CHAPTER 1A

Marketing

In today's cutthroat business world, marketing is given a lot of attention, and every corporation engages in a variety of marketing activities. As a result, it's crucial that, you comprehend what a market is, what marketing is, and how it differs from selling. So, we will cover all of the key marketing ideas in this session and create the groundwork for describing the marketing process. We will also talk about how marketing has changed over time.

1.1 DEFINITION AND MEANING

A company house will communicate with its clients through marketing in an effort to sell them its goods or services. Before they are in the hands of customers, products are not finished. The management process known as marketing, is what moves products and services from concept to client. Marketing focuses more on creating demand for a product and meeting customer wants, than it does on persuading customers to pay for it.

The practise of generating, promoting, delivering, and trading offerings that have value for clients, consumers, partners, and society at large is referred to as marketing, according to the American Marketing Association (AMA).

Marketing is "the science and art of researching, generating, and delivering value to satisfy the wants of a target market while making a profit," according to Dr. Philip Kotler. Marketing helps people realize their unmet needs and desires. The size of the recognized market and the likelihood of profit are defined, measured, and quantified. It identifies the market categories that the business can best serve, and it designs and markets the proper goods and services to those groups.

Hence, marketing encompasses all of the actions taken to create utilities for place, time, possession, awareness, and more.

Traditional and contemporary marketing concepts.

A concept is a way of thinking, a philosophy, an idea, or a hypothesis that connects any features of divine and human creations. A marketing concept is the organization's guiding principles for developing dynamic marketing. As a result, the marketing notion is a way of life in which an organization's resources are used to develop, stimulate, and satisfy the consumer while making a profit.

CLASSICAL/TRADITIONAL CONCEPT

This idea states that the activities involved in the transfer of ownership of commodities from producers to consumers constitute marketing. It often overstated in this context, how important physical distribution and marketing channels are working. The act of making products from their point of origin available to final consumers is referred to as marketing. Sales of goods and services are the focus of marketing.

CURRENT CONCEPT

This idea holds that marketing is concerned with generating consumers. Peter Drucker, a prominent contemporary thinker, claims that marketing is too fundamental to be classified as a separate job. The entire company is viewed from the customers' perspective; the customer, not the producer, determines whether a business is successful or not? As a result, the current idea gives clients more importance and treats them like kings. Marketing is more than just a physical activity; it's something deeper. Customer wants and wishes are at the centre of this managerial philosophy.

1.2 TRADITIONAL VS. CONTEMPORARY CONCEPTS

1. Unlike modern marketing, which takes into account planning, product, price, promotion, place, people, after-sale service, etc., traditional marketing begins with manufacturing and concludes with sales.
2. Whereas modern marketing focuses on customers' requirements, wants, and contentment, traditional marketing places more emphasis on favourable items.
3. In conventional marketing, the producer's products are the only ones that are sold. Consumer preferences are not emphasised. Modern marketing, on the other hand, only engages in production after examining customer requests.
4. Modern marketing is consumer-oriented, as opposed to traditional marketing, which is focused on products and manufacturing.
5. The objective of old marketers was to achieve maximum profit by maximising sales. Nonetheless, the primary goal of contemporary marketers is to maximise profits by meeting customer needs.

Marketing

1. It starts before the sale and goes on after.
2. It emphasises customer requirements.
3. It has a long-term outlook and strives for stability and growth.
4. It is a commercial philosophy.
5. The consumer is prioritised here over the product.
6. Its scope is broader.

Selling

1. It starts following manufacture and stops following sale.
2. It emphasises the needs of the vendor.
3. It has a near-term viewpoint.
4. It is a regular physical procedure that occurs every day.
5. In this case, the product comes before the customers.
6. Its focus is more constrained than marketing's.

THE PURPOSE OF MARKETING

The specialised tasks that a marketer must carry out in order to locate potentially profitable products for the marketplace and then advertise them by setting them apart from competing goods are known as marketing functions. The following is a brief discussion of some of the crucial marketing functions:

1. Research and Development - A marketer must conduct sufficient research to determine the size, behaviour, culture, gender, demands, etc. of the target market segment before developing the products or services in line with those findings to fulfil and satisfy the needs of the target market.
2. Purchasing Function: To ensure that the production department receives timely and high-quality materials, the marketing department must aid the purchase and supply department by supplying the necessary requirements.
3. Standardization & Grading- Setting quality standards to ensure product homogeneity is referred to as standardisation. Consumers receive constant quality assurance from it.

   Grading is the process of categorising a product based on recognised standards or criteria, such as size, quality, etc. The marketer can charge more for a high-quality product through grading.
4. Packing and Labeling - Packaging has historically been done to safeguard the goods from harm during travel and to make it simple for

customers to receive the goods. But, the producer now also uses it to distinguish his brand from that of his competitors.

Labeling is another task related to packaging. It entails labelling the package with identification information. A product's label is the portion that includes details about the manufacturer and the product.

5. Branding is the process of imprinting a thing with a name or mark that identifies it, or a combination of the two. Giving a thing a distinctive individuality is known as branding.

   Popular brands include Airtel, Sony, Lux, and Nirma.

6. Pricing: One of a marketing manager's key responsibilities is determining a product's price. Pricing is affected by the cost of the goods and services provided, the desired profit margin, prices set by rival businesses, government policies, etc.

7. Promotional Function: The marketing manager is responsible for developing methods that effectively inform customers of the products' existence on the market. Without this feature, producers would hold onto their goods and they would never reach customers. Without this feature, producers would hold onto their goods and they would never reach customers. Advertising, personal selling, publicity, and sales promotion are four crucial forms of promotion.

8. Physical Distribution – Activities required to transfer ownership of commodities to customers are included in this function, as well as making goods accessible at the appropriate location and time.

9. Transportation: It offers the physical requirements that make it easier to move people, products, and services from one location to another.

10. Warehousing. Goods are produced or obtained far in advance and kept in warehouses until they are distributed to clients in order to fulfil the anticipated wants of consumers. The items are shielded in warehouses from harm that might be done by rodents, dampness, sunlight, theft, etc.

11. The function of taking risks. Almost every stage of the marketing process involves taking risks. The financial risk involved in producing and handling goods, such as the potential loss from a decline in pricing and the losses from spoiling, depreciation, obsolescence, fire and floods, etc., is referred to as risk taking in marketing.

12. Customer Support Services - This duty entails creating services for customers, such as after-sales assistance, addressing customer complaints and adjustments, offering credit options, maintenance services, technical support, etc. These services increase consumer happiness to the highest level and foster product brand loyalty.

1.3 MARKETING ENVIRONMENT

INTRODUCTION

Marketing operations must be performed in a specific setting. By attentively studying the environment, it is necessary to scan for and identify even the marketing opportunity. In the context of a specific marketing environment, the marketing mix is also chosen. Marketing managers must consider these forces while making marketing decisions even when they have no control over them. The environment in which they are operating must be carefully observed by marketers as they develop their marketing plans. You will learn about the components of the marketing environment and the marketing environment in India in this unit. Also, you will know how numerous Acts and Laws affect marketing choices in India.

WHY DO WE NEED A MARKETING ENVIRONMENT?

Every corporate organization's marketing strategy is influenced by a wide range of external, uncontrollable circumstances. As a result, a company's marketing strategy must take into account on environmental factors.

Philip Kotler asserts that a company's marketing environment is made up of the individuals and entities from the outside of marketing who have an impact on marketing management's capacity to create and sustain profitable relationships with its target customers. For instance, the automobile manufacturers and customers, the tyre manufacturing technologies, the tax structure, import and export rules, the distributors, dealers, competitors, etc., may all be significant environments to a car tyre company. Along with them, the business may need to take into account its own capabilities in terms of production technology, finance, and sales. The fact that the environment is shifting and unclear in the marketing environment makes it vital. These environmental influences include some that are unavoidable. These changes present both a risk and an opportunity. These environmental elements can be divided into two categories: macro and micro environments. These elements can also be divided into internal and external environmental elements. The term "micro environment" describes the immediate surroundings of a business, or the environmental elements that are nearby. These include the company's own production and customer service skills, dealers and distributors, rival businesses, and consumers. Also, these are the demographics directly influencing the company's prospects. Larger societal forces make up the macro environment and can be arranged in an outer circle. They include forces relating to the population, the economy, the environment, technology, politics, and culture. These factors have an indirect impact and frequently take time to reach the organisation.

One may consider the forces in the outer circle to be the macro environment of a corporation, and those in the inner circle to be the micro environment.

Micro Environment

The following micro environmental aspects affect the company's marketing choices: 1) the internal environment of the organisation; 2) suppliers; 3) marketing intermediates; 4) rivals; and 5) customers. Let's now take a quick look at each of these factors.

Organisations Internal Environment

An organization's capacity for finance, production, and human resources significantly affects its marketing decisions. It is vital to consider financial capabilities, if expanding plant and machinery is required since the current facilities are insufficient.

To create a new product, you might have a responsive research and development department. To produce the new product, the production department may also have access to its own facilities. It's also important to think about how the organization's non-marketing departments work with the marketing department. The senior management might not concur with the marketing department's assessment of the marketing plans or how they should be put into practise. Also, the marketing department must collaborate closely with the other departments, particularly the manufacturing and quality control departments. The sales team may occasionally be required to carry the bulk of the strategy's workload.

Suppliers

You need a range of inputs to produce commodities or services. The people or business that provides these inputs are referred to as suppliers. The success of the marketing organisation depends on the smooth and constant delivery of inputs in the necessary quantities on reasonable terms. These persons or businesses are known as suppliers. Suppliers thus assume significance. The producer is forced to maintain the delivery schedule and the quality of the finished product by receiving timely supply of the required quality and quantity. When there are more suppliers, there is a natural increase in supplier dependence. At times of shortages, some suppliers might not provide materials under favourable conditions. According to the competitiveness of his company and the terms and conditions that each supplier wants, each supplier may do so.

While some vendors, for instance, may be prepared to supply on a credit basis, others may request payment in advance and offer goods based on a waiting list.

Intermediaries

Typically, not all manufacturers are able to sell their products or services to customers directly. To get their goods to customers, producers employ a variety of intermediaries. The marketing intermediates, or dealers and distributors, may or may not be eager to extend their cooperation. These people typically favour trusted brands. It could be very challenging for newcomers to locate a dealer who will stock their goods.

They might demand favourable terms from newcomers in the form of a discount, credit, etc., and the producer might find it challenging to meet their demands. Other middlemen who help with physical distribution include transport companies, warehouse companies, etc. The marketing efforts are frequently influenced by their service costs, accessibility, safe and quick delivery, etc.

Competitors

Competitors present a challenge. Marketing choices are also influenced by competitors' strategies. Other types of rivalry, such as product differentiation, exist in addition to competition on the basis of price. Competitors may also highlight their brand identity, dealer network, or closely related products. Their marketing may highlight a number of true or fraudulent product qualities. The other might respond if one claims that his product uses imported technology.

The other may claim that he is already exporting his product if one claims that his product uses imported technology. Sometimes, competitor tactics might turn an environmental advantage into a challenge.

Customers

Customers come in a variety of forms. A company may sell directly to end users, resellers, industries, the government, or foreign customers. It can be selling to only one of these clients or to all of them. Every type of consumer market has a few distinctive traits, thus the marketer needs to be well-versed in the art of persuading and selling to these customers. These marketing actions will be directly influenced by the environment that the client profile presents.

The demographic also includes people who might buy the company's goods. Finding the people who are most likely to become a company's clients may not be simple. The reputation of a company has established can sometimes persuade customers to become customers. Businesses typically work to improve their reputations with the public and foster a positive outlook among individuals or groups of individuals. Government and consumer action groups are two distinct groups that should not be approached with hostility. Hence, the general public is a component of the ecosystem.

MACRO ENVIRONMENT

Physical environment, technological environment, political and legal environment, economic environment, demographic environment, and social-cultural environment are the macro environmental variables that have an impact on an organization's marketing system. Let's get into more detail regarding these factors.

Environment, Physical is the number and type of resources that a producer has access to for his output are frequently affected by the environment, including the natural renewable resources of the earth (such as forests and agricultural goods) and the limited non-renewable resources (such as oil, coal, and minerals). For instance, India imports gasoline and other goods because it lacks sufficient petroleum resources.

Recently, the Gulf War has had a significant impact on the nation's supply of gasoline and diesel. This had a number of effects on the businesses that used petroleum products.

Technology is influencing how individuals will turn out. One's output may not be in line with the most recent goods and services due to the revolution in computers, electronics, and communication in general. For instance, labor-intensive type-set printing has already become unprofitable due to new printing technology like laser printing and desktop publishing.

Political and judicial climate

Political developments result in new laws and policies that affect industry. Government regulation continues in various ways, and the laws and regulations formed under them are growing more complex. Several commercial sectors are governed by one type of law or another, and the market is unable to resist their effect. The expenses and pricing of the goods and services marketed are directly influenced by tax legislation, such as sales tax, excise duty, octroi, income tax, etc. Likewise with the import and export policies. These elements are regarded as forces in the macro environment since they have an impact on all units (they do not just effect one marketer).

Economic Situation

The economic environment is determined by the state of the economy as measured by the Gross National Product (GNP), per capita income, and the favourable or unfavourable position of the trade balance. War, starvation, per capita income, and a country's favourable or unfavourable situation are all variables. For instance, if the monsoon is good, there will be a greater output of agricultural products, increasing the income of those who depend on agriculture. As a result, consumers can purchase more consumer products. As a result, there is a rise in consumer demand. A poor monsoon will similarly have a negative impact on the demand for fertiliser. The amount of money that can be spent on a range of items is also determined by the personal and corporate tax systems.

Demographic surroundings

Demographic factors like population size, geographic distribution, density, movement patterns, age distribution, birth and death rates, religious diversity, etc. are of great interest to marketers. There are opportunities for the marketer to investigate in the population's changing life styles, habits, and tastes. For instance, the demand for semicooked food goods and household appliances increases when both the husband and wife seek employment.

Social and Cultural Context

Core cultural norms can be strong and deeply ingrained, and as a result, they rarely alter. Also, there are secondary cultural beliefs that can quickly alter. Some of them, such as their hairstyles, attire, etc., just fade. Even within a single culture, not everyone may accept the changes. Different people adopt them to varying degrees. Religion is a significant part of culture as well, and this has ramifications for marketers. For instance, Hindus do not consume beef because they adore the cow. Thus, there is no market for products created from cattle meat. In this way, the consumption patterns are somewhat influenced by the culture of the society. Other human endeavours are likewise influenced by culture because it shapes people's values and ideas.

1.4 IMPLICATIONS OF THE ENVIRONMENT FOR MARKETING

You have learned that a company's marketing environment is made up of a number of forces. The majority of these forces are external to the business and might not be under the marketing executives' control. So, the company's marketing system must function within the constraints of these dynamic environmental influences. This ambiguous marketing landscape presents opportunities as well as surprises and risks. As a result, it is essential for businesses to regularly monitor their environment, as it changes and adjust their marketing mix plans to reflect new trends and advances.

The corporation adapts to these external forces and causes through strategies based on its own resources, particularly its financial, sales, and technical resources. Some of these environmental influences may be somewhat under the organization's control, while others may be beyond its scope. The corporation has no control over macro environmental issues, but it does have some power over micro environmental factors. For instance, the firm has considerable control on the organisational environment. By providing lenient conditions, the company can also have some influence over suppliers, dealers, and distributors. A company can also influence both current and potential customers through its advertising efforts.

Every element of the environment is relevant in some way to marketing. It is simple to imagine, how different environmental elements impact supply and demand, distribution and promotional strategies, etc. For instance, the oil crisis will increase demand for equipment that is more oil-efficient. Similar to this, when computers become more popular, there will be a greater need for operators, programmers, voltage stabilisers, etc.

INDIA'S MARKETING ENVIRONMENT

With over 80 crore inhabitants, India is a sizeable nation. Its diversity in religions, dialects, social practises, and regional features is strength and a weakness for marketers. The ability to successfully sell a wide range of goods and services is a boon, but it can also be a burden because the marketer frequently needs to modify his marketing plan to account for shifting tastes and values. Some marketers can discover that there are numerous opportunities for profit in the Indian market. It implies that there is a market for everything and that there are buyers for anything one may produce. Some adopt a more pessimistic perspective by taking poverty and a lack of necessary inputs into account.

Nonetheless, one can state with certainty that the market is sizable, consumer awareness of quality is rising, and there is a need for new and improved goods and services. These trends may persist for a very long time.

Although India has been independent for 40 years, villages still make up the majority of the country's land and about 77% of its people live there. Yet, these rural communities are now reaping the benefits of the Green Revolution, and because of their growing purchasing power, marketers who had previously focused solely on metropolitan areas must pay more attention to them. Urban areas are undoubtedly the priority target markets due to their population density and market potential, but a company that wants to assure its existence must also start penetrating the rural market. The population in rural areas now has more purchasing power because to government investments in rural development. Transport, communication, literacy, and other advancements have opened up a lot of new markets. The ability to see an opportunity and devise a suitable marketing strategy can let marketers in.

There are many businesses, government agencies, factories, and small-scale businesses operating in the nation, which together make up the organisational customers.

For even the simplest transaction, the public sector typically follows a bureaucratic, drawn-out, and time-consuming system, whereas private sector decision-making is typically speedier and less regimented. You might want to consider creating distinct marketing organisations for the public and private sectors if you are promoting your goods/services to both of them. The timeliness of the purchase decision is another significant distinction between the public and private sectors. The government approves a yearly budget for the public sector businesses, and they utilise the funds from this budget to buy a range of goods. The public sector units are under pressure to use the entire budget because doing otherwise could result in lower funding.

Because they risk having a smaller budget in the following years, the public sector units feel forced to use the entire budget amount.

The quarter before March, when the fiscal year finishes, would see a frenzy of buying. So, if the public sector enterprises are your main clients, you should consider the timing aspect. Private sector businesses rarely have such a high in sales during any given month of the year, unless it is related to the seasonality of production or sales.

1.5 GOVT. REGULATIONS THAT AFFECT MARKETING

Over time, a variety of laws that affect business have been implemented. The significant ones that have an impact on marketing are given below:

The 1872 Indian Contract Act

The 1930 Indian Sale of Commodities Act

The 1951 Industries (Development and Regulation) Act

The Prohibition of Food Adulteration Act of 1954

The 1954 Medicines and Magical Remedies (Objectionable Advertising Act)

The 1955 Essential Commodities Act

The Corporations Act of 1956

Act of 1958 on Trade and Merchandise Marks

The Monopolies and Restrictive Trade Practices Act of 1969 (MRTP Act)

The 1970 Patents Act

Act of 1976 governing standards of weights and measures

The 1986 Consumer Protection Act.

Some of the laws mentioned above, such as the Contract Act, the Sale of Goods Act, the Companies Act, the Trade and Merchandise Marks Act, and the Standards of Weights and Measures Act, are applicable to every business regardless of the type of product sold or service rendered by it. However, the MRTP Act does not apply to financial institutions, cooperative societies, government-managed commercial undertakings or public enterprises.

In contrast, the laws mentioned above aim to control some decisions made by businesses operating in the aforementioned areas. These laws include the Cigarettes (Regulation) Act of 1956, the Medicines and Magic Remedies (Objectionable Advertisements) Act of 1954, the Prevention of Food Adulteration Act of 1954, the Industries (Development and Regulation) Act of 1951, and the Prevention of Food Adulteration Act of 1954.

The Cigarettes (Regulation of Production, Supply and Distribution) Act of 1975 and the (Essential Commodities) Act of 1955.

To expect a marketer to be fully knowledgeable on each of the aforementioned Acts would be unreasonable. Nonetheless, it is imperative that you have a solid working understanding of the main laws defending consumers, competition, and society as a whole. You could assess the legal ramifications of your decisions with the aid of such understanding. ' The major justifications for government regulations can be summed up as follows: safeguarding individual welfare and fostering greater standards for the general welfare of the population, safety etc. preventing companies from acting in ways that are detrimental to the Marketing Environment public's interests, such as by making false or deceptive claims about a product or service, manipulating prices for their own advantage, not honouring warranties, etc. safeguarding small businesses against the dangers of unfair competition from large businesses combating unethical business practises brought about by mergers or other types of partnerships such as price fixing, while conserving national resources including forests, fuels, water and energy.

Preventing environmental pollution, preventing the concentration of economic and industrial wealth, encouraging broadly distributed industrial development and the growth of small-scale industries, safeguarding the economy from foreign inventor dominance and aiding in the preservation of precious foreign exchange resources.

The Indian Contract Act (1972)

It governs how citizens conduct their business and economy. All such choices that involve the creation and execution of a contract are under the purview of this Act. The fundamental components of a legal contract are outlined and carefully explored.

A contract is an agreement that is enforceable in court between two or three parties by which one or more parties obtain rights in exchange for one or more other parties' acts or forbearances.

The Act also outlines the requirements for establishing an agency as well as the responsibilities of both a principal and an agent.

The Indian Sale of Products Act (1930) regulates sales and purchases.

Regulates the selling and acquisition of goods. The property in goods is transferred or promised to be transferred by the seller to the buyer for a price in a contract for sale of goods. The Act also establishes guidelines for the transfer of ownership of goods, the rights and obligations of the buyer and seller, requirements for the delivery of products and the rights of the unpaid seller.

Act on the Growth and Regulation of the Industry (1951)

The industrial licencing system is administered by means of this Act which effectively gives the government the authority to licence (or permit) new investment, the expansion of licenced units, the production of new goods, the relocation of licenced units as well as the investigation of potential violations. the operations of licenced units in specific circumstances and to assume management of those units if circumstances demand it.

The growth and regulation of significant businesses involving relatively big investments that are crucial to India as a whole are of course the goals underpinning these authorities. The relevant elements of the industrial policy are anticipated to be satisfied in the actual fulfilment of these objectives. Industrial licencing is a type of direct government control over market dynamics. The underlying premise is that from a national perspective, the government is the best judge of priorities and that it can allocate resources in a more effective and socially beneficial manner.

Yet, it is important to recognise that there are financial costs associated with the measures of control and that the benefits are anticipated to be at least equal to or greater than the costs.

Act to Combat Food Adulteration (1954)

Prohibits publications or issues of advertising that could lead to consumers becoming ignorant about food products in order to guarantee food purity.

The Medicines and Magic Remedies (Objectionable Advertising) Act of 1954 prohibits the printing or distribution of any advertisement that could lead a gullible customer to turn to dangerous drugs and devices for self-medication.

Advertisements for specific medications used to treat conditions including epilepsy, infertility, and impotence are also restricted. False claims for the pharmaceuticals in advertisements are likewise prohibited under the Act.

The Essential Commodities Act (1955) establishes guidelines for the regulation of production, supply and distribution of specific goods designated as essential under Section 2(a) of the Act. The government has the authority to set the price of such a product under Section 3(a) of this Act.

Businesses Act (1956)

It is a piece of legislation that through regulating the structure and operation of corporations has significant influence on business. It is one of the lengthiest legal enactments with more than 650 sections. Its purpose is to control the expanding business and financial applications of the company system and potential abuse of that system.

Governing trade and commercial marks (1958) Act

relates to the registered trade and product marks under this Act. A mark can be any combination of a device, brand, heading, label, ticket, name, signature word and letter or number. A trademark is a recognisable symbol, name, or design that makes it easy to recognise a firm or its goods. The trademark's owner has the exclusive right to use it and offers legal protection against any infringement of his rights. A trademark may be registered for up to 7 years at a time, after which it may be renewed for an additional equivalent number of years. Moreover, no trademark should be used that is scandalous, indecent, or likely to be confusing or deceptive.

Furthermore, no such trademark should be utilised if it is likely to be misleading or scandalous, indecent or offensive to Indians' religious sensibilities.

Act against monopolies and trade practises (1969) (MRTP)

provides for the control of monopolies, the prohibition of monopolistic, restrictive, and unfair trade practises as well as matters related to or incidental to these things. It also ensures that the operation of the economic system does not result in the concentration of economic power to the detriment of the community.

You might find it interesting to know that the United States which has a free enterprise system was the first nation to pass such a law.

The Sherman Antitrust Act is one such law that was passed as early as 1890. Yet, the Monopolies and Restrictive Practices (Inquiry Control) Act was not passed until 1948 in the United Kingdom. Restrictive Trade Practices

Act and Resale Pricing Act were added in 1956 and 1964 respectively. Our Act is modelled after the three Acts mentioned above.

Patents Act (1970)

The provisions of this Act are particularly relevant when a corporation plans to create patented goods. A patent is a time-limited, exclusive right to own, make use of, and discard of an invention.

The initial inventor or his legal agent receives the patent as a grant from the central government.

The Standards of Weights and Measures Act of 1976 specifies the maximum packing densities for various products. Bread, butter, cheese, biscuits, cereals, and pulses are among the products. Cigarettes, cleaning fluids, cleaning powder, condensed milk, tea, coffee, cooking oils, cosmetics and honey are all included. Toothpaste, milk powder, soaps, spices, jams, sauces, and ice cream among other things.

Consumer Protection Act (1986)

The Consumer Protection Act is the most recent law to India's set of laws governing marketing choices. The Act supplements not replaces, any other laws' requirements that have an impact on marketing decisions.

The Act aims to better protect consumer interests and to that end provides for the creation of consumer councils and other agencies for the resolution of consumer disputes and for matters related thereto. The public enterprises, financial institutions and cooperative societies that benefited from a special position under the MRTP Act were exempt from any action even against those marketing practises of theirs that were deemed against consumer or public interest are not excluded or exempt from the scope of the regulatory measures as a result of the Consumer Protection Act's enforcement.

Even public organisations like the Delhi Development Authority, Municipal Corporations, Indian Railways, Delhi Transport Corporation (DTC), and other State Transport Corporations, etc., are subject to consumer complaints being resolved. In particular, this Act presents a fresh obstacle for many public sector organisations involved in the production or distribution of consumer goods and the delivery of consumer services.

The new Act has more pointed teeth. Confusion over the burden of proof was one of the shortcomings of prior legislation. They never made it clear enough who had the burden of proof—the manufacturer, the trader, or the customer. In that the onus has been placed for the first time on the manufacturer and the sale, the new Act marks a landmark. In order to protect them from unfair trade practises (the term "unfair trade practise" has been defined under the MRTP Act under Section 36-A, and the relevant Section has been discussed later in this unit), the Act gives consumers the right to be protected against marketing of goods that are dangerous to their health.

It also gives consumers the right to be informed about the quality, quantity, potency, purity, standard and price of goods. To seek redress against unfair trade practises or unscrupulous exploitation of consumers to consumer education and to be guaranteed whenever possible access to an authority of goods at competitive prices, to be heard and to be assured that consumers' interests will receive due consideration at appropriate forums.

The Consumer Protection Councils to be established at the Central and State levels, seek to promote and safeguard these goods.

At the district, state, and central levels, a quasi-judicial apparatus is sought to be established in order to allow quick and easy resolution of consumer disputes. These quasi-judicial bodies have the authority to grant rulings of a particular kind and to compensate customers as necessary while adhering to the norms of natural justice. Penalties for failure to comply Sanctions for disobeying directives issued by quasi-judicial authorities have also been made available.

The reach of this new law is perhaps significantly greater than that of any other current law. But, the success will depend on if the necessary infrastructure is developed, particularly at the district and state levels and whether there is the necessary zeal to both create the machinery and enforce the Act's requirements.

Preservation of the Environment Act (1986)

The Environment (Protection) Act makes provisions for environmental protection, enhancement and the avoidance of hazards to people, other living things, plants, and property.

The term "environment" refers to the land, water, and relationships that exist between them and humans other living things, plants and other things. Environmental pollution is the presence of any solid, liquid, or gaseous chemicals that have the potential to harm the environment. The present enactments covers not only all things connected to prevention, control \sand abatement of environmental pollution but also powers and functions of the Central Government and its officials in that regard and penalties for committing offences

Bureau of Indian Standards Act (1986)

According to the Bureau of Indian Standards Act, a bureau will be established to ensure the smooth progression of the operations of standardisation marking and quality certification of goods as well as any issues related to or incidental to those activities. The Bureau of Indian Standards would be a body corporate and have an Executive Committee to manage its daily operations according to the provisions made. All functions of the International Standards Organization will be carried out by its employees, agents and liabilities. Additionally, it has been agreed that suppliers of comparable goods with origins in GATT-coded countries will have access to the Bureau's Standards and Certification Mar: The only modification to the legislation made by the Act is the creation of a new venue for swift and efficient case resolution.

Governmental Institutions

In 1947, the Indian Standards Institution was founded. The nation's industrialization was still in its early stages. Since then there has been significant advancement in a number of areas of the Indian economy necessitating a renewed focus on standardisation and quality control. With the expansion of production and exports in various sectors of the national economy, a national plan for giving standards the proper respect and importance must be developed. To encourage quicker growth, boost exports and provide items that satisfy consumers, the public and private sectors, especially small businesses must step up their efforts to manufacture goods of better standard and quality. The purpose of the establishment of the Bureau of Indian Standards as a legislative organisation was to fulfill the aforementioned goals and to carry out the law. The Bureau of Industrial Costs and Prices, the Agriculture %XS Commission, and the MRTP Commission are just a few of the regulating organisations that the government has formed. The Government established the Bureau of Industrial Costs and Prices in 1971 to carry out inquiries into industrial items and suggested prices. With the purpose of advising the government on price strategies for agricultural goods, the Agricultural Prices Commission was established in January 1965.

To enforce the terms of the relevant legislation, the government has also created rules like the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 and the Prevention of Food Adulteration Rules 1955. The Central and State Governments are accountable for enforcing these Statutes.

In accordance with Section 5 of the MRTP Act of 1969, the Government created the MRTP Commission. The Commission may look into any restrictive trade practise I after receiving a complaint of the facts constituting the practise from any trade or consumers association with a membership of at least 25 people or from 25 or more consumers, (ii) after the Central Government or a State Government refers the matter to it, (iii) after the Registrar of Restrictive Trade Agreements (RRTA) submits an application to the Commission or (iv) after the Commission becomes aware of the matter on its own (also known as suo moto inquiries).

An investigation of monopolistic commercial activities might be conducted based on a referral provided by the Central Government or on that government's own knowledge or facts. An informant is not the same as a complaint because the Act does not recognise informants. In these situations, it is up to the MRTP Commission to determine whether or not an informant is someone who is interested in the case's subject matter.

The MRTP-Commission must conduct a preliminary investigation through its Director General of Investigation in regards to complaints it receives directly from consumer and trade associations to determine whether the complaint merits a thorough investigation. Public interest groups have expanded during the past eight to ten years.

These organisations seek to persuade the government and business to pay more attention to consumer needs. To obtain justice for the harmed consumers and to hold corporate firms accountable for unfair practises, they can even take the case to court.