Literature Review:

The general purpose of reviewing the literature of studies is to develop an understanding and insight into the work already done and areas left untouched or unexplored. It is presumed that the survey of such studies will make the preset investigation more direct and to the point. The investigation of literature review helps researcher, to take out the problem not examined by the previous researchers. So, the different studies investigating most of the aspects on the subject matter of present study published in the forms of books, articles and research papers have been studied. The important among them are as following:

Dhyani, A. K. (1990) in his study entitled “Role of Government Agencies in Consumer Protection”, found that Monopoly & Restrictive Trade Practices Commission of India is unable to keep pace with the complaints filed before it.

Shourie, H. D. (1993) in his article entitled “District Forums Yet to go into Full Swing”, found that functioning of District Consumer Disputes Redressal Forums was unsatisfactory. He also highlighted the various causes for the same, which are problems of staffing, infrastructure, equipments and provision of funds etc. He also found that the State Commissions were also facing the similar kind of problems.

Singh and Balachandram (1994) in his research paper conducted a survey entitled “Evaluation of the Effectiveness of the Implementation of the Consumer Protection Act, 1986”, found that there is inordinate delay in disposing the cases of the aggrieved consumers and suggested that there is a need of effective coordination and concerted efforts by all concerned to educate the consumers about their rights and Redressal machinery available to them.

Sudan, Amrik Singh (2002) in his study entitled “Activating Consumer Movement – A Study of District Disputes Consumer Redressal Forum, Jammu”, suggested the need for establishment of mobile consumer courts. The study also highlighted the need of separate consumer affairs department and appointment of permanent, educated and knowledgeable members for improving the functioning of the forum.
Tushar Kanti Saha. (2001) in his book article entitled “Law of Tort & consumer justice. Law of consumer justice (protection of consumer rights)” An objective of this book is imparting the knowledge of consumer justice & its parameter. This act provides the in right of the provisos of law to provide for better protection the reforms to be needed to make the act more effective.

Secondly an author wishes to provide information about the quasi judicial machinery, provisions of which made under consumer protection act. With judicial power conferred on the same, and as per the jurisdiction.

An author has the. Bird eyes while discussing the Goods Hazardous to life & property. For example food and Agriculture organization have taken into consideration.

Each & every aspect of consumer protection act has taken into consideration i.e who is complaint disputes and its scope etc. Certain things or topics which is remain to be touched in the above book.

Firstly. Author has silent about the penal provisions under criminal procedure code for Negligence & unfair trade practices.

Secondly author has not taken into consideration that whether who comes in the category of consumer and who is not.

Tangade and Basavaraj (2004) in their study entitled “Awareness and Perception of Educated Consumer about Consumer Protection Laws”, analysed the level of awareness and satisfaction of educated consumers about the various laws and found that there was a direct relation between education and awareness. It also highlighted the significant role of electronic and press media in creating awareness amongst the consumers. It also found that most of the consumers want that Government should make serious efforts for increasing the awareness among rural and illiterate masses.
Ellen Van Kleef (January 2006) in his research paper entitled “Consumer Research in early stages of new product development- Issues and Application in the food domain.” The aim of this thesis is to analyses key issues and develop and illustrate appropriate consumer research methodology that claims to be supported in effective Marketing Research and Development interfacing early in the process.

Anjali Bansal (2006) in her research paper entitled “State of Consumer Protection in India” The paper attempts to present the state of consumer protection in India by way of analysing the present status with respect to the UN Guidelines for consumer protection. The paper throws light on the current scenario by giving some data and highlighting the problems. It observes that the legal and the policy framework in the country is fairly good to capture the measures suggested by the UN Guidelines but when it comes to implementation, the situation is not up to the mark. It concludes with some suggestions and recommendations that might further improve the consumer protection regime in the country.

Fabrizio, Hans-Wolfgang (2008) in their research paper entitled “Administrative and Judicial Enforcement in Consumer Protection- The way forward” The paper analyses the relationship between administrative and judicial enforcement in Consumer Protection. It first sets out the European state of development with regard to injunctions, thereby focusing on the different models of the European group actions and the regulation of standing, as well as comparing ex post ante and ex post intervention. The second part reframes the European debate in the light of the US and Canadian experiences and formulates a whole set of policy options. In the final part we propose a set of policy recommendations that the Commission should consider in the process of reviewing the collective redress directive and more in general the European policies concerning collective redress.

Bhavet and Mohita (2009) in their research paper entitled “Current Practices in Consumer Protection in South Asia (With Special reference to India, Bangladesh, Pakistan and Nepal)”, found out that Consumer Protection legislation is an integral part of a consumer protection frame work of any country. This framework encompasses various issues which are actually correlated with each other. Each country has some uniqueness in its system and approach to consumer protection, which can be analysed and protection can be incorporated. No
system is perfect, therefore a compilation of this nature gives an opportunity to assess and benchmark the good practice. Globalisation, Liberalisation and Privatisation in South Asian countries has enabled the entry of several traders, including large M.N.C.’s, who have transformed the economy into a vibrant, rapidly growing consumer market. In South Asia countries, most of the Governments have come up with some laws related to Consumer Protection, but there is a direct need to frame a system which is equipped with the initiatives and policies which would serve as a strong base for an efficient and effective Consumer Protection regime.

Kaushal, Anoop K. (2010) in his book entitled “Practical Guide to Consumer Protection Law”, examined the basic concepts and definitions as used in the Consumer Protection Act, 1986 (C. P. A.) as amended up-to-date and incorporated the various circumstances under which consumer can approach the Consumer Disputes Redressal Agencies for the purpose of filing complaints/appeals.

Stephen Brokaw (2011) in his research paper entitled “An Issues of Corporate Social Responsibility and Human Rights Sustainability in Modern Business” This paper explains the prevailing theories behind corporate social responsibility, the steps companies take in developing social programs, the costs of not having these programs, and he implications that the idea of corporate social responsibility has had on human rights sustainability. The research of corporate social responsibility has been limited because of the difficulty of creating a study that accurately reflects consumer reactions given a set of complex circumstances. An original survey showed that local consumers have widely varied opinions on the concepts related to corporate social responsibility. Brief case studies within the paper illustrate the real life examples of The Gap and Nike.

Hossein Kaviar (2011) in his research paper entitled “Consumer Protection in Electronic Contracts” an author wish to bring to the notice to readers that Consumer is weaker party in electronic contracts, especially business to consumer contracts (B2C). There are various legal systems in place to protect consumers. However, consumers still face a variety of problems. For example, they do not have enough choices in the markets and often have difficulties in
understanding contract terms. More importantly, consumers still do not always have effective methods for asserting their rights and resolving disputes. This paper examines some of the issues involved in consumer protection in dispute resolution, in the context of electronic contracts

Nnamdi Azikiwe (2011): University Journal of International Law and Jurisprudence in his research paper entitled “Consumer Rights as Constitutional Rights-A Comparative Analysis of Some Selected Jurisdiction has described the selected jurisdiction belongs to the Consumers in Nigeria.”

The greatest danger faced by consumers lies in the consumption of fake and adulterated goods. The consequence of consumption of fake and substandard goods is sometimes dangerous to human life. Despite this fact, violation of consumer rights which is the hallmark of consumer protection is still being considered in Nigeria as breaches of either contractual or tortuous right. This study analyses from a global perspective the extent to which consumer rights have become entrenched in constitutions of some countries of the world. This study makes a case for the entrenchment of consumer rights as constitutional rights in Nigeria

Huda Khan (2011) in his research paper entitled “Consumerism in Asia” The objective of this paper is to identify the different consumerist societies in Asia and understands the history and dynamics of consumer culture, consumer ideologies and consumer movements within these societies. The major countries that are discussed in this paper in context of consumerism is India, Japan and Turkey and Pakistan as in these societies of Asia, consumerism exists with varying level of existence.

Hsiu-Yuan Hu, Ching-Chan Cheng, Shao- &I Chiu and Fu-Yuan Hong in their research paper entitled “A study of customer satisfaction, customer loyalty and quality attributes in Taiwan’s medical service industry.” This study examined how overall customer satisfaction and customer loyalty associate with the medical service quality attributes offered in Taiwan using Kano’s integrated model and the Customer Satisfaction Index Model. The results show that customer satisfaction was influenced by the one-dimensional and attractive attributes, and negatively affected by customer complaints. Surprisingly, the must-be attributes could not
predict customer satisfaction, which suggests that competitive convergence played a role within the Taiwan context. As well, customer loyalty proved to be independent of customer satisfaction and customer complaints, which may have been due to the barriers erected to dissuade patients from changing to a new provider. The major finding suggests that hospital managers should identify and emphasize the relevant one-dimensional and attractive attributes so as to increase patient satisfaction levels. Other findings reveal new insights for researchers concerned with the quality of medical services offered in Taiwan, as well as for hospital managers who must distribute their limited resources in order to achieve the highest possible patient satisfaction.

Dr. Balkrishnan Menon & Dr. Jagapthy Raj.V.P (September, 2011) in their research paper entitled “Conceptualization of model for studying consumer purchasing behavior of passenger cars”. The objective of the above research paper is to conceptualize the parameter which makes the things different or to the influence the purchase pattern of cars in the particular state. An author has taken in to consideration the behavioral aspect of the consumer while carrying out the research.

An author has also taken into consideration the role of internet marketing in consumer decision process throes the platform of e-commerce marketing. He has covered the only an sect of satisfaction and Loyalty of the consumer.

Date source & Method of collection: An author has adopted exploratory approach of study and involving realistic consumer tendencies, in the passenger car industry. Researcher also included the literature review as a secondary research. Questionnaire was framed to support the conclusion by the researcher.

In the said researcher paper the main focus was concentrated on consumer behavior of particular state that is ‘Kerala’. Which restricts the study of consumer behavior of her states.

Dr. D. S. Chaubey, Devkant Kala & Deepak Gupta (June 2012) in their research paper entitled. “Consumer’s attitudes towards consumerism, marketing and government regulations: A study of consumer of Pharmaceutical Products.”
In this paper a concept of modern era of societal marketing concept business ethics and social responsibility is becoming one of the central issues of all the marketing practices. Now the business enterprises cannot consider themselves as sovereign in the marketplace. The modern waves of consumerism have made the consumers vocal in expressing their rights and privileges in the marketplace. Consumerism is an inevitable response to the increasingly complex and impersonal society of our times, and will be a powerful influence on business in the coming years. Present study is taken up with the objectives of consumer attitudes towards consumerism and different marketing practices and government regulations in promoting consumerism and assess the degree to which consumer protection, education, and information are available to various consumer groups in Uttarakhand. For this 315 respondents were surveyed from different part of Uttrakhand state and it was found that there is a significance difference in the different factor across the educational category and occupation of the respondents and factors promoting consumerism.

Dr. Babita saiyyed & Akilsaiyed. (2012) in their research paper entitled “Empowerment of Rural consumer in the Globalized market.” The objectives of this research paper are to keep informed the consumer about their exploitation. In the rural area consumers are constantly get exploited as they are lacking education and awareness about.

Their rights, deficiency in services nab the consumers, Faulty weights etc. Rural consumer today is been cheated as well as exploited in many ways deliberately. Prevention of Malpractices and exploitation leads to consumer protection and hens the main objective of this paper is to make aware the consumers about their rights.

Methodology used for the above paper is based upon secondary source of information and scrutinization of existing legal rules made for the protection of consumers.

The author could have been conducted primary data interview / schedule / questionnaire method to assess or to collect the data. So that the practice experience would have been understood. Food adulteration is a serious problem in the rural market where the administrative Mechanism is not be able to prohibit the same. An author has not supported any measure to cope up with the problem. Or the author has not supported the mechanism to overcome those issues.
Prof. Sunil K Gaikwad. (2013) in his research article entitled “Protection of consumers against media advertisement.” The objective of the above paper are, an author wish to inculcate the information to the readers of the research paper is an idea about and criticize the consumer protection policy in India. To study various kinds of advertisement and suggest always to protect the Listeners, viewers and readers from the false and misleading advertisement.

The main drawback of this research paper is the author had not adopted the methodology of study, even though he could have adopted so many methods, for collection of data and for interpretation part is concerned.

Consumer is interlinked with the services the “services” Factor has not taken in to consideration at all. While criticizing consumer protection Act 1986th author fully ignored the implications of the policy. Even though the author has keen and bird eyes taken into consideration the consumer protection (Amendment) Bill 2011, but he had silent as far as implementation part is concerned. An author has taken in to consideration all the aspect of consumer protection Law. Human Rights aspect, Right to information, Legislative measures for protection of the consumers.

Dr. Babita Saiyed & Akilsaiyed. (2013) in her research paper entitled “Market and Consumer Protection.” The objectives of this research paper is to keep informed the consumer about their exploitation. In the rural area consumers are constantly get exploited as they are lacking education and awareness about. Their rights; deficiency in services nab the consumers, Faulty weights etc. Rural consumer today is been cheated as well as exploited in many ways deliberately. Prevention of Malpractices and exploitation leads to consumer protection and hens the main objective of this paper is to make aware the consumers about their rights.
Prof. Amruth Raj Nippatlapalli (December 2013) in his research paper entitled “A Study On Customer Satisfaction Of Commercial Banks: Case Study On State Bank Of India”

"Customer satisfaction provides a leading indicator of consumer purchase intentions and loyalty. Customer satisfaction data are among the most frequently collected indicators of market perceptions. Customer service is the provision of service to customers before, during and after a purchase. According to Turban et al. (2002), "Customer service is a series of activities designed to enhance the level of customer satisfaction – that is, the feeling that a product or service has met the customer expectation." Customer satisfaction is an ambiguous and abstract concept and the actual manifestation of the state of satisfaction will vary from person to person and product/service to product/service. The state of satisfaction depends on a number of both psychological and physical variables which correlate with satisfaction behaviors such as return and recommend rate.

Mrs. Archana Mainkar. (2013) In her research paper entitled Consumer’s Rights in India with reference to Mumbai, Grahak Panchayat. The objectives of the above research paper are to make aware the consumers about the functioning of Mumbai Grahak Panchayat. No methodology of studies are not followed by the author.

An author has mingled the Rights of the consumer with the Function of Mumbai Grahak Panchayat. The term “consumer” is fully ignore by an author. What type of protection is granted in this particular Form has totally ignored. The sample size is too low to understand or to come to the conclusion.

Secondly an author has not described anything about the setting up of the form. How to approach the forum, what is “services” in the consumer protection Act, who termed as a “Consumer”? Who is entitled to get the grievances settled?
In his reference book Consumer Behaviour & marketing Research. & Industrial Buying Behavior. In this book author has thrown lights on the buying behavior of industrial product by the consumer. An author has typically explained the industrial buying behavior of consumer in India. In this chapter the meaning of industrial buyer has narrated very effectively i.e. industrial Buying Behaviour refers to the study of the motive and action of, and the influence upon the purchasing of the good & services.

Here decision of buyer is an important as far as services, raw material, product component or finish good etc. the decisions regarding price, quality, delivery support system etc are depends upon how consumer is wise in making the decisions.

In this chapter an author has explained the audit of consumer Behavior, it is really a wonderful task, because most of the author those who works on consumer ignores the achievement. Once the task accomplished it must be reviewed through various measures.

In this chapter the study of various councils i.e. state, central and district level has taken into consideration, a part this the functioning of those mechanism has discussed. Really this chapter throws the light on the buying behavior of “Industrial consumer” that is the consumer associated with the industrial product.

Dr.J.KRaju Mr.Asifulla A (April 2013) in their research paper entitled “Consumer Protection Act, 1986: Issues and Challenges” throws light on the consumer protection act and its implementation. The consumer is not only the heart of marketing but also the controller of marketing functions. The reality consumer may be ‘King’ of corporate activities, but King is misguided by his Kingdom. This paper explores about the issues and challenges associated with the consumer protection act, 1986. We have drawn some possible suggestions/recommendations
in order to avoid and reduce unfair trade practices made by the various companies in India. We have done a conceptual paper through secondary data and with real life examples.

**Santosh C.S. and Navaz.B. (2013)** in their research paper entitled “Perception of Ethics & Consumer Protection Act amongst the Doctors”. This paper aims to impart the knowledge to the readers about the relations among doctors and patients. A fine questionnaire has set up regarding Ethics and Consumer Protection to know about the awareness of these topics among doctors. It also throw the lights on the duty of the doctor to understand about Consumer Protection Act. And adopt protective measures like good documentations, discussing with the patients about treatments/operation, taking consent personally and this avoid litigations in the future. The aim of this research paper is to impart or to spread more knowledge about medical ethics and consumer protection Act, as it is very limited. At the conclusion part of this research paper it is prescribed clearly that none of the doctors are ready to attend court to give evidence. Ignorance of law of the land is no excuse in the court of law, at least the laws concerning to practice of medicine. Because the increase in the litigation against doctors in the consumer courts. It is therefore duty of everyone those who are associated with this field must be aware of the provisions of the Act.

**Ms. Sundas Fida & Mirza Ashfaq Ahamed (2014)** in their research paper entitled “The Elements of Consumer Attitude towards Service Innovation- an Analysis of 3G and 4 G Technology in Pakistan”

The main objectives of the presence research paper to develop identical model for consumer attitude towards service innovation. And to explore how consumer’s attitude varies towards services innovation and affects consumers intention towards service innovations as for as 3G & 4G technology is concerned. An author has adopted primary data as well as secondary data for collection of the information from the respondents.
In the above research paper it can be seen that the author has taken into consideration the young group from the society as the respondents. Further if he would have taken or he would have taken the group of consumer who are aware of the 3G & 4G Technology due to some reason they could not be able to use the same.

The effectiveness of the 3G & 4G technology which is launched in Pakistan cannot be deeply studied with the help of limited responses or limited observation. Consumer Education is an essential factor which is completely ignored by the author. To explore the effect of consumer attitude. In respect of service innovation the researcher found that the financial aspect has totally ignored by the authors. Secondary the gender wise bifurcation and study needs to be carried out to get the picture clear.

**John Nakuta, (2014)** in his paper, entitled “The justifiability of social, economic and cultural rights in Namibia and the role of the non-governmental organisations”, argues that ESC rights can be enforced both directly under the Namibian Constitution through Article 144 of the Constitution, which reads as follows:

Unless otherwise provided for by this Constitution or Act of Parliament, the general rules of public international law and international agreements binding upon Namibia under this Constitution shall form part of the law of Namibia.

**Dr. A.Eugin Pathinathan Fernando (April 2014)**: in his research article entitled “A Study on Green Marketing and Impact of Consumerism with A Special Reference to Chennai City” This paper is an attempt to explore the consumer attitude towards the environment and green products and to investigate the relationship between attitude towards the environment and green products. The objective of the study is to understand the awareness level of the consumers on Green products in Chennai and to evaluate the customer’s attitudes towards the Green Products. Primary data was collected through the questionnaire from 100 respondents. Secondary data was collected from various published sources. The first section gives an over view on the importance of environmental awareness, the second section analyzes the awareness level of the consumers third section deals with the factors influencing green purchase followed by the findings of the study and conclusion.
Ms. Jayshree Chavan, Mr. Faizan Ahmad in their research paper entitled “Factors Affecting On Customer Satisfaction in Retail Banking: An Empirical Study” This empirical research study focuses on exploring the major factors that lead to customer satisfaction in retail banking in Western Maharashtra in India.

It also leads to developing a conceptual framework of relationship marketing practices in Indian banks by capturing the perspectives of consumers with respect to their satisfaction with various services. The findings revealed that customer satisfaction, a transaction-specific attribute, is dependent on nine different factors. It is hoped that this research paper would help the bank management not only in improving the overall level of customer satisfaction but also strengthening the bond between the banks and their customers, thereby helping the banks to retain and/or expand their overall customer base.

Aneesh V. Pillai (March 2012) in his research paper entitled “Criminal Law: A Tool for Consumer Protection in India” has explained that the protection of consumer’s interest is not new, but it has assumed the added significance because of the vast expansion of business and trade in this century. Exploitation of consumers in this century manifested itself in various forms such as price hikes, production and supply of substandard and hazardous goods, use of false weights and measures, adulteration, false and misleading advertisements, misbranding, black marketing and hoarding etc. In a welfare state it is the prime duty of the State to see the consumers are not to being exploited in the market. In response to the increasing malpractices in the market place, many countries have adopted various legislations to protect the consumers. India has also adopted its Consumer Protection Act in 1986. Most of these legislations are in civil nature, so provides only civil remedies. Thus this paper tries to examine the nature and scope of criminal law in protecting rights of consumers.

Joaquín Sarrión Esteve (2014) in his research paper entitled” Effective Judicial Protection in Consumer Protection. - In the European Court of Justice (ECJ)” The aim of this paper is to examine the effective control that European Court of justice exercises on national law applying the right for citizens to benefit from effective judicial protection, particularly in the matter of consumer protection. When there is not a regulation in EU (European Union) law,
Member States has a procedural and administrative freedom that is procedural autonomy. However, must respect and guarantee the exercise of UE fundamental rights.