



## *INTRODUCTION*

## **CHAPTER 1**

### **INTRODUCTION**

“Laws and constitutions do not by themselves make a country great. It is the enthusiasm energy and constant effort of a people that make it a great nation”

- Jawaharlal Nehru

Since the Second World War, the concept of man as consumer has been growing rapidly. It has grown to the point when the word ‘consumer’ offered an alternative way of describing a member of the human race. “The consumer” as referred by Wraith (1982) “is everybody all the time”. According to Cochrane and Bell (1956), an individual is a “consumer” who consumes, in the sense of “using up” inputs of goods and services to produce satisfaction (utility). The consumer as defined in Consumer Protection Act is a purchaser of goods or services for consideration (any payment in cash or kind) (George, 1996).

It is said, “under capitalism, the consumer is the king”. He is free to spend his income in the manner he thinks best. Theoretically speaking, the consumer in a capitalistic society enjoys perfect freedom of consumption. It is his preferences, which influence and regulate the nature of economic activity in a capitalistic economy (Seth, 1989). But

this is not true in practice. Consumers face a lot of problems in the market.

### **1.1 Consumer Problems**

One of the most harassed persons in India is the consumer. Whereas he is kingpin in the entire trade and commercial activity on whom prosperity of the trade and commerce is built up, he does not receive fair treatment from sources that prosper at his cost and has been suffering silently (Satyasundaram, 1985; Buch, 1990).

As Goldman (1986) reports, consumers are cheated by faulty goods and services, by law enforcement that is too weak to guarantee health or safety or redress, or by rigid markets and prices aggravated by commercial untruth or half-truth.

Consumers in United States described poverty, poor housing conditions, unsafe working conditions, adulterated food and fraudulent trade practices as major consumer problems. (Morgan, 1955; Warmke, et. al.1977)

Fazal (1986) described that consumers face too many wasteful, inefficient, irrational, inappropriate, unnecessary products and sometimes no products at all for the things they really need. McGregor (1999) supported this by characterizing third world consumers who face

unethical and unscrupulous seller behaviour and corruption and bribes at the market place.

In India, consumers face problems like business injustice, unfair business practices like misbranding, spurious products, unsafe products, planned obsolescence, adulteration, fictitious pricing, price collusion, deceptive packaging, false and misleading advertisements, defective warranties, hoarding, profiteering, black marketing, short weights and measures etc. (Cochrane and Bell, 1956; Satyasundaram, 1985; Sherlekar, 1986; and Singal, et al. 1990).

Mandana (1977) said that high-pressure salesmanship; credit selling, complicated goods, complicated transactions and continuous and sophisticated advertising are the problems of consumers of modern times.

Some of the chief reasons behind these consumer problems can be listed as below: (i) Consumer has no voice in the product, which is manufactured for his consumption. (ii) Consumers are not organized or united where backwardness of people is a further obstacle to consumer organization. (iii) Poverty, lack of information and a traditional outlook of Indians to suffer in silence. All these negative sides of consumers have enabled unscrupulous businessmen to exploit consumers in India (Sherlekar, 1986).

Government legislation is the only remedy for consumer protection.

## **1.2 Consumer Protection**

It was about middle of the nineteenth century that human consumption activity was safeguarded by legislation (Wraith, 1982; Satyasundaram, 1985). Primarily the consumers' health and safety aspects followed by fraud and error were safeguarded by legislation. In 1962, U.S. president J.F.Kennedy equated consumers' interest with national interest. He said, "If a consumer is offered inferior products, if prices are exorbitant, if drugs are unsafe, or worthless, if the consumer is unable to choose on an informed basis, then his dollar is wasted, his health and safety may be threatened and nation's interest suffers (Podder, 1998).

He introduced the term "consumer rights" and outlined the first four rights: the right to safety, to be informed, to choose and to be heard (Mandana, 1977; Warmke, et.al. 1977; Wraith, 1982; Satyasundaram, 1985; Goldman, 1986; Sherlekar, 1986; Sharon, 1987; Podder, 1998 and [www.cgsiindia.org](http://www.cgsiindia.org)). Later, in 1969, the fifth right, right to redress was added by U.S. president Nixon (Gordon and Lee, 1972). Over the years, International Organization of Consumer Union (IOCU) has expanded these to eight. The right to consumer education was the first, followed by concern for the environment and the right to satisfaction of basic needs ([www.cgsiindia.org](http://www.cgsiindia.org)). This expansion from four to eight rights demonstrated the evolution of consumer advocacy from "value for

money” to “value for people”. It suggested that all citizens regardless of their incomes or social standing have certain basic rights as consumers (Sharon, 1987).

Since then consumer laws all over the world has been growing in its volume, content and complexity. India is no exception. There are about 20 Central Acts of direct importance to consumer. Some State Acts may also have relevance for consumers (Kumar, 1994).

The Essential Commodities Act 1955, the Drugs and Cosmetics Act 1940, the Prevention of Food Adulteration Act 1954, the Sale of Goods Act 1930, etc. have been enacted to protect the consumer. Despite these laws, deceitful practices by traders continued as the consumer lacked the resources to fight powerful enterprises. He preferred to forgo his claim rather than suffer the rigours of civil court. Court technicalities, expenses, time and harassment by dishonest professionals added to the consumer's woes.

The first step to protect the interest of the consumer was taken when the Monopolies and restrictive Trade Practices Act 1969 (MRTP) was enacted (George, 1996).

The Consumer Protection Act, 1986, provided a simple, speedy and inexpensive remedy to the consumers utilizing goods and services provided by the private or government sector (SatyaSundaram, 1985; Kumar, 1994; George, 1996). The Act was a step

towards a democratic market economy, which seeks to promote the basic rights of consumers by providing a three-tier machinery to redress grievances called the Consumer Dispute Redressal Agencies (CDRAs).

### **1.3 Disabled as Consumer**

Consumers can be grouped into different segments such as women, children, old, disabled, patients, and so on. According to Soemarno (1981), the poor, the illiterate, the children and the handicapped are disabled consumers. Similarly, Andreasen (1975) classified the poor, the racial minorities, the elderly, the uneducated and the non-English speaking as disadvantaged consumers. The present study focused on disabled (physically handicapped) as consumers. They are better known as persons with disability or specifically, “physically challenged” as suggested by the World health Organization.

According to World Health Organization, 10% of the world's population is disabled. Based on this projection, India with a population of more than one billion has over 100 million disabled people. About 60% of the population of the world becomes disabled for varying period of time due to accident, old age, or illness sometime or the other during their lifetime. Thus, the disabled population is a sizable minority in the world and constitutes a significant minority in many countries. Hence, they are a group that should not be ignored. However the fact is that they are

(Ahuja, 1994). Mainly because they are not united, not aware of their rights, exist on or below poverty line and often do not get opportunity for rehabilitation, education or training. They constitute a group which ought to be enabled to participate fully and equally in society.

Like all able-bodied citizens, disabled citizens are consumers (Ahuja, 1994). Nowhere the definition of “consumer” gives any distinction based on physical ability. The definition of “consumers” in the Consumer Protection Act, 1986, encompasses all the consumers of goods and services giving no distinction between able-bodied and disabled. The disabled consumer has rights in the same degree as other consumers to receive objective information, useful products, accurate services etc. (Soemarno, 1981). They have the same rights and same needs as able-bodied citizens (Ahuja, 1994; George, 1996). In addition, they have some special needs as consumers to enable them to have equal opportunities. They face number of problems as consumers. They face an unequal fight, against heavy odds, not faced by normal persons. They are more defenceless than able-bodied.

When a disabled person acts as a consumer, he experiences several problems such as, inaccessibility to school buildings, theatres, shops, public places, recreational facilities, etc; lack of co-operation from the shopkeepers and lack of infrastructure requirements at many public places and at work places. Physically disabled consumer needs special

attention in terms of facilities related to accessibility and mobility, which are the primary conditions of any consumer.

Our society has a long history of having things 'done to the disabled'. In the use of public utilities, they are given concessions and provided separate facilities. There are problems concerning this too. First, considering the large population of the disabled in India and the gravity of their problem, these provisions are hardly sufficient. Second, the system of delivery has not been effective. Third and perhaps the most influential problem is that many disabled and their families are not fully aware of their rights and benefits that they are entitled to (Balchandra, 1994).

#### **1.4 Rehabilitation of the Disabled**

Every disabled is subjected to discrimination, prejudice and violation. The people with disability in India are an invisible minority, group without a voice. They can constitute a community that continues to be the victim of age-old attitudes. The empowerment of this section of the society has been ignored till now. It can be done through rehabilitation of the disabled.

Rehabilitation of the disabled means bringing them back into mainstream of life. Rehabilitation of the disabled is necessary to make them part of the society and get their optimum participation in the social

and economic activities. They have been treated as persons to be pitied. They have been looked down by the society. They are considered not only dependent but also economic and social 'burden' to the society. To remove all such barriers of the disabled in living normal life in harmony with other members in the society, it is necessary to rehabilitate them. There are several aspects of rehabilitation such as early detection and treatment, education, employment and such.

At the international level, because of compulsory and free education, more and better training facilities and liberal social security benefits especially in the developed and affluent countries of the west, disabled persons are highly aware of their rights as consumers and generally vigilant. The United Nations and its agencies have over the years taken keen interest in disability prevention, their training and employment, culmination in the International Year of the Disabled Persons (IYDP) 1981 and followed by the decade of the disabled 1983-1992 (Ramamani, 1988).

The government of India at all levels – Centre, State, district and local – provides more and improved services for disabled persons to enable them to become participating members of the community (Ahuja, 1994). The Central government and all the State governments provide several benefits in various areas like education, training, self employment, equipment purchase, transportation etc. to the disabled in

order to uplift their living and to help them lead less painful life with normal stream. Government of Gujarat offers about 84 such beneficiary schemes to disabled people for their rehabilitation (Saiyad, 1999).

Government has recently spelt out the rights of the disabled in every sphere of life to break stereotyped images of disabled people that have been shaped over the centuries and have inflicted pain and stigma on them and their families. The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 received the assent of the president on the 1<sup>st</sup> January 1996. The right covers equal opportunity for disabled in the areas of early detection and prevention, education, employment, housing and many other (The Gazette of India, 1996).

Mere announcement of benefits or rights is not enough. It is a question of prime importance that to what extent it is really reaching to the people in need. Persons with Disability constitute a large number, definitely much larger than the group, which has been able to receive services and help (Sengupta, 2000). As Punani (1994) suggests, the first and the foremost requirement of the disabled is to have access, awareness and capability to avail of such basic services or amenities.

### **Rationale for the study**

The existence of disabled member is not uncommon in any society. One in ten of the world's population are disabled. This means that one in three households contains a disabled person, it is hardly a small minority that can be brushed aside (Dunne, 1981). It must be realized that the disabled are as much an integral part of the society as anybody else. Greater awareness and higher utilization of consumer rights and benefits blossom them into independent adult consumers capable of contributing towards families, their society and the nation at large (Sen, 1988).

Each person in the market uses his rights as a consumer. The situation gets complex when a person is disabled because disability poses several physiological and social constraints in utilizing consumer rights. Moreover, a disabled person is also a consumer of benefits provided by the government and he faces hindrance in utilizing these benefits too.

Knowledge is the preliminary condition behind any action. Unless disabled persons know their rights as consumers as well as benefits provided to them by the government, they cannot utilize it to their best. Also attitude of the disabled towards disability plays a significant role in their social adjustment and thereby utilization of consumer rights and

benefits. More utilization of consumer rights and benefits will make them better consumers leading to greater satisfaction and better quality of life.

The field of Home Management is greatly concerned with the concept of family. Each member in the family is a consumer. To varying extent each consumer exercises his right. If the consumer is disabled, the matter requires special attention.

The study was thus planned to provide important information in terms of level of knowledge, extent of problems faced, and extent of utilization of consumer rights and benefits to the policy makers of Social Welfare ministry of the government and various non-government consumer organizations. The implications of the study are that it can be useful in helping the disabled to participate in social and economic activities with fewer barriers. The study would thus add a new dimension to the studies done in the field of Home Management and also to the Consumer Studies.

### **Objectives of the Study**

1. To study background characteristics of the respondents.
2. To assess knowledge of the respondents regarding-
  - a) Consumer rights
  - b) Benefits provided by the state government.

3. To measure the extent of utilization of-
  - a) Consumer rights
  - b) Benefits provided by the state government.
4. To find out extent of problems faced in utilizing-
  - a) Consumer rights
  - b) Benefits provided by the state government.
5. To know the attitude of the disabled towards disability.
6. To identify facilitators and constraints in utilizing-
  - a) Consumer rights
  - b) Benefits provided by the state government.
6. To conduct a knowledge-input programme for the respondents having lower extent of knowledge regarding:
  - a) Consumer rights
  - b) Benefits provided by the state government.

### **Hypotheses of the Study**

H<sub>1</sub>: There exists a relationship between selected **independent variables** and

**i) knowledge of the respondents regarding**

(a) Consumer Rights

(b) Benefits provided by the state government.

**ii) Attitude of the respondents towards disability.**

**iii) Problems faced by respondents in utilizing**

(a) Consumer Rights

(b) Benefits provided by the state government.

**iv) utilization of**

(a) Consumer Rights

(b) Benefits provided by the state government

H<sub>2</sub>: There exists a relationship between **Utilization of (a) Consumer**

**Rights and (b) Benefits provided by the state government** and

following intervening variables-

**i) knowledge of the respondents regarding,**

(a) Consumer Rights

(b) Benefits provided by the state government.

**ii) Attitude of the respondents towards disability.**

**iii) Problems faced by respondents in utilizing,**

(a) Consumer Rights

(b) Benefits provided by the state government.

**Delimitation of the study**

The study was limited to,

1. The respondents who had more than 40% of loco motor disability.
2. The respondents who belonged to either of the following three institutions situated at Ahmedabad city:
  - i) Society for the Physically Handicapped.
  - ii) Apang Manav Mandal
  - iii) The Blind Person's Association (working for all types of disability)
3. The respondents who purchase goods for self and/or others.