

Performance of District Forums in Tamil Nadu : A Statistical Comparative Report

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Abstract

Consumerism in India is still in its nascent stages, even though India has celebrated the silver jubilee (25 years) of the enactment of the Consumer Protection Act (CPA), 1986. 80.33% (2011 census) of the population of Tamil Nadu is literate, but a majority of the population is unaware about the Act, their rights and duties, and about the functioning of the consumer courts at National, State, and District Levels. The present study examines and compares the performance of all 30 District Forums in Tamil Nadu for a period of 4 years commencing from January 2007 to December 2010 (2007, 2008, 2009, and 2010). District Forums were studied 'Collectively' and not 'Individually'. 'Monthly Statement of Pending and Disposal' (48 monthly statements) on the Number of cases pending at the beginning of each month, Cases filed in each month, Total cases to be disposed off in each month, Disposed in each month, and Pending cases at the end of each month were obtained from the Tamil Nadu State Commission, and was used as the base data. The study excludes cases under Non-Appearance, Technical Grounds, and Against Government. Statistics revealed that, on an average, all the 30 District Forums in Tamil Nadu had disposed off only 4.59% of the cases and about 95.39% of the cases were pending during the years 2007, 2008, 2009, and 2010. Statistics conclude that District Forums in Tamil Nadu functioned inefficiently during the study period. However, this conclusion will be one-sided if 100% blame is imposed on the Government, as 50% of the blame also falls on the consumers themselves. Consumers, rather than demanding the streamlining of the existing condition and disposing off the backlog of cases in consumer courts, have to make optimum use of the dysfunctional courts to fight against unethical trade practices.

Keywords : consumer courts , district forums , consumerism

JEL Classification: D18, D12

India celebrated the Silver Jubilee (25 years) of the enactment of the Consumer Protection Act (CPA) of 1986 on December 24, 2011. However, a majority of the Indian consumers are still unaware about the existence of the Consumer Protection Act, about their rights and duties as consumers, and on the functioning of consumer courts at national, state and district levels. Efforts taken by the Central and State Governments to educate the consumers have their own limitations. Consumer courts in India suffer from severe weaknesses in protecting consumer's interests. Mahatma Gandhi referred to Indian consumers as 'poor consumers'. Consumer courts in India receive less attention from the Central and State Governments due to its non-revenue and service nature. In short, consumerism in India is still in the early stages, and Indian consumers are like infants, totally dependent on the Government for their welfare and benefit.

❖ **Consumer Courts in India:** Under the Consumer Protection Act, 1986, consumer courts were established as a three tier structure formulated at the national, state and district levels to protect the consumers' interests. As on September 2010, there existed 1 National Commission at New Delhi, 34 State Commissions and 627 District Forums in India. Delayed and expensive judgements, disposing minimum cases, maximum pending cases, non - severe judgements as compared to civil and criminal courts are the major weaknesses found in the Indian consumer courts. To prevent consumers from filing false complaints in consumer courts, the Indian Government has mandated payment of court fees by the petitioner. Court fees should be paid through a demand draft drawn from a nationalized bank. Fees payable to consumer courts and their applicable criterion are presented in the Exhibit 1.

❖ **District Forums – An Overview :** Under CPA, 1986, the District Forums were formulated and were found functioning with a president and two members, of which one is a woman. District Forums in a State function under the

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Exhibit 1 : Fees Payable by the Petitioner to the Indian Consumer Courts			
S. No	Value of Goods, Services and Compensation Claimed by Consumers	Applicable Consumer Court	Court Fees Payable
1.	₹ 1 To ₹ 20 Lakhs	District Forums	₹ 100 to ₹ 500
2.	₹ 20 Lakhs to ₹ 1 Crore	State Commissions	₹ 2000 to ₹ 4000
3.	Above ₹ 1 Crore	National Commission	₹ 5000
Source: Secondary Data			

control and supervision of the concerned State Commission. District Forums entertain complaints, where the value of goods and services and compensation claimed by the affected consumers lies between ₹ 1 and less than ₹ 20 Lakhs. Consumer Protection Act, 1986 facilitates dissatisfied consumers with the judgement of the District Forums to appeal within a stipulated time period to the respective State Commissions.

❖ **District Forums in Tamil Nadu – An Overview:** Based on the Consumer Protection Act, 1986, the Tamil Nadu Government enacted the Tamil Nadu Consumer Protection Rules, 1988, under which District Forums were formulated in each District Headquarters of the State. As such, there exist 30 District Forums in Tamil Nadu, serving the needs of the population of the State. Of which, District Forums in Chennai, Trichy, and Madurai Districts approximately receive 600 cases each year. On the contrary, there also exist few District Forums (Tiruvallur, T.V. Malai, and Ramnad District Forums) in Tamil Nadu that receive less than 20 cases a year.

❖ **List of District Forums in Tamil Nadu :** The State of Tamil Nadu was ranked 7th in India as per the 2011 Census for its population of 7, 21, 38,958, of which 5, 24, 13,116 were Literates. Nearly 80.33% of the State population was literate. Tamil Nadu occupies the 14th rank in India for its literacy rate among the States of India. But a majority of the State population is unaware about their rights and duties as consumers, and even if the people are aware, they fail to exercise their rights.

District Forums in Tamil Nadu are located in the following Districts: Chengalpattu, Chennai (N), Chennai (S), Coimbatore, Cuddalore, Dindigul, Erode, Karur, Krishnagiri, Madurai, Nagai, Nagercoil, Namakkal, Perambalur, Pudukottai, Ramnad, Salem, Sivagangai, Srivilliputhur, Thanjavur, The Nilgiris, Theni, Trichy, Tirunelveli, Tiruvallur, T.V.Malai, Tiruvarur, Tuticorin, Vellore, and Villupuram.

Objectives of the Study

1) To study the performance and functioning of 30 District Forums in Tamil Nadu for a period of 4 years commencing from January 2007 to December 2010. The performance and functioning encompass the following factors :

- ❖ Number of cases pending at the beginning of each month ;
- ❖ Number of cases filed in each month ;
- ❖ The total number of cases to be disposed off for each month ;
- ❖ Number of cases disposed in each month ;
- ❖ Number of cases pending at the end of each month.

2) To make a critical review on the working of District Forums in Tamil Nadu State.

- ❖ Ascertaining the causes for their current status ;
- ❖ To make feasible recommendations for the benefit of the consumers.

Literature Review

The Supreme Court of India has described the functioning of government bodies in India and the pathetic situation of Indian consumers in its landmark judgement as:

“The importance of the Act lies in promoting welfare of the society by enabling the consumer to participate directly in the market economy. It attempts to remove the helplessness of a consumer which he faces against powerful

business, described as, "a network of rackets" or a society in which, "producers have secured power" to "rob the rest" and the might of public bodies which are degenerating into storehouses of inaction where papers do not move from one desk to another as a matter of duty and responsibility but for extraneous consideration leaving the common man helpless, bewildered and shocked. The malady is becoming so rampant, widespread, and deep that the society instead of bothering, complaining, and fighting against it, is accepting it as part of life. The enactment in these unbelievable yet harsh realities appears to be a silver lining, which may in course of time succeed in checking the root."¹

Rao (2002) in his article titled "Consumerism in India – Emerging from its Teething Troubles" described the Indian market as a "Seller's market", and a majority of the Indian consumers were described as poor, helpless, and disorganized and a common consumer is neither knowledgeable nor well-informed. The article highlighted the major drawbacks of CPA, as many Consumer Forums functioning throughout the country lack basic infrastructure and are running with minimum quorum followed by inadequate remuneration paid to members and delays in filling vacancies. National Commission at Delhi was also found headless at times. The article indicated that awareness of consumer rights is very poor, even among urban and educated people and emphasized the need for consumer education. The paper insisted that the main reason for poor functioning of consumer courts is due to the laxity of the State Governments. Supreme Court of India has observed that the system of providing justice to consumers is becoming ineffective. Thus, consumerism in India is still in infancy, and consumers are still victims of the market forces.

Kumar (2002) in his article "Consumerism in India: An Overview" indicated that Indian consumers are not properly organized and are unprotected due to their ignorance, non-price consciousness, and irrational behaviour. Awareness among Indian consumers about their rights is very poor due to lack of education and irrational thinking on their part. Further, the article insisted that consumerism in India is mainly focused on urban areas and among urban consumers. Rural consumers residing in villages constitute a major percentage of the country's population, and they are being left behind.

Gambhir (2002) in her paper titled "Consumer Protection: Law and Practice" indicated that consumerism in India is still in its initial stages of development compared against western countries, where consumers have a strong United Forum. The article indicated that only 37.34% of the respondents surveyed were aware of the Consumer Protection Act, 1986 and 57.80% of the respondents were not aware of the Act. Even the respondents who were aware of CPA, 1986 had a negative opinion on the functioning of redressal agencies as it involves wastage of time and money and does not give time bound decisions indicating that "Justice delayed is justice denied".

Krishna and Suganya's (2011) article titled "A Comparative study of Consumer Courts in Tamil Nadu & Kerala States – A Statistical Survey Report" compared the performance of consumer courts (State Commission and 30 District Forums) in Tamil Nadu with consumer courts (State Commission and 14 District Forums) in Kerala from November 2009 to September 2010. The article highlighted the efficient performance of Kerala District Forums during the study period, as they received, on an average, 71,750 more cases than Tamil Nadu District Forums. Similarly, Kerala District Forums disposed, on an average, 71,313 more cases than the Tamil Nadu District Forums. Further, the article highlighted the weaknesses of the Tamil Nadu District Forums, as in November 2009, 20 vacancies for the post of resident and 11 vacancies for the post of member lay vacant. Further, only 50% of the District Forums (15 out of 30) functioned in Tamil Nadu as in November 2009.

Palaniappan (2004) in his newspaper article titled, "Consumer Forum remains Headless" pointed that the post of president lay vacant in Coimbatore and Nilgiris District Forums for more than 6 months, resulting in a backlog of cases. Secretary of Coimbatore Consumer Cause (CCC) stated that in most of the District forums, vacancy existed either for the post of member or president, thus affecting the basic purpose of the Consumer Protection Act, 1986. Vice-President of Citizen's Voice Club remarked that due to non-functioning of the District Forum in the past six months (since 19.11.2003), some cases lay pending for more than 11 months for redressal. 460 cases were found to be pending in Coimbatore District Forum, of which, 81 cases could not be executed for want of president, of which 28 were special trial cases. About 170 cases were found pending in the Nilgiris District Forum as on date.

¹Supreme Court of India in the case of Lucknow Development Authority vs. M.K. Gupta-(1994)1 SCC 243.

Need for the Study

Tamil Nadu has 30 District Forums functioning in each district headquarters to meet the needs of the State population. However, the performance of the District Forums has not been satisfactory in the past few years. In spite of the efforts taken by the State Government to improve their performance, there exist some weaknesses.

❖ **Monthly Statement of Pending and Disposal of cases provided by Tamil Nadu State Commission for the years 2007, 2008, 2009, and 2010 reveals that:**

- 1) All 30 District Forums in Tamil Nadu had disposed on an average only 4.59 % of the cases during the years 2007, 2008, 2009, and 2010.
- 2) On an average, about 95.39% of the cases were found pending in all 30 District Forums in Tamil Nadu during the years 2007, 2008, 2009, and 2010.

❖ **Statistics provided by the National Commission as on October 2009 reveal that:**

- 1) Tamil Nadu was ranked 1st in India for having a maximum number of vacancies (19) for the post of president in District Forums.
- 2) Tamil Nadu occupied the 7th place in India for having the maximum number of vacancies (11) for the post of members in District Forums.
- 3) Tamil Nadu was ranked 1st in India for having a maximum number (15) of non-functioning District Forums as in October 2009. This was followed by Bihar, with 8 non-functioning Forums ; Rajasthan with 4 Forums ; and Arunachal Pradesh with 3 Forums.
- 4) About 50% of District Forums in Tamil Nadu were found to be non-functioning. i.e., out of 30 District Forums, only 15 District Forums were functioning.

Thus, it was essential to conduct a study on the performance and working of District Forums in Tamil Nadu to identify major reasons which prevent District Forums from providing better services to the consumers and to suggest suitable remedial measures for their enhancement.

Methodology

Descriptive Research Design was adopted for the study, as it describes the working and functioning of all 30 District Forums in Tamil Nadu by comparing its performance using numerical facts and figures provided by the Tamil Nadu State Commission for a period of 4 years commencing from January 2007 to December 2010.

❖ **Data Collection Techniques :** Data and information required for the study were collected by tapping both Primary and Secondary sources. Under Primary sources, personal visits (and the consequent observations) were made to few District Forums in Tamil Nadu. Few government lawyers who were handling consumer cases and the administrative staff at Chennai- North District Forum located in Mylapore, Chennai were interviewed personally by us. RTI Application was also filed under the Right to Information Act (RTI), 2005 in Chennai District Forum and in the Tamil Nadu State Commission to obtain the required data.

Under Secondary sources, "Monthly Statement of Pending and Disposal" for 4 years from January 2007 to December 2010 (48 monthly statements) were obtained from the RTI Application that was filed at the Tamil Nadu State Commission. The above mentioned 48 monthly statements were used as the base data for comparing and evaluating the functioning of the District Forums. Other sources of Secondary Data were:

- ❖ Research papers from national journals ;
- ❖ Newspaper articles from national dailies ;
- ❖ Published judgement copies from the Supreme Court of India and Government websites.

Table 1: Performance of 30 District Forums in Tamil Nadu

S.No	Particulars	Total Number of cases to be Disposed off	Total Number of Cases Disposed	% of Disposed Cases	Total Number of Pending Cases	% of Pending Cases
1.	Year 2007	90,639	4,184	4.62%.	86,455	95.38%.
2.	Year 2008	88,597	3,354	3.79%.	85,243	96.21%.
3.	Year 2009	99,999	2,520	2.52%.	97,391	97.39%.
4.	Year 2010	89,816	6,672	7.43%.	83,144	92.57%.

Source: Secondary Data

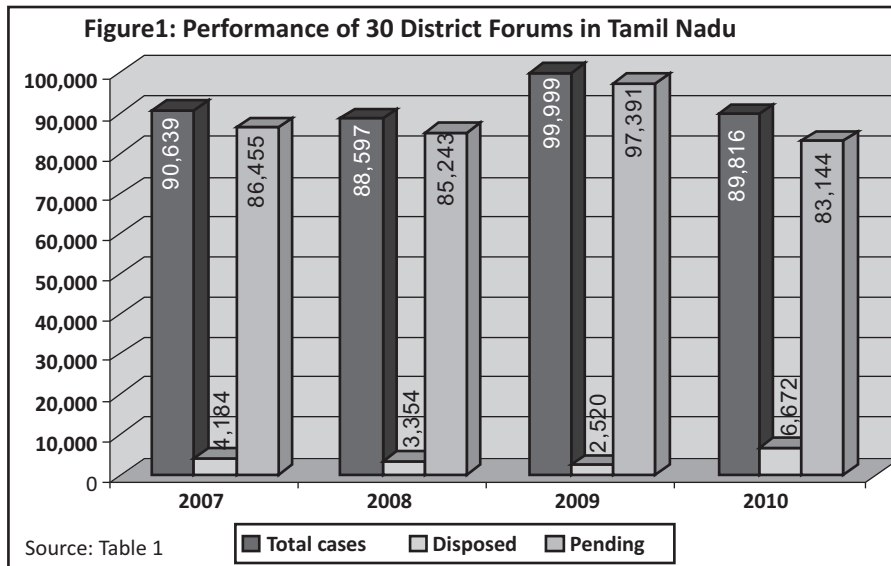
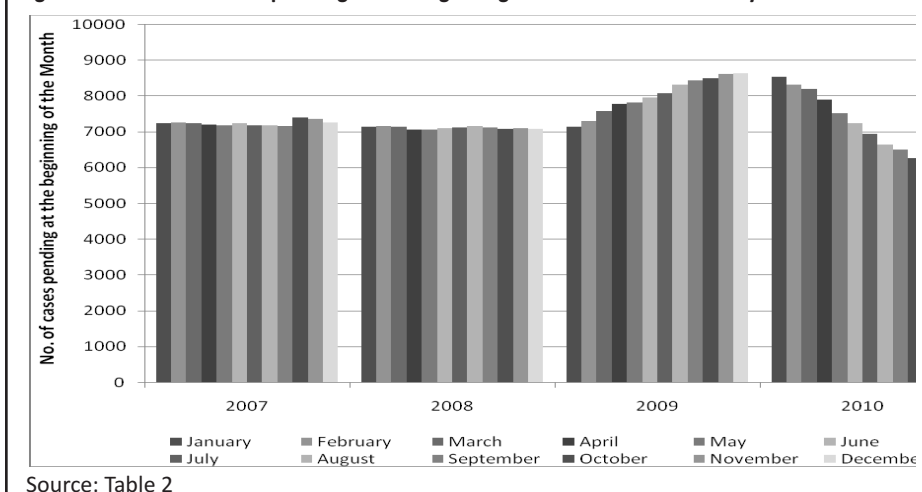


Table 2: Number of Cases Pending at the beginning of each month from the year 2007 to 2010

S.NO	Months	Total No. of Cases Pending at the beginning of each Month			
		2007	2008	2009	2010
1.	January	7228	7130	7140	8517
2.	February	7258	7149	7285	8303
3.	March	7234	7135	7571	8179
4.	April	7190	7059	7763	7897
5.	May	7175	7052	7809	7514
6.	June	7240	7093	7950	7222
7.	July	7172	7102	8069	6935
8.	August	7173	7156	8300	6637
9.	September	7143	7115	8421	6494
10.	October	7399	7075	8483	6264
11.	November	7341	7088	8606	6087
12.	December	7250	7079	8617	5899
	TOTAL	86803	85233	96014	85948

Source: Secondary Data

Figure 2: Number of cases pending at the beginning of each month from the year 2007 to 2010



Source: Table 2

Analysis & Interpretation derived from the Table 2						
Year/	Number of cases pending at the beginning of each month in a year					
Cases	Minimum No. of Cases	Maximum No. of Cases	Total No. of Cases	Rank	Average No. of Cases	Deviations (No. of cases)
2007	7143 (Sept)	7399 (Oct)	86803	2nd	7234 (86803/12)	Base Year
2008	7052 (May)	7156 (Aug)	85233	4th	7103 (85233/12)	↓ by 1,570
2009	7140 (Jan)	8617 (Dec)	96014	1st	8001 (96014/12)	↑ by 10,781
2010	5899 (Dec)	8517 (Jan)	85948	3rd	7162 (85948/12)	↓ by 10,066

❖ Limitations of the Study

- 1) The study was restricted to District Forums in Tamil Nadu.
- 2) The study compares the performance of all 30 District Forums in Tamil Nadu only for a period of 4 years, commencing from January 2007 to December 2010.
- 3) The study relies more on Secondary Data ("Monthly Statement of Pending and Disposal" - 48 Statements) obtained from Tamil Nadu State Commission. The use of Primary Data was minimal.
- 4) Performance of all 30 District Forums in Tamil Nadu was studied collectively and not Individually.
- 5) 'Disposed numbers of cases' were studied collectively and no classification was made into 'Disposal in favour of Consumer', 'Disposal against Consumer' and the duration within which the cases were disposed. The study does not take into account the cases under Non-Appearance, Technical Grounds and Against Government.
- 6) 'Pending number of cases' were considered collectively and no classification was made into cases pending below 90 days, above 90 days, above 1 year, and above 2 years.
- 7) Basic Statistical Techniques such as Percentage, Deviation, and Rank Order Method were used for the comparison.

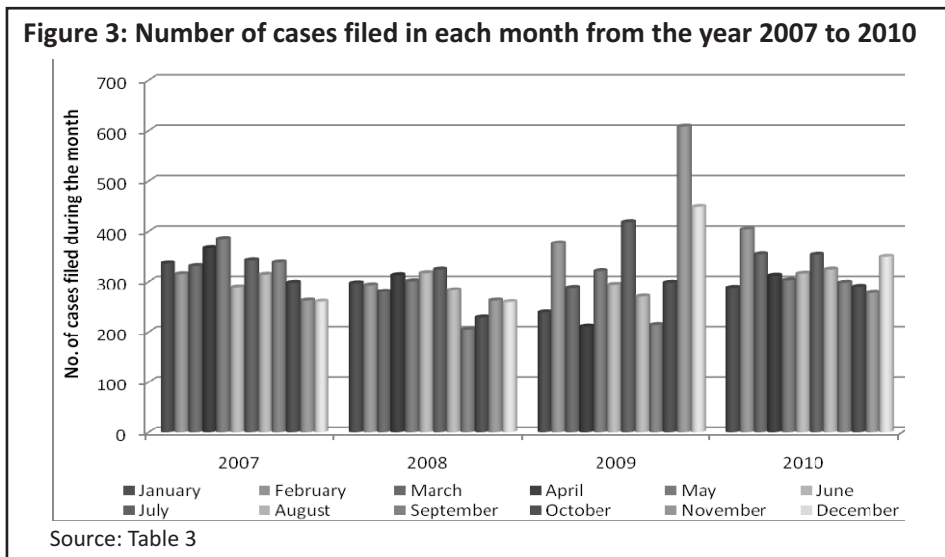
Scope of the Study

The study was restricted towards studying the performance, working, and functioning of District Forums in Tamil Nadu. The term 'District Forums' refers to all 30 District Forums in Tamil Nadu. The study covers the performance of all 30 District Forums 'collectively' and does not concentrate on the performance of each of the 30 District Forums 'Individually'. District Forums refer to Consumer Dispute Redressal Forums and State Commission refers to State Consumer Dispute Redressal Commission formulated under CPA, 1986.

Table 3: Number of cases filed in each month from the year 2007 to 2010									
S.No	Months	Number of Cases filed in each month and their percentages							
		2007		2008		2009		2010	
		Cases	%	Cases	%	Cases	%	Cases	%
1.	January	336	8.76%	297	8.83%	239	6.00%	288	7.45%
2.	February	315	8.21%	293	8.71%	376	9.44%	404	10.44%
3.	March	331	8.63%	280	8.33%	288	7.23%	354	9.15%
4.	April	366	9.54%	313	9.31%	211	5.29%	312	8.07%
5.	May	385	10.04%	301	8.95%	321	8.06%	303	7.83%
6.	June	289	7.53%	317	9.43%	294	7.38%	316	8.17%
7.	July	342	8.92%	324	9.63%	418	10.49%	353	9.13%
8.	August	314	8.19%	283	8.42%	270	6.78%	324	8.38%
9.	September	338	8.81%	205	6.10%	214	5.37%	298	7.70%
10.	October	298	7.77%	229	6.81%	298	7.48%	290	7.50%
11.	November	262	6.83%	262	7.79%	608	15.26%	277	7.16%
12.	December	260	6.78%	259	7.70%	448	11.24%	349	9.02%
	TOTAL	3836	100%	3363	100%	3985	100%	3868	100%

Source: Secondary Data

Analysis & Interpretation derived from the Table 3						
Year/	Number of cases filed in each month in a year					
Cases	Minimum No. of Cases	Maximum No. of Cases	Total No. of Cases	Rank	Average No. of Cases	Deviations (No. of Cases)
2007	260 (Dec)	385 (May)	3836	3rd	320 (3836/12)	Base Year
2008	205 (Sept)	324 (July)	3363	4th	280 (3363/12)	↓ by 473
2009	211 (April)	608 (Nov)	3985	1st	332 (3985/12)	↑ by 622
2010	277 (Nov)	404 (Feb)	3868	2nd	322 (3868/12)	↓ by 117



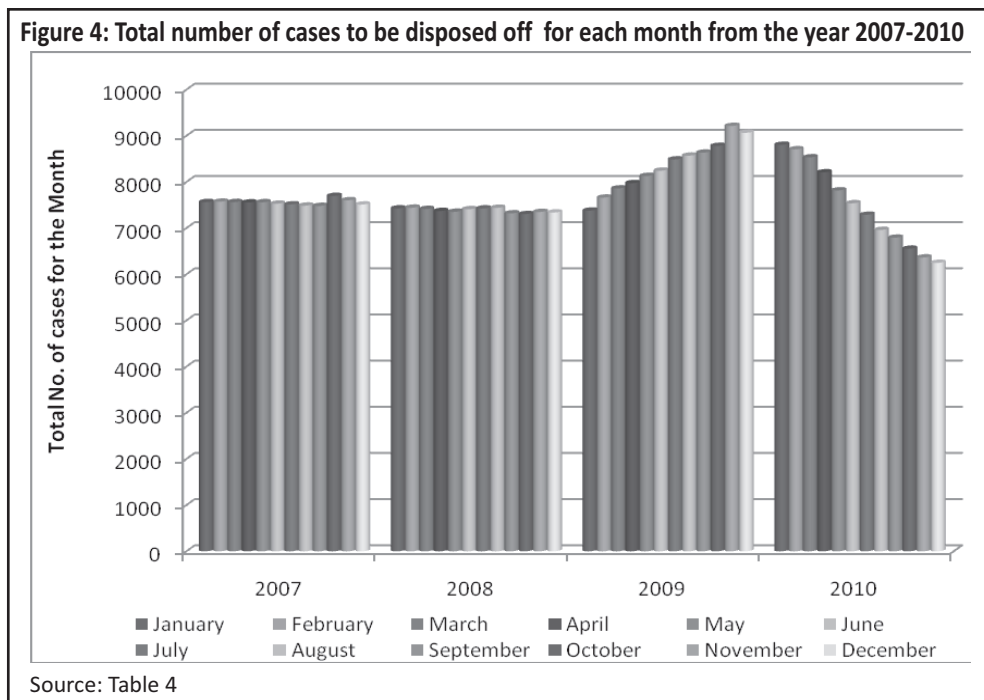
Analysis and Discussion

a) **Study Period:** The study compares the performance of all 30 District Forums for a period of 4 years commencing from January 2007 to December 2010 (2007, 2008, 2009, and 2010). For each year, the comparison period indicates

S.NO	Months	Total Number of Cases at the end of the Month (Opening Balance + New Cases)			
		2007	2008	2009	2010
1.	January	7564	7427	7379	8805
2.	February	7573	7442	7661	8707
3.	March	7565	7415	7859	8533
4.	April	7556	7372	7974	8209
5.	May	7560	7353	8130	7817
6.	June	7529	7410	8244	7538
7.	July	7514	7426	8487	7288
8.	August	7487	7440	8570	6961
9.	September	7481	7320	8635	6792
10.	October	7697	7304	8781	6554
11.	November	7603	7350	9214	6364
12.	December	7510	7338	9065	6248
	TOTAL	90639	88597	99999	89816

Source: Secondary Data

Total number of cases to be disposed off for each month in the year						
Year/ Cases	Minimum no. of cases	Maximum no. of cases	Total no. of cases	Rank	Average no. of Cases	Deviations (no. of cases)
2007	7481 (Sept)	7697 (Oct)	90639	2nd	7553 (90639/12)	Base Year
2008	7304 (Oct)	7442 (Feb)	88597	4th	7383 (88597/12)	↓ by 2,042
2009	7379 (Jan)	9214 (Nov)	99999	1st	8333 (99999/12)	↑ by 11,402
2010	6248 (Dec)	8805 (Jan)	89816	3rd	7485 (89816/12)	↓ by 10,183



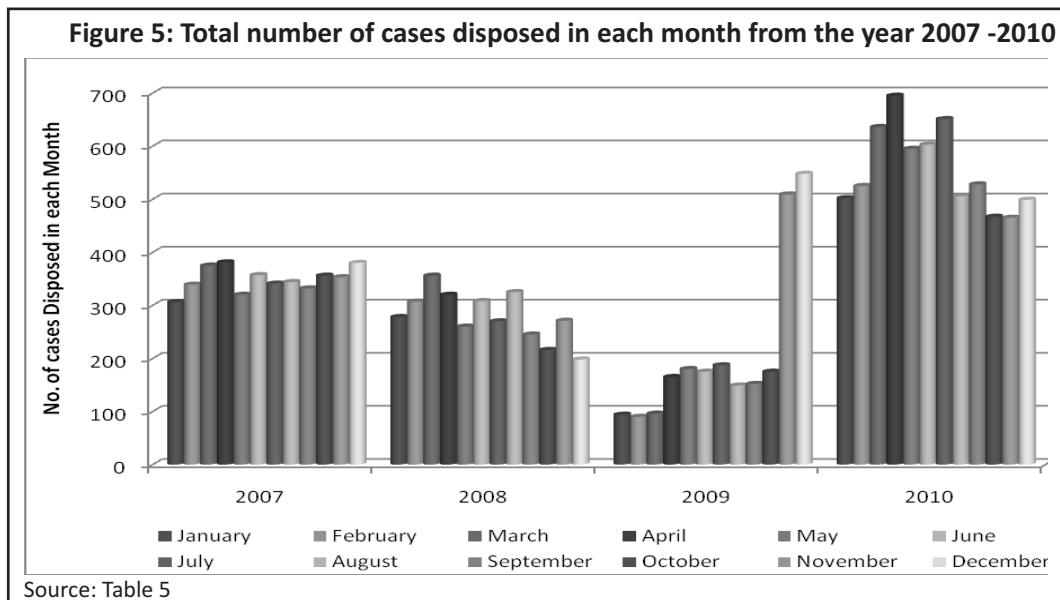
the summation of all 12 months in the year. i.e., the year 2007 represents the summation from January 2007 to December 2007.

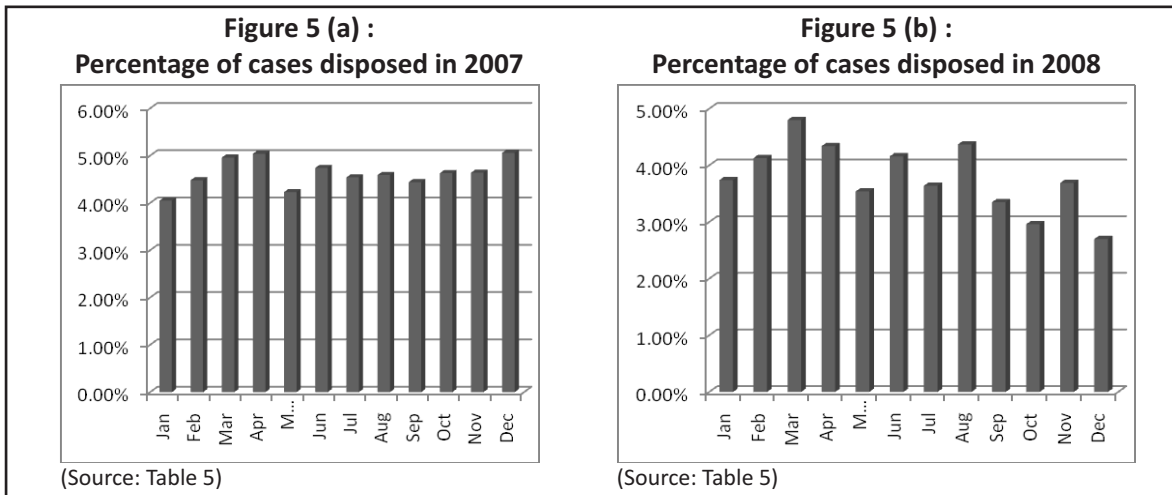
b) Comparison Categories : For the purpose of the study, comparison was made in 3 Categories. Under Category I, the performance of all 30 District Forums in the year 2007 (January - December) was compared against its performance in the year 2008 (January - December). Under Category II, the comparison was made between the years 2008 and 2009. Under Category III, the year 2009 was compared against the year 2010. Based on these three sets of comparison, overall inferences and results were drawn.

c) Comparison Variables: "Performance", "Working", and "Functioning" of all 30 District Forums were analyzed and compared using 5 major variables. They are:

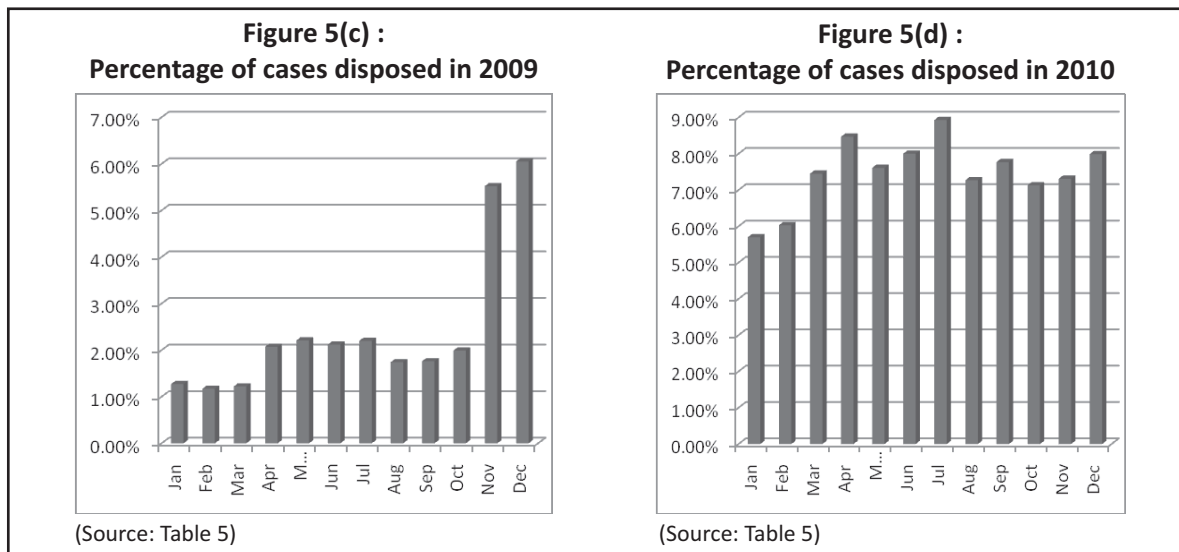
Table 5: Number of cases disposed in each month from the year 2007 to 2010									
S.No	Months	Number of cases disposed in each month and their percentage							
		2007		2008		2009		2010	
		Cases	%	Cases	%	Cases	%	Cases	%
1.	January	306	4.05%	278	3.74%	94	1.27%	502	5.70%
2.	February	339	4.48%	307	4.13%	90	1.17%	525	6.03%
3.	March	375	4.96%	356	4.80%	96	1.22%	636	7.45%
4.	April	381	5.04%	320	4.34%	165	2.07%	695	8.47%
5.	May	320	4.23%	260	3.54%	180	2.21%	595	7.61%
6.	June	357	4.74%	308	4.16%	175	2.12%	603	8.00%
7.	July	341	4.54%	270	3.64%	187	2.20%	651	8.93%
8.	August	344	4.59%	325	4.37%	149	1.74%	506	7.27%
9.	September	332	4.44%	245	3.35%	152	1.76%	528	7.77%
10.	October	356	4.63%	216	2.96%	175	1.99%	467	7.13%
11.	November	353	4.64%	271	3.69%	509	5.52%	465	7.31%
12.	December	380	5.06%	198	2.70%	548	6.05%	499	7.99%
	TOTAL	4184	55.4%	3354	45.42%	2520	29.32%	6672	89.66%

Source: Secondary Data





Analysis and Interpretation derived from the Table 5						
Year/	Number of cases disposed in each month in the year					
Cases	Minimum No. of Cases	Maximum No. of Cases	Disposed Cases	Rank	Average Number of Cases	Deviations (No. of Cases)
2007	306 (Jan)	381 (April)	4184	2nd	349 (4184/12)	Base Year
2008	198 (Dec)	356 (March)	3354	3rd	280 (3354/12)	↓ by 830
2009	90 (Feb)	548 (Dec)	2520	4th	210 (2520/12)	↓ by 834
2010	465 (Nov)	695 (April)	6672	1st	556 (6672/12)	↑ by 4152

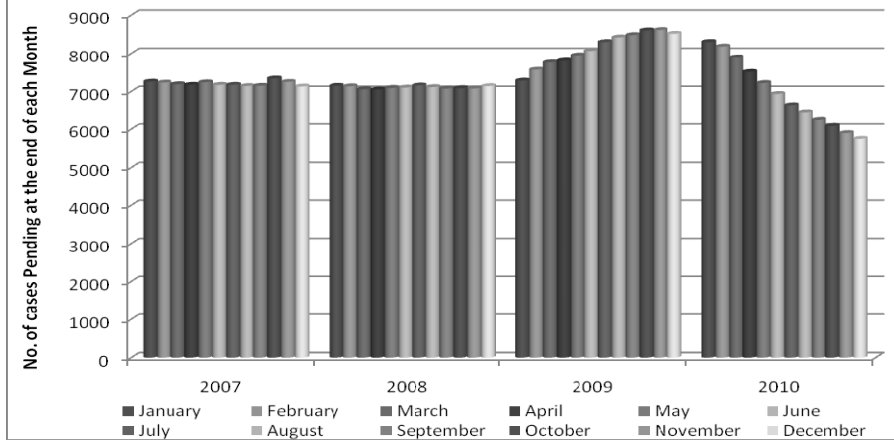


- 1) Number of cases pending at the beginning of each month ;
- 2) Number of cases filed in each month ;
- 3) Total number of cases to be disposed off for each month ;
- 4) Number of cases disposed off in each month ;
- 5) Number of cases pending at the end of each month.

d) Statistical Footnotes

- 1) "Total number of cases to be disposed off" was taken as the 'Base Data' for determining the percentage of Pending

Figure 6: Number of cases pending at the end of each month from the year 2007 to 2010



Source: Table 6

Table 6: Number of cases pending at the end of each month from the year 2007 to 2010

S.No	Months	Number of Cases Pending at the end of each Month and their Percentages							
		2007		2008		2009		2010	
		Cases	%	Cases	%	Cases	%	Cases	%
1.	Jan	7258	95.95%	7149	96.26%	7285	98.73%	8303	94.30%
2.	Feb	7234	95.52%	7135	95.87%	7571	98.83%	8182	93.97%
3.	Mar	7190	95.04%	7059	95.20%	7763	98.78%	7897	92.55%
4.	Apr	7175	94.96%	7052	95.66%	7809	97.93%	7514	91.53%
5.	May	7240	95.77%	7093	96.46%	7950	97.79%	7222	92.39%
6.	June	7172	95.26%	7102	95.84%	8069	97.88%	6935	92.00%
7.	July	7173	95.46%	7156	96.36%	8300	97.80%	6637	91.07%
8.	Aug	7143	95.41%	7115	95.63%	8421	98.26%	6455	92.73%
9.	Sept	7149	95.56%	7075	96.65%	8483	98.24%	6264	92.23%
10.	Oct	7341	95.37%	7088	97.04%	8606	98.01%	6087	92.87%
11.	Nov	7250	95.36%	7079	96.31%	8617	93.52%	5899	92.69%
12.	Dec	7130	94.94%	7140	97.30%	8517	93.95%	5749	92.01%
	TOTAL	86455	1144.6%	85243	1154.58%	97391	1169.72%	83144	1110.34%

Source: Secondary Data

and Disposal of cases.

2) The phrase "Number of cases pending at the beginning of the month" refers to the pending cases of the previous month brought forward as opening balance to the current month.

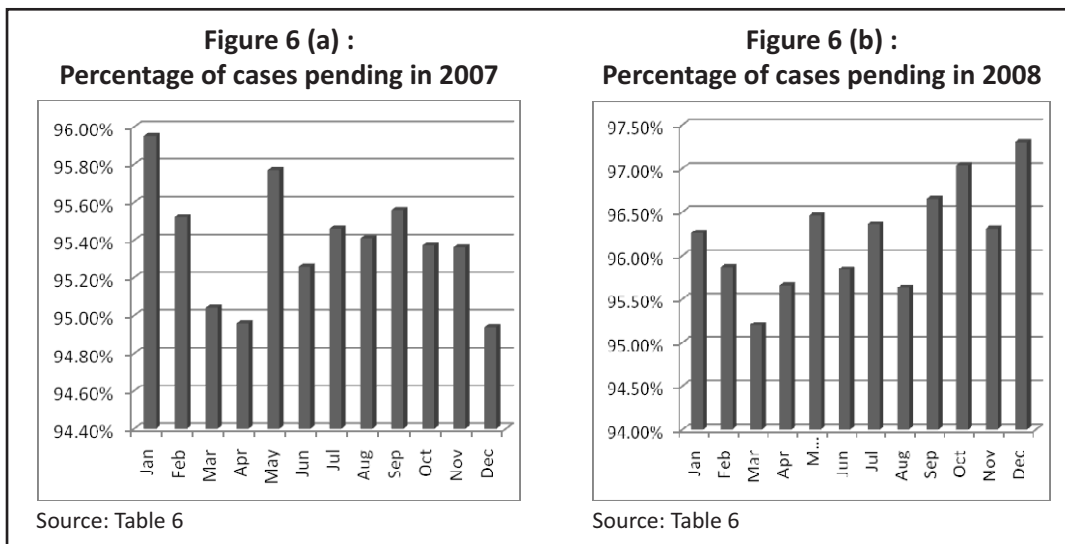
3) The phrase "Number of cases pending at the end of each month" refers to the pending cases at the end of the current month, to be carried forward to the next month.

4) The study does not take into account the cases under Non-Appearance, Technical Grounds, and Against Government.

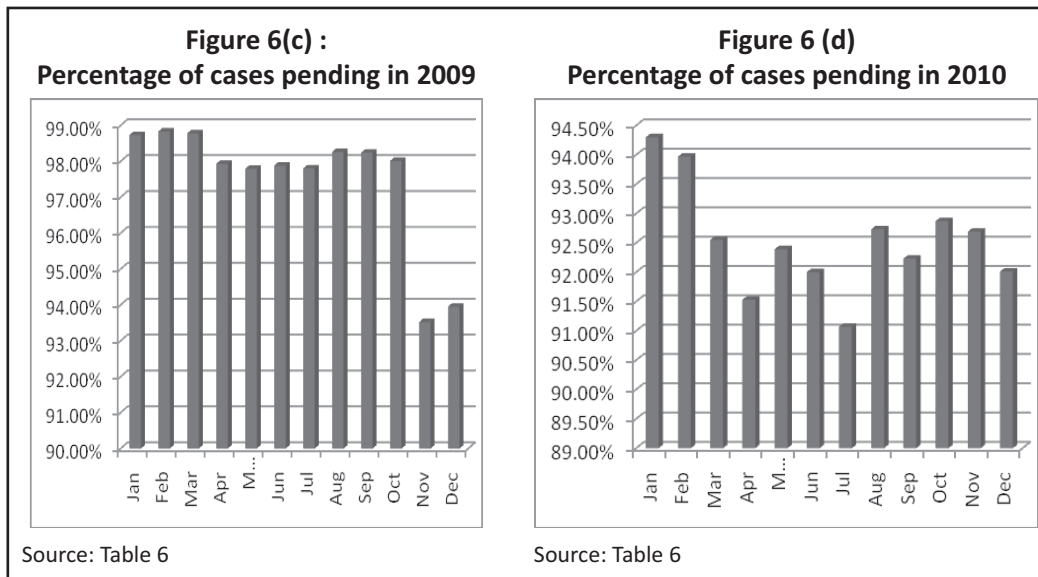
❖ **Inference:**

1) The number of cases disposed off by the District Forums was found to be declining from the year 2007 (4,184) to 2009 (2,520).

2) District Forums had disposed off a maximum number of 6,672 cases in the year 2010.



Analysis and Interpretations derived from the Table 6						
Year/	Number of Cases Pending at the end of Each Month in the Year					
Cases	Minimum No. of Cases	Maximum No. of cases	Pending No. of cases	Rank	Average No. of Cases	Deviations (No. of Cases)
2007	7130 (Dec)	7341 (Oct)	86455	2nd	7205 (86455/12)	Base Year
2008	7052 (April)	7156 (July)	85243	3rd	7104 (85243/12)	↓ by 1,212
2009	7285 (Jan)	8617 (Nov)	97391	1st	8116 (97391/12)	↑ by 12,148
2010	5749 (Dec)	8303 (Jan)	83144	4th	6929 (83144/12)	↓ by 14,247



3) District Forums in Tamil Nadu had disposed off, on an average, only 4.59% of the cases $[(4.62\% + 3.79\% + 2.52\% + 7.43\%)/4]$ during the years 2007, 2008, 2009, and 2010.

4) The number of pending cases in District Forums was found to have increased from the year 2007 (86,455) to 2009 (97,391).

5) The number of pending cases in District Forums was found to be minimum (83,144) in the year 2010.

6) On an average, 95.39% of the cases $[(95.38\% + 96.21\% + 97.39\% + 92.57\%)/4]$ were found to be pending in District Forums in Tamil Nadu during the years 2007, 2008, 2009, and 2010.

Under the RANKING METHOD, it was found that:

- ❖ The year 2009 ranked first with a maximum (96,014) number of cases pending at the beginning of each month, and the year 2008 ranked first due to a minimum (85,233) number of pending cases. It was found that a maximum (3,985) number of new cases were filed during the year 2009, followed by 2010 (3,868 cases), followed by the year 2007 (3,836 cases). A minimum (3,363) number of new cases were filed in the year 2008.
- ❖ It was found that the year 2009 had the maximum (99,999) number of cases to be disposed off; the year 2007 was at the 2nd position with 90,639 cases, followed by year 2010, with 89,816 cases. The year 2008 had a minimum (88,597) number of cases to be disposed off during the study period.
- ❖ It was found that during the study period, District Forums in Tamil Nadu had disposed off a maximum of 6,672 cases in the year 2010. The year 2007 occupies the 2nd position for disposing 4,184 cases, followed by the year 2008, with 3,354 cases. The least (2,520) number of cases was disposed off in the year 2009.
- ❖ During the study period, the maximum (97,391) number of pending cases was found in the year 2009. The year 2007 occupies the 2nd rank, with 86,455 pending cases. The year 2008 ranks 3rd, with 85,243 pending cases, and the year 2010 ranks 4th, with a minimum (83,144) number of pending cases in Tamil Nadu District Forums.

Under the DEVIATION METHOD, it was found that:

- ❖ The number of cases pending at the beginning of each month in the year 2008 had reduced by 1,570 (85,233 - 86,803) cases as compared to the year 2007.
- ❖ The year 2009 had an excess of 10,781 (96,014 - 85,233) cases pending at the beginning of each month as compared to the year 2008.
- ❖ The number of cases pending at the beginning of each month in the year 2010 was 10,066 (85,948-96,014) less cases than they were in the previous year 2009.
- ❖ In the year 2008, the District Forums received 473 (3363-3836) less new cases than they did in the year 2007. As compared to 2008, the year 2009 saw an additional of 622 (3985-3363) new cases being filed. Contrarily, the year 2010 received 117 (3868-3985) less new cases than the year 2009.
- ❖ The year 2008 had 2,042 (88,597-90,639) less cases disposed off than the previous year. In the year 2009, the "total number of cases to be disposed off" had increased by 11,402 (99,999-88,597) cases compared to the year 2008. Contrarily, in the year 2009, the "total number of cases to be disposed off" by the District Forums in Tamil Nadu had decreased by 10,183 (89,816-99,999) cases in the year 2010.
- ❖ The number of cases disposed by the District Forums was found to be declining since the year 2008. In the year 2008, there was a deficit of 830 cases that the District Forums disposed off (3,354 - 4,184) as compared to the previous year (2007). In the year 2009, this deficit was of 834 (2,520-3,354) cases as compared to the previous year (2008). Contrarily, in the year 2010, the District Forums disposed off a surplus of 4,152 (6,672 - 2,520) cases as compared to the previous year, 2009. The year 2010 played a significant role in the performance of the District Forums for 2 reasons; Reason 1: It was only in the year 2010 that the District Forums in Tamil Nadu disposed off a maximum number of (6,672) cases during the study period; Reason 2: It is the only year in which the deviations are highly positive (4,152) as compared to the remaining years, which showed negative deviations in the range of 830-834 cases.
- ❖ Number of pending cases in the year 2008 reduced by 1,212 (85,243 - 86,455) cases compared to the year 2007. The years 2009 and 2010 are contrary to each other in terms of pending number of cases. The number of pending cases increased by 12,148 (97,391-85,243) in the year 2009. However, the number of pending cases reduced by 14,247 (83,144 - 97,391) cases in the year 2010.

Findings of the Study

1) Statistical findings on the "Performance of District Forums in Tamil Nadu".

a) It was found that all 30 District Forums in Tamil Nadu disposed, on an average, only 4.59% of the cases during the years 2007, 2008, 2009, and 2010 (Table 1 and Figure 1).

b) On an average, about 95.39% of the cases were found to be pending in all 30 District Forums in Tamil Nadu during the years 2007, 2008, 2009, and 2010 (Table 1 and Figure 1).

2) Statistical findings on the "Number of cases pending at the beginning of each month" :

a) The years 2009 and 2010 are contradictory with regard to the "Number of cases pending at the beginning of each month" during the study period (Table 2 and Figure 2).

b) In the year 2009, the pending cases increased by 10,781 cases and by the end of the year 2010, the pending number of cases decreased by 10,066 cases (Table 2 and Figure 2).

3) Statistical findings on the "Number of new cases filed in each month":

The maximum (3,985) number of new cases was filed in the year 2009 and the minimum (3,363) number of new cases was filed during the year 2008 (Table 3 and Figure 3).

4) Statistical findings on "Total Number of cases to be disposed off in the year":

Controversial results were found for the years 2009 and 2010. During the year 2009, the total number of cases to be disposed off increased by 11,402 cases. Contrarily, during the year 2010, the total number of cases to be disposed off by District Forums in Tamil Nadu decreased by 10,183 cases (Table 4 and Figure 4).

5) Statistical findings on the "Number of cases disposed in each month in the year" :

a) During the study period, the District Forums disposed off a maximum number of 6,672 cases (Year-2010) and a minimum of 2,520 cases (Year-2009) (Table 5 and Figure 5).

b) The year 2010 plays a significant role in the performance of the District Forums for disposing about 4,152 cases more than its previous year, which was found to be highest among the study period (Table 5 and Figure 5).

6) Statistical Findings on "Number of cases pending at the end of each month" :

a) A maximum number of 97,391 cases were found pending in District Forums in the year 2009.

b) The years 2009 and 2010 are contrary to each other in terms of pending cases.

c) The year 2009 has a prominence for 2 reasons. Firstly, for having the maximum (97,391) number of pending cases during the study period. Secondly, it was the year in which the number of pending cases increased by 12,148 (97,391 - 85,243) cases in a 12 month period.

d) The year 2010 gains significance for 2 reasons. Firstly, for having a minimum (83,144) number of pending cases during the study period. Secondly, it was the year in which the number of pending cases reduced by 14,247 (83,144 - 97,391) cases in a 12 month period (Table 6 and Figure 6).

7) Critical review on the Functioning of the Consumer Courts in Tamil Nadu :

a) A majority of the District Forums in Tamil Nadu were operating in a rented place. Even the Tamil Nadu State Commission was operating in Mylapore in Chennai city in a rented place.

b) The majority of the District Forums in Tamil Nadu lacked basic infrastructure facilities.

c) Barring a few, all employees working in consumer courts in Tamil Nadu were not fully aware either about the Consumer Protection Act, 1986 or about its three amendments.

d) We observed that most of the employees in consumer courts encouraged petitioners to solve their complaints by reaching a 'compromise' (out of court settlement) with the opposite party, rather than supporting them to file cases, as it increased their work load.

e) Most of the case files and case histories were maintained in manual registers rather than in computerized databases.

Suggestions

- 1) Provision should be made to establish additional District Forums in Chennai, Madurai, and Trichy as they receive a large number (app.600) of consumer cases each year as compared to other districts of the State.
- 2) The Central and State Governments should allocate funds for constructing offices for District Forums and the Tamil Nadu State Commission.
- 3) The Tamil Nadu Government should focus on improving basic infrastructure facilities, especially among District Forums located in semi-urban and rural districts of the State.
- 4) Vacancies arising in consumer courts should be identified in advance, and should be filled without further delay to regularize the functioning of the court.
- 5) Provision should be made to establish Additional Benches in District Forums with a large number of pending cases, with the help of consumer activists and government lawyers with wide knowledge and experience in handling such cases.
- 6) Major judgements on consumer cases should be printed in newspaper columns, at least one day in a week to reach educated consumers and to build their confidence.
- 7) To reduce the pending cases in District Forums, provisions should be made to allocate 1 working day in a month to exclusively handle cases pending for more than 2 years.
- 8) Private television & radio channels should join hands with the Tamil Nadu Government to focus on consumer issues and problems (as done by NDTV) and should telecast such features on prime time TV in order to have vast reachability and to create consumer awareness.
- 9) Consumerism should be made a mandatory subject in schools (from Std. VI - XII as is G.K. & Moral Science) and colleges (Arts & Engineering as like Professional Ethics) in Tamil Nadu to inculcate consumer awareness among the student community.
- 10) Sufficient manpower has to be appointed in District Forums in Tamil Nadu to clear the administrative backlog.

Conclusion

Statistics provided by the Tamil Nadu State Commission revealed that the performance of District Forums in Tamil Nadu is not satisfactory as they disposed off, on an average, only 4.59% of the cases, and on an average, about 95.39% of the cases lay pending during the years 2007, 2008, 2009, and 2010 (Table 1). Based on presented facts and figures, we could conclude that the District Forums in Tamil Nadu functioned inefficiently and failed to protect the consumers' welfare and benefit as they could not measure up to the expectations and requirements of the State population (during the above mentioned study period). However, it is to be noted that this conclusion will be one-sided if 100% of the blame is imposed on the State Government and its connected department and officials. 50% of the blame also lies on the side of the consumers. Literacy rate and Growth rate of the State did not influence the awareness level of the consumers. As per 2011 census, 80.33% of population in Tamil Nadu was literate. However, a majority of the educated consumers were unaware about their rights and duties as consumers. In this materialistic world, where exploitation has become inevitable in all spheres of a consumer's life, the Government has provided certain life-guards to consumers to fight and win the battle against unfair and unethical trade practices. The consumer courts, irrespective of their weaknesses, are like a weapon provided by the Indian Government to the consumers to protect and defend themselves.

Years 2009 and 2010 play a significant role in determining the performance of District Forums during the study period for their contrary nature :

- a) The year 2009 was recognized for disposing a minimum number of cases (2,520 cases) (Table 5) and for disposing

a maximum number of pending cases (97,391 cases) (Table 6).

b) The year 2010 was recognized for disposing the maximum number of cases (6,672 cases) (Table 5) and for disposing the minimum number of pending cases (83,144 cases) (Table 6).

The Tamil Nadu Government has created the State Consumer Helpline to receive complaints from consumers across the state, creating awareness through multimedia, and has established Consumer Clubs in schools and colleges at an appreciable number to inculcate consumerism among the growing citizens. However, these efforts have yielded only minimum benefits.

Scope For Future Research

The study offers scope for further Research in the following areas:

- 1)** Studies can be made to compare the performance of District Forums in Tamil Nadu State against the performance of District Forums in Neighboring States (Ex: Kerala, Andhra Pradesh).
- 2)** Studies can be made to identify the number of cases disposed in favour of consumers and against the consumers.
- 3)** Further studies can be made to identify the number of cases pending in District Forums for a period below 90 days, above 90 days, above 1 year, and above 2 years.
- 4)** Research can be conducted to identify the number of cases filed against Products and Services in District Forums. Even among Product and Service categories, which type of Products (Ex: Electronics, Home Appliances etc.) / Services (Ex: Hospitals, Insurance etc.) have the maximum number of cases filed against them.

References

- Department of Civil Supplies and Consumer Protection of Tamil Nadu State (2010). "*Frequently Asked Questions - Consumer Protection Act.*" Retrieved from <http://www.consumer.tn.gov.in/faq.htm#districtfora>
- Gambhir, C. (2002). "Consumer Protection: Law and Practice." *Indian Journal of Marketing*, 32 (11), pp. 17- 20.
- Kumar, R. S. (2002). "Consumerism in India: An Overview." *Indian Journal of Marketing*, 32 (7), pp. 31-32.
- Krishna, B. Y. & Suganya, Y. (2011). "A Comparative Study of Consumer Courts in Tamil Nadu & Kerala States - A Statistical Survey Report." *Prabandhan: Indian Journal of Management*, 4 (12), pp.45-54.
- Palaniappan, V.S. (2004, May 25). "Consumer Forum Remains Headless." *The Hindu*, Retrieved from <http://www.thehindu.com/>
- Rao, D. N. (2002). "Consumerism in India Emerging from its Teething Troubles." *Indian Journal of Marketing*, 32 (3-4), pp. 3-6.
- Statistical data and Reports published by National Consumer Dispute Redressal Commission, New Delhi, Retrieved from <http://ncdrc.nic.in/>
- Tamilnadu State consumer Helpline (2010) Retrieved from http://www.consumer.tn.gov.in/nugarvorkavasam/2009/nk_nov2009.pdf