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WORKING & PERFORMANCE OF CONSUMER PROTECTION & REDRESSAL, ADR AND CONSUMER COUNSELING

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ABSTRACT

The prospect of the consumer justice system in our country appears to be bright in view of the proactive policy, schemes / programmes adopted by the Government. However, the present drive and direction need to be supplemented by adopting different channels of redressal. And there is a dire need for the State Governments to give deserving priority to Consumer welfare and gear up themselves to meet the challenges thrown up by market economy. Involvement of trade and industry, civil society organizations and above all consumer themselves are vital for betterment consumer welfare in the years to come.

INTRODUCTION

A consumer is a person or group of people who are the final users of products and or services generated within a social system. A consumer may be a person or group, such as a household. The concept of a consumer may vary significantly by context, although a common definition is an individual who buys products or services for personal use and not for manufacture or resale.

The consumer is the one who pays to consume the goods and services produced. As such, consumers play a vital role in the economic system of a nation. In the absence of effective consumer demand, producers would lack one of the key motivations to produce: to sell to consumers.

Typically, when Business people and economists talk of *consumers*, they are talking about *the person as consumer*, an aggregated commodity item with little individuality other than that expressed in the decision to buy or not to buy. However, there is a trend in marketing to individualize the concept. Instead of generating broad demographic profiles and psycho – graphics profiles of market segments, marketers have started to engage in personalized marketing ,permission marketing and mass customization.

There is increasing backlash from the public over use of the label "consumer" rather than "customer", with many finding it offensive and derogatory.

The law primarily uses the notion of the consumer in relation to consumer protection laws, and the definition of consumer is often restricted to living persons (i.e. not corporations or businesses) and excludes commercial users. A typical legal rationale for protecting the consumer is based on the notion of policing market failures and inefficiencies, such as inequalities of bargaining power between a consumer and a business. As of all potential voters are also consumers, consumer protection takes on a clear political significance.

Concern over the interests of consumers has also spawned much activism, as well as incorporation of consumer education into school curricula.[citation needed]. There are also various non-profit publications, such as Consumer Reports and Choice Magazine, dedicated to assist in consumer education and decision making, and Which? in the UK.

In India, the Consumer Protection Act 1986 clearly differentiates a consumer as consuming a commodity or service either for his personal domestic use or to earn his livelihood. Only consumers are protected as per this act and any person, entity or organization purchasing a commodity for commercial reasons are exempted from any benefits of this act. Furthermore, Indian case law has quite a few references on how to distinguish a consumer from a custom.

While use of the term *consumer* is widespread among governmental, business and media organisations, many individuals and groups find the label objectionable because it assigns a limited and passive role to their activities.

Consumer protection consists of laws and organizations designed to ensure the rights of consumers as well as fair trade competition and the free flow of truthful information in the marketplace. The laws are designed to prevent businesses that engage in fraud or specified unfair practices from gaining an advantage over competitors and may provide additional protection for the weak and those unable to take care of themselves. Consumer protection laws are a form of government regulation, which aim to protect the rights of consumers. For example, a government may require businesses to disclose detailed information about products—particularly in areas where safety or public health is an issue, such as food. Consumer protection is linked to the idea of "consumer rights" (that consumers have various rights as consumers), and to the formation

of consumer organization, which help consumers make better choices in the marketplace and get help with consumer complaints.

Other organizations that promote consumer protection include government organizations and self-regulating business organizations such as consumer protection agencies and organizations, the Federal Trade Commission ,ombudsmen, Better Business Bureaus. etc.

A consumer is defined as someone who acquires goods or services for direct use or ownership rather than for resale or use in production and manufacturing.

Consumer interests can also be protected by promoting competition in the markets which directly and indirectly serve consumers, consistent with economic efficiency, but this topic is treated in competition law.

Consumer protection can also be asserted via non-government organizations and individuals as consumer activism. The Planning Commission has constituted the working group on "Consumer Protection" in the context of preparation of the twelfth five year plan. Department of Consumer Affairs, Government of India has constituted six Sub-Groups to evolve a comprehensive report for the Working Group. The Sub Group on "Consumer Protection & Redressal, ADR and Consumer Counseling has been constituted with the Jt. Secretary, Consumer Protection Government of India, as its Convener. The Sub Group consisting of 25 members is expected to look at the policies of the State and Central Governments regarding Consumer Protection and to evaluate the activities undertaken for Consumer Protection and Redressal Mechanism during the eleventh five year plan and to come up with comprehensive set of policies, programmes and action plan to strengthen the Redressal Mechanism and to provide better Protection for Consumer. The Sub-Group would look at issues relating to consumer protection and redressal, alternative dispute resolution and consumer counseling. The Sub-Group would also assess the existing Scheme on Strengthening of Consumer Fora and Establishment of State Helpline. It would take note of the proposals for amendment of the Consumer Protection Act and suggest further measures, if necessary.

1.1 The Terms of Reference of the Sub Group

The Sub-Group would also look at the broad issues for the Working Group which are as follows:-

- To review the existing framework and recommend a comprehensive set of policies, programmes and action plan in pursuit of a strong movement for consumer protection covering, inter alia, consumer rights to awareness, education, redressal of grievances and quality infrastructure, standardization & product safety.
- To identify specific areas requiring Government intervention and to suggest ways and means to enhance responsiveness of private sector to consumers.
- To make consumer disputes redressal more effective by providing for speedy and inexpensive systems and procedures.
- To make an assessment of resource requirements (year wise) for the purpose and manner of financing for the Twelfth Five Year Plan.

2. Consumer landscape:-

2.1 Awareness of consumer rights varies in different regions in the country. It is very poor especially among the population in rural and far-flung areas of the country. Compared to the developed countries, the levels of consumer awareness in such a vast country with a large population like India is much lower. This is rooted in economic inequality, low levels of literacy and ignorance. Because of this, consumers are not able to assert their rights and on many occasions are exploited by the trade and industry and service providers. Protecting and promoting the welfare of consumers has thus become one of the major concern of the Govt. Educating more than 110 crore people of various categories of population particularly those in rural areas where consumers are more susceptible to exploitation, on various subject matters on consumer interests which are being dealt by different Ministries/ Department, is a gigantic task that can only be undertaken as a sustained national programme with adequate funds made available for the purpose.

2.2 Globalisation and liberalisation of trade and business has resulted in many products and services being available to the consumers. Growth in economy has resulted in increase in the purchasing power of the middle class section, which is the largest segment of the population. This has necessitated giving high priority for the protection of the consumers and promotion of responsible consumer movement in the country.

3. Current Scenario:-

3.1 One of the most important milestones in the area of consumer protection/consumer movement in the country has been the enactment of the Consumer Protection Act, 1986. This Act has been necessitated because the well-organized sectors of manufacturers, traders and service providers with the knowledge of market and manipulative skills often attempt to exploit the consumers, in spite of the existence of various provisions of different laws for protecting their interests. Moreover, the increase in population has resulted in enormous pendency and delay in disposal of cases in the civil courts. . Hence, the Consumer Protection Act, 1986 was enacted to better protect the interests of consumers. It is one of the most progressive and comprehensive pieces of legislation and is umbrella legislation covering all goods and services. This is indeed a very unique and highly progressive piece of social welfare legislation. The provisions of this Act are intended to provide effective and efficient safeguards to the consumers against various types of exploitations and unfair dealings. Unlike other laws, which are basically punitive or preventive in nature, the provisions of the Act are also compensatory. It is a matter of great satisfaction that we have in our country a Statute which provides more effective protection to

the consumers than any corresponding legislation in force in other countries, which are considered to be much more advanced and industrialized. CPA has been in operation for about 25 years. A number of deficiencies and shortcoming in respect of its operation have come to light thereby requiring Amendments on three occasions, still leaving scope for further improvements. Despite all this it has stood the test of time and has been an effective tool in the hands of the consumers to ensure accountability of procedures of goods and providers of services. The Act is intended to provide simple, speedy and inexpensive redressal to the consumers' grievances. It also provides relief of a specific nature and awards compensation, wherever appropriate, to the consumer. The Consumer Protection Act, 1986 has ensured the rights of consumer for safety, information, choice, representation, redressal and consumer education. The Act provides for an exclusive three tier redressal machinery as an alternative to the civil court and other legal remedies available in the country, wherein an aggrieved consumer can seek redressal against any defect in the goods purchased or deficiencies in services availed, including restrictive/unfair trade practices adopted by such manufacturer and trader of goods/service provider.

3.2 **The Salient Features of the Act** are as under:

- The Act provides for establishing a three-tier consumer dispute redressal 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.

3.3 Amendments to the Act

Though the overall disposal rate and the performance of the Consumer Fora is considered to be impressive, still, the delay in disposal of cases by the redressal agencies at the District, State and National level including the level of pendency has been a cause of major concern for the Government. Therefore, the Government made comprehensive proposals to further amend the Act and brought the Consumer Protection (Amendment) Act, 2002 (62 of 2002). The amended provisions of the Act were brought into force from 15.3.2003. The provisions of the Amendment Act were mainly aimed at facilitating quicker disposal of complaints, enhancing the capability of redressal agencies,

strengthening them with more powers, streamlining the procedures and widening the scope of the Act to make it more functional and effective and also to strengthen Consumer Movement at the grass root level. The amended provisions empower the Senior most member to preside over the Bench in case the President is absent due to any reason so that the Forum functions uninterruptedly. Further, Presidents of the National Commission & the State Commissions have been empowered to constitute Benches with one or more Members for their effective functioning. As a sequel to the amendment in the Act, Consumer Protection Rules were amended, new provisions introduced wherever it was considered necessary. Similarly, the Consumer Protection Regulations, 2005 was notified by the NCDRC after getting the approval of the Central Government to supplement the Rules in order to provide a uniform procedure for day to day functioning of the Consumer Fora. The Consumer Protection Act was amended in the years 1991, 1993 and 2002 and proposals to further amend the Act are under consideration. The Consumer Protection Act has been amended thrice during the years 1991, 1993 and in 2002. Further amendments to the Consumer Protection Act, 1986 are presently under consideration. These amendments are aimed at:

- (a) Widening the scope and amplifying the provisions of the Act,

- (b) Facilitating quicker disposal of complaints and
- (c) Rationalising the qualifications and procedure of selection of President and Members of the Consumer Fora

3.4 Monitoring Performance

The Department of Consumer Affairs and the National Commission have been periodically monitoring the functioning of the Consumer Fora and repeatedly impressing upon the Consumer Fora to dispose of the complaints within the prescribed time limits provided under the Act. For this purpose, States were advised to have more Benches in their State Commissions and also to hold Circuit Benches and to set up additional District Fora, wherever necessary. Under section 24B of the Consumer Protection Act, 1986, National Commission has administrative control over all the State Commissions in the following matters, namely:

- Calling for periodical returns regarding the institution, disposal pendency of cases;
- Issuance of instructions regarding adoption of uniform procedure in the hearing of matters, prior service of copies of documents produced by one party to the opposite parties, furnishing of English translation of judgments written in any language, speedy grant of copies of documents;
- Generally overseeing the functioning of the State Commissions or the District Fora to ensure that the objects and purposes of the Act are best served without, in any way, interfering with their quasi-judicial freedom.

3.5 Indicators of Growing Consumer Awareness/Consumer Movement in India

(a) There is an exclusive Department created in the Central Government for consumer protection/consumer welfare i.e. the Department of Consumer Affairs which accords a very high priority to the consumer protection programmes and to strengthening consumer awareness/movement in the country. Similarly, some State Governments have also created a separate Department or Directorate of Consumer Affairs on the request of the Central Government. Wherever not feasible, the name of the Department has been changed to include Consumer Affairs/Protection for the public knowledge.

(b) There are 629 District Fora at district level, 35 State Commissions at State level and one National Commission functioning in the country to render inexpensive and

quick redressal to consumer grievances. Out of over 35 lakhs cases filed before the consumer disputes redressal agencies, 89.77% already stand disposed of.

(c) The Parliamentary Standing Committee of the Ministry has recognized the importance of consumer protection, while examining the demands for grants. The Committee made strong recommendations to the Planning Commission for substantial allocation of funds to the consumer protection programmes especially for undertaking the gigantic task of spreading consumer awareness and strengthen the infrastructure of the Consumer Fora in the country including their computerization and computer networking.

3.6 Responsibilities of Central and State governments

According to the provisions of the Consumer Protection Act, 1986, while it is the responsibility of the Central Government to set up the National Consumer Disputes Redressal Commission (NCDRC) and to ensure its effective functioning, the responsibility for setting up the State Commissions and District Fora and their effective functioning rests with the State Governments/UT Administrations. State governments are also responsible for providing these consumer Fora with adequate manpower with basic knowledge of computer operations, infrastructure including ICT infrastructure namely computers, ups, network items etc. and funds for their effective functioning.

3.7 Interventions

In terms of provisions of the Act, it is the responsibility of the State Governments to establish and effectively run the District Fora and State Commissions in their respective States/UTs. However, to supplement the efforts of the State Governments, the Department of Consumer Affairs has been extending financial assistance to the States/UTs to strengthen the infrastructure of Consumer Fora.

3.7.1 Scheme on Strengthening Consumer Fora

Although providing infrastructural facilities to the consumer Fora for their effective functioning is the responsibility of the State Governments/UTs; in order to supplement the efforts of the State Governments in this regard, the Central Government has been extending financial assistance for strengthening the infrastructure facility of the Consumer Fora. The scheme, 'Strengthening Consumer Fora' with an overall outlay of Rs. 54.50 crore, is being implemented during the last 4 years of the XIth Plan viz. 2008-09 to 2011-12, for extending financial assistance to States/UTs for strengthening the infrastructure of consumer fora so that minimum level of facilities required for their effective functioning are made available at each consumer forum. These include

construction of new building of the consumer fora, carrying out additional/alteration/renovation of existing buildings and grant for acquiring non-building assets such as furniture, office equipment etc. The current guidelines for implementation of this scheme are at ANNEXURE- I. As per the guidelines it is the responsibility of the State Governments to provide the land for construction of a new building for a Consumer Fora. State wise details regarding financial assistance extended so far under various schemes for strengthening infrastructure of Consumer Fora and Utilization thereof is at ANNEXURE-II while the State wise details of funds released under the scheme of "Strengthening Consumer Fora" during the last three years is at ANNEXURE III. The State Governments are responsible for timely filling up of vacancies of President and Members in the State Commission and District Fora of their State. The latest State wise vacancy position as furnished by NCDRC is at ANNEXURE IV.

3.7.2 Evaluation of The Performance of Consumer Redressal System:-

According to a study undertaken by IIPA in 5 States, the areas on which the Third Amendment has made remarkable impact are nature of complaint, number of hearings, number of adjournments and time taken in disposal of cases. However Third Amendment has not yet made any impact on the appearance of advocates. Analysis of data revealed that 85 per cent consumers preferred to engage advocates for their complaints, though the intention of the CPA is that the complainants could argue their case themselves in the consumer courts.

It was also noted that in rural areas in all five states appearance by advocates is more prevalent. Reasons for this may be illiteracy, lack of awareness about the consumer rights and ignorance of courts' procedure.

It is true that the provision of fee has generally been welcomed but at the same time need to have exemption to say up to Rs.25,000/- from fee, was forcefully pleaded by many consumers.

Analysis of data revealed that Third Amendment facilitated in achieving objective of quick and speedy remedy to a considerable extent. In nearly 52 per cent of cases at State Commissions the hearing was ranging from 1-6. However, at the Urban District Forums only 19 per cent of cases were disposed within 1-6 hearings (consisting 13% new and 6% old). At the District Forums rural only 18 per cent of cases were disposed of within 1-6 hearings. There is a sharp decrease in number of hearings in complaints decided after the Third Amendment. This is also true for the number of adjournments.

Efficient functioning of Consumer Forums can be judged by considering the disposal of complaints within the stipulated time frame of 90 days and 120 days. In this regard study reveals that time frame has hardly been strictly adhered to. In fact, only 19 per cent (16% new and 3% old) of over all cases at State Commissions, 9 per cent (8.04 % new and 0.52% old) at District Forums Urban and 21 per cent (18.50 new and 2.50 old) at District Forums Rural were disposed within the stipulated time. This need to be taken seriously in the interest of consumers and the credibility of consumer justice system.

While awarding costs, a conservative approach has been adopted by these Commissions/Forums. In appropriate cases the amount of compensation awarded should be commensurate with the loss and injury suffered by the complainant / respondent. In addition, the provision relating to punitive damages need to be utilized in public interest.

It seems that no complaint is being filed in relation to unfair trade practices, restrictive trade practices, hazardous goods/services, misleading advertisements. As a result the reliefs provided and introduced by the Third Amendment in relation to the above are not utilized. In these areas the role of governments and NGOs / VCOs is of prime importance particularly in absence of suo moto power to the Commissions / Forums.

i. Ensuring speedy Disposal of Complaints filed in Consumer Fora

As on 13.6.11, 3603281 cases had been filed in all three tiers of consumer dispute redressal agencies since inception and 32,03,978 cases stood disposed of, showing a commendable disposal rate of 89.77 %. State wise details of cases filed and disposed of as well as the percentage disposal rate in the State Commission and District Fora, as furnished by NCDRC may be seen at ANNEXURE V. The National Commission is maintaining State-wise data in respect of cases filed, disposed of and pending, since inception, in the National Commission, State Commissions and District Fora. The position regarding disposal of cases as provided by the National Commission as on 13.6.2011 is as under:

Sl. No.	Name of Agency	Cases filed since inception	Cases disposed of since inception	Cases Pending	% of total Disposal
1.	National Commission	69465	60504	8961	87.10
2.	State Commissions	541478	440613	100865	81.37
3.	District Fora	2992338	2736379	255959	91.45
	Total	3603281	3237496	365785	89.85

The statement of cases filed, disposed of and pending, since inception, in the National Commission, State Commissions and District Fora (State-wise) may be seen at ANNEXURE VI & VII respectively. As far as NCDRC is concerned, the President is empowered to constitute Bench with one or more Members as may be considered necessary. At present, there are 5 Benches functioning in the NCDRC. One additional bench has been approved for dealing with pending cases disposal exclusively. NCDRC has identified **13** places for holding Circuit Benches. It had its first Circuit Bench at Hyderabad in the month of January, 2005, the second one at Bangalore in the month of January, 2006, the third one at Chennai in the month of January, 2007, the fourth one at Pune in the month of January-February 2008, the fifth one at Cochin in the month of March-April, 2009, the sixth one at Kolkata in the month of January-February, 2010 and the seventh one held at Ahmedabad during February-March 2011.

Computerization and Computer Networking of Consumer Fora (CONFONET).

Consumer Fora are being computerized and networked to enable dissemination of information leading to quicker disposal of cases. A project for Computerization and Computer Networking of Consumer Fora in the country, (CONFONET) was launched during the 10th Plan period at a cost of Rs. 48.64 crore. The project is being implemented by the National Informatics Centre (NIC) on a turnkey basis. The CONFONET project has been extended to 11th Plan with a total outlay of Rs. 25.69 crore. In the extended period of project, stress is being laid upon continued HR support by means of Technical Support Personnel (TSP) and training for eventual adoption of the system by the

Consumer Fora themselves. An expenditure of Rs. 8.89 crore has been incurred during 2010-11. Out of 629 locations being covered under the scheme 519 Consumer Fora are uploading cause lists while 450 Consumer Fora are uploading judgments.

3.7.6. Construction of Building of the National Commission

A new office building for National Commission is being constructed at INA, New Delhi, which is part of an Integrated Building Complex at INA, New Delhi at a cost of Rs. 19.91 crore. NCDRC has informed that the building is expected to be completed by June 2011. An allocation of Rs. 2.39 crore has also been made for providing infrastructural facilities in the building. TNCDRC is likely to sift to the new venue by end June -July 2011.

3.7.7. Central Consumer Protection Council

The term of the last Central Consumer Protection Council (CCPC). CCPC expired on 13.09.2010 and the new CCPC has been constituted.

3.7.8. Setting up of the National Trade Practices Regulation Authority

The proposal to set up a National Consumer Protection Regulatory Authority (NTPRA) in consultation with all stakeholders was under consideration. The Planning Commission and the Ministry of Finance (Department of Expenditure) did not agree to the proposal. The Ministry of Law & Justice advised that since the matter of regulation of unfair trade practice involving business to business transaction does not concern the end-consumers, it would be a fit case to amend the Competition Act, 2002 by the Ministry of Corporate Affairs in order to avoid overlapping of jurisdiction of regulatory authorities. It was decided that the matter may be transferred to Ministry of Corporate Affairs for amending the Competition Act, 2002 or further necessary action as may be deemed fit.

3.7.9. Initiatives on ADR and Counselling

The State Consumer Helplines and National Consumer Helplines

National Consumer Helpline was launched in 2005 in collaboration with the University of Delhi. Consumers from all over the country can access the toll-free number 1800-11-4000 and seek telephonic counseling, advice and guidance to sort out their consumer related problems. An independent evaluation conducted noted that there are very few calls originating from North East, West and non-Hindi speaking States. Since the service is available only in English and Hindi, State level Helplines were initiated which provides service in regional language, Hindi and English. This functions in 23 States at present. These Helplines will be networked and linked to a nodal Centre at IIPA where the central hub will be functioning. A uniform software platform has been provided to the States for this purpose.

Consumer Online Resource & Empowerment (Core) Project:

This is an Online Disputes Redressal forum (ODR) and is an initiative taken by the Ministry towards web based consumer awareness & protection programme aimed at identification of consumer problems and their redressal using Information Technology tools. The project is being executed through Consumer Coordination Council.

Consumer Advice Centers(CAC)

The consumer centers set up on pilot basis in the four States play a decisive role in as an extended arm of State Helplines and provide consumers with up to date, reliable information and independent consultation. The consumer advice centers in the Districts are the first point of contact for comprehensive consumer information and independent advice. And CAC assist members by ensuring high quality advice by establishing uniform advice standards. They provide an overview of the market and help consumers deal with complex market conditions. They also identify health and environmental aspects that could influence purchasing decisions.

Mediation Advisory Centres

In a joint initiative of FICCI and GTZ and Department of Consumer Affairs a Mediation Advisory Centre (MAC) is being implemented in four States on a pilot basis. MAC is expected to cater to pending cases referred by consumer fora as well as new cases coming directly or through the registrar. The mediation will be done through a panel of independent, neutral and trained mediators. This is purely a voluntary procedure.

4. Strategic Plan for 2012-15

4.1. As per the Strategic Plan of the Department it is our vision to protect the rights and interests of consumers, to spread awareness about consumer rights, duties and responsibilities and to promote consumer welfare by strengthening consumer movement in the country. Our mission is implementation of various consumer welfare schemes through progressive consumer related legislations and effective. Active participation of State Govts., academic and research institutions, schools and voluntary organizations will be sought to create a vibrant consumer movement in the country. Strict parameters regarding consumer products will be developed and enforced along with regular monitoring of prices to ensure the sovereignty of consumers.

4.2 OBJECTIVES

- To empower consumers by making them aware about their rights and responsibilities.
- To provide effective, inexpensive and speedy redressal system to Consumers.
- To strengthen the infrastructure on Consumer Fora through computerization and computer networking across the country.
- To augment the infrastructure of enforcement machinery of Legal Metrology Department of States/UTs and implementation of The Legal Metrology Act, 2009
- To assist Consumers by giving advice and guidance in Consumer related issues through National Consumer Helpline and State Consumer Helplines functioning in States/UTs across the country.
- To create avenues for Consumers for settlement of Consumer related cases through Mediation process involving Voluntary Organisations and settlement of Grievances
- To dispose off all Grievances and Complaints through a well established Grievances Redressal Mechanism

4.3 The mandate of this Department is to undertake measures for consumer protection, by creating awareness among people, speedy dispute redressal system and provide for quality products and services. Our stakeholders in this Mission are basically consumers themselves who need to be educated and re-educated, Business organisations who can do a lot by putting in place an in-house Consumer grievances redressal mechanism, and be responsive to consumers, and the various

Consumer organisations and academic institutions and research organisations who can supplement the efforts of the Government and could be vehicles for effective launch of a massive consumer movement in the country. Lastly we require the help of State governments in efficiently implementing various programmes at grassroots level.

4.4 Strengths and weaknesses:

- (i) The Department is small one compared to the task it has at hand.
- (ii) All activities affect the consumer finally in some way or other.
- (iii) As per Allocation of Business there are different ministries undertaking activities which has a direct bearing on consumer.
- (iv) There is no mandatory system to get prior clearance of this department before any new scheme or project is initiated.
- (v) Consumer protection is still of a lower priority among the State governments.
- (vi) As a result sufficient funds are not allocated for infrastructure and other recurring expenditure.
- (vii) This affects implementation of schemes.

4.5 Learning agenda

- Need to understand and find out the basic deficiencies in the enforcement of CP Act 1986 especially in the functioning of Consumer Fora and the councils at State and Dist. Level
- Understand best practices in other countries in providing consumer protection, product safety, ADR procedures.
- **Outline of Strategy**
 - (i) Amending the important Acts administered by the Department and thereby bringing in provisions in tune with the time and necessitated by changes in economy, trade and business and consumer expectations is the basic strategy the Department.

- (ii) Come up with National Consumer policy which will enable this Department to effectively coordinate and intervene in the functions of those Departments which has a consumer inter-phase.
- (iii) Streamlining the functioning of State departments, and other line organisations and agencies is another area.
- (iv) Effective communication being the means for wider impact, exploring novel methods of awareness campaign is an area where is lot of innovation is possible.
- (v) Utilisation of IT tools in furthering improvement of the redressal system making it more efficient and transparent .
- (vi) Frequent meetings of the Central Consumer protections Council, periodical workshops with various stakeholders like Ministries which has consumer interphase, consumer organisations, academic and law institutions, training & research institutions and representatives of State governments and conference of State commission Presidents and Members provide ample opportunity to interact and understand the issues/ problems and take measures to mitigate them.
- (vii) Media committee meetings periodically to discuss new ideas/ advisories and assess the impact of publicity measures undertaken.
- (viii) Bringing consumer interest in focus in all govt and private sector decisions. To that end the best practices being followed by other countries could be successfully implemented here after tailoring them to fit to our situation.
- (ix) The impact of various activities undertaken on consumer satisfaction need to assessed periodically to learn from them and undertake mid course corrections/ modifications if necessary.
- (x) Associating State governments in a major way in implementing the programmes is utmost of importance

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