

CONSUMER EDUCATION



[Quarterly publication of Consumer Educators Network (CENET) of GREAT]

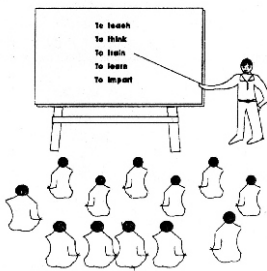
No.3/2007

July-September 2007

YOUR RIGHTS AND RESPONSIBILITIES

In your schools you are taught that we as citizens have certain rights guaranteed by the constitution. For example we have the right to speech and expression. Similarly, as a consumer you have certain rights, which you should not only know, but try to assert the same. Before doing so, let us understand the story of these consumer rights.

You know that the late John F.Kennedy was one of the best statesman of the world. He was a



close friend of our first Prime Minister Jawaharlal Nehru. When Kennedy was the President of America he passed a law which gave the consumers four important rights. These rights are :

The Right to Safety

The Right to Information

The Right to be Heard

The Right to Redress.

The people of America got these Rights on 15th of March 1962. Since then this day has been celebrated all over the world as **Consumers Rights Day**, just like you celebrate Childrens Day on November 14th and Teachers' Day on 5th September every year.

This is the third part of the four part article on
"A Window to Consumer Education"

We the people of India got these and other two rights in 1986. The other two rights are the Right to choose and the Right to Consumer Education.

By Right to Safety it means that whatever you buy should not injure or harm you or your property. You have many toys and continue to buy new toys to play with. Will you buy a toy which harms or injures you..? Toys are made of wood, plastic,

cotton and other materials like nuts, bolts springs and other parts. While playing with the toy, these parts should not come out and hurt you. Similarly you buy various eatables like chocolates, ice creams, soft drinks, bread, pop corn, pani puri etc. These eatables should not spoil your health.

Before you buy a toy a book or a pair of footwear don't you need sufficient information about it...? It is said that an informed consumer is the best protected consumer. Information about the product helps you to make a good choice. While it is the duty of the seller to give you full, accurate and fair information, you have the Right to Information before you purchase a product.

Your father takes you to a shop and gets you grand dress for your birthday. You make all arrangements for the birthday like inviting friends, ordering a cake, decorating your house etc. When you open the packet to wear the new dress, you find a big hole in it. Besides being disappointed you are at a loss. What will you do..? or what you should do..?

You go to the shopkeeper and try to explain him the defect in the dress. The shopkeeper hears your story. This is what is called the Right to be Heard. But what is the use if he just hears your complaint..? The shopkeeper should replace the damage dress with a new dress. Otherwise he has to return the money you have paid and also the expenses you have incurred to travel from your house to shop and back. You have a right to be compensated which is called the Right to Redress.

You will find that there are a number of brands available in the market which serves the same purpose. For example toothpastes and bath soaps. That means you can choose whichever brand you like. This is called the Right to Choose. But there are certain services like electric power supply or railways where you do not have a choice, atleast in our country. Thanks to this letter you are now able to

know who is consumer, what are his rights and how to behave as an informed consumer. You are getting educated about consumerism because you have the Right to Consumer Education.

As students it is not enough if you know only about your rights. Because there cannot be any right without a corresponding responsibility. Similarly as consumers you have atleast five responsibilities which you should always follow. If you memorise the word CASES, then you will know what your responsibilities are.

Whenever you want to buy a product you should question about its quality, price, quantity, durability, usefulness etc. you should read the labels properly. You should not purchase just because the shopkeeper promises you many things about the product. You should develop a **CRITICAL ATTITUDE**, which is your first responsibility.

Just like there are good shopkeepers, there are also bad sellers who try to cheat you through various means. Selling damaged goods, rotten

fruits, duplicate products are some of the means of exploitation. You can stop this, provided you are alert and assert your rights. In other words you should take **ACTION** so that you get a fair deal. This is your second responsibility.

Your third responsibility is a **SOCIAL CONCERN**. Whenever you buy a product it will not only effect you but also others in the society. So you should think about the social effects of your purchases.

By now you have learnt enough about the need to protect our environment. It is your duty to conserve natural resources and protect the earth for future generations. This **ENVIRONMENTAL AWARENESS** is your fourth responsibility.

Don't you agree that there is strength in unity..? We won our independence because all the people of India stood united against the British. Similarly all the consumers should join hands to assert their rights and see that their interests are protected. This joining together is called **SOLIDARITY**, which is your fifth responsibility

Problems of a Modern Consumer

It is true that the present day market is more developed, convenient and provides consumers with a variety of goods and services. You also have the convenience of paying through a variety of methods like cheques, drafts, credit cards etc. The modern economy has raised the standard and quality of life of consumers.

But in the process, it has created a complex and confusing situation for the purchasers of consumer goods and services. And in addition such a situation can be easily exploited to cheat and fleece the consumers. This has given rise to hundreds of problems to the consumers. Among which are:-

INFORMATION: Are difficult to obtain

Are difficult to understand, Are misleading: or Are false all together

SAFETY:In the market we find too many goods and services that are:- **Without quality, Defective hazardous & dangerous**

DECEPTIVE TRADE PRACTICE

Deceptive trade practices are on everyday happening in the market places such as:-

Adulteration

**Short weight and measure
Imitation, spurious goods**

ADVERTISEMENTS

The primary role of advertisement is to introduce a produce or service and to provide information about the product or service. But instead advertisements:-

Are misleading and deceptive

That creates new wants and desires

Which distorts our priorities, and

Develop a consumer culture that promotes a wasteful pattern of consumption

PRICE

The greed for profit and the weakness of the consumers has created a situation whereby:-

Price increases are unjustifiable; and

Not commensurate with situation (for example price of flour goes up by 50 paise a kilo and the price of bread goes up 50 paise a loaf)

Potato Chip

You would like to eat it every day. You can't stop at one crunch. Yet it is not as healthy as you feel. What is it? Potato Chips. Though eating potato chips occasionally does not have any ill effects, it is definitely harmful if you are addicted to it. Here are some facts about potato chips

The potato chip celebrated its 150th anniversary in 2003. It takes 10000 pounds (approximately 4500 kg) of potatoes to make 3500 pounds (approximately 1575 kg) of potato chips

In the US, a pound/kg of potato chips costs 200 times more than a pound/kg of potato

The world's largest potato chip is 2' thick and 14.5" long. Detroit is the potato chip capital of the world, based on consumption

(Source: Insight)

THE ENVIRONMENT

The environment is the gift of nature to mankind for his welfare and survival. But development for the sake of development motivated only by the greed for profits has already brought about irreversible damage to the environment which:

Threatens the quality of life; and

The survival of the consumers

(Source: Consumer Education Students Guide)

Shopping Skills

Exposed to a variety of goods in the market and bombarded by an overdose of advertisements, the poor consumer can easily get confused. How, then, can a consumer make a sound and intelligent decision on what and how to buy? Consumers must be equipped with shopping skills and should exercise vigilance, whether buying in a supermarket or in other types of stores, if he or she wants to save precious money, time and energy. It helps to know the following tips:

To save time in locating products, familiarise yourself with the arrangements of stacks in the stores where you frequently do your shopping

To avoid missing special, genuine sales, shops systematically up one aisle and down the other

Keep a sharp eye for special price reductions of products which can be reserved for future use

Be alert for low-budget, economical but nutritious recipes and other consumer product information.

Go for quality not quantity

Vary your meals. Look for new foods to perk up the appetite of the family

Read labels carefully and take note of nutrition information such as contents, measure etc

Look for expiry dates to insure freshness

Don't be ashamed to ask the assistance of store supervisor for information or location of some items

Compare prices per unit of servings

Help control store operating costs which, will indirectly affect prices. Handle merchandise carefully

Go for value not brand

Time saved is time well spent. At the check-out counter unload items with prices showing

Be a wise consumer. Keep these tips in mind

(Source: Consumer Tips)

Educational Institutions and Consumer Protection

What can you do, if

1. the teachers are incompetent or untrained?

- (a) protest and demonstrate
- (b) ask for replacement
- (c) bear with it and supplement with private tuitions

2. you learn after admission that the school college is unrecognized?

- (a) take a transfer certificate and keep quiet
- (b) report the matter to the State's education board/department
- (c) don't know

3. if the syllabus is not as prescribed by the education board?

- (a) inform the authorities about the issue
- (b) take a transfer certificate and change the institution
- (c) ask for a refund of the entire fees
- (d) all of the above

4. you want a transfer certificate and refund of fees and the principal refuses?

- (a) demand both from the management
- (b) take the authorities to consumer court
- (c) lose an academic year
- (d) don't know

5. you become ineligible for an examination because of the institution's carelessness

- (a) sue the authorities for their inefficiency and get compensated
- (b) lose an academic year
- (c) don't know

6. you are promised degree/certificates for

abnormal fees and also suitable placements that turn out to be false?

- (a) sue the authorities under unfair trade practice
- (b) seek adequate compensation for waste of your time and effort
- (c) both

7. despite being in the merit list, you are denied admission because you cannot pay

- (a) approach consumer or any other court.
- (b) accept it as fate
- (c) no idea

8. if you find after admission that the infrastructural facilities are inadequate?

- (a) complain to the authorities and for compensation
- (b) check these prior to taking admission
- (c) both

9. The food supplied to the boarders/ primary school student is substandard?

- (a) sue them for deficiency of service
- (b) approach a consumer organization and government authorities for help
- (c) both

10. The private bus driver employed by school to transport student meets with an accident because of rash driving?

- (a) take the driver to task
- (b) hold the institution responsible
- (c) locate the private company and sue them
- (d) don't know

Answers

1(b). You can approach the department/authorities concerned and ask for a change of teacher. If the request is not met promptly, then you can challenge the authorities for deficiency of service.

2(b). The Government has prescribed rules and procedures for setting up private institutions. The bona fides of an institution should be verified beforehand. Timely action will prevent the student from losing an academic year

3(d). In some institutions, the syllabuses adopted are not at par with the standard norm as prescribed. In such cases as soon as you realize it, you should talk to the authorities. If no remedial measures are taken, then take a TC and change the institution. In this case you can ask for a refund of the fees.

4(c). If the authorities refuse to issue a TC or conduct certificate or even refund the fees, you can approach the consumer court for deficiency of service. However, if the student leaves midway, say in the second year of an academic session of three or four years, the authorities can deduct fees for the full term that the student attended classes, as the institution may not get another student in his place midterm.

5(a). If you are ineligible for an examination because the institution is unrecognized and the information was withheld from you, you can hold the institutions responsible for the loss of a year and sue it. Also if the examination hall ticket/provisional certificate is deliberately issued late, or you are marked absent by mistake in the hall denying you admission to the next higher course, it tantamounts to deficiency in service on the part of the authorities concerned. You can seek adequate compensation in such cases.

6(c). These are clear cases of unfair trade practice and the institution is liable to be sued for the loss sustained by you. In this case you will be entitled to adequate compensation by such an institution.

7(a). The Supreme Court of India has deemed illegal the charging of capitation fee in any manner (even as donation). All State governments are responsible to ensure that no capitation fee is charged from any student. You can approach any court, except the criminal court for redressal.

8(c). The authorities of any institution have to provide adequate infrastructural facilities like laboratory, library, playground, furniture, proper hostel accommodation, etc. and any lapse can be treated as deficiency of service resulting in payment of compensation. Apart from the school premises including the toilets (which should be inside the campus) should be kept neat and clean. Safe and potable drinking water should also be provided.

9(c). Providing safe, hygienic and nutritious food of the student is the school authority's responsibility. In case of food poisoning due to negligence, they have to bear responsibility for the consequences.

10(b). Some institutions employ private buses to transport students. In case of accident from rash driving and the student suffer injuries, the institution is responsible by way of vicarious liability for the acts of its employees. It cannot wash its hands off the issue by shirking its responsibility in favour of the owner of the transport.

(Source User Manual brought out by the Department of Food and Civil Supplies, Government of Andhra Pradesh)



Published by :

CONSUMER RIGHTS EDUCATION & AWARENESS TRUST (CREAT)

No.239,5th 'C' Main Remco Layout, Hampinagar, Bengaluru-560104

Tel : 91-80-23357280, E.mail : creatorg@sify.com , Website : www.creatindia.org