Consumers in the Age of Rising Economic Complexities in India

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Abstract— We are living in a highly materialised, commercialised and consumerist way of life. The rising opportunity of earning and easy accessibility of modern markets has given meteoric pace to production and consumption. The modern day scientific and technological advancements have further intensified consumerism. But these developments have also provided greater space for financial deceptions and fraudulent transactions. In most simple terms, a seller sells a product to a buyer, the buyer finds the product not to be upto his satisfaction, some would say it is a mere co-incident but is it so? In the absence of definitive statistics, the instinct of a consumer living in a capitalist society would lead one to wonder if the seller intentionally did or did not do something that led to a compromised consumer satisfaction. The need for the protection of the rights of the consumer also demands greater concern of the policy makers, quasi- judicial bodies and non- governmental organisations in this new age of commercialisation. This paper focuses on the statutory protection provided to the consumers in India, consumer services, penalties and issues of fairness and transparency.

Index Terms—Complaint, Consumerism, Consumer Councils, Penalties, Transparency

I. INTRODUCTION

Liberalisation, privatization and globalization have paved the way for a market- driven economy where the manufacturers seek to maximize profits. Manufacturers are not often concerned about the quality of goods and services and their impact on health of the people and the environment (Singh & Chadah, IIPA, New Delhi). It is, indeed, ironic that instead of consumer choice guiding the producer as to what should be produced; it is the producer who decides what the consumer should want. The plight of consumer is further worsened by the use of advertising techniques. Consumers are saddled with the problem of choosing between too many products with too less information. With the concentration of market in the hands of a few large corporations, it becomes important that the consumers are aware of their rights in order to ensure proper standards for the goods and services for which they make payments. Consumer movement is a socio-economic movement to protect the rights of consumers in relation to goods purchased and services availed (Annual Report, 2013-14, MOCA, New Delhi).

Consumer rights awareness is now an integral part of our lives like a consumerist way of life. Consumerism has been a movement in which trader and consumer find each other as adversaries (The Supreme Court of India, 1998). There are great differences between developing and developed

countries in social, political and economic fields. In last two decades in many developed and developing countries powerful consumer organisations have come into existence and such organisations have been instrumental in dealing with the consumer protection laws and in expansion of the horizon of such laws (General Assembly Resolution, 1985). India is one of the developing countries which suffer with several drastic troubles, such as unemployment, poverty, illiteracy, overpopulation etc. The irony is that in this fast changing world, the majority of consumers in India are still illiterate or semi- literate and do not know their rights and even the law of sales. They could not organize themselves against the unfair trade practices and hence get exploited. It is, indeed, the main reason because of which Consumer Protection Act, 1986 was enacted and Department of Consumer Affairs is entrusted with administration of the Act and implements the measures to strengthen the consumer Fora established to ensure speedy affordable and simple dispensation of justice to consumers (Annual Report 2013-14, MOCA, New Delhi).

Market resources and influences are growing day by day and so is the awareness of one's consumer rights. These rights are well-defined and there are agencies like the government, consumer courts and voluntary organizations that work towards safeguarding them. The introduction of new products in developing countries was to be assessed in relation to the local conditions having regard to the existing production, distribution and consumption patterns of the country or region concerned (Mulla, eds D.P. Wadha & N.L. Rajah, 2009).

Consumers by definition include all citizens who are, by and large the biggest group, who are affected by almost all government, public or private decisions. With the increasing changes in economic conditions, the children especially are becoming young consumers at an early age. Children must learn to obtain information about goods and services, understand the psychology of selling and advertising, learn to shop wisely and distinguish between wants and needs (The Supreme Court of India, 1998). They must also understand the alternatives of conserving and saving rather than buying and consuming.

Objectives of the Study

The dismal ability of consumers to cope up with the growing challenges of modern consumerist society. Is lack of legal awareness major obstacle or the inability of redressal agencies in the protection of the rights of consumers?

II. METHODOLOGY

This paper is based on secondary data collected from various published sources like books, statutes, research articles prepared by both government and non- governmental agencies.

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III. DISCUSSION

Consumers play vital role in the economic system of a nation as does a spinal cord in human body. While emphasising the importance of consumers, Mahatma Gandhi said, "a consumer is the most important visitor on our premises". Consumer protection has earned an important place in the political, economic agenda of many nations. To provide speedy and simple redressal to consumer disputes, quasi-judicial machinery is sought to be set up at the district, State and Central levels. The Supreme Court also directed that within two months from the order every District shall have a District Forum which would be presided over by an exclusively appointed Judicial Officer in terms of the prescription of the Statute. These quasi-judicial bodies will observe the principles of natural justice and have been empowered to give relief of a specific nature and to award, wherever appropriate, compensation to consumers. Penalties for non-compliance of the orders given by the quasi-judicial bodies have also been provided. The definition of 'consumer' under the Consumer Protection Act, 1986 would include:

A person who has bought goods for consideration,

- Any person other than the buyer who uses the goods with the approval of the buyer,
- A person who hires any services for consideration,
- Any other person who uses the services with the approval of the hirer of services,
- Beneficiary of services.

Moreover, any person who obtains the goods for resale or commercial purposes is not a consumer. But a person buying goods for self-employment is a consumer. The Supreme Court has in **Lucknow Development Authority v. M.K. Gupta**, set out the meaning and scope of the expression consumer saying that it is a comprehensive expression. It extends from a person who buys any commodity to consume either as eatable or otherwise from a shop, business house, corporation, store, fair price shop to use of private or public services. The Act opts for no less wider definition which is in two parts, the first deals with goods and the second with services. Both parts first declare the meaning of goods and services by use of wide expressions. Their ambit is further enlarged by use of inclusive clause. It is not only the purchaser of goods or hirer of services but even those who use the goods or who are beneficiary of services with approval of persons who purchase the goods or who hired the services are included in it.

The Supreme Court again in **RPF Commissioner v. Shiv Kumar Joshi**, had occasion to deal with the scope and ambit of the term consumer and held that "the Act is aimed to protect the interests of consumer as understood in the commercial sense of the term as 'purchaser of goods' and in the larger sense 'user of services'. The definition excludes a person who obtains such goods for resale or for any commercial purposes."

The issue whether an incorporated company was a consumer entitled to maintain a complaint under the Act was resolved by National Commission in **Jay Kay Puri Engg., & another v. Mohan Breweries & Distilleries Limited**, where it was held that a company is a consumer. The ambit was further expanded by the National Commission when it held that if the

goods were kept in deliverable stage, the petitioner would at least be beneficiary in terms of Section 2(1)(d) and hence would be a consumer.

In a complaint related to medical negligence where the wife of the complainant was suffering from heart attack and complainant asked for referring the case to specialist but the same was denied. Patient died and complainant claiming compensation was denied on the preliminary ground that complainant was not a consumer. The National Commission held that complainant was consumer.

It is, indeed, important to note that not only the National Commission but also the Supreme Court of India has given liberal interpretation to the term 'consumer' so as to include a large number of commercial activities within the ambit of Consumer Protection Act, 1986. The expanding horizon of the term consumer has certainly given larger space to protect vulnerable consumers in the rising economic complexities and growing fraudulent acts in different parts of the country in general and in commercial cities in particular.

3.2: Remedies

A consumer can seek following remedies under the Act:

- to remove the defect pointed out by the appropriate laboratory from the goods in question;
- to replace the goods with new goods of similar description which shall be free from any defect;
- to return to the complainant the price, or, as the case may be, the charges paid by the complainant;
- 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;
- to remove the defects or deficiencies in the services in question;
- to discontinue the unfair trade practice or the restrictive trade practice or not to repeat it;
- not to offer the hazardous goods for sale;
- to withdraw the hazardous goods from being offered for sale;
- to provide from adequate costs to complainant.

3.3: Consumer Protection Councils

The Consumer Councils have been created to advise and assist the consumers in seeking and enforcing their rights. In India, there are Consumer Councils both at Center level and State level. The State Government shall establish a District Consumer Protection Council for every district. These councils work towards the promotion and protection of consumers. They make investigations and give publicity to the matters concerning consumer interests, take steps towards furthering consumer education and protecting consumer from exploitation, advice the Government in the matter of policy formulation keeping consumer interest as pivotal concern, etc. Although their suggestions are recommendatory in nature yet they have significant impact in policy making.

3.4: Objects of the Consumer Council

The objects of the Central Council shall be to promote and protect the following rights of the consumers:

- The right to be protected against the marketing of goods and services which are hazardous to life and property;
- The right to be informed about the quality, quantity, potency, purity, standard and price of goods or services, as the case may be so as to protect the consumer against unfair trade practices;
- The right to be assured, wherever possible, access to a variety of goods and services at competitive prices;
- The right to be heard and to be assured that consumer's interests will receive due consideration at appropriate forums;
- The right to seek redress against unfair trade practices or restrictive trade practices or unscrupulous exploitation of consumers; and
- The right to consumer education.

3.5: Fee for making complaints before District Forum

Every complaint filed under the Act shall be accompanied by a fee in the form of crossed Demand Draft drawn on a nationalized bank or through a crossed Indian Postal Order drawn in favor of the Registrar of the State Commission and payable at the respective place where the State Commission or the National Commission is situated. The main objective of the act is to provide for the better protection of consumers. Unlike existing laws, which are punitive or preventive in nature, the provisions of this Act are compensatory in nature. The Act is intended to provide simple, speedy and inexpensive redressal to the consumers' grievances, and relief of a specific nature and award of compensation wherever appropriate to the consumer.

3.6: Establishment of Consumer Forums

The state governments are responsible to set up the district fora and the State Commissions. States have been empowered to establish additional District Forum and also additional members in the State Commission to facilitate constituting benches and also for holding circuit benches. The government is monitoring the disposal of cases by the consumer courts through National Commission. As per the current statistics, since its inception and up to 31.3.2014, 3398031 cases were filed out of which 3134189 cases were disposed of by the District forums in various states of India.

3.7: Period of Limitation

A complaint is only admitted by any of the competent forums under CPA if it is filed within two years from the date on which the cause of action has arisen but it may be entertained after the said period after recording its reasons for condoning such delay, if the complainant satisfies the District Forum, the State Commission or the National Commission that he had a sufficient cause for not filing the complaint within period of two years.

3.8: Procedure to File a Complaint

A complaint can be filed in a District Forum or as per pecuniary jurisdiction in another forum within local limits of whose jurisdiction the opposite party or any of the opposite parties resides or carries on business, or has a branch office or personally works for gain. Class actions under CPA Section 2 (1) (b) permits filing of a complaint by a consumer, any voluntary consumer association registered under *Companies Act, 1956* or under any other law, the State government or Central Government, one or more consumers where number of consumers have same interest, in case of death of a consumer, his legal representative may, makes a complaint.

Table: I*- Jurisdiction under CPA, 1986

Amount of fee payable in National/State Commission and District Forum	Value of Goods or Services and the Compensation Claimed	Amount of fee payable
(1)	(2)	(3)
District Forum		
(1)	Upto one lakh Rupees- For complainants who are under the Below Poverty Line holding Antyodaya Anna Yojana cards.	Nil
(2)	Upto one lakh Rupees- For complainants other than Antyodaya Anna Yojana card holders.	Rs.100
(3)	One lakh rupees and above but less than five lakh rupees	Rs.200
(4)	Five lakh rupees and above but less than Rs.10 lakh	Rs.400
(5)	Ten lakh rupees and above but not exceeding twenty lakh rupees	Rs.500
State Commission		
(6)	Above twenty lakh and upto fifty lakh rupees	Rs.2000
(7)	Above fifty lakh and upto one crore rupees	Rs.4000
National Commission		
(8)	Above one crore rupees	Rs.5000

Source: Prepared by authors on the basis of information contained in The Consumer Protection Act, 1986 as amended in 2002.

The complainant who is below poverty line shall be entitled for exemption of payment of fee only on production of an attested copy of the Antyodaya Anna Yojana cards.

3.9: Powers of the National, State and District Consumer Forum

The National Commission, the State Commission and the District Forum shall have power to require any person,—(a) to produce before, and allow to be examined and kept by an officer of the National Commission, the State Commission or the District Forum, as the case may be, specified in this behalf, such books, accounts, documents or commodities in the custody or under the control of the person so required as

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may be specified or described in the requisition, if the examination of such books, accounts, documents or commodities are required for the purpose of this Act; (b) to furnish to an officer so specified, such information as may be required for the purpose of this Act.

Where during any proceedings under CPA, the National Commission, the State Commission or the District Forum, as the case may be, has any ground to believe that any book, paper, commodity or document which may be required to be produced in such proceedings, are being or may be, destroyed, mutilated, altered, falsified or secreted, it may, by written order, authorize any officer to exercise the power of entry and search of any premises. Such authorized officer may

also seize such books, papers, documents or commodities as are required for the purpose of the said Act. Provided that such seizure shall be communicated to the National Commission, the State Commission or the District Forum, as the case may be, as soon as it is made or within a period not exceeding 72 hours of making such seizure after specifying the reasons in writing for making such seizure. The National Commission, the State Commission or the District Forum, as the case may be, on examination of such seized documents or commodities, as the case may be, may order the retention thereof or may return it to the party concerned. It is gratifying to note that the latest report of National Commission states that average percentage disposal of cases in all three levels of consumer for a in the country is an impressive 91.10%.

Table. II* Statement of cases filed/disposed of/ pending in Three tier Quasi-judicial system as on 31.03.2014

Sl. No	Name of Body	Cases filed Since inception	Cases disposed of since inception	Cases Pending	% of Disposal
1.	National Commission	88166	76731	11435	87.03
2.	State Commission	632333	540908	91425	85.54
3.	District Fora	3398031	3134189	263842	92.24
TOTAL		4118530	3751828	366702	91.10

*Source: Annual Report, 2013-14, Department of Consumer Affairs.

3.10: Place and Procedure of District Forum

The Office of the District Forum shall be located at the headquarters of the District. When State Government decides to establish a single District Forum having jurisdiction over more than one District, it shall notify the place and jurisdictions of the District Forum so established. The working days and the office hours of the District Forum shall be the same as that of the State Government. The official seal and emblem of the District Forum shall be as the State Government specify. Sitting of the District Forum, as and when necessary, shall be convened by the President. No act or proceeding of the District Forum shall be invalid by reasons only of the existence of any vacancy among its members or any defect in its constitution. The State Government shall appoint such staff, as may be necessary to assist the District Forum in its day to day work and perform such other functions as are provided under these rules, or assigned to it by the President. The salary payable to such staff shall be defrayed out of the Consolidated Fund of the State Government.

Where the opposite party admits the allegation made by the complainant the District Forum shall decide the complaint on the basis of the merit of the case and documents present before it. If during the proceedings conducted under Section 13 of mentioned Act, District Forum fixes a date for hearing of the parties, it shall be obligatory on the complainant and opposite party or its authorized agent to appear before the District Forum on such date of hearing or any other date to which hearing could be adjourned. Where the complainant or his authorized agent fails to appear before the District Forum on such day, the District Forum may in its discretion either dismiss the complaint for default or decide it on merit. Where the opposite party or its authorized agent fails to appear on the day of hearing, the District Forum may decide the complaint ex parte. While proceeding under sub-rule (8), the District

Forum may on such terms as it may think fit and at any stage, adjourn the hearing of the complaint but not more than one adjournment shall ordinarily be given and the complaint should be decided within 90 days from the date of notice received by the opposite party when complaint does not require analysis or testing of the goods and within 150 days if it requires analysis or testing of the goods. Orders of the District Forum shall be signed and dated by the Members of the District Forum constituting the Bench and shall be communicated to the parties free of charge.

Table:III* - Statement of Cases filed/disposed of/pending in District Fora as on 31.01-2014

Name of State	Cases filed since inception	Cases disposed of since inception	Cases Pending	% of Disposal	As On
Uttar Pradesh	595574	519542	76032	87.23	31.01.2014

Source : Annual Report, 2013-14, Department of Consumer Affairs.

Rules which is known as *Uttar Pradesh Consumer Protection Rules, 1987* (UPCPR) and came into force on 31st August, 1987.

IV. MATTERS

4.1: Matters Relating to State Commission

Office of the State Commission shall be located at the capital of the State. The working days and the office hours of the State Commission shall be same as that of the State Government. Sitting of the State Commission, as and when necessary, shall be convened by the President. No act or proceedings of the State Commission shall be invalid by reason only of the existence of any vacancy among its

members or any defect in its constitution thereof. The Government shall appoint such staff, as may be necessary to assist the State Commission in its work and perform such other functions as are provided under these rules or assigned to it by the President. The salary payable to such staff shall be defrayed out of the Consolidated Fund of the State Government.

Where the opposite party admits the allegation made by the complainant, the State Commission shall decide the complaint on the basis of the merit of the case and documents present before it. If during the proceedings conducted under section 13, State Commission fixes a date for hearing of the parties. It shall be obligatory on the complainant and opposite party or his authorized agents to appear before the State Commission on such date of hearing or any other date to which hearing could be adjourned. Where the complainant or his authorized agent fails to appear before the State Commission on such day, the State Commission may in its discretion either dismiss the complaint for default or decide it on merits where the opposite party or its authorized agent fails to appear on the day of hearing, the State Commission may decide the complaint ex parte.

While proceeding under sub-rule (8), the State Commission may on such terms as it may, think fit and at any stage, adjourn the hearing of the complaint but not more than one adjournment shall ordinarily be given and the complaint should be decided within 90 days from the date of notice received by the opposite party where complaint does not require analysis or testing of the goods and within 150 days if it requires analysis or testing of the goods. Orders of the State Commission shall be signed and dated by the members of the State Commission constituting the Bench and shall be communicated to the parties free of charge.

**Table: IV* -Statement of Cases Filed/Disposed of/
 Pending in the U.P. Consumer Disputes Redressal
 Commission as on 31.03.2014**

Name of State	Cases filed since inception	Cases disposed of since inception	Cases Pending	% of Disposal	As On
Uttar Pradesh	70955	43262	27693	60.97	31.01. 2014

Source: Annual Report, 2013-14, Departmental of Consumer Affairs.

4.2: Procedure for Hearing Appeal

Any person aggrieved by an order made by the District Forum may prefer an appeal against such order to the State Commission and against the order of the State Commission to the National Commission and against the order of the National Commission to the Supreme Court. All appeals are to be filed within 30 days of the order appealed against and are to be accompanied by a certified copy of the order. Period of 30 days is counted not from the date of order but from the date when the order is communicated to the appellant.

The form and manner of appeal have been provided under section 15 of the Act and rule 8 of the rules deals with the procedure of hearing of appeal by the State Commission. Memorandum shall be presented by the appellant or his

authorized agent to the State Commission in person or be sent by registered post addressed to the Commission. Every memorandum filed under sub-rule (1) shall be in legible handwriting preferably typed and shall set forth concisely under distinct heads, the grounds of appeal without any argument or narrative and such grounds be numbered consecutively.

Each memorandum shall be accompanied by the certified copy of the order of the District Forum appealed against and such of the documents as may be required to support grounds of objection mentioned in the memorandum. When the appeal is presented after the expiry of the period of limitation as specified in the Act, the memorandum shall be accompanied by an application supported by an affidavit setting forth the fact on which the appellant relies to satisfy the State Commission that he has sufficient cause for not preferring the appeal within the period of limitation. The appellant shall submit four copies of the memorandum to the State Commission for official purpose. On the date of hearing or any other day to which hearing may be adjourned, it shall be obligatory for the parties or their authorized agents to appear before the State Commission.

If appellant or his authorized agent fails to appear on such date, the State Commission may, in its discretion either dismiss the appeal or decide it on the merit of the case. If respondent or his authorized agent fails to appear on such date, the State Commission shall proceed ex parte and shall decide the appeal ex parte on the merits of the case. The appellant shall not, except by leave of the State Commission, urge or be heard in support of any ground of objection not set forth in the memorandum but the State Commission, in deciding the appeal, shall not confine to the grounds of objection set forth in the memorandum or taken by leave of the State Commission under this rule: Provided that the Commission shall not rest its decision on any other grounds unless the party who may be affected thereby, has been given, at least one opportunity of being heard by the State Commission.

The State Commission may, on such terms as it may think fit and at any stage, adjourn the hearing of the appeal, but not more than one adjournment shall ordinarily be given and the appeal should be decided within 90 days from the first date of hearing. Order of the State Commission on appeal shall be signed and dated by the Members of the State Commission constituting the Bench and shall be communicated to the parties free of charge.

4.3: The Issue of Compensation

One of the first cases in which the Supreme Court had occasion to consider in detail the power of forums constituted under the Consumer Protection Act to grant compensation was in **Lucknow Development Authority v. M.K. Gupta**. The Supreme Court observed that the administrative law of accountability of public authorities for their arbitrary and even ultra-vires actions has taken many strides. It is now accepted both by this Court and English Courts that the State is liable to compensate for loss or injury suffered by a citizen due to arbitrary actions if its employees.

Then the Court went on to hold that “who should pay the amount determined by the commission for harassment and

agony, the statutory authority or should it be realized from those who were responsible for it? Compensation as explained includes both the just equivalent for loss of goods or services and also for sufferance of injustice.”

Then the law regarding compensation to consumers was further expanded and solidified by the Supreme Court in **Ghaziabad Development Authority v. Balbir Singh** where the court held that “the jurisdiction and power of the Courts to identify a citizen for injury suffered due to abuse of power by public authorities is founded on the principle that an award of exemplary damages can serve a useful purpose in vindicating the strength of law.” The Court further said that an ordinary citizen is hardly equipped to match the might of the state or its instrumentalities. Noting is more damaging than the feeling of helplessness. An ordinary citizen instead of complaining and fighting succumbs to the pressure of undesirable functioning in offices instead of standing against it. Such Compensation is for vindicating the strength of the law as it helps in curing social evil. No authority can arrogate to itself the power to act in a manner which is arbitrary. Matters which require immediate attention should not be allowed to linger on. The consumer must not be forced to run from pillar to post. If the Commission/Forum is satisfied that a complainant is entitled to compensation for loss or injury or for harassment or mental agony or oppression, then after recording a finding it must direct the authority to pay compensation for such loss or injury or for harassment or mental agony or oppression, and also direct recovery from those found responsible for such unpardonable behavior.

The Court further observed that the word compensation in of a very wide connotation. It may constitute actual loss or expected loss and may extend to compensation for physical, mental or even emotional suffering, insult, injury or loss. When the commission has been vested with the jurisdiction to award value of goods or services and compensation it has to be construed widely enabling the commission to determine compensation for any loss or damage suffered by a consumer which in law is otherwise included in wide meaning of compensation. The provision enables a consumer to claim and empowers the commission to redress any injustice done to him. Therefore the award of compensation for harassment by public authorities not only compensates the individuals, satisfies him personally but helps in curing the social evil.

Today the issue is not only of award of compensation but who should bear the burnt. The concept of authority and power exercised by public functionaries has many dimensions. It has undertaken tremendous change with passage of time and change in socio-economic outlook. When a citizen seeks to recover compensation from a public authority in respect of injuries suffered by him for capricious exercise of power and the National Commission finds it duly proved then it has a statutory obligation to award the same.

4.4: Ensuring Fairness and Transparency

On complaint received against the full time President, member of Districts Forum and the State Commission, an enquiry shall be held by Principal Secretary or Secretary as the case may be to Government of Uttar Pradesh Food and Civil Supplies Department or by an officer of Government nominated by him. On complaint received against such Part time President who is working District

Judge or Additional District Judge inquiry shall be held by the High Court. The complaints received against the President of the State Commission shall be inquired into by any retired Chief Justice of any High Court nominated by the State Government. On being found guilty on the basis of the findings of the aforesaid inquiry the State Government may remove the President or member of the District Forum and the State Commission from their office on grounds specified in sub-rule (5) of rule 3 and sub-rule (5) of rule 6 as the case may be of the said rules.

4.5: Penalties for Non-compliance

Any person who fails or omits to comply with the order of the District Forum, or State Commission, or the National Commission, as the case may be, shall be punished with imprisonment for a term which shall not be less than one month but which may extend to three years, or with fine which shall not be less than two thousands rupees but which may extend to ten thousand rupees, or with both.

V. CONCLUSION

The law contained in Consumer Protection Act is a benevolent social legislation intended to protect consumers from various unscrupulous elements found in modern markets. It promotes welfare of the society by enabling the consumer to participate directly in the market economy. It also attempts to help a helpless consumer against the ‘powerful business network’ aggressively working for their vested interests. There is no doubt that different State Consumer Disputes Redressal commissions are providing services to consumers in this highly advanced marketized society. The frequency of consumer services in U.P. may not be as effective and speedy as is in the States of Punjab, Andhra Pradesh, Goa, Kerala, Himanchal Pradesh & Arunachal Pradesh yet it is not as poor as is the case in the state of Nagaland. When it comes to the disposal of cases in district fora, the scenario is much more satisfactory in the State of U.P. as it was 87.23 as on 31.01.2014 just 5% short of the average of total cases across the nation. In the light of new technologies like new forms of contract, sale of goods through electronic media and internet etc have posed different kinds of challenges in the present world changing with meteoric pace, there is an urgent need to regulate these sales also for consumer’s benefit. The movement for protection of the rights of consumers and providing consumer services is getting momentum but it has yet to go along way as legal literacy and awareness about the rising deceptions and fraudulent acts is continuously increasing in the present day highly consumerist culture and consumerist way of life.

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- [28] 1994 (1) SCC 243 : AIR 1984 SC 787 : (1994) 80 Comp. Cases 714 : (1994) 1 CPR 5692004 (2) CTC 535
- [29] See Section 24-A of the Consumer Protection Act, 1986 (Allahabad : Hind Publishing House, 2007,p. 1270
- [30] See Rule.13 of the Consumer Protection Rules, 1987. See also Elumalai's consumer Protection Act and Banking Services 2nd Edition, 2013, Law publishers (India) Pvt Ltd, p.558

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