

Development of Consumer Protection Law in Bangladesh: An Empirical Study

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***Abstract:** In the free market economy the buyer is a silent victim of manipulated market forces in the country. It is happening due to long-drawn out absence of a consumer law. The provisions of consumer protection can be found at Articles 15 and 18 of the Constitution. Bangladesh has a few specific consumer protection legislations which are 'scanty', scattered over a whole range of consumer interests. Therefore, there is no successful consumers' protection law in Bangladesh. The study has been attempted to focus on existing rules about consumer rights protection and identifies the present status of consumers and problems faced by the consumers. Finally, this paper has provided some suggestions for remedial measures. The study found that the people of Bangladesh have faced various problems such as adulterations, inconsistent high price, deceptive advertising, packaging & branding, labeling, mal-practices, false information about goods and services, shortage in weights measures, false dating made in imitation products, fraudulent production or sold and black marketing & hoarding etc. The present government should take measures in enacting new consumers' right protection laws as early as possible and the govt. should show their sincere interest in this regard.*

01. Prelude

A consumer is a person who is not directly involved in a trade, but receives goods and services from a person who is occupied in the business. To keep the business profitable and legal, some policies have been established by the government to create a balance between profit and quality. Such policies are largely about goods and services, supplied to the consumers or customers, who wish to purchase or hire goods and/or services from the sellers or manufactures. (Amjad; 2007).

No political government is cohorts with trader syndicates have shown any interest in a consumer protection law because that is not to their long-term gains. The implication is that they are bound by common interest in profiting from the market operations. They are

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also not users of local products, not in the sense middle and lower income groups are dependent on, so they are also affected by basic imported products. The raising costs are attributable to a kind of greed and excessive profit making on the part of bulk importers down to the retailers. Hoarding and black-marketing are the manes of the game. On one level, solution lies in continuing a result-oriented consultative process girdling the government, industry, business houses and consumer representatives (The Daily Star; 2007). Basically, however, we need to enact stringent laws to protect the interest and rights of the consumers in our country.

The establishment of the International Organization of Consumers Unions attended by the consumer's organizations of the United States, Britain, Australia, Belgium and some other countries in April 1960 in The Hague, and the passing by the congress of the United States on March 15, 1962, of the historic bill comprising four rights of consumers namely right to safety, right to information, right to complain and represent, and right to select commodities according to one's choice accelerated the adoption by the UN General Assembly on April 16, 1985, of a resolution to protect seven rights of consumers, which includes:

1. Right to safety
2. Right to information or knowledge
3. Right to complain and make representations.
4. Right to purchase commodities at a fair price according to one's choice
5. Right to get compensation
6. Right to learning on the part of the buyer, and
7. Right to a healthy environment (Mondal- 2007)

Pursuant to the above-mentioned UN resolution, consumer protection laws have been enacted not only in developed countries but also in India, Srilanka and Nepal. It is unfortunate that Bangladesh, being a member of the UN, has not yet been able to enact consumer protection laws.

There was no specific law in Bangladesh for a long time on the protection of consumer's rights. After prolonged advocacy and lobbying by the Consumer Association of Bangladesh (CAB) with the government and the policy makers a draft Consumers Protection Law was formulated long time back. Last Care-taker Government passed an Ordinance in this regard in 2008. The present Government has enacted a "Consumer Rights Protection Act, 2009" on 6th April, 2009. The Consumer Protection Act, 2009

have not repealed the provisions of so many laws prevailed before this enactment on consumers rights. The enforcement mechanisms of the consumer rights are not praiseworthy as no individual complaint can be entertained by the Court without written permission of the Director General of the Consumer Rights Protection Department (Ahamuduzzaman and Hussain-2009).

In the light of above discussion, the study has been attempted to focus on existing rules about consumer rights protection. The study also identifies the present status of consumers and problems faced by the consumer. Finally, this paper has provided some suggestions for remedial measures.

02. Statement of the Problem

People belonging to the lower and fixed income groups continue to rule under the burden of spiraling prices of essential commodities and that too in short weights and measures, not to speak of the quality (The Daily Star, 2007). Under free market economy the buyer is a mute victim of manipulated market forces in the country. It is happening due to long-drawn out absence of a consumer law. The provisions of consumer protection can be found at Articles 15 and 18 of the constitution. However, these provisions are mainly focused on the vital issues of 'health' and 'food' than on other consumer rights. Moreover, the said provisions are mentioned on the basis of 'fundamental principles of state policy' part not under the 'fundamental rights' part of the Constitution. Hence, they remain mostly non-enforceable in the courts of law (Ahamuduzzaman and Hussain-2009). Apart from these, Bangladesh also has a few specific consumer protection legislations which are 'scanty', scattered over a whole range of consumer interests (Rahman; Mizanur-1994) Therefore, there is no successful consumers' protection law in Bangladesh.

In contrast, India, Malaysia, Srilanka and Nepal have extensive consumer protection legislation that is successfully estimated and ensures the access to justice. They have established a separate court for consumers, so that if there is any violation of consumer protection law then the consumer can directly bring action through that court (Amjad-007). Now being a neighboring country, where does our country stand? Do we have similar extensive consumer protection law, which would ensure justice to the poor consumer of Bangladesh? Hence the question is not what is to buy, but how to buy? The first and foremost fundamental right of a person is 'Right to Life'. The main reason of weak consumer movement in Bangladesh is that consumers are not aware about their rights, whereas in a market economy they ideally are the kings. Here it is still emerging stage as consumer awareness grows with literacy. But consumer movement is complicated due to our socio-economic condition is not so good.

Therefore, we need proper treatment of our weak consumers under the current socio-economic situation in Bangladesh.

03. Objectives of the Study

The main objective of the study is to identify the major problems of the customer in our country, which faced by the customers. More specifically, the objectives of the study are as follows:

- 1.To highlight the existing laws for consumer protection in Bangladesh.
- 2.To focus on the present situation or status of the consumer.
- 3.To identify the main problems faced by the consumer.
- 4.To provide some suggestions for enactment of consumer protection law in Bangladesh.

04. Methodology of the Study

As mentioned earlier the main objective of the study is to find out the problems faced by customers in Bangladesh. The study was based on both primary and secondary data. Secondary data were collected from different published & unpublished materials, periodicals, Ordinances and newspapers etc.

The primary data were collected on the basis of structural questionnaire. The researcher interviewed a sample of 100 consumers who were selected from Dhaka and Chittagong on the basis of convenience sampling method. They were classified into five groups consisted of four classes i.e. Upper class, Middle class, Lower middle class and Lower class. Upper class and middle class include consumers having monthly income of Tk. 20,000 and above, and of Tk.15,000- Tk.20,000 respectively. Lower middle class and lower class include consumers having monthly income of Tk 10,000 - Tk 15,000 and of below Tk 10,000 respectively. Table-1 represents the sample respondents in this regard.

Table-1
Showing the Sample Distribution according to Social Class

Types of Respondents	Types of Social Class				Total
	Upper class (Tk.20,000-above)	Middle class (Tk.15000-Tk.20000)	Lower-Middle class (Tk.10000-Tk.15000)	Lower Class (Tk.10,000 - below)	
1. Employees	07	10	12	02	31
2. Bankers	05	06	01	-	12
3. Teachers, lawyers & other professionals	08	04	07	01	20
4. Businessmen	06	03	06	07	22
5. Others (including intermediaries & storeowners etc.)	03	02	05	05	15
Total	29	25	31	15	100

Source: Field Survey.

5.0: Overview of Existing Laws for Consumer Protection in Bangladesh

The paper has identified some existing laws on consumer protection but that are very controversial and conventional. Articles 15 and 18 of the constitution of Bangladesh can be referred to as the basis of consumer protection laws. Article 15 deals with the provision of basic necessities like food, clothing, right to work, right to work at reasonable wages, quantity and quality of work, social security etc. Article 18 of the constitution of Bangladesh makes the Government responsibility to ensure safety, public health and morality like preventing the consumption of alcoholic and other intoxicating drinks and of drugs, which are injurious to health (Amjad ; 2007).

In addition there are other numerous provision of consumer law, which have enacted from time to time. The following existing laws for consumer protection are practicing in Bangladesh (Amjad, Emrana; 2007)

i) The Essential Commodity Act, 1956: It has given power to the government to control the production, distribution, preservation, use and business etc. of certain essential commodities for which a license or permit is a must.

ii) The Pure Food Ordinance, 1959: The ordinance empowers the government to maintain the quality of food such as flower, oil, ghee etc. The Department of Public Health has been entrusted with the duty of inspection and examination of the quality of foodstuff under the Pure Food Ordinance, 1959. This ordinance also prohibits persons with infections diseases such as tuberculosis, from involvement in manufacturing or preparation of such food items.

Now, this ordinance is under revision as “The Bangladesh Pure Food (Amendment) Act, 2004”. It has been proposed to constitute National Food Safety Council headed by the Ministry of Health and Family Welfare as well as to establish Food Courts under this Act.

iii) The Price and Distribution of Essential Commodity Ordinance, 1970: The act was enacted to ensure the right price so that the importers, producers and the businessmen may not be able to earn unjust profit. Under this law the price of commodity should be attached to them and the legal list of price should be hanged in an open place and receipt of sale of goods must be delivered to the buyer.

iv) The Drug Control Ordinance 1982: The law empowered the government to establish control over manufacture, import, distribution and sale of drugs. This enactment makes provisions for constituting a Drugs Control Committee, which is known as Drug Administration. No drug can be manufactured for sale or be imported or distributed. In case of manufacturing of drugs, the firms are advised to follow the recommendations of the World Health Organization.

v) The Breast Milk Substitute (Regulation of Marketing) Ordinance 1984: The regulation states that nobody is allowed to promote the use of any breast milk substitute or give any impression that breast milk substitute is better than breast feeding. That will amount to an offence. The Ordinance has also made it mandatory to inscribe that “there is no substitute to breast-feeding” on the package of the substitute.

vi) The Tobacco Goods Marketing (Control) Act 1988: On October 27, 1988 Bangladesh has connected anti smoking campaign. The aim of such campaign is to reduce the use of tobacco. Sellers and manufactures are instructed to give warning on the

tobacco packet, as “Smoking is injurious to health”. Without this caution they are not allowed to display or advertise any tobacco product.

vii) The Special Powers Act 1974: The Act provides for more severe penalties for false advertisement, black-marketing, smuggling and adulteration of foods, drinks, drugs or cosmetics.

viii) The Dangerous Drug Act 1930: The act-empowered government to put restrictions on cultivation of cocoa- plant, manufacture and possession of opium, cultivation of poppy etc.

ix) The Trade Marks Act 1940: It provides that all manufactured commodity should have a trademark, which will distinguish it from other commodity of the same nature and the consumers will get the liberty to choose their own brand. The objective of this act is to give protection to the original trademark against unauthorized use of his trademark by his competitors.

x) The Standard of Weights and of measures Ordinance 1982: It provides that the establishment of standards of weights and measure shall be based on metric system and units of measurement and would be known in the country as System International (SI) units.

xi) The Food Grain Supply Ordinance 1956: The Act provides special measures for prevention of prejudicial activities relating to the storage, transshipment, movement, supply and distribution of food grains.

xii) The Penal Code 1860: The Ordinance was enacted to protect the adulteration of foods and drinks, selling of noxious food and drinks, adulteration of drugs or medical preparation. It provides punishable offences for selling of such adulterated drugs or medical preparation. Besides of these, using false trademark and counterfeiting trademark or brand name are described as punishable offences.

xiii) The Sale of Goods Act 1930: The act provides contract, condition and warranties, transfer of property, title of property, rights and duties of buyers and sellers, right of unpaid sellers against the goods stoppage in transit etc.

xiv) The Bangladesh Standards and Testing Institution Ordinance, 1985: Under this ordinance the government established the Bangladesh Standards and Testing Institution (BSTI) for standardization, testing, metrology, quality control, grading and marketing of goods. The main tasks of commodities, materials, whether for local consumption, export and import. At present BSTI is functioning as “Policy on Labeling” under BSTI Act (Amendment)- 2003.

xv) The Essential Commodity Act 1990: The law ensures stable position of goods and maintain or measuring supply of essential commodities. The law also mandate of Essential Commodity Act including broad spectrum of activities such as storage, transport, distribution, disposal, acquiring, use or consumption of essential commodities.

xvi) Fish and Fish Product Rules, 1997: The rules protect fish and fish product with inspection and control. Then the rules are basically meant to develop quality improvement to promote export of trade.

Apart from these Ordinances, there are some additional legislative provisions giving protection to consumer interests. For example: of section 274 also imposes restriction on adulteration of any drug or medical preparation, section 482 provides restrictions on any false trademark or any false property trademark. Section 267 provides restrictions on false statement to sell or disposes any instrument for weighting. Consumer's Protection Act- 2009 has been enactment by the Parliament.

There are also a number of policies i.e.; Bangladesh Food and Nutrition Policy- 1997 and National Plan of Action on Nutrition, National Agricultural Policy 1999; Integrated Pest Management Policy- 2002 etc are linked with the country's food safety and quality control (Rahman;2004)

6.0: FINDINGS OF THE STUDY

6.1: Opinions of the Consumers Regarding Existing Laws in Bangladesh

The study reveals that the consumers of Bangladesh are not satisfy about existing laws and ordinance in our country. They have given their opinion in different ways. Respondents were asked to mention whether they have any comment on existing consumer protection laws. Table-2 shows opinions of the respondents in this regard.

Table-2 reveals that majority (83%) of sample respondents opined that the existing consumer's right protection law is inadequate due not timeliness. On the other hand, on an average 72% sample respondents argued that the existing laws are controversial and it is not fully implemented by the authorities of our country and followed by backward (69%), conventional (65%) and lack of awareness about law (59%). The study also found that the existing laws and ordinance are not helpful for us due to inactive of laws by the proper authority.

Table-2
Showing Opinions of the Respondents about Existing Consumer Protection Laws

Types of Respondent	Opinion about the Existing Laws					
	Inadequate	Backward	Not fully implemented	Lack of awareness about law	Conventional	Controversial
1. Employees	27%	16%	21%	12%	19%	22%
2. Bankers	08%	11%	06%	09%	07%	08%
3. Teachers, lawyers & other professionals	19%	17%	20%	06%	18%	15%
4. Businessman	16%	14%	19%	18%	15%	19%
5. Others (intermediaries, storeowners)	13%	11%	07%	14%	06%	08%
Total	83%	69%	73%	59%	65%	72%

Source: Field Survey.

7.0: Present Situation or Status of the Consumers in Bangladesh

There is no status of the customers in Bangladesh. All existing Ordinance and Acts have been enacted with good intention to protect consumers' right in Bangladesh but it is helpless. Similarly the Consumers Association of Bangladesh (CAB) was established to protect the rights of there customers. Nevertheless, the customers are still beset with various problems. In such context, the researcher has no clear identification about the "status" of the customer in Bangladesh. Inspite of these, the study has tried to identify the present situation or status of customers in our country discussing with some problems. The study found out such problems, which has depicted in table-3.

7.1: Lack of awareness: Most of the customers or people of our country are not aware of their rights as a consumer. The study reveals that 86.65% employees, 41.67% bankers, 85% teachers, lawyers and other professionals, 72.73% business men and 40%

intermediaries & store owners opined that lack of awareness is the main cause of present situation of the customers in the Bangladesh. Mass people don't know if the sellers cheat them, what they should do or where they should go and more over how the sellers cheat them. The causes behind is that customer's right is still a comparability new concept to the consumers of Bangladesh.

7.2: Economic situation: The people of Bangladesh cannot avoid thinking of the economic condition, which does not provide the atmosphere fit for customers who are careful and demand quality. The table-3 reveals that 90.32% employees, 83.33% bankers, 95% teachers, lawyer & other professionals, 95.45% businessman and 73.33% intermediaries & storeowners argued that our economic condition or situation is very worse. The reason behind is that our economic status is not quite well. Also customers of Bangladesh suffer from discriminating purchasing power. Hence, the question is not what to buy, but how to buy.

7.3: Illiteracy: The table-3 reveals that 74.19% employees, 66.67% bankers, 70% university teachers, lawyer & other professionals, 86.36% businessmen and 80% intermediaries & storeowners opined that they deceive due to illiterate. As a customer most of the people of Bangladesh do not know about the existence of their rights and facilities due to lack of basic education. Such type of people can not think up to the level that they can have existing rights which would give them protection against adulteration of foods item, medicine and other essentials goods etc. They have no knowledge about their right to get proper service for which they are paying.

7.4: Compromising attitude: Most of the time the people of Bangladesh do compromise with the quality and quantity of goods bought due to their financial limitations. Sometimes customers are not able to pay the actual price for the goods and services they buy, they can't expect a high standard of quality for the same. The table-3 shows that 64.52% employees, 50% bankers, 45% teachers, lawyer and other professionals, 50% businessmen and 40% intermediaries and storeowners argued that the customers of the Bangladesh are also showing compromising attitude during purchasing goods and services.

7.5: No separate court: There is no separate court for customer's right protection in Bangladesh. On the other hand, the consumers are not able to get any facilities from existing court against those who violate the consumer's right due to lack of proper authority. Therefore, the consumers do not rely upon the concerned officials to bring any effective action against the alleged parties. The table-3 shows that 96.67% employees, 75% bankers, 90% teachers, lawyers and other professionals, 90.91% businessman and 60% intermediaries & storeowners opined that there is no separate court for consumers in

our country. Rest of the respondents of each category doesn't have knowledge regarding separate court.

7.6: Corruption: It is the main problems of our country. The table-3 reveals that 87.10% service holders, 58.33% bankers, 75% teachers, lawyers and other professionals, 50% businessman and 40% others opined that they are deprived by corruption. The corrupt businessman tends to establish a good relation with corrupt government officials who might help them to cheat and exploit the innocent customers. Therefore, consumers are suffering form the corruption and illegal activities by the corrupted businessman.

7.7: Inefficiency and non- integrity of BSTI officials: The table-3 reveals that 67.74% employees, 83.33% bankers, 65% teachers, lawyers and other professionals, 68.18% businessmen and 46.67% intermediaries and storeowners opined that BSTI officials are inefficient and non- cooperative. BSTI does not have modern equipment and facilities for testing of many products.

7.8: Outdated law: The table-3 reveals that 54.84% employees, 41.67% bankers, 80% teachers, lawyers and other professionals, 59.09% businessmen and 53.33% intermediaries and storeowners argued that the customers are facing out dated law in Bangladesh. Present existing laws are not fulfilled or gather the present requirement of the customers in our country due to outdated law, which are not able to protect the consumer rights.

7.9: Weak consumer movement: The table-3 reveals that 93.55% employees, 83.33% bankers, 55% teachers, lawyers and other professionals, 72.27% businessmen and 40% intermediaries & storeowners opined that there is weak consumer movement in Bangladesh. Most of the consumers of Bangladesh have no knowledge about their rights. The main reason is weak consumer movement in our country, whereas in market economy they are kings. Consumer movement is a complicated and backward in the light of present socio-economic condition as well as huge illiterate consumers.

Table-3
Present Situation of the Customers in Bangladesh

Types of Current Situation of the Customers	Respondents				
	Employees	Bankers	Teachers, Lawyers & other professionals	Business men	Others
1. Lack of awareness	86.65%	91.67%	85.00%	72.73%	40.00%
2. Backward economic situation	90.32%	83.33%	95.00%	95.45%	73.33%
3. Illiteracy	74.19%	66.67%	70.00%	86.36%	80.00%
4. Compromising attitude	64.52%	50.00%	45.00%	50.00%	46.67%
5. No separate court	96.77%	75.00%	90.00%	90.91%	60.00%
6. Corruption	87.10%	58.33%	75.00%	50.00%	40.00%
7. Inefficiency and non-integrity of the BSTI officials.	67.74%	83.33%	65.00%	68.18%	46.67%
8. Outdated law	54.84%	41.67%	80.00%	59.09%	53.33%
9. Weak consumer movement	93.55%	83.33%	55.00%	77.27%	40.00%

Source: Field Survey.

8.0: Major Problems Faced by the Customers

It is argued that our present laws are outdated, unable to protect the consumers, faulty and do not meet the present requirement of customers. In such a context, the people of Bangladesh are facing various problems including inter alia manufacture or sale of adulterated or sub-standard food; slaughter of animals at any unauthorized places; failure to imprint the date(s) of manufacture and expiry on the packet, wrapper, carton or paper cover of the goods; wrong prescription of medicine or pathology report that may cause death or disability of a person; failure to provide essential services like electricity, telephone, gas, water etc. to the consumers' satisfaction (Mondal-2007).

The present study has found some major problems in this regard. The customers were asked to mention whether they face different problems in their daily life to buy a product or service. The table-4 represents opinions of the consumer's problems in Bangladesh.

8.1: Adulteration: Adulteration is one of the major problems which has faced by customers. It is usually creates by the dishonest manufactures and intermediaries in Bangladesh. The innocent, simple and illiterate consumers are buying adulterated foods and commodities. The table-4 reveals that 83.87% employees, 91.67% bankers, 85% teachers, lawyers and other professionals, 81.82% businessmen and 86.67% intermediaries & storeowners opined that they faced adulteration problems due to dishonesty of the traders and the producers. Adulteration of different food items and other commodities including medicines is a serious threat faced by the consumers. Confirmation of use of formalin in different varieties of fishes has sent shivers down the spine of the people, rich and poor.

8.2: Inconsistent with high price: Now, the consumers of Bangladesh are facing high price, which is not consistent. The table-4 reveals that 93.53% employees, 83.33% bankers, 90% teachers, lawyers and other professionals, 86.36% businessmen and 73.33% intermediaries & storeowners argued that they face inconsistent high price of the goods and service. The reason behind this there is no control over marketing of goods and services by the government.

8.3: Deceptive advertising: Most of the advertising agency has made deceptive advertising according to instruction of their clients. Table-4 reveals that 67.74% employees, 58.33% bankers, 70% teachers, lawyers and other professionals, 59.09% businessmen and 60% traders opined that our people are facing deceptive advertising everyday. Most of the advertisers are showing deceptive advertising through different media to influence consumers' attitude. There is no relation between advertise products and actual products in our country. But there is no proper authority to take any action against deceptive advertisement. As a result, the customers are facing various problems day by day.

8.4: Deceptive packaging and branding: The table-4 reveals that 54.84% employees, 66.67% bankers, 90% teachers, lawyers and other professionals, 86.36% businessmen and 46.67% intermediaries & storeowners argued that the manufactures or producers are misleading or deceiving to the customers by artificial packaging and branding. Therefore, the consumers form their buying attitude positively to artificial packaging and branding at the time of purchase a product.

8.5: False information about goods and services: The producers or manufactures and the traders provide false information about goods and services to the innocent customers. The table-4 reveals that 45.16% employees, 50% bankers, 85% teachers, lawyers and other professionals, 68.18% businessmen and 66.67% intermediaries & storeowners opined that the consumers are deceiving through false information about goods and services. One of the main reasons for this is lack of awareness, and another one is lack of basic education of customers.

8.6: Shortage in weights & measures: The table-4 reveals that 61.29% employees, 58.33% bankers, 95% teachers, lawyers and other professionals, 86.36% businessmen and 80% intermediaries& storeowners argued that the consumers are cheating through shortage in weight and measures. Most of dishonest traders are achieving the goals by illegal operations.

8.7: False date: The study reveals in table-4 that 80.65% employees, 75% bankers, 55% teachers, lawyers and other professionals, 63.64% businessmen and 53.33% intermediaries & storeowners opined that consumers are deceived by the false date. The corrupted manufactures do not respect to the consumers by written off false date on the package of goods. The study also identified majority of dishonest traders do the same in our country. As a result, we are suffering from various diseases such as cancer and damage vital human organs like liver, kidney and heart etc.

8.8: Made in imitation product: Now, the consumers get imitation products available in their hands. The markets are plentiful in imitation products. The table-4 reveals that 87.10% employees, 88.33% bankers, 70% teachers, lawyers and other professionals, 59.09% businessmen and 80% intermediaries& storeowners opinioned that most of the dishonest producers made in imitation products. The consumers are acutely facing this problems due to high price of the raw materials particularly and dishonest & corruption in general.

8.9: Magnify unduly exaggeration: The table-4 reveals that 64.52% employees, 66.67% bankers, 90% teachers, lawyers and other professionals, 54.55% businessmen and 73.33% intermediaries& storeowners opined that the producers made their products with disproportionately. The consumers are not getting actual products from manufactures and traders. They deceive consumers by overstatement of their products and gain more profits.

8.10: Fraudulent production and sold: It is opined that majority of the producers produce their products for aiming false and also sold for same objectives. From the table-4, it is observed that 41.94% employees, 58.33% bankers, 80% teachers, lawyers and

other professionals, 86.36% businessmen and 67.67% intermediaries& storeowners argued that the customers are deceived through false products.

8.11: Black-marketing & hoarding: It is the names of the game. The study reveals in table-4 that 58.06% employees, 50% bankers, 55% teachers, lawyers and other professionals, 54.55% businessmen and 46.67% intermediaries& storeowners opined that the traders gain maximum profit through black marketing and hoarding activities.

Considering the above findings, we are going to danger point. This is undoubtedly a piece of news at a time when increases the price of essential commodities including foods and adulteration of foods and many other items have made the lives of the consumers miserable. Available information suggests that the prices of rice and other essential commodities are higher now than that of any previous year.

Courage rice accounts for about 70% of the total spending on food in poor households. Rising prices of rice significantly lower than the real income of the poor households (Mondal-2007). It is mentionable that the syndicating business rises up due to price hike of essential goods in Bangladesh.

Table-4
Showing the Problems Faced by the Customers in Bangladesh

Types of Problems	Types of Respondents				
	Employees	Bankers	Teachers & others	Businessmen	Others
1. Adulteration	83.87%	91.67%	85.00%	81.82%	86.67%
2. Inconsistent with high price	93.55%	83.33%	90.00%	86.36%	73.33%
3. Deceptive advertising	67.74%	58.33%	70.00%	59.09%	60.00%
4. Deceptive packaging & branding	54.84%	66.67%	90.00%	86.36%	46.67%
5. False information about products/ service	45.16%	50.00%	85.00%	68.18%)	66.67%
6. Shortage in weights & measures	61.29%	58.33%	95.00%	86.36%	80.00%
7. False date	80.65%	75.00%	55.00%	63.64%	53.33%
8. Made in imitation products	87.10%	83.33%	70.00%	59.09%	80.00%
9. Magnify unduly	64.52%	66.67%	90.00%	54.55%	73.33%
10. Fraudulent production or sold	41.94%	58.33%	80.00%	86.36%	66.67%
11. Black marketing & hoarding	58.04%	50.00%	55.00%	54.55%	46.67%

Source: Field Survey.

9.0: Status of Food Preservative and Adulteration in Bangladesh:

The country is now facing intentional food adulteration. Food preservative and adulteration are the curse in the developing countries especially in Bangladesh. Food adulteration with toxic chemicals has reached a dangerous proportion posing serious health hazards in our country. Basic food items on the market like rice, fish, fruits, vegetables, and sweetmeats are adulterated with hazardous chemicals in an indiscriminate manner, though food-grade preservatives and colors can be safely used in permissible quantities (The News Today;2011). The proportion of adulterated food items on the

symbol varied between 70 and 90 percent of the approximately 150 food items in the country, (ww.newstoday.com.bd). Formalin is applied on fish for preservation; calcium carbide on fruits to ripen; brick dust in chilli powder; urea to whiten rice and puffed rice; sawdust in loose tea; soap in ghee; and artificial sweetener, coal tar, and textile dyes in sweetmeats. Formalin applied on fish, fruit, meat, and milk causes throat cancer, blood cancer, childhood asthma, and skin diseases (Hasnat, Abul;2011). Toxic remains in food items leave the worst impact on children's mental and physical growth and women's fertility, cause cancer and damage vital human organs like liver, kidney and heart. The government Institution of BSTI (The Bangladesh Standards and Testing Institution) does not check any unpackaged food items such as fruits, vegetables, meat and fish. In fact, BSTI is unable to check all food items in markets all over the country and few mobile courts and BSTI inspectors are operating to monitor food adulteration and preservative which is unbelievably insufficient for punishing those who make adulterate food. Now adulteration and preservative threat has to be tackled at the national level, causing massive deaths and painful diseases in among the people. It is time to constantly supervise by the executive committee for the food safety issue. Food- grade food additives and preservatives are available in the market, traders in Bangladesh prefer cheaper preservatives which are toxic, and almost every food item is contaminated with toxics capable of causing diseases from allergy to cancer (www.newstoday.com.bd). The print and broadcast media should focus on the issue, and create the public awareness of the dangers.

10.0: Consumers Protection Laws in India, Sri Lanka and Nepal Compared with Bangladesh Situation:

Consumer rights gained importance in the world, particularly in western countries in the last century. Consequently it gained some position in the developing countries as well. Almost all the countries now have consumer protection laws. The rights of consumer got international recognition when in 1985 the United Nations adopted the basic guidelines for consumer rights protection. The basic guidelines are the right to safety, the right to be informed, the right to choose, and the right to heard. Besides of theses a global consumers International of over 250 consumer organizations, added four more rights: the right to satisfaction of basic needs, the right to redress, the right to education, and the right to a healthy environment.(Siddiqui; M.S; 2009)

Consumer protection Law of Bangladesh is extremely comparable to India, Sri Lanka and Nepal. In India the consumer Protection Act of 1986, has been hailed as a milestone in the history of socio-economic legislation to protect the interests of the consumers in India. Unlike the Consumer Affaires Authority Act No. 9 of 2003 in Sri Lanka, which is preventive and punitive in nature, the Indian Act is compensatory in nature. The Indian

Act provides simple, speedy and inexpensive solutions to the consumer's grievances, and relief of a specific nature and award of compensation wherever appropriate to the consumer apart from the consumer protection laws in the developed countries, the accelerated rate of lawmaking for consumers have been observed in developing countries like Thailand, Korea, China, Taiwan Nepal Indonesia, Malaysia and other countries (www.Thesundayleader.lk/2011/12/04).

All Bangladeshis, Sri Lankans, Indians and Nepalese are consumers in one form or another. According to present socio-economic aspects in Bangladesh, Sri Lanka, India and Nepal, the consumer is a victim of many unfair and unethical procedure adopted in the market place. The illiterate and untrained consumers are not in a position to resist the practices of the businessman marketing goods and services on an organized basis assisted by trained professionals. The consumer is very often cheated in the quality and price of the products.

Like other countries, consumer protection in Bangladesh deals with the specification of basic supplies like food, clothing, shelter, education, medical care, right to work at sound wages, quantity and eminence of work, social security etc. Food safety has become an important subject as consumers in Bangladesh, India, Sri Lanka and Nepal have become sufferer of serious damage in food. It is noted here that, some restaurants use dead chicken meat and sweets mixed with material that deception health danger. We cannot ignore as this is a matter of life and death. This situation is serious in our country than others. Some common dishonest activities by traders include supplying less in weight, substandard, defective expired date of products, charging higher price etc. Selling duplicated and adulterated goods, artificial scarcity, black marketing, false and incomplete information regarding quality, durability, and safety, dissatisfactory after sales service are also used by the sellers to deceive the consumers.

Products sold should match the description. A goods bought must match the sample in quality. The study found that the consumer protection law in any country provides for the protection of consumers. The law stipulates punishment, prevention and compensation. Moreover, it is aimed to provide the consumer simple, speedy and inexpensive remedy to objection, award relief and compensation wherever appropriate.

11.0: Recommendation and Implementation Strategy

Considering the present situation, there is an urgent need for enacting the Consumer Protection Act to look after consumer interest against hoarding, sales duplicated and adulterated goods, artificial scarcity, black marketing, false and incomplete information regarding quality, durability, and safety, dissatisfactory after sales service in order to

protect the commodity market from the syndication business. However, question may be raised, how the enactment of new law will in any real sense solve the current consumers' problems? If the existing laws are not fully enforced then how come we can expect that the new law will protect our consumers and their rights properly? (Amjad; 2007).

The general public to escape from the higher price charges of the essential commodities by the syndicated businessmen, to whom they compelled to accept the price charges. If it is done by the present Government, then mass people of the country will remain grateful to the Government. Therefore CP Act may be enacted immediately to look after consumer's interest against hoarding in order to protect the commodity market from the syndication business. The questions were asked to mention to the respondent what types of suggestions that will be improved the said problems. Their responses are shown in table-5.

Table-5
Opinions of the Respondents about Suggestions to overcoming the Problems for Consumers Rights Protection Laws:

Suggestions	Respondents				
	Employees	Bankers	Teachers & others	Businessmen	Others
1. Educate the consumers	90.32%	83.33%	90.00%	90.98%	86.67%
2. Establish a separate court for consumers	87.10%	91.67%	85.00%	46.36%	93.13%
3. Establish National Consumer Council	83.87%	75.00%	90.00%	95.45%	80.00%
4. Need powerful watch dog	87.10%	83.33%	80.00%	81.82%	73.33%
5. From a separate Ministry	80.65%	66.67%	90.00%	77.27%	93.13%
6. Need food safety standard	70.97%	83.33%	75.00%	68.18%	86.67%
7. Establish a consumer reprisal agency	64.52%	58.33%	70.00%	81.82%	80.00%
8. Need more active of CAB	74.19%	50.00%	80.00%	72.73%	73.33%
9. Increase involvement of civil society organization	67.74%	66.67%	75.00%	63.64%	66.67%
10. Need more mobile court operation	61.29%	75.00%	65.00%	59.09%	60.00%

Source: Field Survey.

11.1: Educate the consumers: The consumer will have to be given facts that will protect them against dishonest or misleading advertising and labeling (Mondal; 2007). The table-5 reveals that 90.32% employees, 83.33% bankers, 90% teachers, lawyers other professionals, 90.91% businessmen and 86.67% intermediaries and storeowners opined that there should be provision in the consumer protection law to educate the consumers about their rights and responsibilities. Therefore education is the main indicator to protect them-self against corruption and deception etc.

11.2: Establish a separate court for consumers: We need a separate court for consumers to protect their rights in Bangladesh. The table-5 reveals that 87.10% employees, 91.67% bankers, 85% teachers, lawyers & other professionals, 86.36% businessmen and 93.33% intermediaries and storeowners opined that a separate court need to be establish by consumers' right protection. If there is any violation of consumer protection law then the consumer may go directly to bring action through court. If any proof is found, the case will be sent to the consumer protection tribunal concerned to try the accused.

11.3: Establish National Consumer Council (NCC): The table-5 shows that 83.87% employees, 75% bankers, 90% teachers, lawyers other professionals, 95.45% businessmen and 80% intermediaries and storeowners argued that the govt. should establish National Consumer Council (NCC) for solve the problems of consumers in Bangladesh. Its objectives, structure, responsibilities and functions will be easy and enlarge to the consumers.

11.4: Need powerful watchdog: The table-5 reveals that 87.10% service holders, 83.33% bankers, 80% teachers, lawyers other professionals, 81.82% businessmen and 73.33% intermediaries & storeowners opened that the country needs a powerful watchdog. It should include constant monitoring and effective laws to protect consumer's interest and rights.

11.5: Create a separate ministry: The study found in table-5 that 80.65% employees, 66.67% bankers, 90% teachers, lawyers other professionals, 77.27% businessmen and 93.33% intermediaries & storeowners opened that the govt. of Bangladesh should form a separate Ministry to protect illegal activities in open market economy. In this context, such Ministry would be able to procure consumers goods in a speedy or no delay manner without sticking the provisions of the existing Purchase and Procurement Regulation (PPR). Under this ministry, a Minister will take care for checking supply and price manipulation of the commodities consisting both official and non-official members. Non-official members should be selected that they should truly represent the consumers and preferably from civil society. Some should be formed at District levels with local government representatives (Rahman; Khan; and Ferdousour, 2007).

11.6: Need food safety standard: We need food safety standard in the essential commodities in our market. Table-5 shows that 70.97% employees, 83.33% bankers, 75% teachers, lawyers and other professionals, 68.18% businessmen and 86.67% intermediaries & storeowners opined that there should be provision in the consumers' protection law for food safety standard. Therefore, standard food safety is needed in the Act.

11.7: Establish a consumer redressal agency/ bureau: The table-5 reveals that 64.52% employees, 58.33% bankers, 70% teachers, lawyers other professionals, 81.82% businessmen and 80% intermediaries & storeowners opined that the government should establish a Consumer Redressal Agency to protect consumer interest. It will be formed both at Central and District level, with provision of heavy penalties, to look after the interest of consumers.

11.8: Need more active of CAB: Table-5 shows that 74.19% employees, 50% bankers, 80% teachers, lawyers and other professionals, 72.73% businessmen and 73.33% intermediaries & storeowners opined that CAB should more active to perform their activities for protecting consumer's rights. The CAB also can advocacy with policy makers and proper authorities for formulating act. Consumers Associations of Bangladesh need to be more active, pro- consumer and governance of CAB to be ensured by the performance of Act.

11.9: Increase involvement of Civil Society Organizations (CSO): The table-5 reveals that 67.74% employees, 66.67% bankers, 75% teachers, lawyers & other professionals, 63.64% businessmen and 66.67 % intermediaries & storeowners opined that the government should enact a new consumers' right protection law, in which involvement of Civil Society Organizations (CSO) will be increased including local government representative to bring about better result.

11.10: Need more mobile court operation: The table-5 shows that 61.29% service holders, 75% bankers, 65% teachers, lawyers & other professionals, 59.09% businessmen and 60 % intermediaries & storeowners opined that the govt. should establish more mobile court to operate grass root level for identifying illegal practices, black marketing, adulteration etc in our country.

In such context, considering above recommendation, this paper suggests that the present government to be attended to this matter of great public concern with high priority. Also this study has been observed that the govt. should have more responsibilities to do so.

Conclusion

There are great prospects to develop existing consumer right protection law in Bangladesh. In the context of developed countries there are adequate laws to protect

consumer right and interests against violation. In Malaysia, Srilanka, Nepal and India consumers' rights protection laws are in prevalence and being affectively implemented for protection of the rights and interests of the consumers of these countries. On the other hand, there are some controversial and conventional laws in existence in our country. But these laws are so outdated that little or no protection is provided to the consumer's interests. Moreover these existing laws are inadequate and not fully implemented in the country.

The basic problems of the existing consumer laws of Bangladesh are (i) under the present legal regime, the aggrieved consumers themselves cannot go to court to sue against the violators (ii) the provisions of penalty under the existing laws are so negligible that nobody cares to abide by such laws; and (iii) lastly, these laws are not fully effectively enforced (Ahamduzzaman and Hussain;2009).

The consumers of Bangladesh have no enough idea and information regarding the existing laws. Besides they have no idea about their rights as a consumer due to lack of basic education. Mass people do not know if the sellers cheat them, what they should do or where they should go and moreover how the sellers cheat them. The reasons behind is that consumers right is still a comparatively new concept to the consumers of Bangladesh, The people of Bangladesh can't avoid thinking of economic condition which does not provide appropriate atmosphere for customers who are careful and demand quality. The reason behind is that our economic conditions are not quite good. Consumers have no knowledge about their right to get proper service for which they are paying .On the other hand, most of times the people of Bangladesh do compromise with the quality and quantity of commodities bought due to their financial limitation. There is no separate court and ministry in the Bangladesh. The corrupt businessmen tend to establish a good relation with corrupt govt. officials who might help them to cheat and exploit the innocent consumers. BSTI does not have modern equipment and facilities for test of many commodities. The officials of BSTI are inefficient and non-cooperative as per sample consumer's perception. The consumers are facing weak consumer movement in our country. As our huge population is still illiterate, consumer's movement is facing difficulty in our present socio economic condition.

As a result the people of Bangladesh have faced various problems, such as adulterations, inconsistent high price, deceptive advertising, mal-practices, deceptive packaging & branding, labeling, false information about goods and services, shortage in weights measures, false dating made in imitation products, exaggeration (or increase) unduly, fake production or sold and black marketing & hoarding etc. This is certainly sensitivity news at a time when unabated rise in the prices of essential goods including food and adulteration of many other food items, have made the lives of the consumers miserable.

In such a context, there is an urgent need for enacting the proper Consumers' Right Protection Act to look after consumer interest against hoarding and black marketing etc. in order to protect the commodity market from the syndication business. Thus CP Act should be enacted immediately to look after consumer's interest against various illegal activities of corrupt businessmen. There should be provision of the consumers' right protection law to educate the consumer about their rights and responsibilities. Moreover the law should be enacted including establishment of a separate court for consumers, establish National Consumers' Council, need powerful watchdog, form a separate ministry, need more activity by CAB, increase involvement of Civil Society Organizations (CSO), and need more mobile court operation etc.

Thus, the present government should take measures in enacting new consumers' right protection acts as early as possible and the govt. should show their sincere interest in this regard, which will be accepted by the general public.

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