

example, in one application, under suspension and had suffered a major penalty, had asked for voluminous information, including explanations, from his employer about their operations. The Commission held that his intention was to further his own personal gain and to harass the Authorities and therefore dismissed his application for even more information.

Power corrupts, absolute power corrupts absolutely, therefore, all persons possessing a portion of power ought to be strongly and awfully impressed with an idea that they act in trust and that they are to account for their conduct in that trust.

However, with the people's right to obtain information comes the duty to use this information judicially and wisely. The Act should not be used as a means to harass the authorities or to further one's personal gain instead of public gain. As with the Government, the citizens of a country too need to be responsible and conduct themselves with dignity. A system providing access to information gives society the chance to further the aim of democracy and lead to an open and fair society.

CONSUMER RIGHTS

"It is good to have money and the things that money can't buy, but it's good too, to check up once in a while and make sure you haven't lost the things money can't buy"

George Lorimer, American editor & writer

M.K. Gandhi Said "consumer is king", When we buy a good or service, we rarely have adequate knowledge about its quality

We are quite concerned about the need for consumer protection in India. Consumer protection has become a major public concern because unscrupulous business tactics are causing undue financial distress to consumers. A consumer is an individual who buys products or services for personal use and not for manufacture or resale. A consumer is someone who can make the decision whether or not to purchase at the store, and someone who can be influenced by advertising and advertisements. Any time someone goes to a store and purchases a toy, shirt, beverage, or anything else, he or she is making that decision as a consumer. And the consumer rights are given to a "consumer" to protect him/her from being misled by salesman/manufacturer. It means rights are to be protected against the marketing of goods and services, which are hazardous to life and property. The purchased goods and services should not only meet their immediate needs, but also fulfill long term interests. Before purchasing, consumers must insist on the quality of the products as well as.

The definition of Consumer Right is 'the right to have information about the quality, potency, quantity, purity, price and standard of goods or services', as it may be the case, but the consumer is to be protected against any unfair practices of trade. It is very essential for the consumers to know these rights.

However, there are strong and clear laws in India to defend consumer rights, the actual plight of consumers of India can be said as completely dismal. Out of the various laws that have been enforced to protect the consumer rights in India, the most important is the Consumer Protection Act, 1986. ✓

The Consumer Protection Act, 1986 is an Act of the Parliament of India enacted in 1986 to protect the interests of consumers in India. It provides provision for the establishment of Consumer Councils and other authorities for the settlement of consumers' disputes and matters connected therewith.

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Meaning

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According to this law, everybody, including individuals, a firm, a Hindu undivided family and a company, have the right to exercise their consumer rights for the purchase of goods and services made by them. It is significant that, as consumer, one knows the basic rights as well as about the courts and procedures that follow with the infringement of one's rights.

In general, the consumer rights in India are listed below:

- 3 → The right to be protected from all kind of hazardous goods and services.
- The right to be fully informed about the performance and quality of all goods and services.
- The right to free choice of goods and services.
- The right to be heard in all decision-making processes related to consumer interests.
- The right to seek redressal, whenever consumer rights have been infringed.
- The right to promote consumer education.

The Consumer Protection Act, 1986 and several other laws like the Weights, Standards & Measures Act can be formulated to make sure that there is fair competition in the market and free flow of correct information from goods and services providers to the ones who consume them. In fact, the degree of consumer protection in any country is regarded as the right indicator of the progress of the country. There is high level of sophistication gained by the goods and services providers in their marketing and selling practices and different types of promotional tasks viz. advertising resulted in an increasing requirement for more consumer awareness and protection. The government of India has realized the condition of Indian consumers, therefore, the Ministry of Consumer Affairs, Food and Public Distribution has incorporated the Department of Consumer Affairs as the nodal organization to protect the consumer rights, redress the consumer grievances and promote the standards governing goods and services provided in India.

If there is infringement of rights of consumer then a complaint can be made under the following circumstances and reported to the close by designated consumer court :

- ✓ The goods or services purchased by a person or agreed to be purchased by a person has one or more defects or deficiencies in any respect.
- ✓ A trader or a service provider resort to unfair or restrictive practices of trade.
- ✓ A trader or a service provider if charges a price more than the price displayed on the goods or the price that was agreed upon between the parties or the price that was stipulated under any law that exist.
- ✓ Goods or services that bring a hazard to the safety or life of a person offered for sale, unknowingly or knowingly, that cause injury to health, safety or life.

Consumer Rights under the Consumer Protection Act 1986

Consumer protection is practiced in India since ancient time but it is accelerated recently due to various issues. In India, different Acts have been implemented to protect the consumers against different forms of mistreatment that include the Indian Penal Code.

One of the most important legal actions taken by government in the area of consumer protection/consumer movement has been the endorsement of the Consumer Protection Act, 1986. This Act was needed because the well-organized sectors of manufacturers, traders and service providers with the acquaintance of market and controlling skills often try to cheat the consumers. The Consumer Protection Act, 1986 was enacted to protect the interests of consumers. It is one of the most comprehensive parts of legislation and covers all goods and services. The purpose of the Act is to provide for the establishment of the Commission that prevent practices having

adverse effect on competition, promote and sustain competition in markets, protect the interests of consumers and ensure freedom of trade carried on by other participants in the markets in India. The major focus of the Act is on the prohibition of anti-competitive agreements, prohibition against abuse of dominant position, regulation of combinations, and advocacy of competition policy. Consumer in India is considered as important. According to Mahatma Gandhi, **"A Consumer is the most important visitor on our premises. He is not dependent on us we are on him. He is not an interruption to our work; he is the purpose of it. We are not doing a favour to a consumer by giving him an opportunity. He is doing us a favour by giving an opportunity to serve him."** Though these views are quite encouraging but in India, there is still need to reform Consumer Act to protect their rights.

There are numerous significant features of the Act. The Act provides for establishing three-tier consumer dispute redressed machinery at the national, state and district levels. It applies to all goods and services. It covers all sectors, whether private, public or any person. The Act provides for relief of a specific nature and also for compensation to the consumer as appropriate. The Act also provides for setting up of Consumer Protection Councils at the Central, State and District levels, which are advisory bodies to promote and protect the rights of the consumers. The provisions of the Act are in addition to and not in derogation of the provisions of any other law for the time being in force. Consumer Protection Act has been implemented since many decades in India. A number of deficiencies and shortcoming in its operation have been observed thus requiring amendments on three occasions and still leaving scope for more improvements.

Consumer Protection Act, 1986 gives benefit to normal consumers by securing less expensive and often quick redressal of their complaints. The Act commands establishment of Consumer Protection Council at the Centre as well as in each States and District in order to support the consumers.

generate awareness about their rights. It also provides for a three-tier structure of the National and State Commissions and District Forums for speedy resolution of consumer disputes. Records show that there are 632 District Forums, 35 State Commissions with the National Consumer Disputes Redressal Commission at the apex. The terms of this Act cover goods as well as services. The products covered under consumer Act are those which are manufactured or produced or sold to consumers through whole sellers and retailers. The services include transport, telephone, electricity, housing, banking, insurance, medical treatment etc. In the process of consumer forum, if, the consumer is not convinced by the decision of the District Forum, he can request to the State Commission and against the order of State Commission a consumer can appeal in the National Commission.

Although businessman is aware of his social responsibilities even then we come across many cases of consumer exploitation. That is why government of India provided following rights to all the consumers under the Consumer Protection Act.

Consumer Rights

In order to safeguard consumer interest, 6 consumer rights were initially envisioned by consumer rights activists of the West, namely:

1. Right to Safety
2. Right to Information
3. Right to Choice
4. Right to be Heard
5. The Right to Redress
6. The right to consumer education

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