

CONSUMER FORUMS: AN IMPACT ASSESSMENT STUDY FROM AN “ACCESS TO JUSTICE” PERSPECTIVE

Anirban Chakraborty¹

ABSTRACT

To ensure maximum welfare and access to justice to every consumer, Indian Parliament enacted the Consumer Protection Act in 1986. The legislation is unique in many ways and its creation of the three-tier quasi-judicial dispute redressal system (popularly called as consumer forum) for consumer is unparalleled in the world. The model envisages an inexpensive and expeditious consumer dispute redressal system, with a very simple procedure for filing complaints and measures to ensure impartial resolutions.

But after a passage of nearly twenty four years from its incorporation there is very little research to establish whether these forums have succeeded in delivering its goals. The available information leaves significant gaps for the analysis of the issue and some very preliminary conclusions can only be drawn from the available information. This stresses the need to undertake a far more intensive piecing together of information on variety of issues before arriving to any conclusion on the subject.

In this context I conducted a pilot empirical study of the functioning of the consumer forums with special reference to access to justice. The objective of this pilot study was to collect empirical evidence on working of the forum and analyze the information. I selected state of West Bengal for this empirical study. The study was conducted by using survey research method.

The major findings of the study indicates that the functioning of the forums has been moderately satisfactory but there are some glaring gaps and which is an obstacle in fulfilling the legislative intentions in its letters and spirit. I conclude that the consumer forums can make significant contribution in ensuring access to justice for a large body of Indian consumers, but its benefits have still not reached the marginalized groups. Some further improvements are necessary to make the legislative intention of equal access for all consumers a reality.

¹ Asst. Professor, W.B National University of Juridical Sciences, Kolkata