

OVERVIEW

Recognising the need to provide better protection to the rights and the interests of consumers through simple, speedy and inexpensive settlement of consumer complaints, the Government enacted the Consumer Protection Act in 1986. The Act envisaged three tier redressal agencies at the District, State, and Central levels and also Consumer Protection Councils at each of the three levels to promote and protect the rights of consumers. Though the Act and the Rules were in place by 1986 and 1987 respectively, there were delays ranging from one month to around 5 years in setting up the State Commissions and the District Forums. Such important and fundamental requirements as the prescription of fee for filing complaints, laying down uniform procedures for the purpose, fixing time limits for disposal of appeals and stipulating time limit for filing execution petitions were not finalized till about 16 to 18 years after the enactment of the Act. Non availability of the required funds, infrastructure and staff contributed largely to delays in disposal of grievances and appeals. It was only in the National Development Council meeting of December 2002 that consumer rights and their protection were recognized as a thrust area but the projected funding was still not forthcoming. No special efforts had been undertaken by the Central and the State governments to encourage Non Governmental or Voluntary Consumer Organisations for furthering the cause of consumer interest by promoting awareness or providing assistance to consumers in redressal of their grievances. Though the Act envisaged inexpensive redressal of grievances, the advocate fee constituted as much as 82 per cent of the average cost incurred by the complainants in the redressal forums. There was an average delay on an All-India basis of 16.5 months in obtaining compensation from the date of filing of complaint. The orders and the decisions of the District Forums and the State Commissions were not monitored and were largely not enforced promptly because of the absence of an effective and purposeful procedure. The programme launched for creating awareness and empowerment of consumers was largely restricted to enactment of only the Act and the framing of the Rules at the Central level which themselves were not promptly followed up with the required enabling orders or instructions. A majority of the consumers at large were not only unaware of their rights but also of the redressal

mechanism for grievances. The prospects of achieving the objectives of speedy and inexpensive redressal of consumer grievances remained rather distant though eighteen years had passed since the enactment.