

Post Purchase Litigation Among Consumers An Analytical View In India

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How to cite this article: Krishnamoorthy S (2024) Post Purchase Litigation Among Consumers An Analytical View In India. *Library Progress International*, 44(3), 8907-8921.

ABSTRACT

Consumer is the starting point of all economic activity and plays a pivotal role in the world of commerce. Business activities are carried out to satisfy the wants of consumers and it makes the consumer as king to commercial world.

There is a wide spread exploitation of consumers and unfair trade practices like charging higher prices, supplying poor quality or even by adulterated goods, cheating in the weight and misleading advertisements make them even more vulnerable and more susceptible to exploitation. Customers are most often are ignorant of their basic rights of safety, right to choose, right to be heard and right to information.

There are psychological factors also at play. A purchase decision basically involves what, how and where but not every purchase decision is planned. A consumer's perception also plays a role in decision-making. This post-purchase dissonance occurs immediately following a purchase. Consumers start having second thoughts as to the wisdom of their purchase. This naturally affects how a consumer evaluates a product which in turn, leads to her level of satisfaction. In other words, it can be safely presumed that post-purchase dissonance and consumer litigations are directly related to customer satisfaction (Longenecke, 2014)

A consumer who is unhappy with the purchase processor the product during and after use may force a consumer to file complaints against the company, post a negative review on online forums or ultimately take it up with redressal forums. Unfortunately, not many resort to the final step and often they are not aware of their rights; they are not aware of the right to be protected against the marketing tricks of the sellers; they are not aware of their right to be protected from abuse. In fact, many of them are not even aware that there are mechanisms and forums through which they can demand and get redressal for litigations

An attempt to evaluate the effectiveness of the consumer dispute redressal forums based on the level of consumer awareness about such forums, consumer perception both about their right to complaint and their faith in these forums and finally the level their satisfaction.

The study comprises an introduction to the subject matter of study, scope. its significance and also the overall perspective. The research problem, objectives and hypotheses are explained and given at the end.

Significance of the Study is that the customer satisfaction has been considered a vital factor for the success of business organizations. The main objectives of the business firms are to derive maximum profit with minimum cost.. Customer satisfaction leads to customer loyalty and subsequently it leads to repeated purchase (Wilson, 2008).

The consumption era in marketing focuses more on customers/consumers leading to the development of post - consumption where the organizations are compelled to provide better services in addition to what they

provide as additional offer to their customer (Armano, 2009).

The question related to the quality of goods and services and the satisfaction related to the available services, paved the way for the development of problems related to consumption of goods and services. Which led to the consumers to think about remedial measures and it finally led to the development of various laws to protect the consumer grievances

Consumer protection movements were initiated to protect the consumers all over the world against the exploitation by the producers/ business firms. The first consumer's organizations were born in Denmark in 1947 and in Great Britain in 1955 where the Government created the Consumer Council in order to enable consumers to express themselves on issues reserved to producers and traders.

Real normative breakthrough of consumer protection movements came with the Single European Act; it modified the Treaty of Rome by strengthening the role of the Economic and Social Committee, to whom were attributed powers to protect the consumers. Some important changes were made to the above mentioned legislation that paved the way for a wider consumer policy.(<http://www.nyulawglobal.org>).

The Maastricht Treaty of 1992 which dedicated a specific title to the consumer protection, gave specific expertise to the new structure and ensured a remarkably high degree of protection, both for the protection of health and for the consumer's economic interests. In the early '90s consumer protection gained a prominent position with the creation of the National Consumers and Users Association which was attended by nine associations.

The advocates of consumer protection have always been for harmonize the rules on fair commercial practices between businesses and consumers. In fact, The Consumer Code in Italy which came into force in 2005 went a step further and improved the rules on the fairness of competitive practices as well as those on the information. (<http://www.nyulawglobal.org>).

Similarly, U.S. consumer laws are also vast and growing, and with them, the protection and substantiation of fair business practices.

In India the government has come out with a number of measures to redress the grievances of the consumers, the major step is the development of Consumer Protection Act enacted and came in to force in the year 1986. India has an ancient history of consumer protection. It was part of its ancient culture and formed the core of its administration (Ardhasathra). But the emergence of boundless commercial activities eclipsed the rich heritage. Along with this, gradual exploitation of the consumers also emerged, leaving them helpless.

The Consumer Protection Act 1986 in India would encourage consumers to stand up for their rights and lead to an overwhelming number of litigations in consumer courts. The Act, divided such organizations as the National Consumer Redressal Forum and the National Dispute Redressal Commission, at the national level, the State Consumer Dispute Redressal Commission at the state level and the Consumer Dispute Redressal Forum at the district levels.

The other state-run machineries are about 500 consumer organizations working in the field of consumer protection, the most popular among them being the Consumer Guidance Society of India (Mumbai), Citizen Action Group (Mumbai), Consumer Education & Research Centre (CERC, Ahmadabad) and Common Causes (New Delhi).

Kerala, the highly literate state in the country, reveals that it is predominantly a consumer state. The population in Kerala is estimated at 3.40 crore (India Guide, 2015). Unfortunately, under the capitalistic system, especially in the present form of business, on-line trading and e-commerce, exploitation is common.

There are 14 districts in Kerala and in every head quarter of the districts, there are Consumer Dispute Redressal Forums (CDRFs). But proper consumer awareness is still remains as a myth not only in all districts of state of Kerala but also in all other states of India.

Post - purchase litigation is a problem because of the loss and also the difficulties suffered by the consumer. In other words, it is also a problem for the governments' intentions and policies to protect the consumer against exploitation and disappointment. This is the significant social problem which, if not resolved, may result in adversity to a lion share of the population.

The aim of the present study is to explore this problem further and find out how far the government-run redressal forums are able to help out the consumers in litigations.

The present study focuses on post-purchase litigations and trying to find out whether the consumers are aware about Consumer Protection Act 2019 and the functions of Consumer Protection Forums and to know whether dissonant consumers are approaching the forums for litigations. It is an innovative study which may throw much light on the problems faced by consumers and the possibilities of Litigations and the results of the study will be an eye opener to the consumers and government authorities.

The investigator is a member of the Kerala Legal Service Authority and as such he regularly engages classes for the common people of the villages on the provisions of the Consumer Protection Act to motivate them to approach the forums if they have any complaints about the goods purchased or the services availed of. In his role as a counselor in consumer protection, the investigator had always been curious to find out the effectiveness and efficacy of such redressal forums.

This has prompted the researcher to take up a pilot study, looking into the working of consumer redressal forums in Kerala. During the pilot study the investigator studied the functions of the District Redressal Forum of Trivandrum and Thrissur. It was found that they were functioning regularly and complaints were being registered by aggrieved consumers. But it was understood from some of the advocates and from complainants that the disposal of litigations were very slow and that the litigation process become very expensive too. The investigator also understood that the number of cases registered from the distant villagers in the district were very few, either due to the ignorance about the Consumer Protection Act 2019 or the functioning of the forums or the difficulty of travelling long distance. In general, consumers of rural areas were found to be reluctant to resort to litigation for getting redressal.

According to the Census Survey (2011) and as per current position Kerala has a population of more than 3.40 crores. Obviously, all of them are consumers in one way or in other way because of the purchase of goods or services.

The enforcement of Consumer Protection Act by the Parliament is a sure indication that the common people are exploited by the business agents, traders, manufacturers and service providers. The number of grievances filed by the customers for the past 10 years is given below (23,766 / 3. 45). All these facts and figures indicate the need for and significance of the present study. During the review of literature on the subject the investigator came across more than hundred odd studies on the subject which again emphasized the relevance of the present study.

Title of the Study has been designed as "The Post purchase litigation and Consumer Dispute Redressal Forums an Analytical Study in Kerala"

Key Words: Consumer, Consumer Awareness, Consumer litigation

Dispute Redressal Forums as per the provision contained in the Consumer Protection Act 1986, consumer courts started functioning in the state during 1990s with the Kerala State Consumer Disputes Redressal Commission at Thiruvananthapuram and one district forum in each district. The office of the district forum is at the Head Quarters of the respective district. The District Forum consists of the President, who is nominated by the Government and who is or has been or qualified to be a District Judge and two other members (one is a lady member) of eminence in the field of education, trade or commerce. They hold office for a term of 5 years whichever is earlier and they are not eligible for reappointment.

The pecuniary jurisdiction of the forum is less than 5 lakhs rupees ie, value of goods of services and compensation if any claimed. The enactment, ordinance or legislation pertaining to the Department are a. Consumer Protection Act, 1986. & b. Kerala Consumer Protection Rules 1998. The present study focuses on the functioning of these state-run forums from the perspective of a consumer.

Statement of the problem

In the process of buying and selling, there are three primary sack holders mainly the Manufactures, Traders and Service Providers (MTSPs) who create the problem. Post –purchase dissonance arises when the Traders Manufacturer/Service Providers (TMSP) refuses services after sales such as replacing the products with a better one or rectifying the defects. In fact, this is a problem created by the business agents. In this situation the Government has set up Consumer Dispute Redressal Agencies (CDRAs). A preliminary study conducted among the litigants revealed that the Forums very often fail to provide proper redressal which again intensifies the customer's dissonance. This is the two- dimensional problem selected for scientific investigation.

The broad objective of the study is to assess consumers' degree of awareness, perception and satisfaction regarding the services rendered by the Dispute Redressal Forums in Kerala. It is obvious that disputes will arise only if the consumers are aware of their rights when they purchase goods and services and should also know that there are statutory bodies such as CDRFs to mitigate their genuine complaints about the purchases.

Based on the description given above and the research gaps the objectives of the study are formulated:

- 1.To assess the level of awareness of the consumers about Consumer Dispute Redressal Act 2019 and the services offered by the Redressal Forums.
- 3.To understand the level of awareness of consumers regarding the contents mentioned in the labels of products and services.
4. To find out to what extent the consumers are cautious about the chances of exploitation by the unscrupulous manufacturers, traders, and the service providers and
- 5, To ascertain how far the litigation process is effective and to ascertain whether the consumers are satisfied with that.

Hypotheses of the study has been framed on the basis of the objective's and tested. Some of the major hypotheses are listed below.

Statement – 1

H0 - There is no relationship between the awareness level of the consumers about the Consumer Protection Act 2019 and their intention to seek redressal of their litigations from the Consumer Dispute Redressal Forums (CDRFs).

H1 - There is relationship between the awareness level of the consumers about the Consumer Protection Act 2019 and their intention to seek redressal of their litigations from the Consumer Dispute Redressal Forums (CDRFs).

Statement – 2

H0 - There is no relationship between the awareness level of the consumers about the contents of products and services and their intention to seek redressal of their grievances from the Consumer Dispute Redressal Forums (CDRFs).

H1 - There is relationship between the awareness level of the consumers about the contents of products and services and their intention to seek redressal of their grievances from the Consumer Dispute Redressal Forums (CDRFs).

Statement 3

H0 - There is no relationship between the distance of the consumer forum and the consumers' intention to seek redressal on litigation from the Consumer Dispute Redressal Forums (CDRFs).

H1 - There is relationship between the distance of the consumer forum and the consumer's intention to seek redressal on dispute from the Consumer Dispute Redressal Forums (CDRFs).

Statement.4

H0 - There is no relationship between the gender of the consumers and their intention to seek redressal of their grievances from the Forums

H1 - There is relationship between the gender of the consumers and their intention to seek redressal of their grievances from the Forums

Statement.5

H0 - Delay in securing judgment of the disputes from the forum and the intention of the consumers to seek redressal are not positively correlated.

H1- Delay in securing judgment of the disputes from the forum and the intention of the consumers to seek redressal are positively correlated.

Area of the study India is a democratic country having 29 states, which comprises 6, 38,365 villages. As per the Census of 2011, the total population is 121 crore; among them 83.3 crore people are living in rural areas and 37.7 crore living in urban areas. Kerala is the southernmost part of India having a population of 3, 33, 87,677 crores as per the Census of the year 2011. Kerala is known as a consumer state, even though the basic activity is agriculture. Most of the people depend upon the modern commercial markets especially in e- commerce. Only a small percentage of educated consumers utilize e- trading and the rest of the population don't know how to do e- trading. High volume of business is there and simultaneously, the consumer grievances are also increasing. There is all the possibilities of consumer exploitation through restrictive and unfair trade practices.

As per 2011 Census, the total consumers who attained age of majority is 2, 60, 19,282 (source –Voters list, 2016). The total number of cases filed for the last 11 years since 2006 to 2016 is 58740. In comparing with the figure 2, 60, 19,282 it is only 0.23 %. When we calculate it for district wise it is 4196 customers per District. In month wise it is only 350 per month and it is 01.35 % of the total population (above 18 years) and it is 0.01 % on the total population. It not means that all the customers are satisfied and they are not turning to the CDRFs instead of that somebody is aware about the redressal machineries and that all are not turning to the Consumer Dispute Redressal Forums and from this context the study occupies more importance.

Consumerism is a movement to protect the rights of the consumers (Avthar Sing, 2015), but is in its infancy in India. Further, whatever little organized consumer movement in India, it is concentrated only in urban areas, leaving the large majority of the consumers high and dry (Avatar Sing, 2015)

Litigation Management

To satisfy the consumers is an art supported by management process. The varying nature of the demand of consumes may lead to the development of dissonance after the purchase of goods and services. Thus, the post purchase litigation became a common phenomenon in the commercial world and such dissatisfied consumers try to get remedy through redressal forums. Because of the large number of consumer litigations the government has introduced grievance redress machineries. It has not used by a large number of litigants suffering from post-purchase period and the litigant consumers are not getting any proper protection from the consumer Redressal Forums.

Period of reference to current trend and environment secondary data for a period ten years have been considered.

Methodology of the study has been considered to suit with the nature of the respondent. An interview schedule has prepared to collect data from the respondent and which has been circulate the consumers of various location.

Review of literature consisted of three layers of standard textbooks, articles and various journals on consumer protection against exploitation These books also provided the appropriate theoretical background of the study. This is followed by the review of about hindered and ten studies and articles on the subject were gone through. The theory selected for guidance is the Post - Purchase Dissonance of the consumers (Hanming You, 1944).

Questionnaires on Litigant consumers are considered and Manufacturer, traders and Service Providers (MTSPs) , were constructed and standardized. Questions on the demographical aspects and subject- related items of Redressal Forum and its mechanism were formulated to collect data from customers, MTSPs and litigant consumers

The design of the study is Descriptive and the survey method is used for collecting data from the primary and secondary stack holders using appropriate tools such as: Questionnaire for data from consumers (1333), Questionnaire for data from litigant consumers (238) and another questionnaire for facts and figures from traders, manufacturers and service providers (205). These tools were developed on the basis of the findings of a comprehensive review of literature and field work (pilot study). Data were collected from the stockholders from all the fourteen districts of the Kerala state according to stratified simple random sampling design. From documents available with the District Consumer Redressal Forums, State Consumer Redressal Commission (Thiruvananthapuram), NGOs engaged in consumer education and customer care service of the traders and manufacturers, study related information were collected. The methodology of the present study is described in detail in Chapter IV.

After doing a vast review of literature, the investigator had held discussions with common consumers regarding their problems, visited various consumer redressal forums in district level, had discussions with those consumers who had filed petitions before the consumer forums and also with the business agents (manufacturers, traders, and service providers).An interview schedule was framed to conduct a pilot study among a sixty consumers, thirty each from the consumers who filed petitions against the traders and from the business agents. Structured interview schedule was usedfor a period of three months from June 2014 to August 2014. After testing the reliability and fixing the sample size, the final questionnaire was administered to 1400 consumers, 250 consumers who had filed petitions and 250 business agents. This process was carried out for a period of 13 months

from November 2014 to December 2015.

Sampling of the study is the universe of consumers of Kerala State. It was therefore decided to use simple random sampling for identifying the consumers belonging to the fourteen districts of Kerala and data was collected from 1400 and after a thorough check, the questionnaires which were not completely filled up were avoided. In all, 1326 questionnaires filled up by the consumers of fourteen districts have been considered for the study. The sample of traders, manufacturers and service providers have also been collected from 225 respondents, among them 20 incomplete questionnaires were rejected and the remaining 205 responses are considered for the study. From the consumers who have filed petitions before various Consumer Forums in Kerala 250 respondents were selected/ identified from different selected locations by using another questionnaire; among them 240 completed questionnaires only were considered. Another interview schedule was prepared to collect the response from the advocates from different locations; it comprises 50 in number.

Data of the study proceeded with the support of primary data and secondary data. Structured questionnaires have been used to collect primary data. The secondary data sources include reports of the government departments, officials, published documents, published and unpublished work of various institutions, national and international Journals, Magazines, Newspapers and Websites of consumer bodies.

Post Purchase litigations facing by the consumers are the root cause for all consumer litigations. data has been collected from the consumers for the study those who faced problems and filed petitions before the Consumer Dispute Redressal Forums (CDRs). The analysis shows the level of issues faced by the consumers and tiring to find out whether the consumers are satisfied or not with the services rendered by Consumer Dispute Redressal Forums (CDRFs)

The description of the sample gives a clear picture of the demographic variables with the characteristic features of the customers those who filed petitions against the Manufacturers, Traders and Service Providers.

The demographical profile of litigant consumers. described below gives a clear picture of the demographic variables with the characteristic features of the consumers those who filed petitions against Traders, manufacturers and service providers.

Analysis of data collected from litigant consumers to ascertain the perception about CDRFs

Post Purchase dissonance of the consumers are the root cause of all consumer problems the study collected data from some of the consumers those who filed petitions beofre the Consumer Redressal Forums. The analysis shows the level of dissonance and whether the consumers are satisfied with the functions of the CDRFs

Sample description of the consumers those who filed petitions against Manufacturers, Traders and service providers.The description of the sample gives a clear picture of the demographic variables with the characteristic features of the customers those who filed petitions against the Traders.

The demographical profile of litigant consumers.

The description of the sample gives a clear picture of the demographic variables with the characteristic features of the consumers those who filed petitions against Traders, manufacturers and service providers.

Table 1.1 Split up of sample.

Districts	Categories	Frequency	%	Cumulative Frequency
	Palakkad	12	5.0	5.0
	Calicut	4	1.7	1.7
	Pathanamthitta	1	0.4	.4
	Thrissur	30	12.6	12.6
	Thiruvananthapuram	73	30.7	30.7
	Ernakulam	19	8.0	8.0
	Alappuzha	52	21.8	21.8
	Idukki	9	3.8	3.8
	Kollam	33	13.9	13.9
	Total	238	100.0	100.0
Gender	Male	173	72.7	72.7
	Female	65	27.3	27.3
Age	Less than 30	13	5.5	5.5
	31 to 40	48	20.2	20.2
	41 to 50	95	39.9	39.9
	51 to 60	77	32.4	32.4
	Above 60	5	2.1	2.1
	Total	238	100.0	100.0
Education	Up to SSLC	3	1.3	1.3
	PDC/Plus Two	42	17.6	17.6
	Degree	122	51.3	51.3
	PG	28	11.8	11.8
	Others	43	18.1	18.1
Employment	Central government	90	37.8	37.8
	State Government	7	2.9	2.9
	Quasi Government	1	.4	.4
	Private	3	1.3	1.3
	Self	95	39.9	39.9
	Cooly	42	17.6	17.6
Location of Employment	Panchayath	113	47.5	47.5
	Thaluk	90	37.8	37.8
	Corporation	35	14.7	14.7
Monthly Income	Below 10000	15	6.3	6.3
	10001 to 25000	83	34.9	34.9
	25001 to 50000	121	50.8	50.8

	50001 to 75000	16	6.7	6.7
	75001 to 100000	2	0.8	0.8
	100001 to 150000	1	0.4	0.4

Source: Primary data.

Table 5.54 shows the detailed description regarding the sample collected for the study. The respondents for the study have been considered from ten districts of Kerala. The number of respondents from each districts considered on the basis of the availability and the total number of respondents has limited by 238 for the study. On which 05 per cent that is 12 considered from Palakkad; 1.7 per cent ie. 4 from Kozhikode; 01 respondents i.e. 0.4 per cent from Pathanamthitta; 30 respondents i.e. 12.6 per cent from Thrissur; 73 respondents i.e. 30.7 per cent from Thiruvananthapuram; 19 respondents i.e. 08 per cent from Ernakulam; 52 respondents i.e. 21.8 per cent from Alapuzha; 05 respondents i.e. 2.1 per cent from Kazargod; 9 respondents i.e. 3.8 per cent from Idukki; 33 respondents i.e. 13.9 per cent from kollam. Gender-wise classification shows that out of the 238 samples 72.7 per cent are male and 27.3 per cent are female.

The table shows Age wise distribution of the sample clears that about 5.5 per cent are in the age group of up to 30 years; 20.2 per cent in the age group of 31 – 40; 39.9 per cent are in the age group of 41 -50 ; 32.4 per cent in the age group of 51- 60 and 2.1 per cent in the age group of above 60 years. The educational qualifications says that about 1.3 per cent are in the qualification o SSLC; 17.6 per cent are in plus two / PDC; Degree holders are in 51.3 per cent; Post graduates are 11.8 per cent and others are in 18.1per cent.

The employment status of the respondents gives a clear picture in which group they comprise. A lion share Central government employees in 37.8 per The state government employees are 2.9 per cent , 0.4 respondents from Quasi Government sector, 1.3 per cent are private employees , 39.9 per cent respondents are self employed and and 17.6 per cent of respondents are coolies and the location of employment table shows 47.7 per cent of the respondents from the panchayat areas, 37.8 per cent from the Taluk areas and 14.7 per cent from corporation areas.

The classification of the respondents on the basis of monthly income says out of the total respondents 50.8 per cent respondents are in the income group of up to Rs 25001 to 50000 and they are the major potion from the economically backward group. The moderate group of employs are in the group of Rs 10001 to 2500 and they are in 34.9per cent. Respondents in the income group of Rs 50001 to 75000 are in the above moderate group and they are only 6.7 per cent. The respondents in the high income group comprising 6.3 per cent are in Rs Below 10000, 0.8 per cent are in above Rs 75001 to 100000 and 0.4 per cent are in the group of Rs. 100001 to 150000.

Table 1.1, shows a detailed picture of the sample collected for the study from ten districts of Kerala. The number of respondents from each district considered on the basis of the availability and the total number of respondents has 238 samples 72.7 per cent are male and 27.3 per cent are female.

As per Table 1.1 nearly 172 respondents are comprising in the age group of 31-60 and educational wise about 51.3 per cent are degree holders and other categories comprising 49.7

Employment status wise 41.1 per cent of employees are in Government sector, rest of the 58.9 respondents belongs in all other category.

Based on the monthly income 50.8 per cent respondents are in the income group between Rs 25001 to 50000 and they are the majority respondents are from the economically backward group. The moderate group of

employs are in the group of 34.9 per cent and rest of only 14.2 respondents are in the rich category

Description regarding the purchases which lead the consumers to approach Consumer Dispute Redressal Forums. As per the analysis majority of the consumers have purchased services by 58.4 per cent and 36.6 per cent of consumers purchased Durable Goods.

It may be inferred that there is significant relation between Educational Qualification and knowledge of pecuniary jurisdiction of CDRAs and majority of them have no idea about the pecuniary jurisdiction of CDRAs.

Interpretation is that there may be difference in awareness regarding the pecuniary jurisdiction of CDRAs between the categories of consumers on the basis of educational qualification. Majority of the consumers belonging to the category of SSLC, PDC/+2 and the category of Others (66.7 per cent, 76.2 per cent, and 53.5 per cent respectively) says that they don't have idea about the pecuniary jurisdiction of CDRAs. Consumers in the category of Degree, PG, have only a little awareness about the pecuniary jurisdiction of the CDRAs.

There is no significant relation between times taken to file petitions before the CDRAs with employment" statistically significant at 5% level and there is significant relation between them. Majority filing petitions within the available time and it are varying from person to person depends up on their employment.

Significance of relation between Demographic Variables and reasons to approach Consumer Dispute Redressal Agencies has been tested

To analyze the reasons to approach Consumer Dispute Redressal Agencies specifically made some questions to the respondents who filed petitions against traders, manufacturers and service providers, and it was found that defective goods, Defective services, Low Weight and High Price, Low Quality and High Price, Misleading advertisements Unhealthy Competition, Mental Agony, Physical Injuries, Monetary and time Loss, Dissatisfaction, other Unfair trade practices.

It shows that the levels of reasons for filing petitions against the manufacturers, traders and service providers with Location of Employment vary from location to location.

Testing the significance of reasons to approach Consumer Dispute Redressal Forums with Gender.

It may be concluded that there is significant variation between the male and female respondents with regard to the reasons on Monetary Loss and Mental Agony , i.e., while respondents are having high level of variation on both the variables.

Response of consumers' about knowledge of CDRAs, filing petitions before CDRAs, is Consumers approach CDRAs through advocates, Who referred the consumers to advocates to file petitions and Where the consumers initially filed petitions.

Whether the consumers will approach CDRA through advocates, who has inspired the consumers to approach advocates and where the consumers filed petition -

The analysis made in the study revealed that 96.2 per cent of say that the consumers are initially filing petitions before District Consumer Redressal Forums and majority of them are approaching only to the DCRFs in various locations of Kerala.

The customer's response relating to **remedy availed from District Consumer Forums** is in different way. It might be monetary compensation, replacement of damaged goods, both of monetary compensation and replacement of damaged goods and for the available remedies etc. The following Table describes the frequency distribution of ranks obtained for the motives behind preferring factors regarding remedy availed.

To get a clear assessment about the remedy availed, Friedman test is used to test with various hypotheses.

There is difference of opinion regarding the remedy availed, majority expects monetary compensation but both monetary and replacement of damaged goods are preferable by a considerable number of respondents.

Frequency distribution of consumers who have satisfied with the remedy availed. As far as the satisfaction, the remedy availed by the consumers it shows that among the total respondents of 238, 85.7 per cent of the respondents are in the view that they don't have any satisfaction regarding to the remedy availed by them

The mean ranks obtained for the four factors which are considered. The lower the ranks the higher will be the preference. As per analysis the highest preference of dissatisfaction given by consumers is to delay in getting remedy (mean rank 1.32); followed by Cost of expenses is high (mean rank 2.20); Lack of Knowledge in proceedings (mean rank 2.73) and Unnecessary interference of Advocates (mean rank 3.75).

“There is no difference of opinion relating to the reasons for CDRAs are not recommending to other affected friends/relatives is rejected”.

This indicates there is difference in opinion in consumers regarding the dissatisfaction after moving to CDRAs as per Friedman Test.

Test of questions do the consumers teach others about CDRAs, Do the consumers feels that the CDRA should be in bottom level and from which level, necessity to educate about CDRAs from UP school level and Whether consumer Cells are needed in educational institutions.

The study reveals that 96.6 per cent of the respondents are in the opinion that they will teach others about CDRAs. Respondents of 93.7 per cent are in the feel that CDRA should be in bottom level and 76.5 per cent are in the opinion that it should from Panchayat head quarters. Simultaneously 98.7 per cent of the consumers opined that educate about CDRAs should be from Upper Primary school level and respondents of 100 per cent of says that Consumer Cells are needed in educational institutions. Thus majority of the litigant consumers are in the opinion that it is possible to manage the system of redressal by imparting and creating awareness among all consumers regarding the Consumer Protection Act 2019 and the remedial measures.

Test of general view of respondents about Consumer Dispute Redressal Agencies.

1. The study reveals that the response of the consumers about their general views about CDRAs. It is highlighted from the study that 65.16 % respondents have no opinion; 18.5 per cent of the respondents said bad; 09.7 per cent of the respondents said Good; 03.8 per cent of the respondents said Very Good and 02.9 per cent of respondents said Very Bad.

Consumer protection disputes often have drastic consequences. In addition to costly litigation, government investigations, and regulatory inquiries, a company may suffer unfavorable publicity and irreparable damage to its reputation. While assertively maintaining regulatory compliance is key to avoiding problems, quick resolution of issues that arise is essential when a company's competitive position is at stake.

Combining extensive class action defense experience with in-depth knowledge of the laws governing consumer transactions, Akerman's Litigation Practice Group aggressively defends and successfully prevents exposure to consumer protection class action lawsuits. Our lawyers work closely with clients to create proactive programs that identify risks and modify practices before potentially devastating litigation arises. In addition, we counsel clients with respect to policies and procedures related to regulatory compliance in preparation for state and federal audits, Consumer Financial Protection Bureau supervision, and self-disclosures.

Our diverse sector experience includes pharmaceuticals, medical devices, motor vehicles, food and beverages, and construction materials. We also defend financial institutions, including banks, non-bank financial

institutions, fintech companies, debt buyers, and servicers, in consumer claims arising out of state and federal consumer protection laws, including Truth in Lending, Fair Debt Collection Practices (state and federal), Consumer Leasing, Equal Credit Opportunity, Fair Credit Reporting (federal and state), Telephone Consumer Protection Act, and Real Estate Settlement Practices Act.

Various types of consumer litigations are related to Consumer & Commercial Litigations ; Litigation related to quality of products and services.; Claims regarding failure to provide or complete services.; Non-payment of bills ; Return or retention of deposits ; Contract interpretation; Dissolution of partnerships; Injury, loss or damage claims

Statistical Frame work of analysis influenced by statistical tools applied for the analysis of the data and hypotheses are:

1. Simple statistical techniques like mean and standard deviation has been employed to explain the frequency of consumers and the Forum.
2. Chi – square test has applied to analyze the association between the level of awareness and the demographic elements of consumers' i.e dependent and independent variables.
3. Rank Analysis
4. K Sample Friedman Test Initially this test ranks the values in each from lower to high. The assigned ranks by the respondents for the variables are averaged and tested to find out whether the mean rank is significant or not.
5. Kruskal Wallis Test It explores the outcome of a single dependent variable, across three or more distinct groups of a categorical independent variable
6. One – way ANOVA To determine whether there are any significant differences among the means of three or more means at one time by using variances, One-way ANOVA is used
7. Two-way ANOVA The Two-way analysis of Variance test and is an extension of the one-way ANOVA test that examines the influences of different categorical independent variables on the dependent variable.

Scope of the study Depends up on the consumer problem prevailing in the state of Kerala is the problem of the whole population of 3. 46 crore (2011 Census; India Guide 2015) The entire population is controlled by multinational companies, monopolist commission agents, business agents (manufacturers, traders, and service providers) and advertisement media. The entire population are victims of the above mentioned categories. Every citizen of Kerala is a consumer to the business community and he/she needs protection from exploitation. This is the dimension of the study.

The existence of problems signifies the failure of large number NGOs which are entrusted with the task of educating the consumers about the redressal opportunities. In other words, even though the customers/consumers are aware about the facts, they are helpless to access the consumer Dispute Redressal Forums due to various reasons. Unforeseen expenses, the distance where the forums are situated, unnecessary interference of advocates, and delay in getting remedy from the CDRFs prevent the customers/consumers from approaching the Forums for redressal, even in cases of heavy loss where there is no other way to get remedy. On the basis of age of majority only 0.23 % (only 19282 / 2.60) crores customers and on the basis of whole population only 0.01% (only 23,766 / 3.45) (Election list) of customers are approaching the Consumer Redressal Forums.

Limitation of the study depends up on the population covered .All the fourteen districts are covered and

all the District Consumer Redressal Forums and their functioning were examined to the extent possible. Legal experts helped for the study– strengths and weakness in the functioning of the CDRFs. Adequate care was taken while extending the result of the study. But the following limitations were unavoidable:

The study is confined to the perception of post purchase litigant consumers. Study concentrates on the statutory forums which were approached by the consumers for the remedy to their grievances.

Total number of consumer complaints filed online through e-Daakhil portal (as on 24.01.2023) in the country is 35,898

The Union Minister of State for Consumer Affairs, Food and Public Distribution, Shri Ashwini Kumar Choubey in a written reply to a question in Rajya Sabha that, the Consumer Protection Act, 2019 provides for e-filing of the complaints. Further the Consumer Protection (Consumer Dispute Redressal Commissions) Rules, 2020 provide for the manner of filing of complaints electronically in National Commissions, State Commission and District Commission.e-Daakhil portal was launched for electronically filing of complaints. So far besides the National Commission, e-filing facility has been operationalized in 34 States/UTs. The features of e-Daakhil inter-alia include facility for user registration, online fee payment, application status, rejoinders, SMS/mail alert and for uploading complaint documents. It thus provides for speedy, effective and hassle-free resolution of cases.

The total number of consumer complaints filed online through e-Daakhil portal (as on 24.01.2023) in the country is 35,898. The details of such complaints filed and resolved have been annexed.

A scheme titled ‘Computerization & Computer Networking of Consumer Commissions’ i.e. ‘CONFONET’ is being implemented by the Department of Consumer Affairs. Under this scheme, necessary hardware and manpower support is being provided to the Consumer Commissions all across the country to facilitate online filing of consumer complaints, e-hearing, e-affidavit, e-payment, e-notice, e-judgment etc.

ANNEXUR

National Commission

National Consumer Disputes Commission	COMPLAINTS FILED (A)	COMPLAINTS REGISTERED	COMPLAINTS RESOLVED
	6345	365	99

State Commission

Sl. No.	States /UTs	Complaints filed	Complaints Registered	Complaints Resolved
1	ANDAMAN NICOBAR	72	46	15
2	ANDHRA PRADESH	568	31	09
3	ARUNACHAL PRADESH	16	03	00
4	ASSAM	58	17	05
5	BIHAR	774	202	31
6	CHANDIGARH	977	829	94
7	CHHATTISGARH	178	22	03
8	DADRA AND NAGAR HAVELI AND DAMAN	3	0	0

	AND DIU			
9	DELHI	4675	1642	393
10	GOA	43	04	01
11	GUJARAT	1230	196	52
12	HARYANA	1499	206	65
13	HIMACHAL PRADESH	121	41	16
14	JHARKHAND	747	468	32
15	KARNATAKA	2618	1044	158
16	KERALA	265	87	24
17	LAKSHADWEEP	01	00	00
18	MADHYA PRADESH	3857	3156	160
19	MAHARASHTRA	4332	1105	267
20	MANIPUR	04	00	00
21	MEGHALAYA	05	05	01
22	MIZORAM	02	01	00
23	NAGALAND	04	00	00
24	ODISHA	387	174	65
25	PUDUCHERRY	02	00	00
26	PUNJAB	490	112	52
27	RAJASTHAN	886	118	14
28	SIKKIM	13	00	00
29	TAMIL NADU	638	42	12
30	TELANGANA	882	28	09
31	TRIPURA	37	07	06
32	UTTAR PRADESH	3142	1156	273
33	UTTARAKHAND	271	37	17
34	WEST BENGAL	763	92	36
	TOTAL	29553	10878	1810

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