ROLE OF NGO’S IN SOLVING THE PROBLEM OF CONSUMERS: A CASE STUDY OF THE HAMIRPUR CONSUMER PROTECTION ORGANIZATION

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ABSTRACT
In the evolution of life human race has emerged as the most dominating creature on this earth. The story starts with the apes turning into homosapians giving birth to human civilization. Any civilization requires a setup giving space and generating place for everything. With the passage of time human has been generating commodities providing comforts to his life. With the immense development man has tried his hands in every sector. In the present time human has made his life more and more comfortable creating more pressure on the modes of production. Earlier it was nature based but now it is demand based. Population explosion has created more pressure on the production. As a result the whole system has been affected with the overflow of money and consumerism. Whether it is a need or a greed these production plants are enduring the demands of the society. It has become essential to put a check on the movement of all the commodities to check consumerism and make consumer protection laws. The role of Government and Non Government organizations (NGO’s) to execute these laws is mandatory. Against this backdrop the present paper is an attempt to examine the role of NGO’s in protecting and executing consumer laws in district Hamirpur of Himachal Pradesh.

KEY WORDS: Population explosion, Pressure on production modes, NGO’s

Introduction
The influence of the general public, as end users of products and services, on the way companies manufacture and sell their goods. Consumers exert considerable power over companies as organizations become more customer-focused. Demand is rising for products that are of high quality, ethically produced, well priced, and safe, and consumerism pressurizes companies to operate and produce goods and services in accordance with the public’s wishes. A particular form of consumer pressure, motivated by environmental concerns, is green consumerism, which campaigns for environmentally friendly goods, services, and means of production.

Consumerism
Consumerism is an organized movement of citizens and government to strengthen the rights and power of buyers in relation to sellers. It is the ideology and a concept which has come to stay in business literature. The consumer is exposed to many hazardous-physical, environmental and exploitation due to unfair trade practices. He needs protection, for instance, against products which are unsafe for consumption products which may cause badly injury such as defective electrical appliances. He needs protection against mal-practices and deceit by sellers. He should
have adequate rights and right of recourse to redressal measures against defaulting businessmen. He needs protection against environmental pollution of air; water and noise and effective measures should be devised to keep the surroundings neat and clean. Consumerism has strong links with the Western world, but is in fact an international phenomenon. People purchasing goods and consuming materials in excess of their basic needs is as old as the first civilizations (e.g. Ancient Egypt, Babylon and Ancient Rome). A great turn in consumerism arrived just before the Industrial Revolution. In the nineteenth century, capitalist development and the industrial revolution were primarily focused on the capital goods sector and industrial infrastructure (i.e., mining, steel, oil, transportation networks, communications networks, industrial cities, financial centers, etc.). While previously the norm had been the scarcity of resources, the Industrial Revolution created an unusual economic situation. For the first time in history products were available in outstanding quantities, at outstandingly low prices, being thus available to virtually everyone. So began the era of mass consumption, the only era where the concept of Consumerism is applicable. Businesses have realized that wealthy consumers are the most attractive targets of marketing. The upper class’s tastes, lifestyles, and preferences trickle down to become the standard for all consumers. The not so wealthy consumers can “purchase something new that will speak of their place in the tradition of affluence”. A consumer can have the instant gratification of purchasing an expensive item to improve social status.

Emulation is also a core component of 21st century consumerism. As a general trend, regular consumers seek to emulate those who are above them in the society. The poor strive to imitate the wealthy and the wealthy imitate celebrities and other icons. The celebrity endorsement of products can be seen as evidence of the desire of modern consumers to purchase products partly or solely to emulate people of higher social status.

**Consumer Rights**

Consumer rights are now an integral part of our lives like a consumerist way of life. They have been well documented and much talked about. We have all made use of them at some point in our daily lives. Market resources and influences are growing by the 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.

As Under section-6 of Consumer Protection Act, consumer has the following rights:

1. **Right to safety**: It is Right to safety against such goods and services as are hazards to health, life and property of the consumer. For example, spurious and sub-standard drugs; appliances made of low quality of raw material, such as, electric press, pressure cooker, etc. and low quality food products like bread, milk, jam, butter etc. Consumers have the right to safety against loss caused by such products.

2. **Right to be Informed/ Right to Representation**: Consumer also has the right that he should be provided all those information on the basis of which he decides to buy goods or services. This information relates to quality, purity, potency, standard, date of manufacture, method of use, etc. of the commodity. Thus, producer is required to provide all these information in a proper manner, so that consumer is not cheated.
3. **Right to choose:** Consumer has the full right to buy goods or services of his choice from among the different goods or services available in the market. In other words, no seller can influence his choice in an unfair manner. If any seller does so, it will be deemed as interference in his right to choice.

4. **Right to be heard:** Consumer has the right that his complaint be heard. Under this Right the consumer can file complaint against all those things which prejudicial to his interest. First there rights mentioned above (Right to Safety; Right to be Informed; Right to choose) have relevance only if the consumer has right to file his complaint against them. These days, several large and small organizations have set up Consumer service cells with a view to providing the right to be heard to the consumer. The function of the cell is to hear the complaints of the consumers and to take adequate measures to redress them. Many newspapers like The Economic Times have weekly special columns to entertain the complaints of the consumers.

5. **Right to seek redress:** This provides compensation to consumer against unfair trade practice of the seller. For instance, if the quantity and the quality of the product do not confirm to the promise of the seller, the buyer has the right to claim compensation, such as free repair of the product, taking back of the products, changing of the product by the seller.

6. **Right to consumer education:** Consumer education refers to educate the consumer constantly with regards to their rights. In other words, consumers must be aware of the rights they enjoy against the loss they suffer on account of goods and services purchased by them. Government has taken several measures to educate the consumers. For instance, Ministry of civil supplies publishes a quarterly magazine under the title “Upbhokta Jagran”. Doodarshan telecasts programme tittles “Sanrakshan Upbhokta Ka”.

**Consumer’s Responsibilities**

The consumers have a number of rights regarding the purchase of things, but at the same time they have some responsibilities too. It means that the consumer should keep a few things in mind while purchasing them. They are as follows:

1. **Consumer should use his right:** Consumers have many rights with regard to the goods and services. They must be aware of their rights while buying. These rights are: Right to safety, Right to be informed, Right to representation, Right to seek redressal, Right to consumer education, etc.

2. **Cautious consumer/ do not buy blindly:** The consumers should make full use of their reason while buying things. They should not take the seller’s word as final truth. In other words, while buying consumer must get information regarding the quality, quantity, price, utility etc. of goods and services.

3. **Filing complaint for the redressal of actual grievances:** It is the responsibility of a consumer to approach the officer concerned there is some complaint about the goods purchased. A late complaint may find that the period of guarantee/warrantee has lapsed. Sometimes, consumers ignore the deception of businessmen. This tendency encourages corrupt business practices.
4. **Consumer must be quality conscious / Do not compromise on quality**: The consumers should never compromise on the quality of goods. Therefore, they should not buy inferior stuff out of greed for less prices. If the consumers behave like this, there cannot be any protection for them from any quarter. It is also the responsibility of the consumers only to buy goods with the ISI, Agmark, Wool mark, FPO etc. printed on them. All these symbols are indicative of the good quality of the goods.

5. **Advertisements often exaggerate/Beware of false advertisement**: The seller informs the consumer about their things through the medium of advertisement. The sellers exaggerate the quality of their goods. Therefore, it is the responsibility of the consumers to recognize the truth of advertisement.

6. **Do not forget to get Receipt and Guarantee/warranty card**: One should always get a receipt or bill for the things purchased. In case a guarantee/warranty card is also offered by seller, it should also be taken. In case the goods purchased are of inferior quality or some defects appears and bothers the customers, these documents will be of great help in settling all kinds of dispute with the seller.

7. **Do not buy in hurry**: The first important responsibility of consumers is that they should not buy in hurry. It means that the consumers should make an estimate of the things they want to buy along with their quantity required by them. They should also take in consideration the place from where to buy the things.

**Role Of Different Organizations**

**Role Of Judiciary** In our country judiciary plays a very vital role. On recommendation of the amendment of consumer protection Act in 2000 the consumer protection councils or forums are created at district, state and national level. Under the Act there is a provision of Three-Tier Judiciary to redress the grievances of consumers in a simple, speedy and inexpensive way; namely

1. **District Forum at District level** 2. **State Commission at State level** 3. **National Commission at National level**

1. **District Forum**: According to consumer protection Act, state governments can set up one or more district forums in each District. There are three members including the presiding officer. Out of this one member must be a lady. They must have a qualification of District Judge and must be appointed by state government. Its main feature is that it can hear cases up to Rs.20 Lacs. Any appeal may go to state commission within 30 days.

2. **State Commission**: One state commission is appointed by the state government in each state. It also has three members out of which one is a lady member but they must have qualification of High Court Judge and should be appointed by state government. It can hear cases involving sum exceeds Rs.20 Lacs and upto Rs.1 Crore. Any appeal may go to national commission within 30 days.
3. **National Commission:** It is appointed by central government. It consists of five members out of which one must be a lady member. They must have qualification equivalent to Supreme Court Judge. It has a Jurisdiction to hear complaints amounting more than Rs.1 Crore. Any appeal may go to Supreme Court within 30 days.

**Role of Non-Governmental organizations**
In addition to government many about 500 non-governmental organizations (N.G.Os) are making efforts in order to safeguard the interest of consumer. These organizations perform the following functions:

**Accelerating consumer awareness/Educating consumers:**
The first priority of consumer organization is to accelerate consumer’s awareness towards their rights. To accomplish this task which they have to perform are: (a) to publish Brochures, Journals. (b) To arrange seminars, conferences and workshops. (c) To educate consumers to help themselves. (d) To provide special education to women about consumerism. (e) To encourage to follow desirable consumption standards.

**Objectives of the study**
The Objectives of the paper is to study the role of NGO’s in protecting consumer rights of the people in Hamirpur District of Himachal Pradesh.

**Himachal at glance:**
Himachal Pradesh also known as ‘Dev Bhoomi’ came into existence as a distinct entity on 15 April 1948 with the merger of 30 erstwhile Punjab hilly states. The span of 63 years has taken big strides in the path of social-economic development. The population of Himachal Pradesh is 68,56,509 in which 34,73,892 males and 33,82,617 are females. Himachal comes second in literacy rate with 83.78% after Kerala in India. Hamirpur district is among the top district in the country for literacy. According to the 2011 census Hamirpur district has a population of 454,293 roughly equal to the nation of Malta. The population density in Hamirpur district in 406 inhabitants per square kilometers (1,017/sqm). Its population growth rate over the decades 2001-2011 was 10.8%. Hamirpur has a sex ratio of 1096 females for every 1000 males and a literacy rate of 89.01%. Hamirpur is called an ‘education hub’ of Himachal because of large number of education institutions. Hamirpur has a NIT, a Technical University, a Carrier Point University which offers different course of IT, Engineering, Management and Post Graduate Degree Courses. It has 10 Degree Colleges Govt. & Non Govt., Two Engineering Colleges, 4 Polytechnic Colleges, 09 Bed colleges and almost 500 plus Govt. & Non Govt. schools. Students come here from all over the Himachal to get education and coaching for different entrance and competitive exams. It has highest density of roads amongst all districts of India.

**The role of HCPO in Hamirpur District of Himachal**
The Hamirpur Consumer Protection Organization (HCPO) was established in the year 1991 under the consumer protection act 1986. This Organization was awarded with National award in the year 1996-97 for creating awareness among urban and rural people about consumer rights and solving their problems on mutual interaction basis. The organization is raising the problems of the consumers time to time with concerned authorities and quarters and helping them to solve their problems.
Awareness programs organized by HCPO from 1991-2012

<table>
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<tr>
<th>YEAR</th>
<th>School &amp; college level</th>
<th>Panchyat &amp; Town Level</th>
<th>Business Community</th>
<th>PDS Dealers &amp; whole sellers</th>
<th>Total</th>
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Source: compiled from data made available by the officials of organization. *Each camp accommodates approximately 200 participants.

The above table shows the minute details taken in the perspective years including every sector of society at all the levels awareness generation was created and going on with organized manner. In addition to the above data HCPO organize two mega awareness generation camp on the occasion of World Consumer Day on 15th March and National Consumer Day on 24th Dec. every year. HCPO meet every 4th Saturday of every month to discuss different issues of consumers and any individual can attend this meeting and lodge complaint concerned with consumer rights. As the people are getting aware about their consumer rights more demands coming for awareness camps from different segments of society.
Different public issues raised by Hamirpur consumer protection organization (HCPO) with Govt./non-Govt./department

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Complaint register/issue raised</th>
<th>Dealt</th>
<th>Not Dealt</th>
<th>Under Consideration</th>
</tr>
</thead>
<tbody>
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<td>Service guarantee</td>
<td>6</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>Basic amenities and facilities</td>
<td>8</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Adulteration and hygiene</td>
<td>7</td>
<td>2</td>
<td>4</td>
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<td>4</td>
<td>Essential goods</td>
<td>10</td>
<td>---</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>Consumer via-a-vis malpractices</td>
<td>15</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

SOURCE: Compiled from the data made available by the official Hamirpur consumer protection organization (HCPO).

Prominent Cases
The organization register 26 cases related to consumer problems in the year 2011-12. 20 cases were solved through compromise on mutual bases and 6 cases were provided legal help. Two cases out of 20 were solved by providing them proper compensation from the traders from which they bought the goods. In first case Mrs. Reeta Khanna w/o Sh Ramesh Khanna r/o H no-75 ward no-2, Hamirpur (H P) purchased two shirts @ 260/- per shirt for her school going child from M/S Kapil General store of Hamirpur Town. But at home she found that the shirts were over size to her child. When she went to his shop to return the shirts he refuses to replace the shirts with smaller size and also denied to refund using abusive language to get out of the shop. After she approached the Hamirpur consumer protection organization and register a complaint against Kapil General store. The organization took immediate action and solve the problem by compromising both the parties and providing proper relief to the consumer by refunding the money with compensation.

In second case, Mrs. Neelam thakur, s/o Sh. Rattan Singh, r/o vill. Baroti p.o.Bhoni Distt. Hamirpur ordered for a Mangalsutra for his wife at Thakur Jewellers Ghandi Chowk Hamirpur in the month of April 2011. Neelam Thakur gave Rs. 50000/- as an advance. But after getting the advance from the customer Thakur Jewellers was not serious to give the mangalsutra to the consumer. The consumer visited the jeweler shop many times for the delivery of mangalsutra but all in vain. After a long period on 15 July 2012 the consumer get the mangalsutra with an enhanced bill of Rs.69390/- with many miscellaneous charges calculated in weight and amount. The consumer approached the organization for relief on 24 July 2012. The organization took immediate action on 28 July, 2012 and settled the case on compromising both the parties by imposing Rs 6000/- as penalty to the jewellers.

Conclusions
In this paper, we have evaluated the work done of HCPO and highlighted few cases where consumer rights have been protected individually or collectively. HCPO have been awarded and appreciated for the kind of work they have done to educate the people towards their rights and spread awareness to create a healthy society for the sake of every consumer’s. The cases discussed in this paper have boosted the morale of the people and made the seller more sensitive towards the consumer rights. This is a beneficial change which has affected each and every individual for the general awareness about the consumer rights. Similar kind of NGO’s can be formed in other districts and their work can be replicated for the betterment of society.
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