

Green Consumerism in India: The Challenges Ahead

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THE ENACTMENT and implementation of the Consumer Protection Act, 1986 has given a substantial boost to the newly emerging consumer movement in India. The applicability of the 1986 Act to all goods and services has enabled the consumers and their organisations to take heavily on the manufacturers and sellers of defective and sub-standard products as well as on the providers of deficient services. Therefore, ever since the enactment of this Act, a large number of cases have been filed before the Consumer Disputes Redressal Agencies (CDRAs) established under the Act. These cases have been filed both against the public sector as well as

against the private sector. The multiplicity of complaint petitions as well as reasonably good amount of success achieved on this front has certainly encouraged a large number of consumers to raise their voice against unscrupulous businessmen and unethical professionals more than ever before. This in turn, has ushered in an era of accountability on the part of sellers of goods and providers of services.

As was obvious, the emergence of new consumer movement in India has thrown a variety of challenges before its protagonists. These, *inter alia*, are: impressing upon the government to bring certain important services within the ambit of the Consumer Protection Act, 1986¹; filing complaint petitions and litigating on behalf of the exploited consumers²; making effective use of media in spreading awareness amongst consumers³; seeking timely amendments in the 1986 Act to make it more simple and consumer-oriented⁴; protecting consumer rights⁵; and promoting the concept of 'green consumerism.'

The present paper deals only with the concept of 'green consumerism' and have also endeavoured to highlight some of the emerging issues connected with it and the challenges which the Indian consumer movement and its protagonists are presently facing and/or are also likely to face in the future.

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1. The Consumer Protection Act, 1986, by virtue of its section 1(4) has been made applicable to "all goods and services".

2. Gurjeet Singh : "Group Actions and the Law: A Case Study of Social Action Litigation and Consumer Protection in India." 17 *J. of Consumer Policy* 1-30 (Oct.-Dec. 1994).

3. Gurjeet Singh : "Need for Consumer Education in India: A View Point." *Consumer Protection Reporter* vol. 2, part 7, pp.568-85 (Aug. 1994).

4. Ever since its enactment in 1986, the Act has undergone two significant amendments, one each in 1991 and 1993. The 1993 amendment, in particular, has thoroughly overhauled the Act. Broadly speaking, both amendments have been the outcome of constant criticism of some of its provisions and vigorous campaigns launched by consumer organisations seeking simplification and amendment of the Act.

5. Gurjeet Singh : "Consumer Rights Under the Consumer Protection Act, A Critique." 13 *Indian Journal of Legal Studies*, 120-32 (1993).

Meaning and concept of 'green consumerism'

Over the years, relationships between consumers and producers have changed considerably. In the west, for instance, consumers are increasingly moving beyond the traditional norm of 'value for money' in selecting products and services and have begun to include other criteria like 'value for people' and 'value for the environment'. The driving force behind those changed attitudes and actions is the growing public awareness that wasteful lifestyles and over-consumption have extremely serious consequences for the environment.⁶

In adopting environmentally-sustainable lifestyles and consumption patterns, more and more consumers are now exercising their powers to buy or boycott a particular product or service on the basis of its environment friendly character. As echoed in the *Ohmiya Declaration on Creating Our Future Now*,⁷ we need a new consumer society, one in which people decide to consume products and services based not only on their price, quality, durability, performance and after-sale-service, but on ecological and ethical considerations as well. For example, does the producer engage in business practices which exploit lenient legal, social and environmental regulations in other countries, as compared to regulations in the producer's home country? Does the producer care for the environment, and is the product or service environmentally harmful? During this whole process, a new term 'green consumerism' has come into vogue and is increasingly being used these days.

As a matter of fact, the term, 'green consumerism' eludes an exact, precise and scientific definition. However, broadly speaking 'green consumerism' means a consumption pattern with an environmental consciousness. From this standpoint, 'green consumerism' involves people in actions to protect and promote the environment by deliberately avoiding certain categories of products and services, such as those which:

- ❑ endanger the quality of the environment or the safety of other consumers;
- ❑ cause environmental degradation during the extraction of natural resources, or during their manufacture, use or disposal;
- ❑ cause unnecessary waste, either because of overpackaging or because of an unduly short life span;
- ❑ adversely affect other countries and communities, especially those in the South.

'Green consumerism' certainly has the potential to significantly reduce the strain on our environment. Therefore, the choice between 'green' and 'ungreen' consumerism should be obvious to anyone who cares about the future. But there are certain crucial limitations to the success that can be achieved by an individual's firm dedication to that choice. The construction of a better world requires not only individual actions, but also collective actions and political and institutional restructuring based on a sound understanding of the limits of growth and the concept of ecological sustainability.⁸

While many environmental problems can be linked to current consumption patterns, it isn't justifiable to hold consumers entirely responsible for them, or to expect that they can solve those problems by themselves. Neither can it be expected that all the necessary changes will come from consumers. A responsibility clearly lies with

6. *Consumerism: The Green Factors - An Annotated Bibliography*, IOCU: Penang, p. 2.

7. The Ohmiya Declaration on Creating Our Future Now (1989), cited in *Consumerism: The Green Factor*, Ibid.

8. Sandy Irvine : "Consuming Fashions: The Limits of Green Consumerism." 19 *The Ecologist* 88-90 at 88 (1989).

governments to reduce the level of environmental degradation even before consumers start making choices.⁹ In this connection, the role of consumer organisation and environmental groups can also hardly be over emphasised.

Challenges before consumer organisations in India

The old distinction between consumer protection and environment protection is gradually obliterating. In India, for instance, until recent past, consumerists and environmentalists have been pursuing their respective concerns independently. Whereas environmentalists focussed on larger canvass of industrial pollution, deforestation and disproportionate utilisation of the limited resources of the country, the consumerists quarried the raw deal being given to the common man in his interaction with supplier of goods and provider of services. It seems that while they were pursuing their respective causes, they came to realise that some of their concerns were common and that they needed concerted efforts to tackle these problems.

Having learnt from the experiences of the west, and other developed societies, countries like India are today in an unenviable position of leap-frogging to the practice of green consumerism without having to wait for the natural confluence to occur. But the picture is not as rosy as it may seem to the untrained eye. This is so because the west has a very strong and well knit techno-legal framework to implement the tenets of green consumerism. To produce green products re-

quire not only the legal framework or the willingness of the producer of goods and provider of services but also the appropriate technology which the developing countries like India may not be having. Moreover, there is a need for the national commitment to the cause. Thus in the light of these few observations, we are now in a position to delineate the challenges which lie ahead on the road to green consumerism.

In the *first* place, environmental issues are taking an increasingly important place on the agenda of consumer organisation.¹⁰ These organisations are now looking at most consumer problems from wider environmental perspective and are emphasising on the need for consumption of 'Environment Friendly Products' (EFPs) by the consumers. It is heartening to note that in India, for some of the active consumer associations like the Consumer Education and Research Centre (CERC) in Ahmedabad and the Consumer Guidance Society of India (CGSI) in Bombay, environmental issues are among the top priority concerns. For instance, issues like air pollution, water contamination, chemical pollution, food irradiation, green testing, marketing of hazardous chemical and noise pollution are some of the priority items on the latest agenda published by the CERC.¹¹ CERC is now venturing into the area of 'product testing' and more particularly, 'green testing' - evaluating the environmental impact of products. Such testing is needed to inform and help consumers select products on the basis of their 'value for the environment' as well as 'value for money.' It is believed that it is the consumer alone who will ultimately compel market forces to produce safer and environment friendly products.

This is an area which should be of increasing interest and importance also for the other prominent consumer groups in India. However, until recently, unlike many consumer organisations in industrialised

9. Consumerism: *The Green Factor* (1993), p.3.

10. "Consumer Power and the Environment: The Emergence of Green Consumerism." *World Consumer*, no. 196, p. 8 (August 1990).

11. See: Gurjeet Singh "Environmental Protection and Consumer Organisations: The Indian Perspective." in Thackwray Driver and Graham Chapman (eds.): *Law and the Environment, South North Centre Environment Series*, (London: School of Oriental and African Studies) vol. 1, no. 2, pp. 71-81 (August 1993).

countries, Indian consumer groups did not have the resources to carry out extensive and independent comparative tests of various products. However, the CERC is currently engaged in setting up a new laboratory, the first of its kind in India, at Ahmedabad. The laboratory - Testing Organisation for Research in Chemicals and Health Hazards (TORCH) - will initially test, evaluate, and rank three different types of consumer products: foods, pharmaceutical and electrical appliances. To build on those plans, at least four member organisations of International Organisation of Consumers Union (IOCU) in India are also currently exploring the possibility of joining together in producing the country's first consumer magazine for nationwide distribution. They are CERC, CGSI, Voluntary Organisation in the Interest of Consumer Education (Voice) and Consumer Education Centre. If this magazine materialises, it will probably include product test, consumer surveys, consumer advice, and other consumer-related information.¹² In this context, it must be mentioned that there is a greater need for better co-ordination among the various consumer organisations on the one hand and between the consumer organisations and the environmental groups on the other. This shall ultimately enable the consumers to get information and guidance on how to consume with environmental consciousness.

Secondly, surveys show that consumers in Western Europe are becoming increasingly environment conscious. More and more people say that they are prepared to buy 'green' environment products if by doing so, they can contribute to the reduction of damage to the environment caused by the depletion and waste of natural resources and pollution. Manufacturers and retailers are also responding to this by making environ-

mental claims for their products. On this front too, consumer organisations need to play important role in the form of educating consumers about the use of green products even though they may be slightly costlier than the non-green products.

Thirdly, product packaging is one of the most noticeable forms of environmental waste. Another significant challenge before consumer organisations in India, like their western counterparts is how to disseminate information amongst consumers and educate them about reducing product packaging waste.

'Green Dot System' is one of the easiest ways to inform and educate people about the environment friendly products. In the industrially advanced countries, the EFPK can be easily identifiable, for they have a green dot on the top of their packaging and through a cursory glance, an average educated consumer can easily identify the environment friendly product and distinguish it from other product. However, there are some inherent problems about this. For instance, the German environmentalists are now a days increasingly concerned about the inappropriate use of the 'green dot' on consumer goods. According to them, the 'green dot' on packages may give consumers a false impression of the environmental friendliness of the packaging. Due to an increased economic liberalisation, all these things are likely to come to India soon. Obviously therefore, leading consumer organisations in India like CERC and CGSI have to examine the benefits and weaknesses of the green dot system and inform the consumers about this or they have to suggest an alternative method to label the green products.

In the *fourth* place, there is a need for spreading environmental awareness and imparting environmental education among the consumers. As is evident, the impact of environmental problems on all humanity has gradually become evident in the last two

12. Pritee Shah, and Shanti Ramanathan : "A Pioneering Effort." *World Consumer*, no. 206, pp. 10-11 at 10 (March 1993).

decades. Environmental threats have become so critical that some scientists believe they could jeopardise the future existence of human life. As we know, consumers play an important part in the process of environment degradation. Poor consumers in many less developed nations are unfortunately consuming their environment simply to survive; many of the world's tropical forests have been cut for fuel or for subsistence farming.¹³ The consumers must, therefore, be informed and encouraged to adopt environmentally sustainable lifestyles and consumption patterns. There is thus a need for developing a 'new consumer society' on the lines of the Ohmiya Declaration.

To achieve the above objectives there is a need for introduction of environmental education at the school and college level so that environmental consciousness could be inculcated in the minds of the consumers at a very young age. Even the World Commission on Environment and Development has suggested that environmental education should be made a part of the formal education curriculum at all levels "to foster a sense of responsibility for the state of the environment and to teach students how to monitor, protect, and improve it."¹⁴ According to the Commission, these objectives could not be achieved "without the involvement of students in the movement for a better environment, through such things as nature clubs and special interest groups."¹⁵ In this connection, it may be noted that in India, the need for imparting environmental education has already been recognised by the Supreme Court in *M.C.*

Mehta v. Union of India.¹⁶ It may further be interesting to observe that environmental NGOs like SOCLEEN in Baroda in the state of Gujarat are doing commendable work locally and are involving school and college students with their day to day activities concerning environment protection. This is a matter worth emulation by the other environmental NGOs, consumer organisations, and various other voluntary social action groups.

In the *fifth* place, there is a need for raising business ethics in general and environmental ethics in particular. Concern for a cleaner environment is an important dimension of corporate social responsibility. Business strategies need to include not only business but social goals too. The producers and manufacturers must try to produce environment friendly products to the maximum possible extent as part of their broader social responsibility even though the production and/or packaging of such products may be relatively costlier than the simple products. Consumer organisations may have to keep constant vigil on this front too.

In the *sixth* place, there is a need for the media to come to the help of the voluntary consumer groups and environmental organisations. The role of the media can be appreciated at least from two important angles. First it is expected that the media should promptly and prominently highlight environmental violation to inform the public about the grave consequences of such violations as well as to deter potential violators. Secondly, and more importantly, the media should play a constructive part in making the people aware regarding the need for environmental cleanliness. Consumer organisations shall have to make effective and constructive use of media in informing and educating consumers about the need for consuming green products and thereby promoting the cause of green consumerism.

13. *Beyond the Year 2000: The Transition to Sustainable Consumption: A Policy Document on Environmental Issues*, (The Hague: IOCU), 1 (1993).

14. *Our Common Future: The World Commission on Environment and Development*, (Oxford: Oxford University Press), 113 (1987).

15. *Ibid.*

16. AIR 1988 SC 115.

Conclusion

We would conclude the above discussion by raising a few important questions. The first question is whether we, as individual consumers, are ready to do our part of the duty in a crusade for green consumerism, that is whether we are ready to spend, day one rupee extra on an environmental friendly product? Secondly, whether each one of us is ready to inform and enlighten atleast one more person about the need and significance of using the environment friendly products? Thirdly, whether the business community, or say at least some

major manufacturers and producers are ready to launch and market environmental friendly products as a part of corporate social responsibility? Fourthly and finally, whether the governance is ready and willing to provide necessary encouragement in the form of subsidised raw material and other allied facilities to the business units which are involved in the manufacturing and marketing environment friendly products. The success of the movement for green consumerism shall broadly depend upon the satisfactory answer to the above questions.

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