

# **Consumer Protection In India: Emerging Perspectives, Trends & Patterns**

**Dr. Awadhesh Kr. Singh**

Consumerism is a buzz word in the era of economic liberalization, globalization and privatization. It is likely to dominate the Indian market in the New Millennium. By consumerism, we mean the process of realization of the rights of the consumer as envisaged in the legislations and ensuring right standards for the goods and services for which one makes a payment. When a consumer approaches the market, he (she) expects value for money i.e. right quality, right quantity, right price, information about the mode of use and the like. But there may be instances where a consumer is harassed or cheated. This happens when the existing measures for protecting the consumers and their rights are neither sufficient nor suitable. The issues relating to consumer welfare affects the entire population since everyone is consumer in one way or the other. The increasing level of consumerism and dominance of MNC's that made competition more intense, the consumer protection has become the important agenda of business and consumer movement.

## **Consumer Movement:**

The consumer movement got a boost and moral support from the US President John F. Kennedy in the historic declaration in Congress on March 15, 1962, declaring four basic consumer rights (choice, information, safety and the right to be heard). Subsequently, March 15 every year is celebrated as World Consumer Rights Day. The UN General Assembly also adopted guidelines in 1985 which are meant to achieve consumer protection:

---

**Assistant Director, Regional Centre for Urban & Environmental Studies (RCUES), Lucknow University Campus , Lucknow.**

- (i) To assist countries in achieving or maintaining adequate protection for their population as consumers;
- (ii) To facilitate production and distribution patterns responsive to the needs and desires of consumers;
- (iii) To encourage high levels of ethical conduct for those engaged in the production and distribution of goods and services to consumers;
- (iv) To assist countries in curbing abusive business practices by all enterprises at the national and international levels which adversely affect consumers;
- (v) To facilitate the development of independent consumer groups;
- (vi) To further international cooperation in the field of consumer protection;
- (vii) To encourage the development of market conditions which provide consumers with greater choice at lower prices.

Since Independence, India has been struggling to develop and strengthen its industrial base. However, Indian consumer has been subjected to exploitation of every kind. The consumer movement historically began in the early part of this century with the formation of the Passengers and Traffic Relief Associations and the Women Graduates Union, Bombay, during 1915. But its real beginning in terms of sustained, visible and continuing expansion was during the 1960's. In the mid sixties, the consumers began to organize themselves. They started voicing their concerns and demanding better products and services and fighting for their rights. During the 1960's, there were two major developments at the international level. President John F. Kennedy of U.S. dedicated his administration to the promotion and protection of consumer's interests, helping the consumers to realize their four fundamental rights, i.e. rights to safety, information, choice and redressal. The International Organization of Consumers Union

(IOCU) was also set up during 1960. Later on its nomenclature was changed and now it is known as Consumer International with its headquarter in London. The World Consumer Congress meets every three years, and members share their experience and learn from each other. The Fair Trade Practice Association set up by Indian business houses is known as the Council for Fair Business Practices and was set up in Bombay in 1965. During 1969, the Monopolies and Restrictive Trade Practices Commission was set up under the MRTP Act of 1969. Till the mid 1970's consumer organizations were largely engaged in small activities of consumer awareness. In 1974, some elitists in Tiruchi, Tamil Nadu formed a consumer group and started working on malpractices in ration shops and over crowding in road passenger transport etc. The creation of Consumer Education and Research Centre (CERC) in Ahmedabad in 1978 gave a new thrust and turn to the consumer movement in India. During 1983, the Consumer Unity and Trust Society (CUTS) began functioning in Rajasthan. Today, it is one of the leading voluntary consumer organizations in the country specializing in economic, trade and industry matters. A major breakthrough in consumer protection came in 1986 when Consumer Protection Act, 1986 was enacted. Another milestone during the 1990's was development of synergy by formation of state level and national level federations. Federation of Consumer Organizations of Tamil Nadu and Pondicherry is noteworthy among the state level federations of voluntary consumer organizations. German Federation also took the initiative to strengthen voluntary consumer organizations in India. A German technical assistance agency, GTZ extended an assistance of Rs. 5.4 millions for three years from January 1998, while the Gujarat Institute of Chemical Technology, Ahmedabad donated the land for CERC. Further assistance came from the IDBI, IFCI, ICICI, LIC, SBI, and BOB, as well as from the Ministry of Civil Supplies and UNDP. The Consumer Education and Research Centre (CERC), Ahmedabad which

was set up in 1978, provided a thrust to the movement in terms of result orientation through effective use of the law, the media, research, lobbying and advocacy. The movement received a boost in 1986 when Parliament enacted the Consumer Protection Act. The Consumer Guidance Society of India (CGSI), Mumbai, VOICE at Delhi and CERC advocated for consumer empowerments. VOICE started comparative product testing during the early 1990's, with the help of government grant and the services of outside laboratories. The laboratory was equipped for testing three categories of products viz. foods, pharmaceuticals and domestic electrical appliances. Since the consumer is often not aware of the comparative advantages and disadvantages of the various brands of a particular product vis-à-vis their performance, safety, quality and price, the test reports equip him/her with this information which in turn empowers him/her to exercise an informal choice.

### **Consumer Rights:**

The consumer movement of 1960's contributed to the rise of consumer rights which were advocated by then U.S. President, John F. Kennedy. The concept of consumer rights introduced by John F. Kennedy has been expanded over the periods. Over the years, these rights (safety, information, choice, and redressal) have been expanded to a total of eight which prepare a basic framework for the world consumer movement:

- (i) The right to the satisfaction of the basic needs
- (ii) The right to safety
- (iii) The right to be informed
- (iv) The right to choose
- (v) The right to be heard
- (vi) The right to redress
- (vii) The right to consumer education

(viii) The right to a healthy and sustainable environment

These rights become the basis for auto and tyre safety legislation, the truth in packaging bill, and the truth in credit regulations in the US. Philip Kotlar (1972) indentified that consumers were expecting some rights in the consumer movements. The traditional rights of the consumers included:-

- (i) Right not to buy a product that is offered to him
- (ii) Right to expect the product to be safe
- (iii) Right to expect the product to turn out to be essentially as represented by seller.

The consumers expected some additional rights through consumer movements. These included:-

- (i) Right to have adequate information about the product
- (ii) Right to additional protection against questionable products and markets
- (iii) Right to influence product and marketing practices in directions that will increase the quality of life.

Consumers in India are very heterogeneous in composition, following different religions; languages, dialects using a wide range of different products and services. They are also largely poor, illiterate, ignorant, and apathetic and therefore remain at the loser's end. For these reasons, consumers in India become a soft target for unscrupulous suppliers. India has already realized the importance of progressive legislations in the interest of common man. The Consumer Protection Act, 1986 is called Meagna Carta of consumers in the country. India has been observing March 15 as the National Consumer's Day since 1989. The Act has proved to be one of the strongest social legislations intended to protect the large and scattered population of consumers from exploitation. The following rights of consumers are described by the Act:

- (i) **Right to Safety:** to be protected from using unsafe goods and services.
- (ii) **Right to Information:** to get adequate information about quality, quantity, potency, purity, and price etc.
- (iii) **Right to Choose:** to get a fair chance to choose among the variety of products through an easy access to variety of goods and services at competitive prices.
- (iv) **Right to Represent:** to be heard and to be assured that consumer's interests will receive due consideration at appropriate forums.
- (v) **Right to Redressal:** to be provided with complete and well defined redressal system to seek redressal against unscrupulous.
- (vi) **Right to Education:** to be informed about the practices prevalent in the market and remedies available.

The Consumer Protection Act which has been amended in 2002 extends over the following:

- (i) The Act covers all the sectors whether private, public, or cooperative.
- (ii) The law is applicable to all kinds of goods and services except those which are specifically exempted by the Central Government.
- (iii) The provisions of the Act are compensatory in nature.
- (iv) The Act envisages establishment of Consumers Protection Councils at the Central and State levels, whose main objects will to promote and protect the rights of the consumers.
- (v) The provisions of the Act are in addition to and not in derogation of the provisions of any other law currently in force.

### **Redressal Systems:**

The Act envisages a three tier quasi judicial machinery at the national, state and district levels. District Consumer Disputes Redressal

Forums are known as District Forum. It deals with complaints involving costs and compensation less than Rs. 20 lakh. State Consumer Disputes Redressal Forums is next in the hierarchy of consumer redressal forums under the Act. It deals with complaints involving costs and compensation higher than Rs. 20 lakh and less than Rs. 1 crore. National Consumer Disputes Redressal Commission is known as National Commission is the top most layer in the three level hierarchy of the consumer forums. It was constituted in 1988. It deals with complaints involving costs and compensations higher than Rs. 1 crore. The National Commission has been given sufficient powers of administrative control over all the State Commissions by calling for periodical returns regarding the institutions, disposal and pendency of cases. It is empowered to issue instructions regarding (1) adoption of uniform procedure in the hearing of matters; (2) prior service of copies of documents produced by one party to the opposite parties; (3) speedy grant of copies of documents; and (4) generally overseeing the functioning of the state commissions or the District Forums to ensure that the objects and purpose of the Act are best served without interfering with their quasi judicial freedom in any way.

The special feature of the Consumer Protection Act, 1986 is to provide speedy and inexpensive redressal to the grievances of the consumer and provide relief of a specific nature and award compensation whenever appropriate. The Redressal Forums may pass an order for one or more of the following reliefs in favour of Consumer:

- (i) Removal of defects from the goods;
- (ii) Replacement of the goods;
- (iii) Refund of the price paid;
- (iv) Award of compensation for the loss or injury suffered;
- (v) Removal of defects or deficiencies in the services;

- (vi) Discontinuance of unfair trade practices or restrictive trade practices or direction not to repeat them;
- (vii) Withdrawal of the hazardous goods from being offered for sale.
- (viii) Award of adequate costs to parties.

### **Present Status:**

Though the Consumer Protection Act has emerged as the most powerful instrument in favour of consumer protection, the protection of consumer rights in India is not very satisfactory. At present, there are 604 District Forums functioning in India. Most of them are located in Uttar Pradesh, Madhya Pradesh, Bihar, Maharashtra, Rajasthan, and Orissa, being the larger states (Table 1).

**Table: 1**

#### **State-wise Number of State Commission and District Fora under Consumer Protection Act, 1986 in India**

<b>States/UTs</b>	<b>State Commission</b>	<b>District Fora</b>
Andhra Pradesh	1	25
Andaman & Nicobar Islands	1	2
Arunachal Pradesh	1	13
Assam	1	23
Bihar	1	37
Chandigarh	1	2
Chhatisgarh	1	16
Dadra & Nagar Haveli/Daman & Diu	1 (Combined)	2
Delhi	1	9
Goa	1	2
Gujarat	1	19
Haryana	1	19
Himachal Pradesh	1	12
Jammu & Kashmir	1	2
Jharkhand	1	22
Karnataka	1	30
Kerala	1	14

Lakshadweep	1	1
Madhya Pradesh	1	45
Maharashtra	1	34
Manipur	1	8
Meghalaya	1	7
Mizoram	1	8
Nagaland	1	8
Orissa	1	31
Pondicherry	1	1
Punjab	1	17
Rajasthan	1	33
Sikkim	1	4
Tamil Nadu	1	30
Tripura	1	3
Uttar Pradesh	1	70
Uttaranchal	1	13
West Bengal	1	20
<b>India</b>	<b>34</b>	<b>582</b>

**Source: Lok Sabha Unstarred Question No. 3167, dated 20.12.2004.**

There are 14 non-functional District Forums in India which are mainly reported in the states of Haryana, Nagaland and Madhya Pradesh (Table 2).

**Table: 2**

**State-wise Number of Functional/Non-Functional District Forums in India**

<b>State/UTs</b>	<b>No. of District Fora</b>	<b>Functional</b>	<b>Non-Functional</b>	<b>As On</b>
Andhra Pradesh	29	29	0	31.12.2005
Andaman & Nicobar Islands	2	2	0	30.6.2004
Arunachal Pradesh	15	15	0	30.11.2005
Assam	23	23	0	30.9.2004
Bihar	37	37	0	31.10.2005
Chandigarh	2	2	0	30.9.2005
Chhatisgarh	16	16	0	30.6.2005
Dadar & Nagar	2	2	0	31.12.2004

Haveli/Daman & Diu				
Delhi	10	10	0	30.9.2005
Goa	2	2	0	31.12.2005
Gujarat	26	19	0	30.9.2005
Haryana	19	19	7	31.12.2005
Himachal Pradesh	12	12	0	30.11.2005
Jammu & Kashmir	2	2	0	31.12.2003
Jharkhand	22	22	0	30.6.2005
Karnataka	30	30	0	30.11.2005
Kerala	14	13	1	30.9.2005
Lakshadweep	1	1	0	31.12.2005
Madhya Pradesh	45	43	2	30.9.2005
Maharashtra	34	34	0	30.9.2005
Manipur	8	8	0	30.6.2005
Meghalaya	7	7	0	30.6.2005
Mizoram	8	8	0	30.6.2004
Nagaland	11	8	3	30.6.2005
Orissa	31	31	0	30.6.2005
Pondicherry	1	1	0	30.11.2005
Punjab	17	17	0	31.12.2005
Rajasthan	33	33	0	31.10.2005
Sikkim	4	4	0	30.6.2005
Tamil Nadu	30	30	0	31.10.2005
Tripura	3	3	0	30.11.2005
Uttar Pradesh	70	70	0	31.10.2005
Uttaranchal	13	12	1	31.12.2005
West Bengal	21	21	0	30.6.2005
<b>India</b>	<b>600</b>	<b>586</b>	<b>14</b>	

**Source : Lok Sabha Unstarred Question No. 132 dated 20.02.2006.**

The National Commission released a large quantity of funds for consumer welfare in India. During 2000-01 to 2004-05, central allocation was reported to be Rs. 633.18 lakh while states allocation was amounted to be Rs. 26228.28 lakh. There has increasing trend in the budgetary allocation; however, expenditure has been reported less as compared to allocation (Table 3).

**Table: 3**

**Release of Funds and Expenditure of National Commission  
for Consumer Welfare in India**

(Rs. In Lakh)

Year	Allocation		Expenditure	
	Centre	States/UTs	Centre	States/UTs
2000-01	80.83	4233.64	73.7	3601.94
2001-02	113.6	5082.71	109.4	4026.87
2002-03	121.4	5199.7	117.26	4219.46
2003-04	143.05	5443.93	140.14	4821.24
2004-05	174.3	6268.3	170.3	5114.32
<b>Total</b>	<b>633.18</b>	<b>26228.28</b>	<b>610.8</b>	<b>21783.83</b>

Source : Comptroller and Auditor General of India.

Government of India has also released funds for strengthening of infrastructure of consumer forum in India. During 1995 and 1999, Rs. 6180.00 lakh were released while during 2004-05, Rs. 1020 lakh were released for strengthening of the infrastructure of consumer forums (Table 4).

**Table: 4**  
**State-wise Grants for Strengthening of Infrastructure of Consumer Fora in India**

(Rs. in Lakh)

States/UTs	Amount Released During 1995-1999	Amount Released During 2004-2005
Andhra Pradesh	270.00	105
Arunachal Pradesh	170.00	Nil
Assam	280.00	Nil
Bihar	320.00	45
Jharkhand	120.00	75
Goa	70.00	Nil
Gujarat	250.00	Nil

Haryana	210.00	45
Himachal Pradesh	170.00	Nil
Jammu & Kashmir	70.00	Nil
Karnataka	250.00	Nil
Kerala	190.00	Nil
Madhya Pradesh	500.00	105
Chhattisgarh		75
Maharashtra	360.00	45
Manipur	130.00	Nil
Meghalaya	120.00	Nil
Mizoram	80.00	75
Nagaland	120.00	15
Orissa	180.00	270
Punjab	180.00	Nil
Rajasthan	350.00	45
Sikkim	90.00	Nil
Tamil Nadu	270.00	Nil
Tripura	80.00	Nil
Uttar Pradesh	680.00	Nil
Uttaranchal		75
West Bengal	220.00	45
Andaman & Nicobar Islands	70.00	Nil
Chandigarh Administration	60.00	Nil
Dadra & Nagar Haveli	60.00	Nil
Daman & Diu	70.00	Nil
Delhi	70.00	Nil
Lahsdweep	60.00	Nil
Pondicherry	60.00	Nil

India	6180.00	1020.00
-------	---------	---------

Source : Lok Sabha Starred Question No 70, dated 28.11.2005.

More than Rs. 1000 lakhs were also released for creating consumer awareness at the grass roots level for consumer protection and welfare in India during 2006-07 only (Table 5). Most of the such grants was given to Gujarat, West Bengal, Uttar Pradesh and Madhya Pradesh.

Table: 5

**State-wise Amount Released for Creating Consumer Awareness at Grass-Root Level for Consumer Protection and Welfare in India (2006-2007)**

(Rs. in Lakh)

State/UTs	Amount
Andhra Pradesh	28.75
Arunachal Pradesh	18.75
Assam	28.75
Bihar	46.25
Chhattisgarh	20.00
Delhi	11.25
Goa	2.50
Gujarat	170.50
Haryana	23.75
Himachal Pradesh	15.00
Jammu & Kashmir	17.50
Jharkhand	27.50
Karnataka	33.75
Kerala	17.50
Madhya Pradesh	60.00
Maharashtra	41.25
Manipur	11.25
Meghalaya	8.75
Mizoram	10.00
Nagaland	10.00

Orissa	37.50
Punjab	21.25
Rajasthan	40.00
Sikkim	7.50
Tamil Nadu	36.25
Tripura	5.00
Uttaranchal	16.25
Uttar Pradesh	87.50
West Bengal	125.75
Andaman & Nicobar Islands	3.75
Chandigarh	6.25
Dadra & Nagar Haveli	1.25
Daman & Diu	2.50
Lakshadweep	1.25
Pondicherry	5.00
<b>India</b>	<b>1000.00</b>

**Source : Lok Sabha Unstarred Question No. 5240, dated 14.05.2007.**

The corporations also sponsored consumer schemes in India. During 2004, 2085 schemes were sanctioned with the amount of Rs. 5500122 lakh. However, assistance for only 1720 schemes was released. There has decline in the number of such schemes and amount released under the schemes during 2003 to 2004 (Table 6).

**Table: 6**

**Major State-wise Corporation Sponsored Consumer Scheme Position in India**

(Rs. in Lakh)

States	Assistance Sanctioned		Assistance Released	
	No.	Amount	No.	Amount
<b>As on 31.03.2003</b>				
Andaman & Nicobar Islands	5	20700	5	20700
Himachal Pradesh	12	14360	12	14360
Madhya Pradesh	99	267063	85	276112

Meghalaya	6	1450	6	1450
Mizoram	7	15300	7	15300
Nagaland	12	8615	7	4725
Kerala	1235	3098.57	1225	2946.42
Punjab	97	32750	35	8280
Sikkim	1	4932	0	0
Tamil Nadu	2	4500	2	4500
Tripura	13	3740	0	0
West Bengal	440	694057	185	547478
Uttar Pradesh	6	6925	4	6200
Karnataka	129	431020	98	362450
Andhra Pradesh	5	64810	0	0
Haryana	5	106000	5	106000
Bihar	1	0.5	0	0
Uttaranchal	14	46850	14	46850
Orissa	2	351600	2	87900
Chhatisgarh	3	21430	0	0
NCCF	1	550	0	0
<b>India</b>	<b>2095</b>	<b>5765.172</b>	<b>1692</b>	<b>4448.725</b>
<b>As on 31.03.2004</b>				
Andaman & Nicobar Islands	5	20700	5	20700
Himachal Pradesh	12	14360	12	14360
Madhya Pradesh	88	287043	85	276112
Meghalaya	6	1450	6	1450
Mizoram	7	15300	7	15300
Nagaland	12	8615	9	6725
Kerala	1241	3313.20	1228	3115.81
Punjab	97	32750	35	8280
Sikkim	1	4932	0	0.00

Tamil Nadu	2	4500	2	4500
West Bengal	439	233097	184	86518
Uttar Pradesh	6	6925	4	6200
Karnataka	131	471370	121	381020
Haryana	5	106000	5	106000
Bihar	1	0.500	0	0.00
Uttaranchal	14	46850	14	46850
Orissa	3	361100	3	215250
Chhatisgarh	3	21430	0	0.00
NCCF	1	550000	0	0.00
<b>India</b>	<b>2085</b>	<b>5500122</b>	<b>1720</b>	<b>4305075</b>

**Source: Department of Consumer Affairs, Ministry of Consumer Affairs, Food & Public Distribution, Govt. of India.**

State-wise numbers of complaints received and resolved are shown in Table 7. During 2005-2006, about 20,000 complaints were received, however, only 2871 such complaints were resolved. Most of the complaints were from Delhi, Maharashtra, West Bengal, Uttar Pradesh, Haryana and Punjab.

**Table: 7**

**State-wise Number of Complaints,  
Received/Resolved in India  
(15th March, 2005 to 30th November, 2006)**

<b>States/UTs</b>	<b>Total Complaints Received</b>	<b>Total Complaints Resolved</b>
Andaman and Nicobar Island	2	0
Andhra Pradesh	498	116
Arunachal Pradesh	8	1
Assam	198	16
Bihar	187	22
Chhattisgarh	153	36
Delhi	6687	1352

Goa	27	2
Gujarat	781	27
Haryana	1299	168
Himachal Pradesh	80	12
Jammu and Kashmir	48	6
Jharkhand	188	26
Karnataka	827	126
Kerala	234	78
Madhya Pradesh	582	86
Maharashtra	2654	254
Manipur	16	2
Meghalaya	32	3
Mizoram	4	1
Nagaland	11	0
Orissa	206	38
Pondicherry	10	0
Punjab	881	134
Rajasthan	501	117
Sikkim	4	0
Tamil Nadu	631	108
Tripura	3	1
Uttar Pradesh	1806	80
Uttaranchal	143	6
West Bengal	1228	48
Abroad	18	5
<b>India</b>	<b>19947</b>	<b>2871</b>

**Source : Lok Sabha Unstarred Question No. 3732, dated 18.12.2006.**

State-wise numbers of cases filled and disposed under Consumer Protection Law in District Forums in India is shown in Table 8. During

2001 to 2004, about 5.14 lakh such complaints were lodged in the District Forums. Out of it, only 4.28 lakh cases were resolved. Most of the complaints were from the states of Delhi, Maharashtra, Punjab, Rajasthan, Uttar Pradesh and Haryana.

Table: 8

**State-wise Number of Cases Filed and Disposed  
Under Consumer Protection law in District  
Fora in India**

State/UT	Filed from 1.1.2001 to 31.3.2004	Disposed of from 1.1.2001 to 31.3.2004, (includes cases pending from previous years).
Andhra Pradesh	23625	18977
Andaman & Nicobar Islands	79	83
Arunachal Pradesh	40	34
Assam	30008	24808
Bihar	1104	1177
Chandigarh	8043	3391
Chattisgarh	5889	4378
Dadra & Nagar Haveli/ Daman & Diu	12	0
Delhi	34505	36729
Goa	908	627
Gujrat	23952	24470
Haryana	41760	41038
Himachal Pradesh	16166	6750
Jammu & Kashmir	4241	2653
Jharkhand	6164	7179
Karnataka	16934	17701
Kerala	22272	17369
Lakshadweep	15	11
Madhya Pradesh	27552	26885

Maharashtra	53962	49259
Manipur	Not reported.	Not reported.
Meghalaya	324	310
Mizoram	Not reported.	Not reported.
Nagaland	Not reported.	Not reported.
Orissa	13937	15788
Pondicherry	347	243
Punjab	31904	29847
Rajasthan	38419	41423
Sikkim	34	43
Tamilnadu	14186	15040
Tripura	Not reported.	Not reported.
Uttar Pradesh	80525	24064
Uttaranchal	5898	6332
West Bengal	11933	11858
<b>India</b>	<b>514196</b>	<b>428467</b>

Source : Lok Sabha Starred Question No. \*188, Dated 19/7/2004.

During 2001 to 2004, 1.03 lakh cases were lodged in State Commissions in India, however, 0.73 lakhs cases were resolved. Most of the cases were reported from Haryana, Uttar Pradesh, Maharashtra, Madhya Pradesh and Rajasthan (Table 9).

Table: 9

**State-wise Number of Cases Filed and Disposed Under  
Consumer Protection Law in National and  
State Commission of India**

Commission	Filed from 1.1.2001 to 31.3.2004	Disposed of from 1.1.2001 to 31.3.2004, (includes cases pending from previous years).
<b>National Commission</b>	<b>12552</b>	<b>13007</b>
<b>State - Commissions</b>		
Andhra Pradesh	3850	4290

Andaman & Nicobar Islands	25	28
Arunachal Pradesh	9	7
Assam	326	260
Bihar	2529	1068
Chandigarh	2012	1538
Chattisgarh	1442	463
Dadar & Nagar Haveli/Daman & Diu	6	8
Delhi	6651	6907
Goa	303	207
Gujrat	6267	6050
Haryana	11357	6134
Himachal Pradesh	4299	2873
Jammu & Kashmir	931	997
Jharkhand	1345	1275
Karnataka	4644	4263
Kerala	3909	2329
Lakshadweep	2	0
Madhya Pradesh	7462	7508
Maharashtra	7886	4682
Manipur	Not reported.	Not reported.
Meghalaya	138	108
Mizoram	Not reported.	Not reported.
Nagaland	Not reported.	Not reported.
Orissa	4127	2173
Pondicherry	97	87
Punjab	6328	4327
Rajasthan	6407	7979
Sikkim	6	4
Tamilnadu	3470	2178
Tripura	206	200
Uttar Pradesh	10925	1218
Uttaranchal	3084	1430
West Bengal	2769	2984
<b>India</b>	<b>102812</b>	<b>73575</b>

Source : Lok Sabha Starred Question No. \*188, Dated 19/7/2004.

Upto February 2007, 2.72 million cases were filed in different consumer courts, however, only 87.37 per cent cases were resolved. The percentage of resolved cases against cases filed was reported high in case of district forums (90.28 per cent) (Table 10).

Table: 10

**Number of Cases Filed, Disposed and Pendency in National /State Commissions and District Fora in India**

Agency	Cases filed	Cases disposed	Cases Pending	% of total
National Commission	45907	33743	8564	73.50
State Commissions	386778	277636	109142	71.78
District Forums	2288814	2066372	222442	90.28
<b>Total</b>	<b>2721499</b>	<b>2377751</b>	<b>340148</b>	<b>87.37</b>

Source: National Consumer Disputes Redressal Commission & Dept. of Consumer Affairs, Ministry of Consumer Affairs, Food & Public Distribution, Govt. of India.

Upto January, 2006, 2.57 million cases were lodged in different redressal forums, however, only 86.42 per cent cases were resolved by them. The number of resolved cases was reported high in case of District Forums and National Commission. State-wise pending cases are shown in Table 11. The pending cases were mainly reported in Uttar Pradesh, Pondicherry, Rajasthan and Punjab. Only 70.98 per cent cases of National Commission could be resolved while about 30 per cent cases are pending. Cases filed per lakh population were reported high in Chandigarh followed by Delhi, Haryana, Goa, Pondicherry, Himachal Pradesh, Punjab, Rajasthan and Gujarat.

Table: 11

**State-wise Number of Cases Filed/Disposed of/Pending  
in National Commission and State Commissions in India  
(As on 2005)**

States/UTs	Cases Filed Since Inception	Cases Disposed of	Cases Pending	% of Disposal	Number of cases filed per lakh population
National Commission	40645	32911	7734	80.97	
Andhra Pradesh	17763	15158	2605	85.33	23.45
Andaman & Nicobar Islands	57	55	2	96.49	16.21
Arunachal Pradesh	35	22	13	62.86	0.03
Assam	1846	990	856	53.63	6.93
Bihar	11013	6870	4143	62.39	13.29
Chandigarh	5153	5084	69	98.66	572.56
Chhatisgarh	2724	2221	513	81.17	13.09
Dadra & Nagar Haveli/Daman & Diu	11	11	0	100.00	5.0
Delhi	24058	20727	3331	86.15	174.56
Goa	1661	1499	162	90.25	123.59
Gujarat	22397	18979	3418	84.74	44.27
Haryana	28366	16069	12297	56.65	134.54
Himachal Pradesh	4501	3810	691	85.72	74.07
Jammu & Kashmir	4512	3981	531	88.23	44.81
Jharkhand	2212	1893	319	85.68	8.22
Karnataka	17784	16162	1622	90.88	33.72
Kerala	19817	15716	4101	79.31	62.24
Lakshadweep	12	12	0	100.00	18.18
Madhya Pradesh	21940	19761	2279	90.07	36.33
Maharashtra	32465	18274	14191	56.29	33.55
Manipur	47	20	27	42.55	1.97
Meghalaya	145	125	20	86.21	6.29
Mizoram	92	31	61	33.70	10.32
Nagaland	71	59	12	83.10	3.57
Orissa	14376	7488	6888	52.09	39.16
Pondicherry	746	719	27	96.38	76.59

Punjab	16021	11569	4452	72.21	65.95
Rajasthan	31733	21823	9910	68.77	56.19
Sikkim	27	26	1	96.30	5.0
Tamil Nadu	17620	15927	1693	90.39	28.36
Tripura	866	772	94	89.15	27.14
Uttar Pradesh	44701	13020	31681	29.13	26.92
Uttaranchal	2552	2152	400	84.33	30.09
West Bengal	10688	9060	1629	84.15	13.92
<b>India</b>	<b>398657</b>	<b>282986</b>	<b>115671</b>	<b>70.98</b>	<b>38.82</b>

Source : Ministry of Consumer Affairs, Food and Public Distribution, Govt. of India.

The case pending with District Forums are shown in Table 12. Most of the pending cases were reported in Uttar Pradesh, Jharkhand, Haryana, Bihar, Gujarat, Rajasthan and Delhi.

Table: 12

**State-wise Number of Cases Filed/Disposed of/Pending in District Fora in India (2004-2005)**

States/UTs	Cases Filed Since Inception	Cases Disposed off	Cases Pending	% of Disposal	As on
Andhra Pradesh	153770	147279	6491	95.78	30.11.2005
Andaman & Nicobar Islands	311	294	17	94.53	30.06.2004
Arunachal Pradesh	259	221	38	85.33	31.10.2005
Assam	10004	9096	908	90.92	31.12.2004
Bihar	60122	46394	13728	77.17	31.10.2005
Chandigarh	29039	28135	904	96.89	31.12.2005
Chhatisgarh	21319	19076	2300	88.99	30.06.2005
Dadra & Nagar Haveli/Daman & Diu	70	54	16	77.14	31.12.2004
Delhi	148388	138276	10112	93.19	30.06.2005
Goa	5035	4042	993	80.82	30.11.2005
Gujarat	99602	81477	18125	81.80	31.10.2005

Haryana	142835	123803	19032	86.68	31.12.2005
Himachal Pradesh	41335	38625	2710	93.44	30.11.2005
Jammu & Kashmir	10436	8247	2189	79.02	31.03.1999
Jharkhand	23712	21041	26071	88.71	30.09.2005
Karnataka	87915	84798	3117	96.45	30.11.2005
Kerala	143336	136414	6922	95.17	31.10.2005
Lakshadweep	52	49	3	94.23	31.12.2005
Madhya Pradesh	97444	91734	5710	94.14	31.11.2005
Maharashtra	164450	145786	18664	88.65	30.11.2005
Manipur	916	881	35	96.18	30.06.2003
Meghalaya	359	339	20	94.43	30.06.2005
Mizoram	1863	1623	240	87.12	30.06.2005
Nagaland	246	205	41	83.33	30.06.2005
Orissa	61638	57676	3962	92.80	31.10.2005
Pondicherry	2258	2201	57	97.48	31.12.2005
Punjab	91190	85100	6090	93.23	30.11.2005
Rajasthan	189588	178790	10798	94.30	30.11.2005
Sikkim	175	169	6	96.57	30.06.2005
Tamil Nadu	87286	84038	3248	96.28	31.11.2005
Tripura	1529	1367	162	89.40	30.06.2005
Uttar Pradesh	371533	291376	80157	78.43	31.12.2005
Uttaranchal	24838	22245	2593	89.56	31.10.2005
West Bengal	55859	52670	3189	94.29	30.11.2005
<b>India</b>	<b>2128712</b>	<b>1903521</b>	<b>225191</b>	<b>89.42</b>	

Source : Ministry of Consumer Affairs, Food and Public Distribution, Govt. of India.

As per information available from consumer online Research and Empowerment Centre, 20919 cases were filed during 15<sup>th</sup> March, 2005 to 31<sup>st</sup> December, 2006. Out of them, more than one-third cases were related to services sector alone. About one-fourth cases were from

Telecom sector and about 21 per cent cases were related to consumer products. Again, cases related to banks were also reported to be significant (Table 13).

**Table: 13**  
**Subject-wise Breakup of Complaints Received**  
**(March 2005 – December 2006)**

Sector	Number of Cases	Percentage
<b>Consumer Products</b>	<b>4449</b>	<b>21.27</b>
<b>Services</b>	<b>6937</b>	<b>33.16</b>
<b>Telecom</b>	<b>4829</b>	<b>23.08</b>
<b>Banks</b>	<b>3815</b>	<b>18.24</b>
<b>Miscellaneous</b>	<b>889</b>	<b>4.25</b>
<b>Total</b>	<b>20919</b>	<b>100.00</b>

Source : Annual Report, 2006-2007. Ministry of Consumer Affairs,  
Food and Public Distribution, Govt. of India.

### **Problems of Consumer Movement:**

The following problems attract our attention, which need to be addressed:

- (i) Large number of cases are pending in various redressal forums. There is shortage of judges. Over 250 vacancies exist for the members in addition to 42 posts of Presidents who head district and state forums which are yet to be filled.
- (ii) Consumer Courts lack infrastructure facilities.
- (iii) The remuneration paid to the judges and members is meager.
- (iv) Consumers are not aware well of their rights even though government is putting a lot of efforts to increase the consumer awareness.

- (v) Poor participation of community and community based organizations is another road block in the success of consumer movement in India.
- (vi) The biggest problem with the consumer forums and commission is one of inordinate delays.
- (vii) Consumers face enormous problems in executing the orders of the consumer forums and commissions.
- (viii) Non-judicial members of the Forums and Commission are often unable to assert themselves due to the amount of legalise used.

### **Suggestions:**

- (i) There is urgent need to have an effective consumer awareness campaign for which civil societies may prove to be more effective.
- (ii) The educational institutions should be given the responsibility of making common man aware and sensitized.
- (iii) There should be a course module incorporated in syllabi of school colleges and universities.
- (iv) The redressal system has to be more efficient in terms of disposal of the cases.
- (v) Consumer courts should be strengthened in terms of infrastructure, staff, and judges.
- (vi) The vacant post of judges should be filled, even on contractual level. The retired judges may be taken in the honorary capacity.

- (vii) The non-judicial members of the redressal forums should be provided training and capacity building for effective decision making.