

**AWARENESS AND UTILISATION OF CONSUMER RIGHTS IN PUNJAB.**

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**Abstract**

Consumers are the largest economic group in any country. They are the central point of all economic activities. But some consumers are the most voiceless group as they behave like a puppet and become captive of business activities. Though there has been a lot of buzz and activity in and around about the Consumer Protection Act in last couple of years, it is yet to catch the desired pace. Present study is an attempt to study various factors which influence a consumer to utilize his rights and redress his grievances at the appropriate forums. The study also examines the kinds of fraudulent practices suffered by the consumers and the nature of complaints filed by them.

**Keywords:** Consumer Protection Act, Consumer Awareness, Consumer Behaviour and Preferences, Utilisation and non-utilisation of Consumer rights.

The study is divided into five sections where Section-I is introductory in nature. Section II refers to Database and Methodology. Section III indicates the Demographic profile, shopping behaviour of the consumers, nature of cases filed, factors indicating fraudulent and misleading practices. Section IV relates to non-utilisation of consumer rights and Section V concludes the study and suggests recommendations.

**Section I  
Introduction**

Present day industries are producing numerous goods and rendering various services for the use of consumers in their daily life. It may be attributed to a tremendous change that has taken place in the lifestyle of people. Modern consumer has started demanding products which were almost unknown to us two decades back. (<http://www.ukessays.com>) (as seen on 26.01.2015). Further, educated consumers are exploiting the marketing conditions better than their counterparts which enable them to take right decisions with respect to shopping. (<http://www.consumersfiji.org>). These decisions pertain to different sources of purchasing a particular commodity, availability of cheap and best products, shops/arenas providing additional rebates and the latest products etc. Besides, in the process of buying, consumer's decisions can be influenced by marketing and advertisements as well. With the liberalised entry of MNCs into the Indian economy competition has intensified among the suppliers. Accordingly suppliers at times, intend to supply spurious or adulterated goods besides involving into other malpractices to cut down their costs. Pertinently, it becomes increasingly important keeping in mind high rates of poverty, unemployment and illiteracy that the consumers should be made aware of the latest consumer protection laws.

Unlike the consumers in the developed economies, their counterparts in India have not been able to play a greater role in the development process (Kumar et al). Though the Indian economy has emerged as a vibrant, rapidly growing consumer market, comprising over 300 million strong middle class with increasing purchasing power yet the consumer protection laws are in the state of infancy. Even though consumer protection laws have been enacted in India nearly three decades back, the consumers are still ignorant of the same as well as of the mechanism to redress their grievances ([business.gov.in/](http://business.gov.in/)). Those

who know the laws are also reluctant to file a complaint owing to the cumbersome and slow redressal mechanism. Rural consumers in particular, owing to illiteracy and simple style of living are more prone to such malpractices. According to Census of 2011, literacy rate in India stands at seventy four percent, of the total population aged seven years and above and illiterates constitute 26 percent. The rural urban literacy gap which was 21.2 percentage points in year 2001 has come down to 16.1 percentage points in year 2011 ([www.censusindia.gov.in/2011](http://www.censusindia.gov.in/2011) as seen on 16.01.2015). Since the study is focused on the state of Punjab, it is pertinent to mention the literacy rate in Punjab which stands at seventy seven percent of the total population of the state in year 2011 and Punjab is ranked 14<sup>th</sup> vis-a-vis other states in India. (<http://en.wikipedia.org/> as seen on 18.01.2015). In Punjab among rural males, literacy rate is 77 percent and in urban males it is 87 percent. On the other hand, among rural females literacy rate is 66 percent and among urban females it is 79 percent. In rural and urban areas it is the lowest among females in Punjab. Total literacy rate for rural areas is 71 percent and for urban areas it is 83 percent. (MOSPI 2014 Punjab). The study attempts to examine the awareness of utilisation of consumer rights in the State of Punjab. To be specific, this study aims to fulfill the following objectives.

- a. To find out the factors that compels filing/non-filing of complaints by consumers.
- b. To know the nature of cases for which the complaints are filed.
- c. To explore the kinds of fraudulent practices detected, for which complaints are filed.

## Section II

### Database and Methodology

In order to achieve the above mentioned objectives three most literate districts of Punjab (as per Census 2011), namely Mohali, Ropar and Ludhiana, primarily in the Malwa region have been selected to collect the data. The data collection was carried out by convenience sampling method from 300 respondents during the period of March 2013 to April 2014. However, despite best efforts, we could gather data from 245 respondents. The instrument used for the collection of data was a structured questionnaire. Primary data is collected from consumers at the District Courts/Tehsil office and Courts of Sub Divisional Magistrates of Mohali, Ropar and Ludhiana. Data is also collected from the Consumer District Forums of Mohali, Ropar and Ludhiana respectively. For the purpose of analysis Discriminant Analysis is used to find out the factors which affect the consumers in utilisation of their legal rights (as to filing of cases). Factor Analysis is used to determine the factors representing the kind of fraudulent practices suffered by the complainants.

## Section III

### Demographic profile

In this section demographic profile of the selected population is discussed. It is evident from **Table-I** that there are 84 percent males and 16 percent females in the total respondents. Approximately 58 percent consumers studied belong to the urban area and 42 percent to the rural area. It can be inferred from the table, that maximum respondents belonged to the age group 21-40 years i.e.; 63 percent. Around 40 percent consumers turned out to be Graduates and 24 percent as Post Graduate. 32 percent consumers fall in the income group of Rs.15,001 - Rs.30,000 and 25 percent fall in the group of Rs.10,000 – Rs.15,000. Around 44 percent respondents belong to service class and 20 percent are self employed besides another 14 percent who are doing business.

**Table 1**  
**Demographics of the Sample**

<b>FACTORS</b>	<b>DESCRIPTION</b>	<b>NO. OF RESPONDENTS</b>	<b>PERCENTAGE</b>
<b>Gender</b>	<b>Male</b>	<b>206</b>	<b>84.08</b>
	<b>Female</b>	<b>39</b>	<b>15.91</b>
<b>Age</b>	Below 20	<b>15</b>	<b>6.12</b>
	Between 21-40	<b>154</b>	<b>62.86</b>
	Between 41-60	<b>67</b>	<b>27.35</b>
	61 and Above	<b>9</b>	<b>3.67</b>
<b>Education</b>	Matriculation	<b>41</b>	<b>16.73</b>
	Senior Secondary	<b>33</b>	<b>13.47</b>
	Graduate	<b>97</b>	<b>39.6</b>
	Post Graduate	<b>58</b>	<b>23.67</b>
	Any other	<b>16</b>	<b>6.53</b>
<b>Income (per month)</b>	Rs10,000-Rs 15,000	<b>61</b>	<b>24.89</b>
	Rs15,001-Rs 30,000	<b>78</b>	<b>31.84</b>
	Rs30,001-Rs 45,000	<b>46</b>	<b>18.77</b>
	Rs45,001-Rs 60,000	<b>27</b>	<b>11.02</b>
	Above Rs 60,000	<b>33</b>	<b>13.47</b>
<b>Occupation</b>	Service	<b>108</b>	<b>44.08</b>
	Business	<b>35</b>	<b>14.28</b>
	Self Employed	<b>48</b>	<b>19.59</b>
	Retired	<b>13</b>	<b>5.31</b>
	Professional	<b>14</b>	<b>5.71</b>
	Agriculturist	<b>13</b>	<b>5.31</b>
	Any Other	<b>14</b>	<b>5.71</b>

### **Shopping behaviour of the consumers**

Shopping behaviour of the consumers indicated by Table 2 highlighted that 53 percent consumers preferred Offline shopping followed by 40 percent who prefer both Online as well as Offline shopping and paltry 6 percent prefer only Online shopping. It speaks volumes about the infancy of online shopping in India. There are 67 percent consumers who visit both organised and unorganised stores. Around 80 percent of the consumers are vigilant enough to collect information before purchase and not more than 56 percent consumers collected the bill after purchase, which shows their preference of keeping a record of the transactions and also their awareness that collection of bill would reduce black marketing and fraudulent practices.

**Table 2**  
**Preference for type of Shopping.**

FACTOR	PREFERENCE	NO. OF RESPONDENTS	PERCENTAGE
<b>Type of shopping</b>	Online	16	6.53
	offline	130	53.06
	Both	99	40.41
<b>Kind of shopping</b>	Organised	36	14.69
	Unorganised	45	18.36
	Both	164	66.94
<b>Collecting information before purchase</b>	Yes	196	80.00
	No	49	20.00
<b>Collecting bill after purchase</b>	Yes	141	57.55
	No	104	42.44

Respondents who filed cases	70	28.50
Respondents who did not wish to file cases	175	71.40
Total respondents	245	100

Maintaining record of their purchases help these customers in keeping a check on terms of warranty, replacement, health and safety measures etc. It means that though eighty percent of consumers are collecting information before making a purchase, but only forty three percent are inclined to take the bill after the purchase.

It is worthwhile to note that the respondents who wish to file complaints and seek redressal contribute around 28 percent of the total 245 respondents. The data further indicates that the complainants belong to the category of offline shopping and high priced products. Besides, the consumers are finding it extremely difficult to file complaints in respect to products purchased through online services. The major reasons for the same are complication of jurisdictional issues, lack of legal knowledge and ignorance of the Consumer Protection Act. The perception of the consumers regarding delay in dispensing of justice is another hurdle for consumers to approach the District Forums. Apparently, from Table 3, it becomes clear that the maximum numbers of complaints are filed against defects in vehicles and Appliances which constitute about 23 percent, followed by complaints related to defects in eatables and complaints of unfair practices, at 13 percent each. The least number of complaints are with respect to defects in home-furnishings and communication services. The reason for the prevailing pattern is that complaints are generally filed at places from where the products are purchased. Vehicles and appliances are usually purchased from one's own hometown and there are bleak chances of purchasing such products from outstations. Resultantly, it becomes easy for the consumer to seek remedy at his ordinary place of residence. If a product is sourced from outstation, it becomes difficult for the consumer to file complaint at the place of its actual manufacturer or place of its purchase. Thus, complicated procedures of law with respect to jurisdiction of filing cases can be stated as a major reason behind this.

**Table 3**  
**Nature of Cases filed**

	<b>CATEGORY</b>	<b>NO. OF RESPONDENTS</b>	<b>PERCENTAGE</b>
<b>Nature of Cases</b>	Vehicle	16	22.8
	Communication service	1	1.42
	Appliances(electricals and electronics)	16	22.8
	Eatables	9	12.8
	Unfair Practices	9	12.8
	Home Furnishing	1	1.42
	Financial Institutions	7	10
	Real Property	6	8.57
	Recreation	2	2.85
	Drugs	1	1.42
	Any Other	2	2.85

**Source:Primary Survey**

**Factors indicating fraudulent and misleading practices.**

Factor analysis test is applied in order to find out the prominent fraudulent and misleading practices. In order to fleece the consumers, two tests –Kaiser Meyer –Olkin (KMO) measure of sampling adequacy and Bartlett’s test of approximation were applied to check if factor analysis could be applied or not. (Table 4).The kaiser-Meyer-Olkin measure of sampling adequacy is a statistic that indicates proportion of variance in variables that might be caused by underlying factors. Values greater than 0.50 generally indicate that factor analysis is useful with the data as in our case. If the value is less than 0.50, the results of the factor analysis will not be useful. Bartlett’s test of sphericity tests the hypothesis that the correlation matrix is an identity matrix, and indicates that the variables are unrelated and therefore are unsuitable for structured detection. Small values (as in this case  $0.00 < 0.05$ ) indicate that the factor analysis will be useful for the given data. High value of chi square with .000 significance level implies that the co-relation matrix is not an identity matrix, which further re-asserts that factor analysis is appropriate. Both these tests permitted the use of factor analysis for data reduction in our case. Communalities arrived at after the application of factor analysis is shown in the (Table 5). Principal component analysis method was used to find out the primary fraudulent practices as faced by the consumers. Three factors exhibited an eigen value of more than one and together these factors accounted for nearly three fourth (71 percent) of total variance.(Table 6). These three factors revealed after extraction turned out to be non availability of products (.803), misleading advertisements (.796), health and safety (.790).

Shoppers are increasingly relying on factors that make shopping easier and quicker. One strategy for doing so is by improving availability. The large proportion of items that the customers believe to be “sold out” is actually “in store” but in a new location. Further many missing products are never on the store inventory in the first place. (Anita Awbi 2006).

The research signifies that the products are not available as per the advertisement shown. Consumers are attracted by fancy advertisements and tend to look for similar goods in the market. Question of Ethics is considered when advertisements are deceptive, false or misleading. Since such attributes exist in minimum quantum, it becomes necessary to look at regulatory bodies and laws that compel the miscreants to stop or curb such activities. In India, we have Advertising Council of India (ASCI) which is a self-regulatory body and has ethical advertisers as its members. Mechanisms like Consumer Forums, ASCI, Reserve Bank of India (RBI) and Telecom Regulatory Authority of India (TRAI) along with a plethora of laws continue to be in existence. There exists power of *suo-moto* action within

the Consumer Protection Act (COPRA), which however, have limited access as there is no mechanism to address the plight of consumers promptly. (<http://cuts-international.org/> as seen on 18.01.2015).

The consumers are unhappy with the quality standards of the products which affect their health adversely. The designer and manufacturer of a product has moral obligation to make sure that a customer / consumer is not injured by it when used. Also, both the designer and manufacture must be socially and environmentally responsible. The final product must not be a danger, cause damage to people in any way or damage the environment. (V.Ryan 2003). Thus it means that owing to high competition, the manufacturers and suppliers need to focus on such marketing strategies, which give maximum user satisfaction in context of 24/7 availability, attractive packaging in consonance with high quality standards.

**Table 4**  
**KMO and Bartlett's Test**

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.787
Bartlett's Test of Sphericity	Approx. Chi-Square	380.165
	df	55.000
	Sig.	.000

**Table 5**  
**Communalities**

	Initial	Extraction
Non availability of products	1.000	.803
Overcharging	1.000	.651
Non availability of Bill	1.000	.573
Defective aftersale services	1.000	.789
Adulterous product	1.000	.771
Faulty weights and measure	1.000	.713
Misleading advertisement	1.000	.796
Warranties and guarantees	1.000	.759
Health and Safety	1.000	.790
Packing and Labelling problems	1.000	.535
Malpractice	1.000	.581

Table 6

## Total Variance Explained

Component	Initial Eigen values			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	4.757	43.243	43.243	4.757	43.243	43.243	3.140	28.542	28.542
2	1.894	17.215	60.458	1.894	17.215	60.458	2.351	21.368	49.910
3	1.110	10.092	70.550	1.110	10.092	70.550	2.270	20.640	70.550
4	.665	6.045	76.595						
5	.605	5.504	82.099						
6	.590	5.361	87.460						
7	.432	3.927	91.387						
8	.341	3.095	94.482						
9	.231	2.098	96.580						
10	.222	2.021	98.602						
11	.154	1.398	100.000						

Table 7  
Rotated Component Matrix<sup>a</sup>

	Component		
	1	2	3
Non availability of products	-.051	-.011	.895
Overcharging	.040	.338	.732
Non availability of Bill	.053	.662	.363
Defective after sale services	.385	.798	-.057
Adulterous product	.827	.295	.012
Faulty weights and measure	.619	.567	-.093
Misleading advertisement	.812	.049	.366
Warranties and guarantees	.806	.283	-.169
Health and Safety	.682	.087	.563

Packing and Labelling problems	.335	.415	.500
Malpractice	.174	.700	.246

Extraction Method: Principal Component Analysis.

Rotation Method: Varimax with Kaiser Normalization.

- a. Rotation converged in 7 iterations.

It can be seen from Table 7 that in component 1, the top three variables, above 0.5 are adulterous product, misleading advertisements, warranties and guarantees having a loading of .827, .812, .806 respectively. This component can be interpreted as the rule of “*caveat emptor*”. Variables in component 2 are: defective after sale services, malpractices, non availability of bill having loading of .798, .700, .662 respectively. This component can be interpreted as “unethical marketing”. The third component consists of non availability of products, overcharging, health and safety with a loading of .895, .732, .563. The component can be interpreted as “weak marketing strategy”.

In order to understand the variable that better discriminates the expected filing of cases by the consumers, discriminant analysis is used. Value of Wilks’ Lambda is .972 that indicates high significance level. (Table 8). **F test show a P-value of (less 0.5 is better)**. Also, from the classification matrix (Table 9) it becomes clear that the discriminant function is able to classify sixty eight percent of the objects correctly. Three independent variables: age, income and education are used to find out the reason for filing/not filing the cases. Discriminant function may be denoted as

$$Y = -0.131 - 0.719(\text{age}) - 0.150(\text{income}) + 0.745(\text{education})$$

(Table 10 and 11). Literacy level and educational attainment are vital indicators of development in a society. Higher level of literacy and educational development lead to greater awareness on one hand and help people in acquiring new skills on the other. An enlightened consumer is an empowered consumer. An aware consumer not only protects himself from exploitation but induces efficiency, transparency and accountability in the entire manufacturing and services sector. (<https://www.facebook.com/notes/dr-manmohan-singh/jago-grahak-jago>). Thus, with enhanced knowledge, consumers should feel more in control of their purchasing decisions and be better able to identify products and services that most closely match their wants and needs in terms of quality, variety, service and value. (<http://corporate.nca.ie/eng>).



**Table 8**  
**Wilks' Lambda**

Test of Function(s)	1
Wilks' Lambda	.972
Chi-square	6.861
df	3
Sig.	.076

**Table 9**  
**Classification Results**

			Predicted Group Membership		
			1	2	Total
Original	Count	1	104	71	175
		2	33	37	70
	%	1	59.4	40.6	100.0
		2	47.1	52.9	100.0

a. 67.6% of original grouped cases correctly classified.

**Table 10**

**Group Statistics**

casefiled		Valid N (listwise)	
		Unweighted	Weighted
1	age	175	175.000
	income	175	175.000
	education	175	175.000
2	age	70	70.000
	income	70	70.000
	education	70	70.000
Total	age	245	245.000
	income	245	245.000

**Table 11**

	Function
	1
age	-.719
income	-.150
education	.745
(Constant)	-.131

Unstandardized coefficients

	Function
	1
age	-.719
income	-.150
education	.745
(Constant)	-.131

#### Section IV

##### Non- utilisation of Consumer Rights:

The data refers to 175 respondents, who whether they suffered fraud or not have opted not to file complaints due to various reasons. Some of the respondents opted to file complaints only upto the manufacturer or supplier level and availed whatever remedy was given to them. However, some of the consumers also availed remedy under warranties and guarantees. The analysis below in **Table 12** indicate the mean value, finding out the reasons as obtained from consumers as to why they did not file complaints on suffering fraud at the hands of sellers. The same is examined on the basis of five point scale where "strongly agrees=1 to strongly disagrees =5. It is known from the study that lack of awareness and lack of time are major reasons for not filing complaints followed by lack of guidance, lack of resources and low value of goods. Consumers further feel that peers bad experiences, no sufficient feedback and ones own personal bad experience lead to reluctance in filing a complaint and seeking redressal. Thus, it means overall rate of utilisation of consumer rights is approximately 29 percent.

**Table 12**

	Factors	Mean
Reasons for not filing complaints	Lack of Awareness	1.73
	Lack of Time	1.79
	Peers Bad Experience	2.51
	lack of Resources	2.43
	Own Bad Experience of Courts	2.61
	No Sufficient Feedback	2.54
	value of defective goods was Nominal	2.13
	lack of Guidance	2.06

#### Section V

##### Conclusion and Recommendations

Consumers being the axis of economic activities are exploiting the marketing conditions. Consumer education protects their rights against malpractice and enables them to make judicious purchases. A sample size of 245 respondents had been considered from 3 most literate districts of Punjab (as per Census 2011) for the present study. The data indicates 64 percent of the total respondents as Graduates and above. The data also indicates that only around 6 percent of total respondents prefer online shopping and only about 15 percent buy from the organised sector. The maximum number of complaints pertains to vehicles and appliances. In order to understand the variable that better discriminates the expected filing of cases by the consumers Discriminant Analysis was used. The Bartlett's Test indicates that there is significant relationship among the variables. Factor analysis has

been used to find out the frauds suffered by the consumers. Mean value has been calculated with respect to factors responsible for non-filing of complaints. The data was also analysed to know the various recommendations for the development of consumerism. The study reveals that Quality, warranty, safety, repair of defects are important factors with a Mean value of 1.33, 1.52, 1.73 and 2.02 respectively.

Consumers studied have recommended various measures for the development of consumer awareness and utilisations of the consumer rights in both rural and urban areas. Consumers demand strong and timely action of their grievances. Several respondents recommended introduction of free and compulsory education regarding consumer rights. They emphasize that the subject of consumer awareness be introduced in High School education. Consumers also want that the legal procedures be made simplified, easy and there must be assurance of speedy disposal and compliance of orders. Simultaneously, consumers also seek compulsory standardisation of all products and that complaints regarding health and safety must be treated more severely. Moreover some consumers have suggested criminalisation of offences such as adulteration, presence of impurities and improper weights and recommend that the same shall also be brought under one single Court where both Civil remedy as well as Criminal prosecution is available to the consumers. Agrarian consumers emphasise the need of Courts at village levels and recommend formation of quality inspection teams by government to check the goods for their prescribed standards. Overall, consumers seek Government help and support to be safeguarded against various malpractices. They wish to join the league of “jago grahak jago”, which has considerably raised awareness among general public.

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