
A STUDY ON CONSUMER AWARENESS TOWARDS INDIAN CONSUMER PROTECTION ACT 1986 WITH SPECIAL REFERENCE TO VILAVANCODE TALUK OF KANYAKUMARI DISTRICT

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ABSTRACT

Consumer is the important point of all business activities in the aggressive world. They expect that should get the right type of goods/services, of the right quality, at the right time and the right value. They want value for their money. At the time of buying necessities of life, luxurious goods and utilizing services, when they pay as much as, is demanded by the manufacturer/dealer/service provider, they expects good quality in return but in actual practice the consumer is exploited from dawn to dusk in all possible ways. The purpose of the study is whether the consumers are aware or not about the Consumer Protection Act 1986 with special reference to Vilavancode Taluk of Kanyakumari District.

Keywords: *Consumer, Awareness, Protection, Judiciary, legislations*

1. STATEMENT OF THE PROBLEM

We all know that people in India are not aware about their rights against unscrupulous practices of manufactures or traders in relation to goods and services supplied by them. Lack of awareness has its root in many things in general and in particular it lies in illiteracy in India. Lack of consumer education is the root of the problem of unawareness among the people of India about available rights and remedies in cases anything goes against the interest of consumer in India, therefore no law will ever be able to provide people their due rights against such bad practices of sellers or manufacturer unless they are being educated and make aware about the available remedies in case of violation of their rights. Every market in India or elsewhere is full of such people or tradesman who are involved in making money by incorporating malpractices in the course of their business and they are lot of black money at the cost of innocent consumer. People in general do not approach court of law even them

unscrupulous people and they play passive role in redressing their grievances against the seller for manufacturer, because of such reluctant behaviour of consumer wrongdoer are left unpunished and in case when the matter is reported consumers takes recourse of court of law, these courts decide the matter in year in them mal practices of tradesman are carried on without any short of hindrance and prohibition even today after two decades of passing of the Consumer Protection Act,1986 majority of the people in India are not yet aware about the rights available to them. A lot of cases are left without redressal. It is therefore, required that the people at a large scale be aware about their rights and available remedies under the Act.

2. INTRODUCTION

Consumers play a vital role in the development of a nation. *Mahatma Gandhi* said, "A consumer is the most important visitor on our premises. He is not dependent on us, we are on him. He is not an interruption to our work; he is the purpose of it. We are not doing a favour to a consumer by giving him an opportunity. He is doing us a favour by giving us opportunity to serve him." But of late unfortunately cheating by way of overcharging, black marketing, misleading advertisements, etc has become the common practice of greedy sellers and manufacturers to make unreasonable profits and without heed to confer consumer rights and interests.

Consumer rights awareness is now an integral part of our lives like a consumerist way of life. They have been well documented and much talked about. We have all made use of them at some point in our daily lives. Market resources and influences are growing by the day and so is the awareness of one's consumer rights. These rights are well-defined and there are agencies like the government, consumer courts and voluntary organizations that work towards safeguarding them. While we all like to know about our rights and make full use of them, consumer responsibility is an area which is still not demarcated and it is hard to spell out all the responsibilities that a consumer is supposed to shoulder. There are six rights of consumer which are provided in the Consumer Protection Act, 1986.

3. OBJECTIVES OF THE STUDY:

- 1) To study the origin and growth of consumer movement in India.
- 2) To analyze the level of consumer awareness regarding the consumer protection act, rights of consumers, redressal agencies, functioning of consumer forums,

- 3) To know the opinions of legal practitioners regarding implementation of Consumer Protection Act.
- 4) To suggest suitable strategy to promote consumer awareness programs to improve the effectiveness of Consumer Protection Act.

3.1. DATA COLLECTION

The Vilavancode Taluk of Kanyakumari district has urban and rural population. The data is collected from both urban and rural consumers. Fifty percent of the total urban centres were considered for survey from each district. 100 respondents were taken as sample for this study.

3.2. SCOPE OF THE STUDY

The Consumer encountered with two major problems firstly whether the product and services advertised through various media are true and secondly the product and services are worth their prices. In the absence of Consumer awareness towards Indian Consumer Protection Laws, the consumers are compelled to rely upon the traders. The various advertisements fail to inform the consumers the true nature of the product and service and very often raises expectations beyond that which can be fulfilled by a product or service the producer and trader are well recognized, they can rule the unorganized and un aware consumer very easily. As the consumers are less equipped the bargaining power of the consumer is very low and the traders take this opportunity to fill their efforts. The *Consumer Protection Act*, 1986 gave the ground for the registered NGOs to stand for the cause of consumers, which provide the way for any consumer to fight for the welfare of the consumers. There are several arrangements in Indian economy to protect the interest/rights of consumers. The provision is made by the government to make available the standardized certified and graded producers/manufactures for the satisfaction and safety of the consumers. This type of provision develops confidence among the prospective consumer and save them from undue inconvenience. The provision of ISI, Trade Mark is meant for the industrial products and Ag-mark for the agriculture products. For the redressal of grievances of the consumers there is provision of Consumer Forum in every district of India. At the province level there is State level Consumer Forum and the National level organization of Consumers Education and Research established in Tamilnadu.

3.3. STUDY AREA

The Study area Vilavancode Taluk of Kanyakumari district has been selected for the present study. Vilavancode Taluk of Kanyakumari district represents the rural and urban face of the South India.

4. RESEARCH METHODOLOGY

The research on this topic has done by adopting the methods of research, namely empirical research. This study is an empirical research based on the survey method. It is blend of both the descriptive and the analytical methods of study. An questionnaire was prepared for finding out the consumer awareness in the urban and rural areas. The secondary data have also been collected from books, journals, newspaper, magazines etc, Consumer Forums of Kanyakumari district, prominent voluntary organization and unpublished dissertation, M.Phil. and Ph.D. thesis on the subject. First hand information has been collected from consumers to know as to what extent knew their rights relating to consumer protection.

4.1. LIMITATIONS OF THE STUDY:

- 1) The Researcher considering the time and money factor selected only one taluk of Kanyakumari District for sampling.
- 2) Only descriptive statistical tools such as Frequency, Percentiles and Chi- square Test are used.
- 3) Opinion of the presidents and members of Consumer Forums, Legal Practitioners and Voluntary Consumer Organizations were obtained through personal discussions.

1.2.IMPORTANCE OF THE CONSUMER PROTECTION ACT

The enactment of the Consumer Protection Act, 1986, which came into force with effect from 1st July, 1987 in whole of India, is regard as ‘magnet carta’ in the field of consumer protection for checking the unfair trade practices and insufficiency in goods and services. Consumer protection is the subsidiary of the industrial revolution because the development in the field of trade and commerce generated profit motive leading to a race for earning wealth by all means- whether fair or foul. The business community is well-organized and have authoritative organizations to secure their interests against the unorganized and mostly illiterate and poor consumers in India. So the worst wounded of the industrial growth and developments are the consumers in India. In early days the demands were limited and simple with adequate information about goods and services readily available in the market.

However, the population explosion coupled with improvement in society and the industrial revolution has augmented the needs of the consumers.

As early as in 1934, Mahatma Gandhi, the Father of the Nation, taught us the basic concept of consumer protection. He said, “A Customer is the most important visitor in our premises. He is not dependent on us. We are dependent on him. He is not an interruption in our work. He is the purpose of it. He is not an outsider on our business He is a part of it. We are not doing him a favour by serving him. He is doing us a favour by giving us an opportunity to do so”.

There has been a rapid increase in the supply of consumer goods and provision of consumers services as well as new methods of distribution of consumer products. The development of modern sales method such as advertising, super markets, self-service centres, and pre-packing has made it difficult for the consumer to base a valid choice on his own unaided experiences and Judgments. The gap between the owners of business and consumers has widened. It has made marketing impersonal in nature.

2. ORIGIN OF CONSUMERISM

Consumerism is the discovery of the twentieth century. Two nations namely USA and UK have made pioneering efforts for protection of consumers' rights. Consumerism first began in USA in the early 19000s, when the American Government introduced two acts namely. The Food and Drug Act (1906), The Meat Inspection Act (1906) and creation of the Federal Trade Commission (1914) for protection of consumer interest. Ever since then, more and more consumer Acts and Laws have been passed in USA, UK, and many other countries. The movement received further impetus when the American President John F. Kennedy (1962) sent an exclusive message on the protection of consumer interest to the Congress, in his address. The Presidential concern highlighted the primary rights - right to safety, right to be informed, right to choose, and the right to be heard. The term was not put to wider use until 1963 or 1964 when a variety of commentators identified it with the very visible concern triggered indirectly by Rachel Carson, and directly by Ralph Nader's auto safety investigations and President Kennedy's efforts.

1.1.CAUSES OF CONSUMERISM

All of us are consumers. Wherever we live and whatever we do, irrespective of age, sex, colour, or creed, makes us a consumer. Being a consumer we purchase and use goods produced by other members of the Society. And certainly each of us (as a consumer) has experienced the cumulative frustration associated with products that do not conform to

expectations. In free market economy, it is said that consumer is the king. It is his rupee choice in the market, which decides success or failure of producers. He communicates his decision or wish through price consequently, the consumer plays a decisive role in the entire process. He is the one who is often cheated, he pays more and earns much less in real terms. His rupee vote does not come across in any rational manner to decide who should be producing what, consequently, the consumer is not playing a decisive role in the process. So many times he faces frustration during purchase or consumption. This may be because of unjustified price, increase adulteration, underweight packaging, sub-standard products, or ambiguous warranties/ guarantees. At all levels the consumers are exploited by the producers.

1.2.CONSUMER MOVEMENT IN INDIA:

Consumerism or consumer movement in its present form and content might be of recent origin in India, but the spirit of consumerism by way of angry outbursts and retributive punishments inflicted on those who resorted to short weights and adulteration could be traced to the very dawn of civilization. In fact, India was one among the first countries to enact legislation to protect consumers. Ancient economists like Kautilya and Brihaspath laid down rules to safeguard the interests of buyers and sellers.

The Ancient Muslim Rules in India also took care to protect the interest of the consumers. They introduced and strictly enforced various measures to control the price of certain commodities like cloths, sugar, dried - fruits, herbs butter and oil. Swami Vivekananda declared that the consumer is the king and Mahatma Gandhi was described as the world's greatest consumer activist by Ralph Nader – the pioneering American Consumer Activist. As the welfare of the people was not very much on the political agenda of the British, the consumer movement did not achieve any significant progress during the colonial era. There were however some pieces of legislation which protect the overall public interest through not necessarily the consumer interest. The Indian Consumer Act 1930 was amended and the Sale of Goods Act 1930 was passed. Due to the efforts of Mahatma Gandhi and his stress on the need for consumer protection in India. A few legislations such as The Agricultural Produce (Grading and Marketing) Act 1937 and The Drugs Act 1940 were enacted. A new impetus was given to the consumer movement in India after the independence. Besides amending the existing laws on consumer protection, the Indian parliament and various state legislatures introduced laws to provide better protection for the consumers such as laws relating to standardisation, grading, packaging and branding, prevention of unfair trade practices, food adulteration and short weights and measures.

There are also laws against misleading and deceptive advertisement, sales of spurious drugs, undue profiteering and the like. Government Machinery, Judiciary and Consumer Organisations have also made significant contributions to the Consumer Movement in India.

1.3.CONSUMER MOVEMENT IN TAMILNADU:

The post-independence political and social set-up in Tamil Nadu provided a firm ground for consumer awakening. Protests against the poor quality of consumer goods came to the manifested in many parts of the city of Chennai even before independence. However, for want of united and organised effort on the part of consumers, such protests could not lead to a mass movement. Credit must be accorded to Professor Hanumantha Rao of the Presidency College, Chennai for leading the first organised group of consumers in the city. He established the ‘Triplicane Urban Co-operative Society’ (TUCS) in 1946. The members of the society were restricted to procuring the best quality goods for the members at competitive prices. Hence the society could not develop into a broad-based consumer organisation.

The consumer movement in Tamil Nadu took off with the establishment of The Madras Provisional Consumer Association in 1949. The immediate cause for the starting of the association was the steep rise in the prices of certain essential commodities like rice, kerosene, chilly and the like. In the absence of a strong organizational base, the response to the movement remained lukewarm. Consequently, there was no spurt in the activities of the association in the three decades that followed lack of awareness, unfavourable political conditions, indifference on the part of the officials and big business houses could be attributed to us the casus for the slow pace of the movement.

A strong wave of consumer movement swept the city of Chennai and perhaps the whole of the state with the coming into existence of the Citizen Consumer and Civic Action Group, popularly known as CAG, on 7th October 1985. It is a non-profit, non- political, voluntary and professional citizen’s group. The group is based on a simple concept – that the quality of our lives is deteriorating and that mere complaining will not solve the problems. The CAG’s declared objectives are therefore to provide a platform for citizens to represent consumer and environmental problems, to monitor the performance of public utilities and to take up issues of public health, development and safety.

The group was originally named the Consumer Action Group. After a decade of service, considering the larger role assigned to it, the name was changed to Citizen Consumer and Civic Action Group (CAG). Specific issues affecting the common citizens such as pollution,

lack of urban planning, poor quality health care and poor civic amenities become priorities in the work undertaken by the CAG. The South Madras News Consumer Protection Council (SMNCPC), started in 1986, also contributed a lot to the consumer movement in Tamil Nadu.

However, the enactment of the Consumer Protection Act in the year 1986 influenced the growth of the movement to a great extent. The number of consumer organisations which remained negligible all over the state increased rapidly after 1986. Between 1986 and 1990, the number of consumer organisation in Tamil Nadu rose to 210.62. A definite fillip was given to the movement with the constitution of the State Commission and the Consumer Disputes Redressal Fora in all the districts in the year 1990. The redressal agencies led to the mushroom growth of voluntary organisations. A discouraging future is the emergency of more rubber-stamp and letter-head organisations which do not have functional existence.

A Federation of Consumer Organisations Tamil Nadu (FEDCOT) was setup in Chennai under the President of R.Desikan in 1990. It is a state level organisation in the state. The primary objective of the federation is to promote the economic and other interests of the public by checking the prices, quality, quantity and reliability of commodities. It also seeks to generate public opinion in favour of consumer interests and legislation by enlisting the cooperation and goodwill of the private sector industry.

These objects are being achieved through various activities such as seminars, training programmes, conferences and processions. FEDCOT's strength lies in its state wide popularity. It organised three state-level conferences in 1992, 1994 and 1997 respectively. The fourth and the latest were held at Salem on 25th February 2001, in which more than 2000 consumer activists both men and women participated.

The organizational structure of the Federation is unique in many ways. In order to facilitate greater exchange of experience among members, the organisation has been divided into six zones viz. Chennai, Trichy, Salem, Coimbatore, Madurai and Kanyakumari. Another important feature of the Federation is the provision for the election of separate Directors to look after each of the ten different subjects; Environment, Healthy, Public Utility, Woman welfare, Quality control, Agriculture, Food and public distribution, Local self governance, Law and Admission of members.

1.4.CONSUMER MOVEMENT IN KANYAKUMARI

As in the case of other districts in Tamil Nadu, Kanyakumari district uninfluenced by any kind of consumer protection movement worth the name till the 1980's the elite in the city did

not evince much interest in organising the consumers to protect them from the onslaughts of the unscrupulous business community. The exhaustive and enabling provisions of the Act opened the eyes of many people in Vilavancode Taluk of Kanyakumari district. The Act became a subject of talk among professionals like lawyers, doctors, engineers, chartered accountants and teachers.

The South Indian Consumer Protection Council and the Tamil Nadu Consumer Protection Centre functioning at Nagercoil have started focusing adequate attention on issues relating to environmental protection. The Centre is making earnest efforts to spread consumer literacy among the masses through its monthly magazine 'Tamilnadu Consumer News'. A awareness program have been conducted to draw the attention of the public to various aspects of consumer rights. Besides these arranged programmes, consumer organisations positively respond on the specific grievances of consumers by conducting protest rallies and dharna that is promptly covered by the media. With the establishment of Consumer Court in Nagercoil, Kanyakumari district play a predominant role as a guardian of consumers' right.

5. ANALYSIS AND INTREPRETATION

1. Age Group wise of the Respondents

Sl. No.	Age	No. of Respondents	Percentage %
1	20 - 30	25	25
2	31 - 40	41	41
3	41 - 50	15	15
4	51 - 60	11	11
5	Above 60	8	8
Total		100	100

Source – Primary Data

It is seen in table 1 that 41% of the respondents belong to 31-40 age group. Which is followed by 20-30 age group who are 1/4th of the study. Only 8% of the respondents are of above 60 age group. It is informed from the study that majority (66%) of the respondents are adult and early adult.

2. Gender wise Respondents

Sl. No.	Gender	Frequency	Percentage %
1	Male	55	55
2	Female	45	45
Total		100	100

Source – Primary Data

It is seen in table 2 that 55 % of the respondents are male and the rest is female. Majority (55 %) of the respondents are male.

3. Educational qualification of Respondents

Sl. No.	Literacy	Frequency	Percentage %
1	Illiterate	9	9
2	Up to 12 th	20	20
3	UG	10	10
4	PG	11	11
5	Diploma	22	22
6	Professionals	28	28
Total		100	100

Source – Primary Data

It is seen that table 3 shows that 28 per cent of respondents are professionals, 11 percent of the respondents are having the educational qualification of Post Graduate, 10 percent of respondents include the educational qualification at Under Graduation level, 22 per cent of respondents boast the educational qualification at Diploma level, 20 percent of respondents are up to 12th level and 9 per cent of respondents are Illiterate. Majority (28%) of the respondents are professionals.

4. Occupation of the Respondents

Sl. No.	Occupation	Frequency	Percentage %
1	Employee	19	19
2	Business	11	11
3	Professionals	28	28
4	Agriculturist	24	24
5	House wife	8	8
6	Retired	10	10
Total		100	100

Source – Primary Data

It is seen that table 4 shows that 19 percentage of the respondents are employees, 11 percent of the respondents are business people, 28 percentage respondents are professionals, 24 percentage respondents are agriculturist, 8 percentage of respondents are house wife and 10 percentage of the respondents are retired people. Majority (28%) of the respondents are professionals.

5 Marital Statuses of the Respondents

Sl. No.	Marital Status	Frequency	Percentage %
1	Married	63	63
2	Un-Married	37	37
Total		100	100

Source – Primary Data

It is seen that table 5 that 63 percent of respondents are married and the left over 37 percent of respondents are unmarried. Thus, conditional that majority (63%) of sample respondents are married.

6. Family Size of the Respondents

Sl. No.	Family Size	Frequency	Percentage %
1	Two	10	10
2	Three	26	26
3	Four	40	40
4	Five	10	10
5	Above 5	14	14
Total		100	100

Source – Primary Data

It is seen in table 6 that 10 per cent of respondents have family amount up to 2 members, the 26 per cent of respondents have 3 family members 40 percent of respondents having family size of 4 members and the lasting 15 per cent have above 5 family members. Majority (40%) of the respondent's family size is four.

7. Monthly Income of the Respondents

Sl. No.	Monthly Income	Frequency	Percentage %
1	Below 5000	8	8
2	5001-10000	35	35
3	10001-15000	19	19
4	15001-20000	5	5
5	20001-25000	10	10
6	Above 25000	23	23
Total		100	100

Source – Primary Data

It is seen in table 7 that 23 percent of the respondents getting above 25000 monthly income, 10 percent of the respondents getting 20001-25000 monthly income, 5 percent of the respondents getting 15001-20000 monthly income, 19 percentage percent of the respondents getting 10001-15000 monthly income, 35 percentage percent of the respondents getting 5001-10000 monthly income and 8 percent of the respondents getting below 5000 monthly income. Majority (35%) of the respondent's monthly income is 5001 - 10000.

8. Area of Residency of the Respondents

Sl. No.	Area of Residency	Frequency	Percentage %
1	Urban	46	46
2	Rural	29	29
3	Semi-Urban	25	25
Total		100	100

Source – Primary Data

It is seen in table 8 that 46 percent of the respondents are in urban area, 29 percent of the respondents are in rural area and 25 percent of the respondents are in semi-urban area. It is informed from the study that majority (46 %) of the respondents are urban.

9. Chi-square Analysis between Literacy Level and Source of Knowledge on Consumer Rights and Consumer Protection Act:

H₀ “Literacy level” is not associated with Sources of knowledge on consumer rights and Consumer Protection Act.

Literacy Level	Sources of knowledge on consumer rights			Total
	Low	Medium	High	
Up to 12 th	2	4	3	9
	1.4%	6.3%	1.4%	9%
UG	3	26	2	31
	4.7%	21.7%	4.7%	31%
PG	5	20	5	30
	4.5%	21%	4.5%	30%
Diploma	2	6	3	11
	1.7%	7.7%	1.7%	11%
Professionals	3	14	2	19
	2.9%	13.3%	2.9%	19%
Total	15	70	15	100
	15%	70%	15%	100%

$P\text{-Value} = 31.081$ $df = 8$ $\text{Table value} = 15.50$

Source – Primary Data

It is seen in table 9 that high level of Sources of knowledge on consumer rights is noticed the literacy level PG. Low level of Sources of knowledge on consumer rights is noticed with the literacy level UG. As the calculated P value is greater than the table value, there is no significant association between Literacy level and Source of knowledge. Hence, the null hypothesis is accepted.

10. Chi-square Analysis between Gender and Source of Knowledge on Consumer Protection Act 1986:

H₀ “Gender” is not associated with Sources of knowledge on consumer rights.

Gender	Sources of knowledge on consumer Protection Act 1986			Total
	Low	Medium	High	
Male	9	43	3	55
	8.3%	38.5%	8.3%	55%
Female	6	27	12	45
	6.8%	31.5%	6.8%	45%
Total	15	70	15	100
	15.0	70.0	15.0	100.0

P Value = 8.745 df = 2 Table Value = 5.991

Source – Primary Data

It is seen in table 4.10 that the calculated P value is greater than the table value; there is no significant association between Gender and Source of knowledge on Consumer Protection Act 1986. Hence, the null hypothesis is accepted.

2. FINDINGS

Chi-Square

From the Chi-square test high level of Sources of knowledge on consumer rights is noticed the literacy level PG. Low level of Sources of knowledge on consumer rights is noticed with the literacy level UG. As the calculated P value is greater than the table value, there is no significant association between Literacy level and Source of knowledge. Hence, the null hypothesis is accepted.

From the Chi-square test the calculated P value is greater than the table value; there is no significant association between Gender and Source of knowledge on consumer rights. Hence, the null hypothesis is accepted.

7. SUGGESTIONS:

- 1) Due to lack of awareness about the consumer councils, complaints are not coming to the councils. Members and public must be encouraged to utilise the services of consumer councils without any fear and inhibition.

- 2) No consumer council is having full time employees, because they do not have adequate work. To start with, part time employees can be appointed to look after the works, and then only consumer councils can grow, prosper and render service.
- 3) The District forum must take active steps to monitor the working of local councils by way of organising frequent meetings of the office bearers.
- 4) The State forum must equally take steps to rejuvenate the working of district forums as many of the forums are dormant.
- 5) Consumer education must be vigorously activated to create awareness among the members and public. At present, consumer educational activities are sporadic and disorganised. They cover only educational institutions. They must cover labourers, fishermen, industrial workers, weavers and daily wages.
- 6) Voluntary agencies like cooperatives and self help groups must coordinate their activities with the working of consumer councils. They can mutually sort out their financial, organisational and structural problems through such coordination.
- 7) The participation of women in the activities of consumer forums is very poor. Concerted efforts must be undertaken by all agencies to educate women in the activities of consumer councils.
- 8) Villages have been completely neglected by consumer protection agencies. Village cooperatives can play a positive role in educating and enlisting the villagers in the activities of consumer forums.

8. CONCLUSION:

High level of Sources of knowledge on consumer rights is noticed the literacy level PG. Low level of Sources of knowledge on consumer rights is noticed with the literacy level UG, there is no significant association between Literacy level and Source of knowledge, there is no significant association between Gender and Source of knowledge on consumer rights.

Present study is undertaken in Vilavancode Taluk of Kanyakumari District in Tamil Nadu. This district is popular for agriculture and fishing. But it lacks industrialization and employment potential. To understand the awareness of the Rights of the consumers, respondents have been drawn equally from rural and urban areas. At present, only one consumer councils are working in this district. So there is need to revamp the working of these consumer councils in this district. To study the awareness of the Rights of the consumers, seven Rights have been chosen. These are dependent variables. The independent variables are age, gender, education and occupation, size of the family, income, expenditure,

savings, debt and total assets. Representation of the female respondents in the consumer awareness is poor. The level of education is better. Income of the respondents is moderate. The Consumer Protection Act 1986 is the basic Act for the consumers. Knowledge about this Act is very moderate (32.0%), in spite of higher level of literacy. Among the seven basic Rights of consumers, the level of awareness about them is fair relating to right to be informed, right to choose and right to be heard.

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