INTRODUCTION

Human race has emerged as the most dominating creature on this earth. The human life evolution starts with the apes turning into homosapians and the thus giving a start to human civilization. Resources are limited but wants are unlimited. As soon as a person is born his requirement for sustenance of life starts, in this sense all the person who come on the earth becomes a consumer. Any individual who buys the goods or services for personal consumption or beneficiary but not for resale or commercial purpose are called consumer.

In ancient time when the consumers were limited in number the sellers were easily aware of the consumer needs due to direct interacting with them and their daily experience of selling. But in today scenario huge population and unlimited number of buyers, sellers and service providers have increased the need for the consumer protection movement. Consumer consideration and their protection are very old concepts. No country knowingly or unknowingly disregard the interest of the consumers. The rapid industrial development has not only brought new innovations and products into common use but also affected the ways and means of our living. The technological development have increased the need of the consumers. Globalization of trade, market-dominated economy, information revolution and emergence of e-commerce has further enhanced the process for the need of strong consumer law. A greater importance has been assigned to consumer law at a global basis.

After the Second World War first consumer movement began in England. A modern declaration about consumer rights was first made in United State of America in 1962 were the four basic rights of the consumer i.e. Right to choice, Right to information, Right to safety and Right to be heard were recognized. The United Nation in 1985 adopted certain guidelines in reference to objectives of maintaining protection for consumer and those in production.

India where the population is over billion have a variety of consumer – they can be rich, poor, big, small, thin, fat, adult they come in all shapes and sizes with one’s own choice and tastes. The consumer is like the forgotten man. He is not that organized and the most centrifugal element in the circle of investment, production sale and consumption he is generally taken for granted as one who has to any how to buy in order to live. Protection and promotion of consumer
rights and interest is a vital function of Government of any economy. It is a basically a social and political necessity and is essential for all round progress of the country. In India Kautiliya was one of the earliest to write in his Arthasastra about the need for consumer awareness and protection. The Government after the Independence has enacted various legislations to safeguard the interest of small and large scale business. Near about thirty Central Acts are passed for governing trading operations. The Indian Constitution under Article 32 and Article 226 have made provisions in case of violation of consumer rights. However, an organized and systematic movement to safeguard the interest of the consumer is a recent movement. To protect the interest of the consumers in India a socioeconomic legislation is passed in the form of Consumer Protection Act, 1986. The provision of the act came into force with effect from July 1, 1987. The Act seeks to provide for better protection of interest of the consumer and for the purpose make provisions for the establishment of consumer councils and other agencies for the settlement of the disputes. The main of the Act is to ensure the rights of the consumer and protect them from exploitation by traders/dealers and service provider’s. The Act has become a vehicle for enabling people to secure speedy and inexpensive redress for their grievances.

The Act enshrines the following Rights;

- Right to be protected-against the marketing of the goods which are hazards to life and property.
- Right to be informed-about the quality, quantity, potency, purity, standard and price of goods so as to protect the consumer against the unfair trade practices.
- Right to be assured-wherever possible access to variety of goods at competitive prices.
- Right to be heard
- Right to seek redressal - against unfair trade practices or unscrupulous exploitation of consumers.
- Right to consumer education.

The Act also provides for consumer disputes redressal at the district state and national level. With the help of this law the agencies can solve grievances in a speedy, simple and inexpensive manner. A separate department of consumer affairs is set up by the state and central government. A three tier system of consumer courts at the National, State and District levels are set up. To protect the poor from price rise and black marketing the government provides food security to the poor by supplying essentials through the ration or Fair price shops.
The efficient and effective program of Consumer Protection is of special significance to all of us because we all are consumers. A manufacturer or service provider is also a consumer of some other goods or services. Have you heard the tale of – A man was walking on the beach when he noticed a small girl on the beach who was picking up the star fish that were stranded on the beach. She was picking them up one by one and putting them back into the sea. The man was very surprised and asked her why she was doing this. The little girl said she was helping them to survive. The man remarked that it would not make a difference as there were so many starfish stranded on the beach. The little girl looked up at the tall man and smiled. She told him very gently that it would make a big difference to each of the star fish that she had put back into the sea. Yes, every little effort made it worth it. If both the providers and producers realize the need of co-existence the defects and deficiency would become the thing of a past. Every right has a corresponding responsibility.

After the enactment and execution of the law a shift from the rule of ‘Caveat Emptor’ to ‘Sellers Be Aware’ was expected but the result is far from satisfactory. India has a large buyers’ market and consumers have the liberty of an enormous variety of choices with regard to the products or services they want. But along with this freedom of choices comes the caveat of an increasing number of ways to be exploited or even cheated. The constant sales pressure from manufacturers and service providers, through innovative means like catchy advertisement, attractive prize, discounts etc. lure gullible consumers into buying products and services without accurate information.

Rapid changes in the market forces have increased intricacy and obscurity of specific services often outpacing legislation much to the disadvantages of consumers. Consumer awareness is slow due to the apathy and lack of education among the masses. The consumer are not aware about their rights-to be informed, about product quality, price protection against unsafe products, access to variety of goods at competitive price, consumer education etc. It is essential for the consumer to be protected and for them to develop the necessary skills to make informed choices. So still the need to research and study the implementation of consumer rights.