
CHAPTER VIII CONSUMERS AND THEIR COMPLAINTS

Reasons for consumers avoiding giving of complaints

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Where to complain?

Handling complaints - specimens

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CHAPTER - VIII

CONSUMERS AND THEIR COMPLAINTS

Complaints are an index of people's response to consumer movement and also an indication of the problems the Indian consumer has to tackle on an every day basis.

REASONS FOR CONSUMERS AVOIDING GIVING OF COMPLAINTS¹ :

1. "Fighting is of no use, nobody listens. Anyway nothing happens at the end".

This is the defeatist approach. Unless the consumer fights for his rights, no one else will. There are ways and means of making their voice heard. Something does happen at the end.

Even though the consumer might not be a beneficiary of the complaint, others will not suffer likewise in future.

The people with the above argument do not even bother to write a letter. Even a post card may bring results. Post card written to Supreme Court C.J. was treated as a writ petition and justice was ensured.

2. "How can I have time for all this?"

People who say that they do not have time should not grumble and complain. They should put up with injustices and raw deal. Time is precious for all, and consumer fighting is a part of daily time budgeting and an essential activity.

3. "I am single, helpless individual. How can I fight single-handed"?

The consumers who say like this have never realised their own strength. The consumer should have faith in him; then the world will have faith in him. An individual may be a cipher by himself, but when public opinion which is like 1, is behind '0', it becomes 10. As more and more individuals join, it becomes 100, 1000, 10,000 and infinitum.

4. "What I can do when I do not have the knowledge of laws?"

The consumers in most of the cases have to fight with common sense. There is no necessity of knowing all laws, rules and regulations.

5. "Court fights are expensive and time consuming".

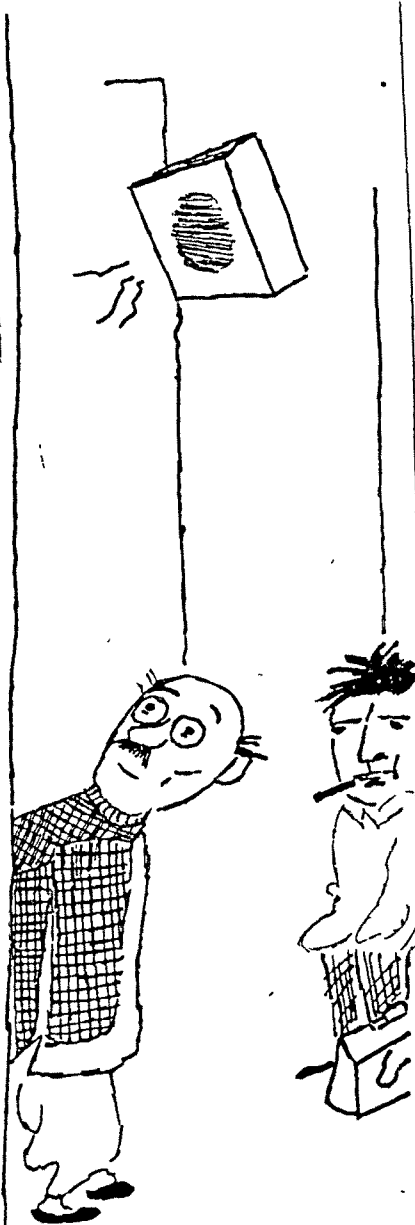
There are methods other than a court fight to vindicate the grievances. In some cases, the moment lawyer's notice is sent the consumer gets a suitable settlement.

The Consumer Redressal Forum of Belgaum has given some eye opening judgements protecting and fostering consumer rights. In one case the consumer got re-imbusement and compensation when his colour T.V. turned into black and white. A customer who was not satisfied with his pant stitching got compensation through the Consumer Redressal Forum .

Even if the consumer has to fight a court battle, the advantage is on his side because the courts of law and the Redressal Forum are basically sympathetic to the consumer.

SLIGHT DELAY !

[C-3]



THERE WILL BE A SLIGHT DELAY-PASSENGERS
WILL BE SERVED BREAKFAST IN HALF AN
HOUR, LUNCH AT 12.30 PM, AND DINNER AT
8 30 AM. IN THE CANTEEN UPSTAIRS.

6. "I don't know what are my rights".

Such consumers should be educated about their rights. Consumer Education should awaken such consumers.

7. Complaining is useless:

It serves no useful purpose.

8. Bribery:

Consumers avoid giving of complaints and follow short-cut methods like giving of bribes for getting their work done. Such people forget the fact that they are causing their own deterioration.

9. "If I complain others may think about me as silly":

This is a psychological weakness. 'The owner knows where the shoe pinches'. If it is consumer's genuine problem, he should not hesitate in lodging a complaint. One articulate consumer is better than thousand silent and tolerant consumers, who just grumble and keep quite.

10. Unwilling to Assert Rights and Carryout Responsibilities:

Once in a while their discontentment spills over; they become psychotic, lose all restraints and run out. They burn buses and buildings, and destroy life and property. There are some others who indulge in ritualistic marches and morchas.

11. Fear :

Fear is of three types - Fear of authority, Fear of unknown and fear of blame. Many people avoid going with complaints for avoiding unnecessary harassment. For example filing complaints with police.

12. Passivity :

Passivity is an option to remain inactive although the consumer has the knowledge, ingenuity and resourcefulness. Dr. K.P.S. Kamat in his book "Servants, not masters" has outlined following types of passivity.

- a. Passive indifference : "I don't care to get involved?"
- b. Passive dependence : "Would you please solve my problem?"
- c. Passive non-co operation : "Solve this problem for me, but don't count on my support".
- d. Passive Opposition : "Why don't you [consumer activist] mind your own business? Are you trying to be a big shot?".
- e. Passive sabotage : "I pretend to be helping but, actually I shall be undermining your efforts".

13. Extremes of Reaction :

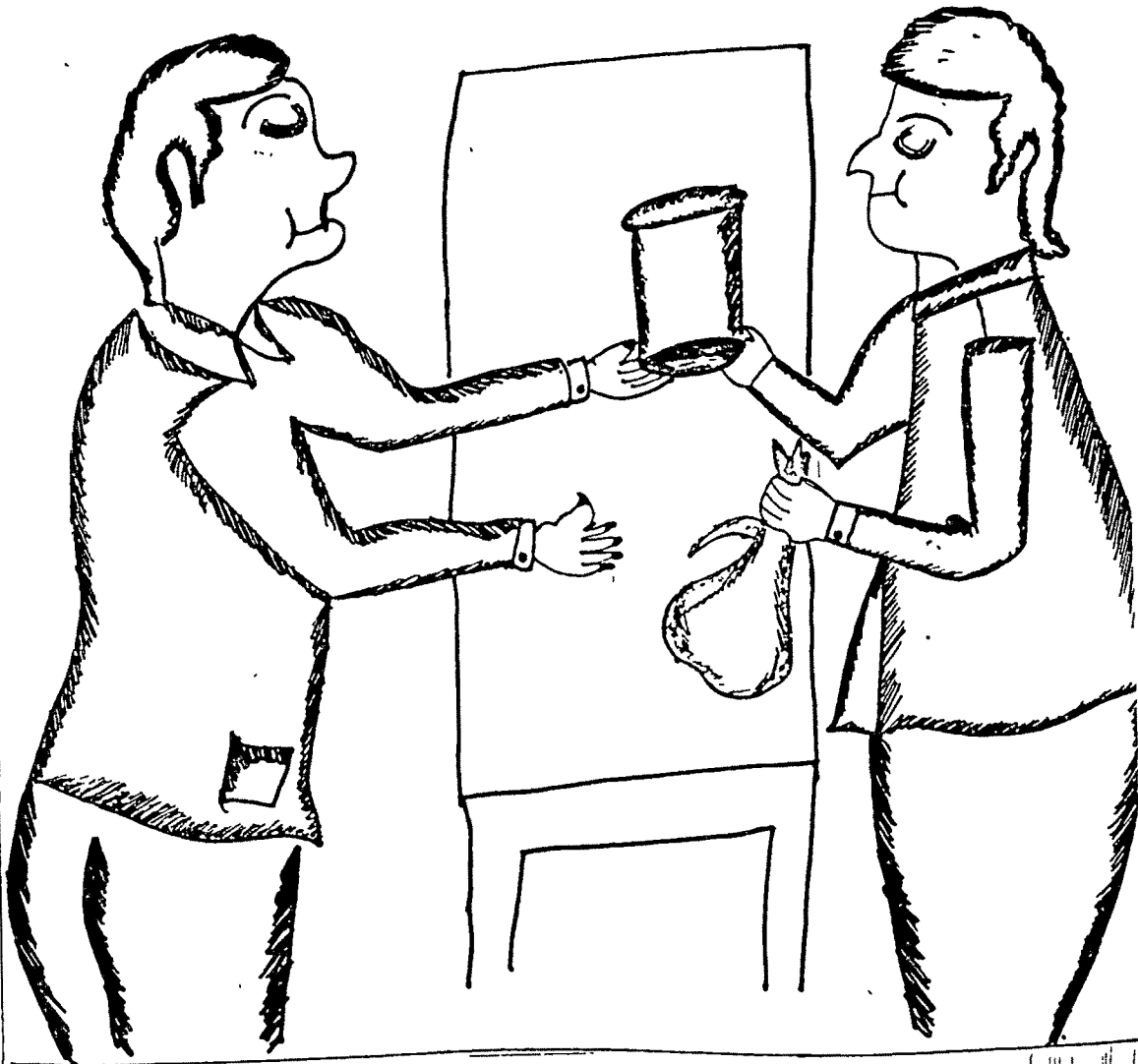
At one extreme consumers are passive and at the other they are mindlessly violent.

14. Absence of information about who to complain to :

Most of the consumers do not know, who to complain to, about their problems and grievances.

For one or more of the above discussed reasons many consumers choose to keep quiet than getting their grievances redressed.

GULLIBLE CONSUMER :



HEART IS OPEN !
EYES ARE CLOSED !

GUESS WHO IS WHO ?

..... - SO IS THE INDIAN CONSUMER

HOW TO FIGHT THE BATTLE?²

A number of situations can be resolved satisfactorily on the spot. The consumer should represent his views in simple, straight forward and reasonable manner. Once the seller finds that the consumer is determined, he will give in.

A complaint can be dealt with only if it is sound. If a consumer is victimised, he should lodge his complaint with the right official, giving correct and detailed facts of the case.

The best way of solving the problem is to get grievances redressed first by the shopkeeper. Often it is a genuine mistake on their part, than deliberate fraud and they are willing to correct it.

In some cases like Railways, etc the aggrieved consumer should write the complaint in the Complaint Book in a factual manner without any anger. The complainant should give his name and full address and sign it and get an acknowledgement. Railways for example, give a copy of the complaint itself, on the spot as an acknowledgement.

A spot complaint is not possible in some situations. The consumer should write a detailed and factual letter on the following day or as soon as possible.

Many undertakings, like banks arrange periodical meetings and invite aggrieved consumers to represent their problem. Such facilities should be availed of by consumers.

When such direct complaints bring no result the consumer should take up the matter through a consumer organisation. The consumerism is becoming popular all over the country.

In some areas, like banking specialised organisation like All India Bank Depositors' Association can be approached.

If there is no response, either to an individual or consumer group then the matter should be referred to the council for Fair Business Practices or similar other organisations. The complaint can be referred to the producers' organisation like Chambers of Commerce.

The matter can be referred to appropriate government authorities like, Drugs Controller, Health Officer, Monopolies and Restrictive Trade Practices Commission, Weights and Measures Inspector etc.

Another eye-opener is the Press. The Press is a powerful ally of the consumer. Many newspapers and magazines print letters of complaint from consumers and the public. Some of them provide for consumers complaint or grievances column.

The law court should be a measure of last resort. Courts, by and large are sympathetic to the consumer. It is very important to have proper facts, documentations and information before approaching a court of law.

Under Consumer Protection Act, 1986 a consumer can file a complaint in the District Forum or State Forum or National Forum depending upon cost and compensation.

District Redressal Forum has been setup for Belgaum under the provisions of consumers Protection Act, 1986.

Where to Complain?³ [for Belgaum][§]

For Food Adulteration:

Health Officer,
City Corporation,
Belgaum.

Drugs:

Complaints about Spurious drugs or non-availability of drugs can be made to

Drug Inspector,
Shahapur, Belgaum.

For Cheating in Weights and Measures and Packaged Commodities Act.

Inspector,
Consumer Protection & Legal Metrology.
Near Shaikh Homoeopathic Medical College,
Belgaum.

On Bus Service:

Divisional Controller,
K.S.R.T.C. Belgaum.

On Railways:

Write in Complaint Book available with Station Master or Write to Divisional Manager, Hubli Division, S.C.Railway, Hubli.

On Excess charging by Auto:

Regional Transport Office, or
to the Nearest Police Station.

On Spurious Goods:

If the consumer is cheated at a fair or exhibition or a discount sale, he can approach the nearest police station with the bill.

§ List is only indicative and not exhaustive for purpose of brevity.

POSTAL DELAY :

THESE POSTAL DELAYS ARE
REALLY GETTING TO BE
SCANDALOUS. I HAVEN'T RECEIVED
A SINGLE LETTER FOR NEARLY
SIX DAYS TO DELIVER TO MY
DIVISION!

[C-5]



On I.S.I. [Now B.I.S.] Marked Products:

Bureau of Indian Standards,
Unity Building,
F Block, J.C.Road,
Bangalore 560 002.

On Advertisements:

Indian Society of Advertisers Ltd.,
148, Mahatma Gandhi Road,
Bombay 400 023.

OR

Advertising Standard Council of India,
C/o Pressure Cookers and Appliances Ltd.,
P.O.Box 16083, Bombay 400 005.

On Banks:

If no remedy is available from concerned Branch Manager, Regional
Manager and Divisional Manager.

All India Bank Depositors' Association,
235, D.N.Road,
Bombay 400 001.

On M.R.T.P.

Director General of Investigations and Registration,
MRTP Commission,
Travancore House,
Kasturba Road,
P.O.Box No.424
New Delhi - 110 001.

Consumer Complaints mainly of All India Importance, specially
involving legal issues-

Prof. Monubai Shah,
Consumer Education and Research Centre,
New College Road,
Ellisbridge,
Ahmedabad - 380 006.

OR

Council for Fair Business Practices [CFBP]
Great Western Building,
130/132, Apollo Street,
Bombay - 400 023.

OR

Consumer Guidance Society of India,
Hutmat J, Opp:Cama Hospital.
Mahapalika Marg,
Bombay 400 001.

Some Specimens of the Complaints received and handled by C.E.R.C.
Ahmedabad

'One articulate Consumer is better than thousand tolerant
and inactive consumers'.

TABLE NO. 6

SPECIMENS OF COMPLAINTS HANDLED

Sl. No.	Complaint	Adversary	Subject Matter	Date of Complaint	Date on which resolved
1.	O.P.Chadha Trichirapalli	South Eastern Roadways Bangalore-27	Compensation for goods destroyed	18.03.83	01.06.85 Compensation received
2.	K.P.Patel Ahmedabad	Suyog Gas Agency Ahmedabad	Compulsion to buy Gas stove	08.02.85	01.03.85 problem solved
[SOURCE: 8th Annual Report 1985-86 of CERC Ahmedabad]					
3.	R.H.Raval Ahmedabad	Station Supdt. Ahmedabad	Harassment by porters	21.08.86	01.10.86 Action taken on porters. 50 porters suspended
4.	R.G.Gidadhabi Bombay	Ahmedabad Oil Mills Bombay	leakage of Oil tin.	20.12.86	09.01.87 Oil tin replaced.
[SOURCE: 9th Annual Report 1986-87 CERC Ahmedabad]					
5.	Nirmal Varil Bhavnagar	LML [Kanpur]	Refund order of Deposit	01.10.87	01.12.87 Refund received with interest.
6.	M.G.Gopani Rajkot	Godrej & Boyce Co. Ltd.,	Defective refrigerator	07.06.86	15.11.86 Refrigerator received.
[SOURCE : Consumer Confrontation May-June '88 CERC]					

PLIGHT OF TRADER

A TRADER'S LIFE

LICENCES & PERMITS
INDUSTRIAL DISPUTES ACT
SHOP & ESTABLISHMENT ACT
40th CONSTITUTIONAL AMENDMENT
WEIGHTS & MEASUREMENT ACT
PACKAGING ACT
PROVIDENT FUND ACT

ANTI BLACK MARKETING ACT
ANTI PROFITEERING ACT
MONEY LENDING ACT
ST CONTROL ORDERS
PREVENTION OF FOOD ADULTERATION ACT
DONATION

ANTI SOCIAL
ELEMENTS

TURNOVER TAX

LABOUR

ENFORCEMENT
POLICE

EMPLOYEE

WEALTH TAX

INCOME TAX

PURCHASE
TAX

SALES TAX

ESTATE DUTY

PROFESSIONAL
TAX

BAD BANKING
SERVICE

EXCISE DUTY

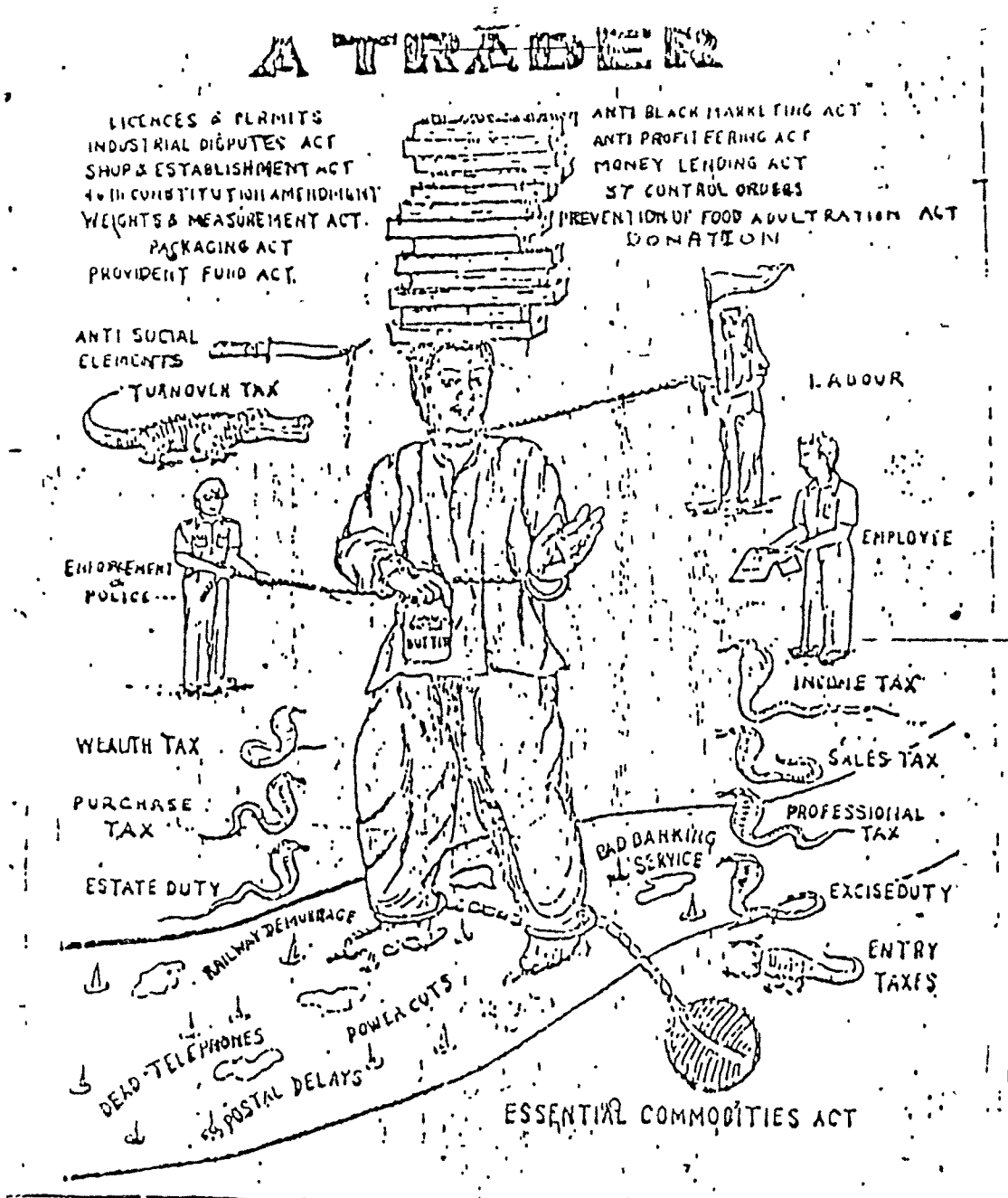
RAILWAY DEMURRAGE

ENTRY
TAXES

DEAD TELEPHONES
POSTAL DELAYS

POWER CUTS

ESSENTIAL COMMODITIES ACT



Consumer Complaints and the Retailer :

Rosemary M.C.Robert in his article, "The retailer response to the Consumer Movement" in Marketing and Consumer Movement edited by J. Mitchell advises retailers, "Remember that a complaint well handled is one of the best ways of winning loyal customers. The complaints from the customers should be regarded as opportunities for further improvement and not as threats and insults". Sometimes, it is necessary to teach the customers as to how and to whom they should complain.

REFERENCES :

1. M.R.Pai 'Guidelines to Consumers'.
2. Ibid.
3. Addresses from sovenier of Hubli forum, M.R.Pai's book and 'Consumer Call' column of Deccan Herald English Daily.