AN ANALYSIS OF PROBLEMS AND REMEDIES IN FUNCTIONING OF CONSUMER GRIEVANCES REDRESSAL FORUM

Dr. Ishwar Mittal* Dr. Ravi Kumar Gupta**

Abstract

This paper examined the opinion of advocates/ legal experts towards problems and remedies for smooth functioning of Consumer Forums under Consumer Protection Act in Haryana. Consumer Protection Act, 1986 (CPA) provides the facility of defending the complaint directly by self or through advocates. But due to several reasons, it is imperative for consumers and defending parties to hire the services of advocates/ legal experts to plead at the Consumer Forum. Advocates/ legal experts are directly aware of the problems of consumer forums and can suggest suitable and specific remedies to solve the problems which hinders the functioning of consumer forums. Descriptive research design was adopted for the study. The sampling unit was advocates/ legal experts who plead at Consumer Forum. Convenience cum purposive sampling was adopted for selecting respondents. The sample size was 50 respondents. A questionnaire was prepared for primary data collection. Various statistical tools and techniques viz. average, ratio, standard deviation, percentage, one sample t-test, Chi Square Goodness of Fit Test, Multi Dimensional Scaling (MDS) and Factor analysis using Principal Component Analysis used to analyze the data. It was concuded that smooth functioning of Consumer Forum was influenced by three underlying factors i.e. 'administrative hindrances' at forums, 'HR problems' at forums, and 'work environment' of forums. Several remedies were also suggested by advocates to solve the problems at consumer forum.The study has implications for policymakers to enhance the effectiveness of Consumer Protection Act and amend the Act to improve the quality of justice to consumers.

Key words: Consumer Forum, Advocates/ Legal Experts, Problems of Consumer Forum, Functioning, Remedies, Consumer Protection Act.

*Assistant Professor, Institute of Management Studies and Research (IMSAR)
Maharshi Dayanand University, Rohtak, Haryana. India. e-mail: ishwarmittal@gmail.com
**Professor, Department of Management Studies Maharaja Agrasen Institute of Technology, Delhi, India.

Introduction

It is beyond doubt that consumer protection cannot be effective unless the law making and their enforcement go simultaneously. This can be achieved only when proper and systematic implementation of legislative measures is followed.Consumer Protection Act, 1986 (CPA) was enacted to empower consumers to fight for their rights themselves. CPA provides the facility of defending the complaint directly by self or through advocates. The mechanism under CPA is free from procedural bindings of the court. But due to several reasons, it is imperative for consumers and defending parties to hire the services of advocates/ legal experts to plead at the Consumer Forum. Advocacy is done to bring the social issues of marginalized, disadvantaged or unorganized sections of society to the person in authority to address issues. Advocates being the important participants of the Consumer Grievances Redressal Mechanism help in ensuring justice to the innocent. They know the functioning of the system in better way. The role of advocates increases more by knowing the fact that in Haryana that not much consumer organizations were found to be active for consumer causes. The functioning at Consumer Forum is not that smooth as described by the law. It may be due to several reasons. Smooth functioning of consumer forums is very important to provide speedy and hassle free justice to consumers. The basis of existence of Consumer Forum is to provide simple, speedy and inexpensive redressal.The forums are overburdened with too many complaints. Frequent adjournment of cases and delay in the appointment of forum members delays the delivery of justice. The procedure may be perceived to be complex and technical. Advocates being the expert of law can better tell about the problems in smooth functioning of consumer forum. Advocates spend maximum time at these judicial bodies and fight for their clients, thus, they are directly aware of the problems of consumer forums and can suggest suitable and specific remedies to solve the problems which hinders the functioning of consumer forums.

Review of Literature

The study needs to understand the gap in research hence the following significant work done on the various aspects of consumer protection concering advocates has been reviewed here.

Jain (1999) studied the appraisal of district consumer disputes redressal forums in Haryana. He carried out a survey on advocates for functioning of 5 district forums of

Haryana taking the data of 1993-1997. He suggested that frequent adjournment must be discouraged to achieve the purpose of justice. On adjournment issue, the policy should be not to grant adjournment for more than one time unless justified. For de-politicization of consumer forums, he advocated to include one member from registered consumer organizations in operation for more than 10 years.

Ali (2010) dealt with the functioning of Consumer Dispute Redressal Agencies in the two districts of Goa namely North Goa and South Goa. **He found that** redressal agencies take approximately more than one year in disposing the complaints. Sometimes the complaint is pending for five to six years before these redressal agencies. The study cleared that there are three reasons for delay i.e. frequent adjournment, non appearance of opposite party and workload. Consumers and VCOs expressed that the procedure followed by the consumer forums is simple as compared to that of the ordinary courts. VCOs in Goa was satisfied with the procedure at forums but reported that justice is always delayed. Adjournments were primarily responsible for delay in justice.

Kumar (2011) carried an empirical study on complainants to consumer forum in the Haryana. The study concluded that the 75% complainants lodged their complaints by engaging advocates. Complainants considered the complex and technical procedure as the most important factor for the slow disposal of cases in district forums and a very high percentage of respondents were in the grips of advocates regarding lodging of complaint in district forum. It was clear from the analysis that in the opinion of complainants that the accommodation of the district forum was sufficient for their efficient working. It was found that one third of the complainants would not like to file their complaints in the district forums, in case they are exploited in future. It was exhibited from the research that the procedure of filing the complaints in the forums was too technical, expensive and complex.

Singh (2012) studied the effectiveness of consumer forum and its Impact on corporate and consumers in U.P. region. He found that a huge backlog of pending cases was great cause of concern for both the Forums and pending cases seemed to have increasing every year. It was observed that there was a huge difference in the views of different categories of respondents regarding the effectiveness of consumer forums. It was been

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inferred that difference between actual and expected effectiveness was insignificant. At the end, it was concluded that efficiency of the consumer forums was moderate, that is why these forums were not as effective as they supposed to be and needed to be improved for providing speedy and less expensive justice.

Misra, Chadah and Pathania (2013) sought to assess the impact and effectiveness of CPA. The study covered 5 states, 10 districts, and 50 villages. There was a broad consensus among the various stakeholders that the delay in disposal of cases was largely due to the involvement and appearance of lawyers in all cases. Because of this the proceedings have become too technical, cumbersome, and expensive as slowly the procedures of the civil court have crept in the proceedings of the district forums. It also revealed that 61.4 percent of the respondents would again file a complaint if the need be.

Siddamma (2013) focused on the redressal mechanism established under CPA and problems faced by the governments in establishing this mechanism in the Bellary district of Karnataka. The research concluded that majority of the complainants and advocates were satisfied with the functioning of the forums and the forums were working efficiently in protecting the interests of the consumers. These forums were suitable and relevant in today's economic environment. These forums provided hassle free redressal of consumers' grievances. The justice was reported to be always delayed at these forums.

Sinha, Gupta & Mittal (2015a) analyzed the attitude and perception of opposite parties towards consumer grievances redressal under Consumer Protection Act in Haryana. It was found that services of advocates were availed by most of the defendants. Defendants favoured the appointment of advocates at consumer forums. They justified it as advocates can represent the cases in more efficient and effective manner. Further the procedure complexities and technicalities at consumer forums can be better handled by advocates. Defendants were found satisfied with the procedure adopted for settling complaints at consumer forums.

Sinha, Gupta & Mittal (2015b) revealed that even consumers hired the advocates to file cases at consumer forums but they did not desire to engage advocates. It was observed that consumers opposed the engagement of advocates because they demand heavy fees

and unnecessarily delay the proceedings of consumer forums by taking adjournments. Some consumers defended the appointment of advocates because they felt that advocates can defend the case effectively more importantly, because the opposite party always engages the advocates. The logic seemed to be justified as a normal consumer is not that capable to argue against the seasoned lawyers.

It is evident from above literature that no comprehensive study was undertaken in recent past on the opinion of advocates/ legal experts with respect to consumer grievances redressal mechanism in Haryana.

Research Objectives

♦ To assess the opinion of advocates/ legal experts towards problems in smooth functioning of Consumer Forumunder Consumer Protection Act in Haryana.

♦ To analyze the underlying remedies to solve the problems that affect the smooth functioning in Consumer Forum.

Research Methodology

This paper is concerned with assessment of opinion of advocates/ legal experts towards problems and remedies in functioning of Consumer Forum. To achieve the objectives, descriptive research design was adopted for the study.Advocates/ legal experts were taken as respondents for these objectives. A questionnaire was prepared on the basis of study of *Singh (2012)*. The modifications were made in questionnaire form the study of *Jain (1999)*. It was further consulted with the experts in consumer affairs and law. Considering the opinion of the experts in related field, a sample size of 50 advocates/ legal experts was decided to be optimum for this study. The data was collected through Convenience cum purposive sampling as the sampling unit was limited to advocates/ legal experts. Ten advocates each from the ten randomly selected districts of Haryana were taken and total 100 questionnaires were mailed. Only, 50 responses from the respondents were secured by the researcher. The data were coded, tabulated and analyzed by using various statistical tools and techniques viz. average, ratio, standard deviation, percentage, one sample t-test, Chi Square Goodness of Fit Test, Multi Dimensional Scaling (MDS) and Factor analysis using Principal Component Analysis.

Data Analysis and Interpretation

Profile of the Respondents

It was observed that mostly male advocates were found to be active in taking up the cases of consumer forums. In the current study, 88 percent respondents were male and only 12 percent female respondents recorded their opinion. Advocates were taken from the two categories on the basis of their experiences in their profession viz. 48 percent respondents who were having less than ten years of experience and 52 percent respondents having more than ten years experience. The basic reason for choosing these categories is to randomize the findings with experienced advocates and young advocates.

Respondents were asked about their association with voluntary consumer organizations. 94 percent respondents have not been found to be associated with the consumer organizations. Only 6 percent respondents were found associated with the consumer organizations.

Factors that Create Problems in Smooth Functioning of Consumer Forum

Ten important factors that create problems in smooth functioning of Consumer Forums were presented before respondents. The respondents were asked to rate each factor creating hindrance in smooth functioning according to their own experience with it by using three-point scale and presented in the Table 1. Whether the selected factors are responsible or not, were decided by weighted mean score and its percentage values given below and various ranks were assigned to the chosen factors according to calculated percentage value.

Table 1: Factors that Create Problems in Smooth Functioning of Consumer Forum
(1- Highly Responsible)   (2- Moderately Responsible)   (3- Not Responsible)

S. No	Statements	1	2	3	Total	WMS	% WMS	Responsible	Rank
1	Overburden- Too many complaints	**39 (78)**	9 (18)	2 (4)	50 (100)	**2.74**	**87**	**H.R.**	**1**
2	Complex and technical legal procedure	4 (8)	20 (40)	26 (52)	50 (100)	1.56	28	M.R.	6
3	Frequent adjournment of cases	22 (44)	**28 (56)**	---	50 (100)	2.44	72	**H.R.**	2
4	Delay in the appointment of forum members	20 (40)	30 (60)	---	50 (100)	2.40	70	**H.R.**	3
5	Lack of judicial powers	7 (14)	19 (38)	24 (48)	50 (100)	1.66	33	M.R.	5
6	Insufficient clerical staff	5 (10)	15 (30)	30 (60)	50 (100)	1.50	25	M.R.	8
7	Incompetency of non -judicial members	5 (10)	17 (34)	28 (58)	50 (100)	1.54	27	M.R.	7
8	Improper execution of orders	2 (4)	16 (32)	32 (64)	50 (100)	1.40	20	*N.R.*	9
9	Conflicts between members	2 (4)	12 (24)	**36 (72)**	50 (100)	1.32	16	*N.R.*	10
10	Work culture at Consumer Forums	15 (30)	16 (32)	19 (38)	50 (100)	1.92	46	M.R.	4
	Collective Opinion	24.2%	36.4%	39.4%		1.85	42.40	M.R.	

Source: Primary Data; Figures in parentheses indicates percentage; WMS= Weighted Mean Scores
H.R.- **Highly Responsible;** *M.R.*- **Moderately Responsible;** *N.R.*- **Not Responsible**

For interpreting WMS percentage values, a rating scale was used, according to which WMS percentage value:-

The %WMS score up to 20% (<1.4 WMS) was considered as 'Not Responsible', from 20.25% to 60% (1.41 to 2.20 WMS) was considered as 'Moderately Responsible' and above 60% (>2.20 WMS) was considered as 'Highly Responsible'.

Table 1revealed that respondents found 'Overburden- Too many complaints' to be highly responsible factor (ranked 1) followed by frequent adjournment of cases and delay in the appointment of forum members as other highly responsible factors. The findings reaffirm the findings of Singh(2012).These three factors are considered as highly responsible factors since their percentage values were calculated above 60%. Furthermore, five other factors were attributed as moderately responsible as their percentage values fell in the range from 20.25% to 60% (see Table 1). Improper execution of orders and conflicts between members (ranked 10) were attributed as non-responsible factors as its percentage value found below 20%. Collective opinion with these factors at different scales is shown in last row. Collective opinion reflects that only 24.2% advocates have expressed that all the factors were highly responsible for making

consumer forum inconsistent. A substantial number of **respondents** (36.4%) expressed moderate responsibility of said statements for smooth functioning of consumer forums. A significant number (39.4%) of them revealed that collectively these factors were not responsible for problems at consumer forums. Collective mean score (2.15), collective weighted mean score (1.85), collective percentage of weighted mean score (42.40%) of all statements also describes that all these factors all these factors are moderately responsible for problems in smooth functioning of consumer forums.

Table 2: Descriptive Statistics of Factors that Create Problems in Smooth Functioning of Consumer Forum

Descriptive Statistics				One-Sample Test (95% Confidence level)	
S.	Statement	Mean		t- value	Sig. (2-tailed)
9	Conflicts between members	2.68	.551	15.141	.000
8	Improper execution of orders	2.60	.571	13.612	.000
6	Insufficient clerical staff	2.50	.678	10.435	.000
7	Incompetency of non-judicial members	2.46	.676	10.035	.000
2	Complex and technical legal procedure	2.44	.644	10.322	.000
5	Lack of judicial powers	2.34	.717	8.279	.000
10	Work culture at Consumer Forums	2.08	.829	4.947	.000
4	Delay in the appointment of forum members	**1.60**	**.495**	**1.429**	**.159**
3	Frequent adjournment of cases	**1.56**	**.501**	**.846**	**.402**
1	Overburden- Too many complaints	1.26	.527	-3.219	.002

Source: Researcher's Compilation; S. D.= Standard
Mean score < 1.5 -2.0 indicates more responsible factors

Table 2presents the mean values of various factors which create problems in smooth functioning of consumer forums. The top 7 factors having mean value more than 2.0 are moderately or less responsible as told by respondents while other three factors having mean score less than 2.0 indicate that these were highly responsible factors. 'Overburden- Too many complaints' is highly responsible factor while 'Conflicts between members' is least/ not responsible factor.

To check the statistical significance of the statements, one sample t-test was applied. To decide whether the statement is statistically significant, the decision rule is $t \geq 1.960$ or $t \leq -1.960$ at 5% level of significance. From the Table2, it was found that only two factors having t-values 1.429 and .846 respectively, are not statistically significant and rest eight factors are statistically significant. The mean value of these factors indicates that the respondents have indifferent opinions regarding these factors.

Table 3: Chi square Goodness of Fit statistics

Chi Square Value		df	p-value
Table Value	Calculated Value	9	.000
16.919	61.411		

Chi Square Goodness of fit statistics is intended to test whether the observed data are inconsistent with the fitted model. After assigning the weights to all 3 ranks, results shown in the Table 3 are obtained.

H_o= All the ten factors are equally responsible for creating problems in smooth functioning of consumer forums.

The tabulated value of chi square at 9 degree of freedom and at 5% level of significance is 16.919 and the calculated value of chi square is 61.411. In this case the null hypothesis is rejected and it can be concluded that the observed data were inconsistent with the estimated values in the fitted model since the p was significant, since $p < 0.05$. It can be concluded that there are statistically significant differences in above ten factors and these are not equally responsible for creating problems in smooth functioning of consumer forums. Conclusion may be drawn from the analysis that first factor (Overburden- Too many complaints) was highly responsible and most important and ninth factor (Conflicts between members) was considered least/ not responsible (see Table 2).

Integration of Different Factors that Create Problems at Consumer Forums into Specific Dimensions (Factor Analysis)

In order to identify the latent dimensions of dispute redressal procedure effectiveness, Principal component analysis (PCA) has been carried out among 10 statements included

as above (see Table 1). As prerequisites, Kaiser–Meyer–Olkin (KMO) and Bartlett's Test of Sphericity have been employed. The value of KMO Measure of Sampling Adequacy came out to be .773 ('mediocre' according to Field, 2009) which is greater than 0.5 revealing that the factor analysis applied to the scale is appropriate (Malhotra, 2006). The value of Bartlett's test of spherecity $\chi^2(45) = 246.041$, $p < .001$ (Field, 2009), indicates that intercorrelation between scale variables is sufficiently large for PCA.

To measure the effectiveness and reliability of scale, Cronbach's Alpha coefficient was used. The value of Cronbach's Alpha was found to be .798 which is well above the recommended level of .70 (Nunnaly, 1978; Gerrard, et al., 2006; Kenova &Jonasson, 2006), indicating high reliability of the generated scale. Then, PCA was conducted on the 10 statements with Varimax Rotation method.

The value of communalities before and after extraction was checked under PCA method. In current analysis, communalities for nine variables were above 0.50 and for one variable it is less than .50. But on the basis of prior experience, none of the variables needed to be excluded on the basis of low communalities (see Table 4).

One of the most commonly used criteria for determining the number of factors or components to include is the latent root criterion also known as the Eigen value one criterion or the Kaiser criterion. Three factors were extracted which cumulatively explained variance 71.228% of the total variance and initial & final Eigen values for these three extracted factors were found to be more than 1 (see Table 4). All other components had the Eigen values less than 1.

The principal component analysis resulted in a three factor extraction which indicates three underlying dimensions/ factors that create problems at Consumer Forums which can be generalized in Table 4.

Table 4: Rotated Component Matrix[a]

Factor Names	S. No	Statements	Factor Loading	Communalities	Eigen value*	Reliability	Variance Explained	WMS
Administrative Hindrances	3	Frequent adjournment of cases	.860	.827	2.763	.501	27.633	2.31 (65.5%)
	4	Delay in the appointment of forum members	.838	.802				
	5	Lack of judicial powers	.808	.840				
	1	Overburden- Too many complaints	.632	.429				
HR Problems	8	Improper execution of orders	.840	.830	2.609	.799	26.087	1.44 (22.0%)
	9	Conflicts between members	.780	.677				
	7	Incompetency of non-judicial members	.765	.629				
	6	Insufficient clerical staff	.667	.513				
Work Environment	2	Complex and technical legal procedure	.880	.790	1.751	.722	17.508	1.74 (37.0%)
	10	Work culture at Consumer Forums	.809	.785				

Source: Researcher's Compilation; Extraction Method: Principal Component Analysis.
Rotation Method: Varimax with Kaiser Normalization.

*a. Rotation converged in 5 iterations; WMS= Weighted Mean Score; * Eigen values of the factors after rotation*

Factor 1- Administrative Hindrances: The rotated component matrix revealed that respondents perceived forum administration to be the highly responsible factor with the highest explained variance of 27.633%.

Factor 2- HR Problems: It revealed to be the second most important factor with explained variance of 26.087%.

Factor 3- Work Environment: This is the third and last important factor, which accounts for 17.508% of the explained variance.

Remedies to Solve the Problems at Consumer Forums

After carefulbrainstorming, nine remedieswere selected from literature and consulted with advocates/ legal experts in Haryana. Table 5revealed the opinion of respondents regarding remediesto solve the problems at consumer forums.

Table 5: Opinion on Remedies to Solve the Problems in Consumer Forums

S.N	Remedies	1	2	3	4	5	6	7	8	9	Total	WS	WMS	Rank
1	Establishment of additional forums at district & sub division level	20	5	6	7	5	3	3	0	1	50	351	7.02	2
2	Establishment of i ndependent monitoring authority	12	18	7	5	2	4	1	0	1	50	361	7.22	**1**
3	Timely appointment of only judicial members	7	10	16	10	3	0	2	0	2	50	338	6.76	3
4	Proper i nfrastructure of consumer forum	1	5	4	12	6	7	7	6	2	50	242	4.84	5
5	Increase in clerical staff	2	1	1	5	11	6	6	10	8	50	188	3.76	7
6	Increase in judicial power	5	4	7	1	11	10	5	3	4	50	252	5.04	4
7	Separate liability for its members	1	4	4	3	5	11	15	5	2	50	213	4.26	6
8	Training before appointing clerical staff	0	2	1	2	3	2	10	17	13	50	135	2.70	9
9	Establishment of forums out of premises of civil courts	2	1	4	5	4	7	1	7	19	50	168	3.36	8

Source: Primary Data; Rank 1: Most Important; Rank 9: Least Important
WS= Weighted Scores; WMS= Weight ed Mean Scores

Table5 shows the ranks of various remedies on the basis of their weighted scores and weighted mean scores. 'Establishment of independent monitoring authority' was ranked as top most remedy to tackle the problem of favoritism in decisions and dismantle the roots of bribery by supervising proceedings of consumer forums. 'Establishment of additional forums at district & sub division level' was ranked second best opportunity to share the burden of existing forums, since due to overburden; consumer forums have not been successful so far in providing speedy redressal. Third best remedy was 'timely appointment of only judicial members' because the non judicial members lack judicial competencies. Further, they were of the opinion that due to internal conflicts between judicial and non-judicial members, judgments do not happen on time and cases remain in pending for long, consequently, this rift causes slow speed of disposal. 'Increase in judicial power' was ranked as fourth best remedy so that forum members might execute the final orders properly and discharges cases at the earliest. 'Proper infrastructure of consumer forum' was ranked as fifth remedy followed by 'separate liability for its

members' to avoid the situation of conflicts among the members.'Increase in clerical staff' was ranked at number seven to smoothen the official work at forums.Due to lack of clerical staff, files become displaced and remain untidy. Members face problems while proceedings take place and routine work get hindered.'Establishment of forums out of premises of civil courts' was placed at eighth rank. In civil courts, consumers treat these forums as courts and avoid utilizing these forums because of cumbersome processes of civil courts. The last rank was given to 'training before appointing clerical staff' (The findingreaffirms the finding of Singh, 2012).

Table 6: Descriptive Statistics of Remedies to Solve the Problems in Consumer Forums

	Descriptive Statistics			One-Sample Test (95% Confidence level)	
S.N.	Remedies	Mean	Std. Deviation	t- value	Sig. (2-tailed)
8	Training before appointing clerical staff	7.30	1.821	10.872	.000
9	Establishment of forums out of premises of civil courts	6.64	2.497	6.060	.000
5	Increase in clerical staff	6.24	2.124	5.792	.000
7	Separate liability for its members	5.74	1.978	4.434	.000
4	Proper infrastructure of consumer forum	5.16	2.064	2.261	.028
6	Increase in judicial power	**4.96**	**2.330**	**1.396**	**.169**
3	Timely appointment of only judicial members	3.20	1.690	-5.438	.000
1	Establishment of addition al forums at district & sub division level	2.98	2.133	-5.038	.000
2	Establishment of i ndependent monitoring authority	2.78	1.833	-6.636	.000

Source: Researcher's Compilation; Mean score < 5.0 indicates highly ranked opportunities

Table 6presents the mean values of various remedies to solve the problems at consumer forum. The top five remedies having mean value more than 5 were described as not so important by respondents while other four remedies having mean score less than 5 indicate that these were important remedies. 'Establishment of independent monitoring authority' is most important remedy while 'Training before appointing clerical staff' is least important remedy described by advocates.

To check the statistical significance of the various remedies, one sample t-test was applied. To decide whether the threats are statistically significant, the decision rule is t ≥ 1.960 or t ≤ -1.960 at 5% level of significance. From the Table 6, it was found that only one remedy having t-value 1.396 is not statistically significant and rest eight remedies are statistically significant. The mean value (4.96) of this non significant remedy indicates that the respondents have indifferent attitude towards this remedy.

Table 7: Chi square Goodness of Fit statistics

Chi Square Value		df	p-value
Table Value	Calculated Value	8	.000
15.507	222.180		

Chi Square Goodness of fit statistics is intended to test whether the observed data are inconsistent with the fitted model. **After assigning the weights to all 9 ranks, results shown in the Table 7 are obtained.**

H_o= **All the** nine remedies are equally consistent for solving the problems at consumer forums.

The tabulated value of chi square at 8 degree of freedom and at 5% level of significance is 15.507 and the calculated value of chi square is 222.180. In this case the null hypothesis is rejected and it can be concluded that the observed data were inconsistent with the estimated values in the fitted model since the p was significant, since $p < 0.05$. **It can be concluded that** there are statistically significant differences in above nine statements and these are not equally important remedies for solving the problems at consumer forum. **Conclusion may be drawn from the analysis that** second remedy (establishment of independent monitoring authority) was strongly recommended and most important and eighth remedy (training before appointing clerical staff) was considered least important and least **recommended**(see Table 5).

Multidimensional Scaling (MDS) for Remedies to Solve the Problems at Consumer Forum

Multidimensional scaling is a mapping technique by which researchers can obtain quantitative estimates of similarity among groups of items. Multi dimensional scaling was used here for finding out the positioning of various remedies to solve the problems at consumer forum. The statistical output was the Euclidean map; where in respondents' perceptions were visually represented.

A two dimensional map was selected as the output for ease of use. Assessment of reliability and validity was carried out by examining the Stress value and R-square. The stress value was found to be 0.07193 which is acceptable (Stress value .05 to <.10 is good fit; Malhotra& Dash, 2011). The value of R-square was found to be 0.9638 which is again acceptable (R-Square values of 0.60 or better are considered acceptable; Malhotra& Dash, 2011). This illustrates that 96.38% of variance in the model is explained by the two dimensions (very good fit). Since the Stress and R-square values were acceptable, the study can be termed as reliable and valid.

Fig.1 is the SPSS output of multidimensional scaling.

Stress Value (Badness of fit): Stress value obtained=0.07193, Stress value needed= .05 to <.10 is good (Malhotra& Dash, 2011).

Squared Correlation Coefficient (Goodness of Fit): R square obtained= 0.9638, R square needed= 0.6 or more (Malhotra& Dash 2011).

The spatial map in Fig. 1was analyzed by examining the relative positions of the remedies in different quadrants and the remedies were categorized as under:

Vertical axis at the top is categorized as Radical measures. Radical remedies indicates the non conventional way to improve the functioning of consumer forums. It includes some more extra ordinary steps to remove problems at forums.

Vertical axis at the bottom is named as Conventional measures.It describes the remedies which needed to be incorporated in existing redressal structure to perform the forums efficiently. Horizontal axis on the left side is marked as Low Ranked. These remedies were perceived less important by advocates. Horizontal axis on the right is labeled as High Ranked. These were perceived as more important remedies by the advocates.
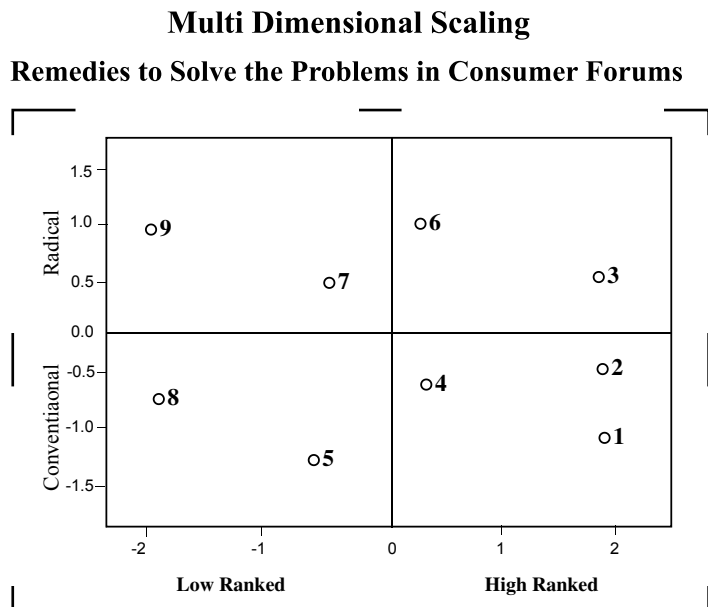
Multi Dimensional Scaling

Remedies to Solve the Problems in Consumer Forums

Fig. 1: Perceptual Mapping of Remedies to Solve the Problems in Consumer Forums

Establishment of independent monitoring authority and establishment of additional forums at district & sub division level were marked as high ranked conventional remedies to solve the problems in the consumer forums while increase in clerical staff and training before appointing clerical staff were low ranked conventional remedies. Timely appointment of only judicial members was assigned as high ranked radical remedy while separate liability for its members and establishment of forums out of premises of civil forum were described as low ranked radical remedies by advocates. Proper infrastructure of consumer forum and increase in judicial power could not be perceived by advocates with any particular dimension. These remedies with their positions in middle of map indicate that problems at consumer forums can be checked if these factors were regularly maintained by the forums.

Conclusions and Suggestions

This study examined the opinion of advocates/ legal experts towards problems and

remedies for smooth functioning of Consumer Forums under Consumer Protection Act in Haryana. Most of the advocates were found to be dealing in consumer cases along with other court cases. There were not any specialized legal experts of consumer matters found in selected respondents. This fact was also validated by advocates on verbal discussions with them. Most of the advocates were found not to be associated with the VCOsin Haryana (*Jain, 1999; Kumar, 2011*). They told that not much consumer organizations are active in Haryana. These organizations never turned up to them for any assistance or suggestions in consumer matters. So, advocates have minimal role with the working of consumer organizations.Advocates/ legal experts reportedupon many factors that create problems in smooth functioning of Consumer Forums. Overburdening of forums with too many complaints, frequent adjournment of cases at forums (*Ali, 2010*) and delay in the appointment of forum members were reported as highly responsible factors respectively by advocates/ legal experts (*Jain, 1999; Singh, 2012; Misra et al., 2013)*. Few other moderately responsible factorsi.e. work culture at consumer forums, lack of judicial powers, complex and technical legal procedure (*Kumar,2011)* incompetency of non-judicial members and insufficient clerical staff were also attributed as responsible for creating problems (*Singh, 2012*).Smooth functioning of consumer forums was influenced by three underlying dimensions/ factors i.e. 'administrative hindrances' at forums, 'HR problems' at forums, and 'work environment' of forums. Out of these factors, 'administrative hindrances' of consumer forums i.e.frequent adjournment of cases, delay in the appointment of forum members, lack of judicial powers and overburden were highly responsible factor for creating problems at consumer forums*(Misra et al., 2013)*. These factors need much attention for improving functioning at consumer forums. HR problems and work environment at consumer forums were not much responsible factors.Advocates/ legal experts were asked about the suggested remedies to improve the functioning of consumer forum. Total nine suggested remedies were consulted and perceptual mapping of advocates was done. As a result, these remedies were categorized under two parts i.e. radical (non conventional) remedies and conventional remedies. It was reported that establishment of independent monitoring authority*(Misra et al., 2013)* and establishment of additional forums at district & sub division level*(Kumar, 2011)* were highly ranked conventional remedies (*Singh, 2012*). These findings were in contrast to the *Jain (1999)*.Timely appointment of only judicial members was marked as highly ranked radical remedy. Other important remedies reported to solve the problems at consumer forums were

increase in judicial power, proper infrastructure of consumer forum (Jain, 1999; Misra et al., 2013) and separate liability for its members. In study of Kumar (2011), advocates told that sufficient infrastructure is available at forums(Singh, 2012). Increase in clerical staff, establishment of forums out of premises of civil courts (Siddamma, 2013;highly ranked by Singh, 2012) and training before appointing clerical staff were not given much weightage by advocates (Singh, 2012). They seemed to be bias in marking these responses as these remedies were directly in contradiction with their profession. Increase in efficiency of these three matters may smoothen the process for consumers. As a result, consumers will not go to advocates to file complaints at consumer forums.

Advocates/ legal experts also gave few suggestions to improve the functioning of consumer forums at the end of questionnaire. They suggested that no fees should be taken from the consumers at consumer forums. No delay should be done to fill the vacancies of president and members at consumer forums. Only persons with judicial background must be appointed as members to consumer forums. No retirees need to be appointed as members of consumer forums. Under CPA, compensatory relief to consumers is not enough, punitive actions must be initiated to erring traders. Looking at the overburdening of present forums, more benches of consumer forums must be established at district head quarters and sub divisions to speed up the process of justice delivery. Improvement in infrastructure at consumer forums is required by providing more space to staff members, consumers and other participants of the system. Consumer Redressal Forum should be made a permanent judicial body like the civil court.

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