

CONSUMER IS (NOT) THE KING OF THE MARKET**Shashi Bala*****Dr. Manohar Goel****

ABSTRACT

Consumers are considered to be king in a free market, the sellers are guided by the will of a consumer. This statement simply means that the consumer is the most powerful person of the society and every business activity revolves around him. The decisions relating to price, quality, guarantee, warranty, etc. of the products are taken according to the will of the consumer. Every efforts are made by businessmen to retain the customer. A lot of schemes, promotional efforts, concessions & incentives are given to the customers, but things are not actually those as it seems to be. This statement is not complete in itself because truth is something else. Today consumer exploitation is also the other side of the picture. Misleading advertisements, adulteration, under-weight, under-measurement, deficiency in services like banking, insurance, housing, railways, airlines, hospitals, tourism are very common problems in the society. So this statement need to be studied from that angle. In this paper an attempt has been made to understand this concept. It will further analyse the reality of this statement with the help of available literature.

Keywords: *Consumers; King; Exploitation; Truth*

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INTRODUCTION

Consumer is the most important visitor is our premises. He is not dependent on us, we are on him. He is not an interruption on our work; he is the purpose of it. He is doing us favour by giving an opportunity to serve him. These are the remarkable words of the Mahatama Gandhi Ji on the importance of the consumers to run a business. In Today's world of marketing stated, consumer to be king of market place. Every company/ organization is trying to serve the customer at its best and finally working towards the satisfaction of the customer. Marketers of today are not leaving any opportunity where he can make the customer feel good about the services provided, product offered or the bundle of utilities served by him. In a word we say that, consumer of the day is being pampered by the market. In a free economy like ours' demand, for the goods and services which we want to purchase. Consumer buys the goods and services expecting that the goods he buys are fresh, the drugs are pure and effective the products are safe and work well, the price that he is charged are fair, the telephone functions properly, the air he inhales is unpolluted, letter destination in time, his electricity supply remains uninterrupted and he can travel safely and in time from one place to another. let us have more points to make the consumer a feeling of king.

The government has enacted nearly 50 laws which can be interrupted in favour of consumers. These enactments have empowered the government to control the production, supply, distribution, price and quality of a large number of goods and services. The government is also empowered by these acts to regulate the terms and conditions of sale, the nature of trade etc. Some of these acts can be named as prevention of Food Adulteration Act 1954, Essential Commodities Act 1955, Essential Services Maintenance Act 1968, Standards to Weight and Measures Act 1976 together with the standard of weight and measures (Packaged Act 1986, etc.). All these acts have been to give the consumer a protection against any type of exploitation. Further the government of India has developed the public sectors, to enhance the consumer welfare by increasing production, improving efficiency in production and supply making goods available at fair prices, curbing monopolies by private sectors and so on.

The constitution of India in Articles 38, 39, 42, 43, 46 and 47 provides that the state shall strive to secure a social order for the promotion of the welfare of the people, it shall direct its policies in such a way that operation of economic system does not result in the concentration of wealth and means of production to common determinant. It shall make provisions for securing just and human conditions of work and for maternity relief etc.

Above all the consumer protection Act 1986 is one of the benevolent social legislation intended to protect the large body of consumer from exploitation. The Act has come as a panacea for consumers all over the country and has assumed the shape of practically the most important legislation enacted in the country during the last few years. It has become vehicles for enabling people to secure and inexpensive redressal of their disputes. With the enactment of this law the consumer now feel that they are in a position to declare 'seller beware' whereas previously the consumers were at the receiving end and generally told 'buyer beware'. To provide cheap, speedy and simple redressal to consumer disputes, quasi- judicial machinery is set up at district, state and national level called District Forms, State Consumer Disputes Redressal commission and National Consumer Disputes Redressal Commission respectively. The act has empowered the consumer by giving them 6 special rights. In addition to this various VCO are working in the direction of consumer protection, in the various parts of the country.

So this explanation clearly shows that "A Consumer is the person who can be stated king because everyone is trying to serve him, protect him and trying to pamper him".

Let us take a twist and have a look on the other side of the picture:-

A Judge of High Court observed that "The consumer pay high fare for dirty railway departments and dirty toilets. He pays rent for the telephone even when it does not serve him. He motors on roads that are dangerous. He has no payment to walk on the mail does not reach him on time. He eat food that is adulterated. He drinks water that is polluted and breathes in the air that is poisonous. The government is the large supplier of goods and services enjoying monopoly rights over most of them, whether it is the supply of essential commodities or public services such as electricity, transport, communication and banking, all the available evidence point out to a woeful lack of concern for the consumer."

Have a look on these clipping from the newspapers:

- Around 13% of food samples food contaminated nationwide – Time of India (2011)
- Soapy Milk, toxic apples: Sour Food – The Economic Times (Feb. 13, 2012)
- FDA, Seizes 100 times of adulterated ghee.....
- 69% of milk samples failed purity test.
- Food Safety official raided on shops selling adulterated tea & oil.
- UGC finds fake universities in U.P.,
- Thousands of fake Degrees seized.

Now let us look on the products which are served to the king in the form of breakfast, lunch or dinner. The king is exploited by serving him adulterated products, which are dangerous to life or hazardous to health. These days adulteration is being done in almost every consumable item like (milk, Ghee, Cereals, Flour, Pulses, Edible oil, Chilies, Black pepper, Common salt, Heeng, etc.), Sweets, (Jelly, Jams, Apples, Mango, Grapes, Strawberry, Peaines, Banana, Raspberry, etc...), Vegetables (Lady-finger, ginger, carrot, spinach, potatoes, pea, cauliflower, etc..), Drink (Coffee, Soft-drinks, Tea, Water). This is only a glimpse on the items being sold in adulterated form.

Consumers are misguided through advertisements, which often give incomplete and misleading information. The play of word like "free", new, super white power, extra etc... rule the ad scene. Even leading newspapers channels shows those advertisements which are unbelievable and misleading. Some examples of these are like : buy 2 get four, 70%, +30% discount, get loan in 5 minutes, get treated in 7 hours, increase your height within 1 month, reduce your weight in 7 days, be graduate even without +2, get degree of MBA without any type of test, seven days wonder from black to white etc... Business firms spend huge amount of money on advertisement of their products and services. Most of these advertisements contain exaggerated and un-provable claims. Commonly seen advertisements of tooth-paste, cosmetics, tonics, body-building, figure improving and height increasing instruments makes claims in very attractive and catchy way. Though these advertisements do not explain how the claimed qualities of the product produce benefits, the consumer believes them because of the appealing way of presentation, ultimately the consumer feel cheated at last.

In the day to day life consumers face many challenges being saddled with defective substandard and spurious goods when he go for purchase. A consumer often face many hassles while availing of services of public utilities like Railway, Electricity, water- supply, other municipal services, postal services, courier services and transportation. In addition while availing of services like Airlines, Banking, Housing, Insurance Medical, Education etc. he often faces gross deficiency in those services or become a victim of unfair trade practices. Let us have a look on some situations & cases.

Banking: Wrong outstanding shown on credit cards, faulty ATMs, wrong transfer of amounts, clearing of cheque got delayed, hidden charges in loan transactions etc.....

Housing: Returning of application money without interest, possession of house delayed, extra charges or enhancement charges, location of plot etc.....

Insurance: Unreadable small prints and endless exclusion clauses, pre-existing diseases, refund or maturity amount, death: natural or accidental, accidental claims for vehicles etc....

The list is endless and every area can be mentioned here.

In the last part of the paper it can be stated that because of all these exploitation or because of facing such situation again and again consumer has got aware in India. The growing feeling among them that they are ruthlessly exploited and taken for a ride has organized the consumer movement. Consumers are organizing themselves for the protection of their interests. Such a move to better the protection offered to consumer is called consumerism, which in other words is also called the consumer protection awareness. Consumerism is defined as a social movement seeking to argument the rights and power of burger in relation to seller. Now these days "Jago Grahak Jago" is becoming a part of the day to day life of the consumer.

So the king has started feeling again that he is the king and he should be treated like that. He has started knowing his rights, duties and responsibilities. He is slow in fighting the cases of exploitation but he has started to stand up again such situations. It is said "what counts is not necessarily the size of the dog in the fight it is the size of the fight in the dog" All the need is to have the confidence in yourself to fight back for the injustice which is done to your and believe that you will achieve the goal. While fighting for consumer rights, do not argue only for your rights but also remember your own duty to come forward with a genuine complaint. Mahatma Gandhi said, "We need to the change that we wish to see in the world".

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