Regression Analysis of the Court Complaints in the District Consumer Forums of Uttrakhand, India

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A R T I C L E   I N F O

A B S T R A C T

Purpose: *The current study aims to understand consumer complaints trends in district courts of the newly constructed state of Uttarakhand.*

Design/Methodology/Approach: *A descriptive study was conducted to test the research framework. The secondary data on the consumer complaints filed with district consumer courts of Uttarakhand for 2006-2017 was considered for the study. Regression analysis was employed to understand consumer complaint behaviour trends concerning literacy and pendency rates.*

Findings: *Trend analysis demonstrated that new cases filed with district consumer courts are higher in plain areas (Dehradun, Haridwar & Udham Singh Nagar). Regression analysis depicted a significant negative relationship between the case pendency rate and the number of new cases filed. The relationship between literacy rate and the number of new cases filed was not significant.*

Managerial Implications: *Present study reinforces the significance of consumer courts in addressing to redressal of consumer complaints. It suggests firms and organizations address customers redressals properly; else, customers will take them to court. At the same time, it warns consumer courts about the increasing pendency of cases and urges them to take proper remedial actions.*

Originality/Value: *The study highlighted the role of Third-party action in consumer complaint behaviour and provided an overview of consumer courts' performance and efficiency in 13 districts of Uttarakhand.*

Introduction

In this era of fierce competition, it has become almost inevitable for organizations to obtain feedback from their customer. This feedback becomes essential, especially in case a customer faces an unfavorable experience. Many researchers in the past have emphasized organization to encourage and facilitate complaint processes to seek feedback from their consumers (Tronvoll, 2012). Thus, consumer complaining behaviour has attracted the interest of academia and practitioners across the globe.

Consumer complaint behaviour, in short, is termed as a set of consumer dissatisfaction responses. Crié (2003) referred to the post-purchase responses of the customer towards the responsible organization occurring on account of dissatisfaction with the product and services offered by the concerned organization. The responses may vary in between loyalty, exit, voice or third-party action. The credit of origin of consumer complaining behaviour studies goes to Hirschman, who, in 1974, proposes the "Exit-Voice-Loyalty model" to represent that consumer can respond in three possible ways to a worsening of quality in firms, organizations and states (Boote, 1998).

"Consumer Complaining behaviour" is defined as "an expression of dissatisfaction by individual consumers (or on a consumer's behalf) to a responsible party in either the distribution channel or a complaint handling agency". Singh (1988) describes it as "a set of multiple (behavioural and non-behavioural) responses, some or all of which are triggered by perceived dissatisfaction with a purchase episode". Also, Stephens (2000) defined customer complaining as a process that may or may not occur, arising from the customer's disappointment to purchase.

Most studies have identified customer dissatisfaction as the most important antecedent of consumer complaint behaviour, but other antecedents can also be. For instance, Kowalski (1996) suggested that not all consumers complain of dissatisfaction but they can do so to win monetary benefits from a retailer or manufacturer. Apart from the differences in types of antecedents, researchers do not reach a consensus on the source of customer's dissatisfaction. Boote (1998), based on past literature, suggested that "there are at least six possible theoretical approaches to dissatisfaction: disconfirmation of expectations, attribution, equity, experienced-based norms, perceived performance, response to an ideal. comparison based on promises, and a non-cognitive, effective approach."

Likewise, sources of customer's dissatisfaction, researchers lack conformity on responses of customers to complaints arising on account of customer's dissatisfaction. Hirschman (1970) suggested exit, voice & loyalty as three possible responses of customers, whereas Singh (1988) proposed four bases of consumer complaining behaviour - exit, voice, negative word of mouth and third-party action. Further, Hunt (1990) discussed retaliation, grudge-holding and avoidance as another set of responses to a consumer's complaint.

These responses can be summed as follows

- **Loyalty:** It refers to customers who do not intend to take any action against the firm; instead, they want to remain with the firm despite dissatisfaction. This is least discussed in the literature of complaining behaviour.
- **Voice:** It is an effort to obtain redress from the manufacturer, retailer, or service provider involved.
- **Exit:** It is an act of parting away with the manufacture/ retailer or service provider involved in the dissatisfaction episode.
- **Negative word of mouth** means communicating dissatisfaction with family and friends, which may turn out to be a warning to purchase certain products/ services from a particular manufacturer or retailer.
- **A third-party action** is an act of engaging an external agency, like a consumer group or a legal representative, to deal with dissatisfaction with certain products/ services.
- **Retaliation** refers to acts like vandalizing store, and negative word-of-mouth in the store itself by dissatisfied customers to 'get even with the seller/service provider.
- **Grudge-holding &Avoidance:** They are similar to exit; the only difference is in the duration of separation with manufacturer/ retailer or service provider. Grudge-holding is a longer-term phenomenon than exit and is usually followed by avoidance.

Effective complaint management must be a top priority for businesses and the governments of the countries. Businesses must obtain feedback from customers, especially from dissatisfied customers, to understand the cause of dissatisfaction and devise a remedy to counter it. It helps organizations to retain their customers in the long run. At the same time, lawmakers understand their responsibility to

safeguard the rights of consumers; accordingly, acts are drafted across the globe. India is no exception to it.

Legal measures for consumer protection have existed in India for a long time. Where initial laws were punitive and preventive, the current laws aim to protect the rights of a consumer. Passing Consumer Protection Act (CPA) in December 1986 was a mile-stone in the Indian history of consumer protection. The CPA aims to provide for speedy and cost-effective redress of consumer grievances through a three-tier adjudicative machinery. The machinery consists of consumer tribunals, at district, state, and national levels. The CPA empowers the consumer to file a complaint before the appropriate court in case of a) any defective product sold, (b) any deficient service provided, (c) any unfair trade practice, or (d) the excess price charged.

The provisions of CPA are compensatory and empower consumer courts to award, after adjudication, following relief to dissatisfied consumers (a) removal of defects in the product, or replacement of the defective product, (b) reimbursement of the price paid, and (c) providing reasonable compensation for any loss or damage suffered by the consumer.

Recently, Consumer Protection Act, 2019, passed on 9th August 2019 to replace the old CPA, 1986. The new act proposes the inclusion of e-commerce, consumer's location-based jurisdiction, alternate dispute resolution mechanism, e-fillings of complaints, and other benefits of the previous act. The need for a new consumer protection act arises on account of the development of IT and e-commerce. Further, with increased awareness, credited to combined efforts of government agencies, consumer associations and media, the number of cases in the consumer courts is increasing day by day. The increased complexities in consumer complaint behaviour motivated the Indian government to pass a new act that makes India ready to address e-commerce, online trade challenges, and increased cases.

Review of Literature

Lee et al. (2021) emphasised the legal system's role in resolving consumer complaints. The legal system empowers consumers to level the grounds in their fight against big businesses. The study explored that the legal system plays a vital role in reducing consumer inequality. Secondly it is inferred that consumers seek legal aid to reduce the power imbalance and provide an opportunity for service providers to rectify the problem and make the situation better.

A study on Consumer complaint behaviour in the Financial Sector by Suomi & Järvinen (2018) found that consumers complain directly to their service providers and their family, relatives and friends, but only a few proceed for legal action. It was found that in the financial sector, many disappointed consumers stay inactive.

Khadir (2016) through an empirical study on inpatients across Kerala, examines the effect of eight demographic factors (sex, age, education, occupation, financial status, religion, marital status, geographical location) on the propensity to complain, post dissatisfaction with hospital services. The result suggests that most dissatisfied customers are covert complainers who hesitate to report their dissatisfaction but may take action or stay silent. Further, the authors concluded that only occupation affected the complaining behaviours of inpatients.

Garín-Muñoz et al. (2016) emphasised that consumer complaints need to be interpreted as positive rather than a nuisance as it allows the company to identify their weakness. Based on an empirical study on the consumers of the Spanish telecommunication industry, they concluded that customers dissatisfaction is not a prerequisite for complaining behaviour. The results of the study suggest that young male consumers have a high tendency to complain compared to women and older people. Further, the types of problems experienced by consumers affect the selection of the third party for a complaint.

Kaur & Sharma (2015) through an empirical study in Indian Service Industry - Banking, Insurance and Telecommunication, developed a scale of Consumer Complaining Behaviour based on eight dimensions viz. redress-seeking complaint, friendly complaint, opportunism, third party complaint, word of mouth complaint, switching, loyalty complaint and neglect.

Consumer complaint behaviour may be an unfavourable response, but dispute resolution may lead to consumer confidence and re-patronage behaviour summed by AlDosiry et al., (2016). Through content analysis of secondary data from records of the Tribunal of Consumer Claims (TCC), Malaysia, the authors investigate the effect of age, gender, and religion on the outcome of consumer complaints filed with TCC as a third-party action. However, the results suggest that middle-aged, especially, females were the prominent plaintiff but simultaneously concluded that demographic variables, gender, religion and age did not influence the award outcome.

The success of Online Public Grievance Redressal System was explored by Alalwan et al. (2017). They measured intention to use the system and user satisfaction. The perceived usefulness of a grievance system was found to have a positive and significant relationship with the intention to use the system. It was also found that System Quality and Information Quality have a positive and significant relationship with the intention to make a complaint.

Wan (2013) examine the role of culture, degree of embarrassment and face concern on consumer complaint behaviour in the service industry. Through an empirical study on university students in Hong Kong, the author suggests that face concerns mediate the cultural impacts on consumer complaint intention across non-embarrassing and embarrassing failures. The results conclude that collectivists (vs individualists) are more likely to complain in embarrassing failures than non-embarrassing failures. As against individualist, collectivists show more tendency to switch and spread negative word-of-mouth in case embarrassing as well as in non-embarrassing failures.

The effect of emotion and culture on intentions to take third party action after a service failure was studied by Baker et al. (2013). They found positive relationships between felt emotions and displayed emotions and displayed emotions and third-party action on a service provider. The moderating effects of Individualism, Power Distance and Uncertainty avoidance were studied. The study showed that Individualism has a direct and positive effect on the relationship between felt emotions and displayed emotions. Further, they inferred a positive correlation between power distance and the relationship between expressed emotions and third-party complaint behaviour.

Objectives of study:
The objectives of the study are as follows:
- To study the trend of the new cases filed, cases disposed and number of cases pending in the consumer courts of Uttrakhand, India.
- To understand the relationship, if any, between literacy rate &new cases filed in consumer courts of Uttrakhand, India.
- To analyse the case clearance rate (CCR) district wise, to understand the efficiency of district consumer courts in Uttarakhand, India
- To analyse the pendency rate of cases, district wise and to understand the relationship, if any, between pendency rate & number of new cases filed in

consumer courts of Uttrakhand, India.
- To understand the relationship, if any, between rate of new cases filed & pendency rate in consumer courts of Uttrakhand, India.
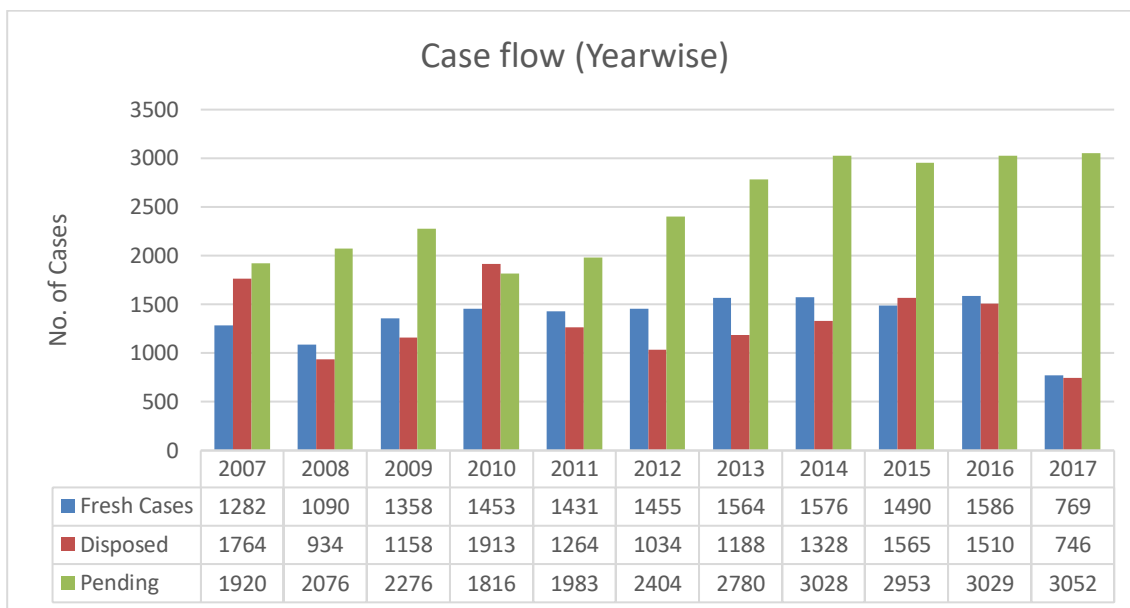
Research Methodology
The study is based on secondary data about the consumer complaints filed with district consumer court. Data was collected from different districts of Uttarakhand from 2006-2017 from 13 District Consumer Forums of Uttarakhand. The data consisted of details about number of Cases filed since inception, number of cases disposed since inception and number of cases pending as on end of the calendar year. District-wise data on Population size and literacy rate was taken from last Census i.e. 2011. The data was analysed using appropriate statistical tool. The results are presented in form of graphs and tables.
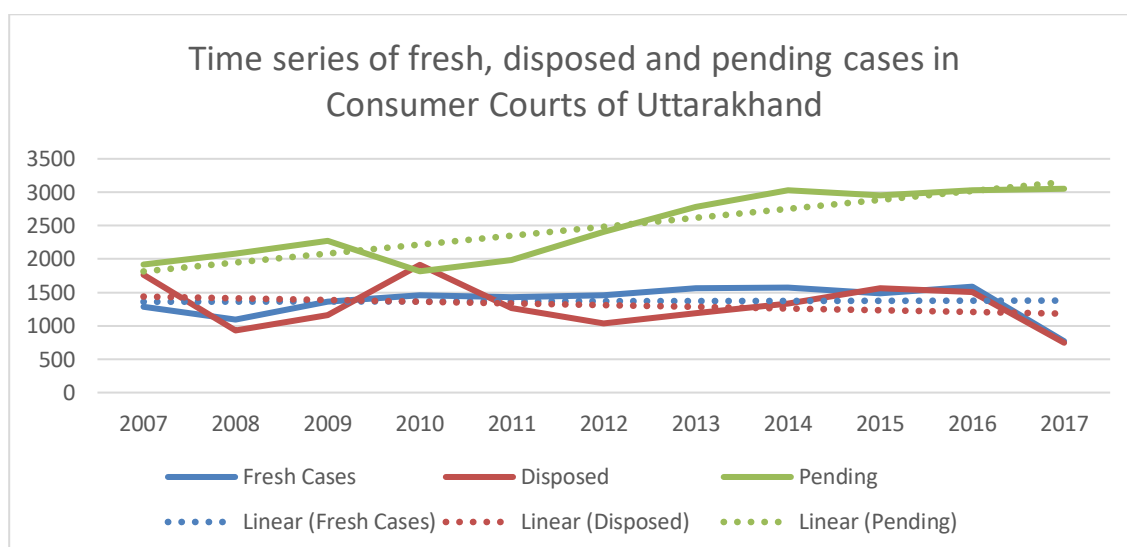
Results
The data was collected from the State Disputes Redressal Commission for 11 years from 2007 to 2017. From trend analysis it is clear that the number of pending cases in consumer courts have risen sharply during the period under study. A trend analysis of the cases clearly depicts that the pendency is increasing at an alarming rate in the consumer courts of Uttarakhand. During the same period, there is a decline in the number of cases settled/disposed by the consumer courts while the number of new cases filed shows a consistency with a trend line parallel to X-Axis.

A District wise comparison is drawn for their share in the total complaints handled by the district consumer courts. From the figure 3 it can be observed that majority of the new cases are filed in Dehradun and Haridwar districts in Garhwal region followed by Udham Singh Nagar in Kumaon Region of Uttarakhand. Over the years number of cases filed in Almora have increased significantly from merely 1% in 2007 to 11% in 2017. It can also be deducted that more complains are being filed in the Non-Hilly districts than Hilly districts of the state. As in 2017 complaints filed 2 districts viz. Dehradun and Haridwar constitute 52% of all the complaints filed across the state.

The composition of number of cases disposed by the consumer courts follows the trends of number of new cases filed. Once again Dehradun and Haridwar districts have maximum number of cases disposed by the consumer court. However, there is a huge variation in the performance of these districts in terms of number of cases disposed by them over

Figure 1: Year wise details of New, Disposed and pending cases in consumer courts of Uttarakhand

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Fresh Cases	1282	1090	1358	1453	1431	1455	1564	1576	1490	1586	769
Disposed	1764	934	1158	1913	1264	1034	1188	1328	1565	1510	746
Pending	1920	2076	2276	1816	1983	2404	2780	3028	2953	3029	3052

Figure 2: Time series analysis of Fresh, Disposed and pending cases in Consumer Courts of Uttarakhand

the years.

Dehradun and Haridwar districts have the maximum pendency in the state in terms of number of cases. It can be seen that the pendency in Haridwar District is constantly increasing in percentage to the total pendency in the state. The share of pendency in the district of Udham Singh Nagar have reduced over the years.
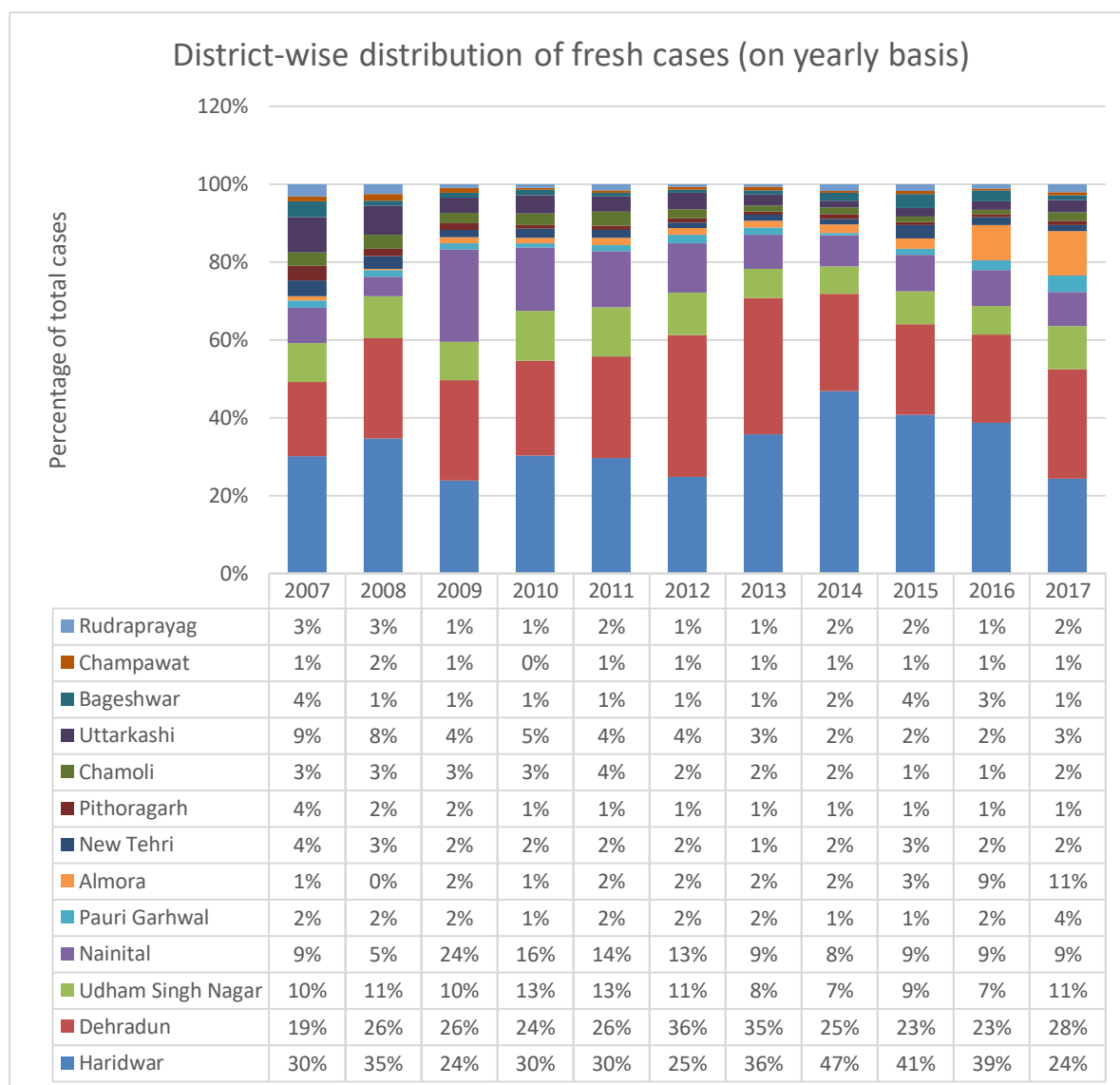
Pendency Rate: The performance of a court cannot be measured solely by the number of cases disposed by it. Pendency rate is one of the measures to compare the relative performance of the courts. Pendency rate is the ratio of Number of Pending cases to Number of New

cases filed in a year. To measure the pendency rate for the District Consumer Courts, average pendency over the period under study and average number of new cases filed per year is used in this study.

While Dehradun and Haridwar Districts have the maximum number of pending cases, Pithoragarh has the highest Pendency rate (= 350%) while Almora has the least rate (=115%) in the state. Pendency rate of Dehradun and Haridwar districts, with highest number of pending cases in the state, have much moderate pendency rate at 201% and 157% respectively. While Pithoragarh and Almora have the least share in number of new cases filed per year, higher pendency rate indicates relative

inefficiency of their Consumer Forums. The pendency rate throughout the district forums of Uttarakhand is more than 100% which points to overall inefficiency of District Consumer

Forums in Uttarakhand. Higher pendency rates could be due to unavailability of judges in consumer forums.

District-wise distribution of fresh cases (on yearly basis)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
■ Rudraprayag	3%	3%	1%	1%	2%	1%	1%	2%	2%	1%	2%
■ Champawat	1%	2%	1%	0%	1%	1%	1%	1%	1%	1%	1%
■ Bageshwar	4%	1%	1%	1%	1%	1%	1%	2%	4%	3%	1%
■ Uttarkashi	9%	8%	4%	5%	4%	4%	3%	2%	2%	2%	3%
■ Chamoli	3%	3%	3%	3%	4%	2%	2%	2%	1%	1%	2%
■ Pithoragarh	4%	2%	2%	1%	1%	1%	1%	1%	1%	1%	1%
■ New Tehri	4%	3%	2%	2%	2%	2%	1%	2%	3%	2%	2%
■ Almora	1%	0%	2%	1%	2%	2%	2%	2%	3%	9%	11%
■ Pauri Garhwal	2%	2%	2%	1%	2%	2%	2%	1%	1%	2%	4%
■ Nainital	9%	5%	24%	16%	14%	13%	9%	8%	9%	9%	9%
■ Udham Singh Nagar	10%	11%	10%	13%	13%	11%	8%	7%	9%	7%	11%
■ Dehradun	19%	26%	26%	24%	26%	36%	35%	25%	23%	23%	28%
■ Haridwar	30%	35%	24%	30%	30%	25%	36%	47%	41%	39%	24%

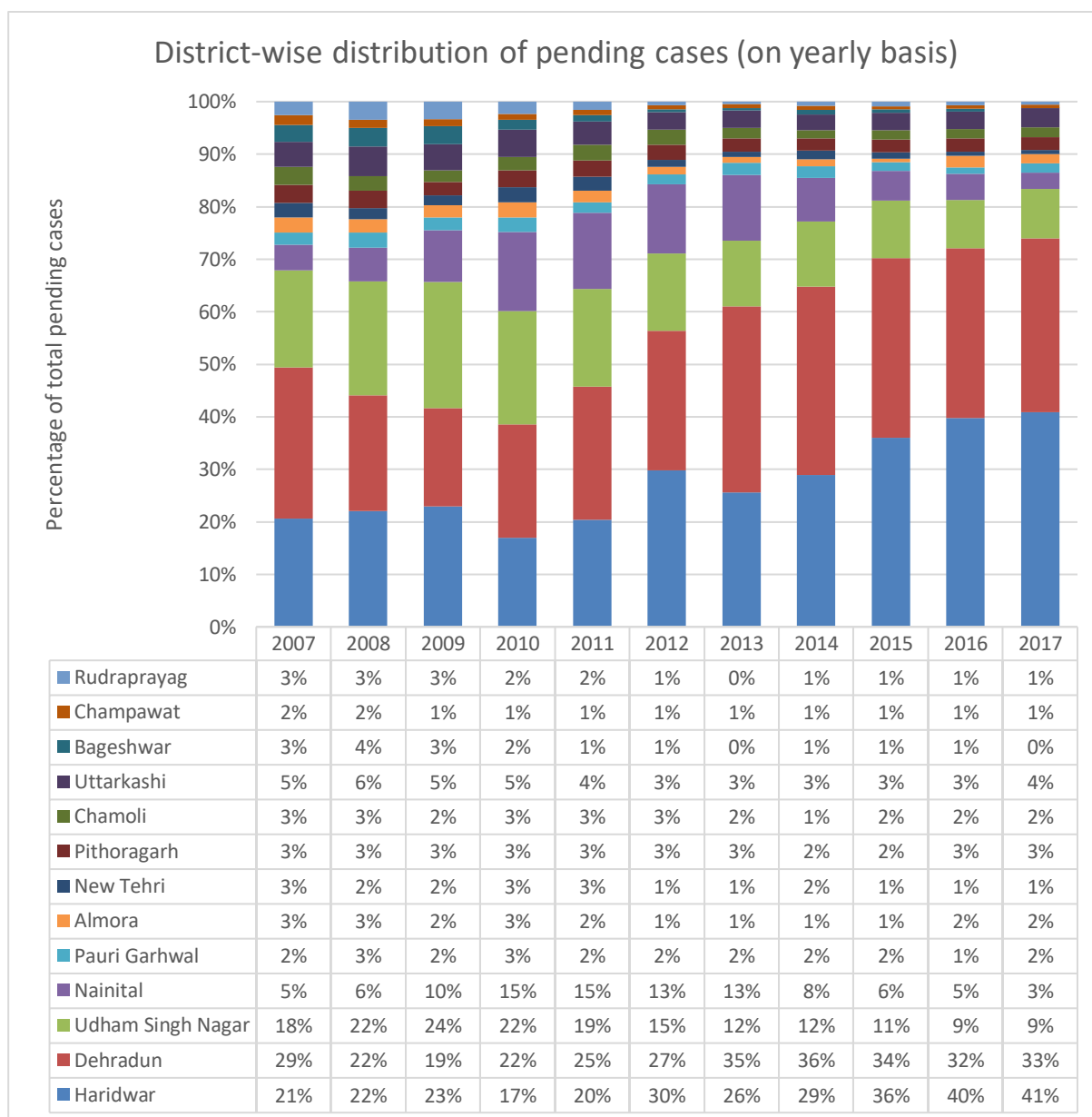**Figure 3: District-wise distribution of fresh cases (Year-wise)**

Case Clearance Rate (CCR): Another parameter to evaluate the performance of courts is Case Clearance Rate (CCR). CCR is the ratio of number of cases disposed in a year to total number of new cases filed in that year. Higher CCR is considered better as it means that the court is able to reduce the pendency by disposing more cases per year than those instituted in that year. District-wise CCR of Consumer courts of Uttarakhand is demonstrated in Figure 8. Haridwar District which have the highest number of cases being filed each year has the lowest CCR (=84%) followed by Pithoragarh District with 89% CCR. Champawat District has the best CCR (=118%). Majority of the districts, including Dehradun,

have near 100% CCR. Over the period under study the CCR of District Consumer Forums in Uttarakhand have dropped from 138% in 2007 to 97% in 2017. The worst performance was in the year 2012 when CCR dropped to mere 71% leading to sharp increase in case backlogs.

Regression analysis was conducted to understand the following relationships:

a. **Relationship of New Cases filed with literacy rate:** The regression analysis of number of new cases filed on literacy rate is illustrated in figure 10. The regression line is downward

Figure 4: District wise distribution of disposed cases (Year-Wise)

District-wise distribution of pending cases (on yearly basis)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Rudraprayag	3%	3%	3%	2%	2%	1%	0%	1%	1%	1%	1%
Champawat	2%	2%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Bageshwar	3%	4%	3%	2%	1%	1%	0%	1%	1%	1%	0%
Uttarkashi	5%	6%	5%	5%	4%	3%	3%	3%	3%	3%	4%
Chamoli	3%	3%	2%	3%	3%	3%	2%	1%	2%	2%	2%
Pithoragarh	3%	3%	3%	3%	3%	3%	3%	2%	2%	3%	3%
New Tehri	3%	2%	2%	3%	3%	1%	1%	2%	1%	1%	1%
Almora	3%	3%	2%	3%	2%	1%	1%	1%	1%	2%	2%
Pauri Garhwal	2%	3%	2%	3%	2%	2%	2%	2%	2%	1%	2%
Nainital	5%	6%	10%	15%	15%	13%	13%	8%	6%	5%	3%
Udham Singh Nagar	18%	22%	24%	22%	19%	15%	12%	12%	11%	9%	9%
Dehradun	29%	22%	19%	22%	25%	27%	35%	36%	34%	32%	33%
Haridwar	21%	22%	23%	17%	20%	30%	26%	29%	36%	40%	41%

Figure 5: District-wise distribution of pending cases (Year-wise)

sloping indicating that there is an inverse relationship between Literacy rate and number of new cases filed. However only 4.61% of variance in number of new cases filed is explained by literacy rate ($R^2 = 0.0461$). The ANOVA analysis gives a p-value of 0.48108 which is higher than 0.05, signifying that the variance in number of cases filed in not significant.

b. **Relationship of Pendency Rate with New Cases Filed:** An attempt is made to study if the pendency rate is higher because of higher number of new cases filed. With the help of regression analysis, the relationship between pendency rate and number of new cases filed is drawn (Figure 11). The bubble size in figure 11 depicts the number of pending cases. The regression statistics (Table 2) shows that the relationship between Pendency rate and number of new cases filed is very weak ($R^2 = 0.0073$). Further the variance in the pendency rate of district consumer courts is not-significant with respect to the number of new cases filed with them (p-value = 0.7809). A possible reason for

this relationship could be that the two districts which contribute towards more than 50% of the new cases filed, have relatively lower pendency rate. Thus, it is desirable to understand the relationship between Pendency rate and the change in the rate of new cases filed.
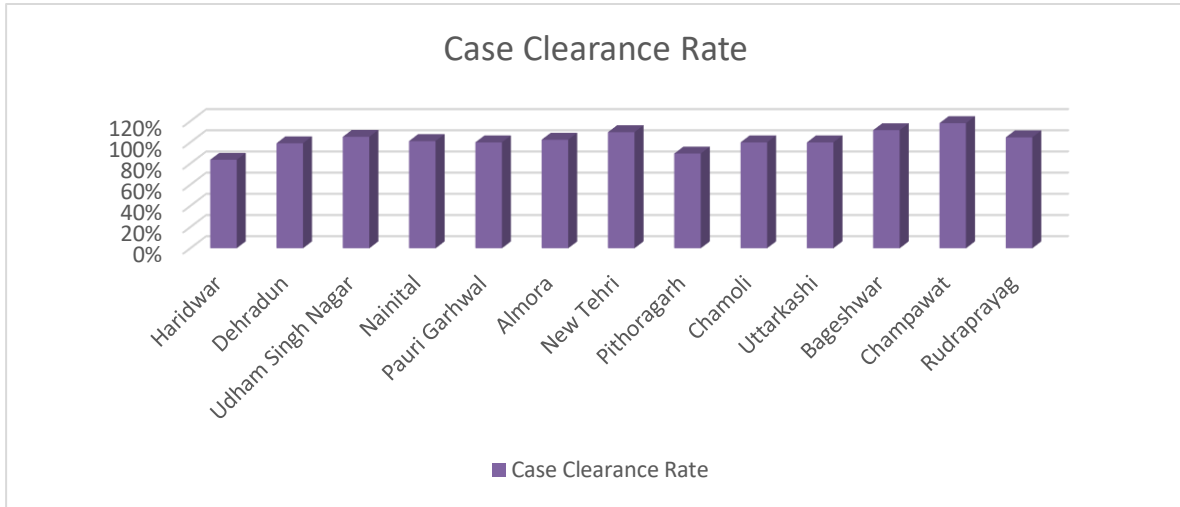

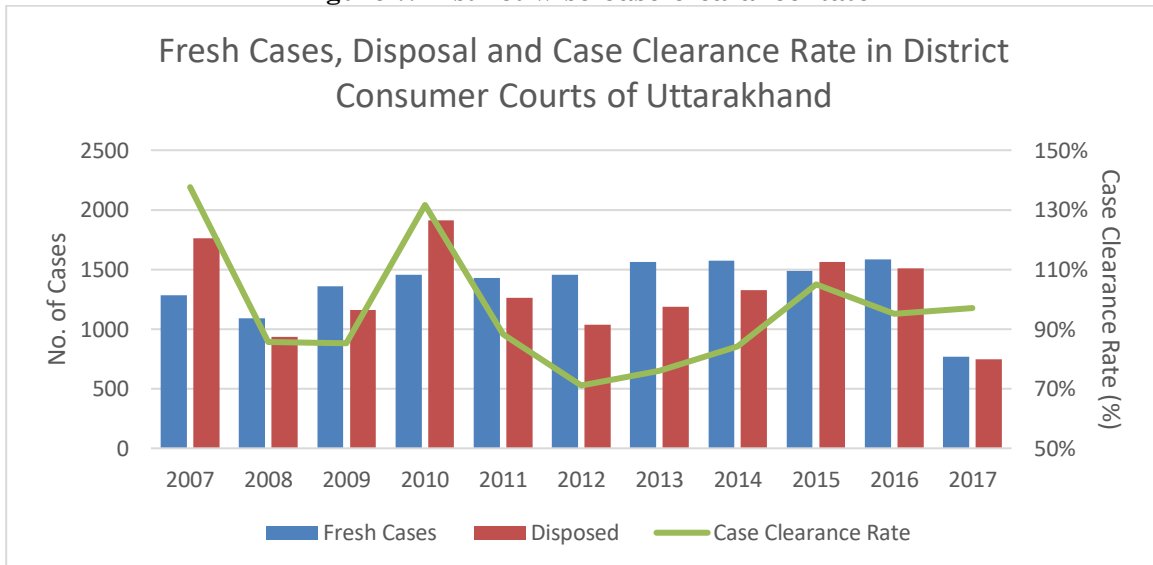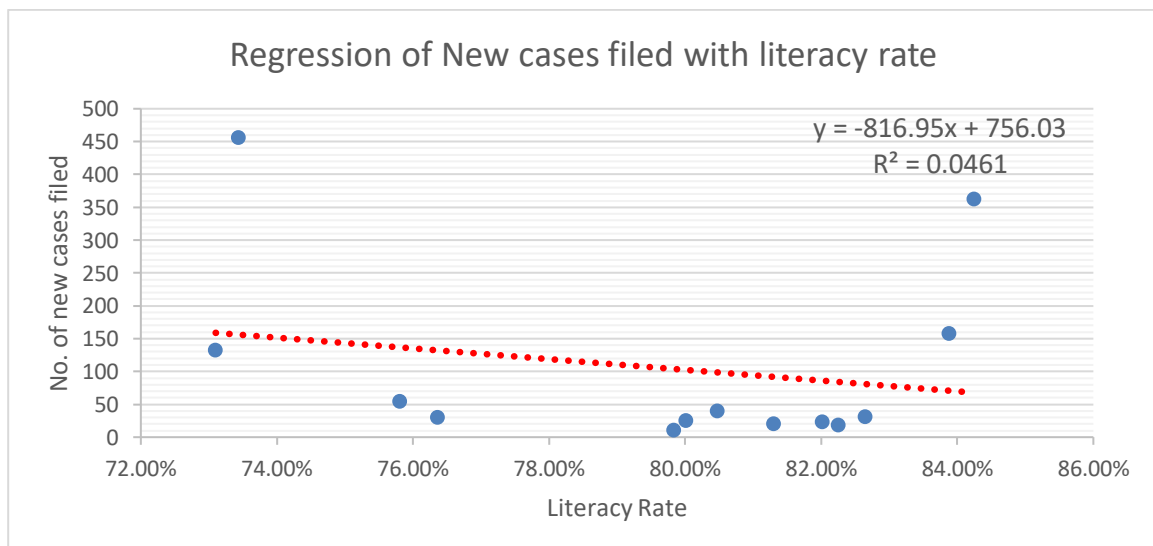**Figure 7: District-wise Case Clearance Rate**

Figure 8: Year -wise Fresh cases, Disposed Cases and CCR

In the regression chart:
$$y = -816.95x + 756.03$$
$$R^2 = 0.0461$$

Regression Statistics								
Multiple R	0.214751							
R Square	0.046118							
Adjusted R Square	-0.0406							
Standard Error	146.5533							
Observations	13							

	df	SS	MS	F	Significance F			
Regression	1	11422.5	11422.5	0.5318	0.48108			
Residual	11	236256.6	21477.87					
Total	12	247679.1						

	Coeff	Std Error	t - Stat	P-value	Lower 95%	Upper 95%	Lower 95.0%	Upper 95.0%
Intercept	756.02	893.1196	0.846505	0.4153	-1209.71	2721.773	-1209.71	2721.773
Literacy	-816.95	1120.241	-0.72926	0.4810	-3282.58	1648.682	-3282.58	1648.682

Table 2: Regression Statistics of regression of New Cases filed with literacy rate

Figure 9: Regression of New Cases filed with literacy rate
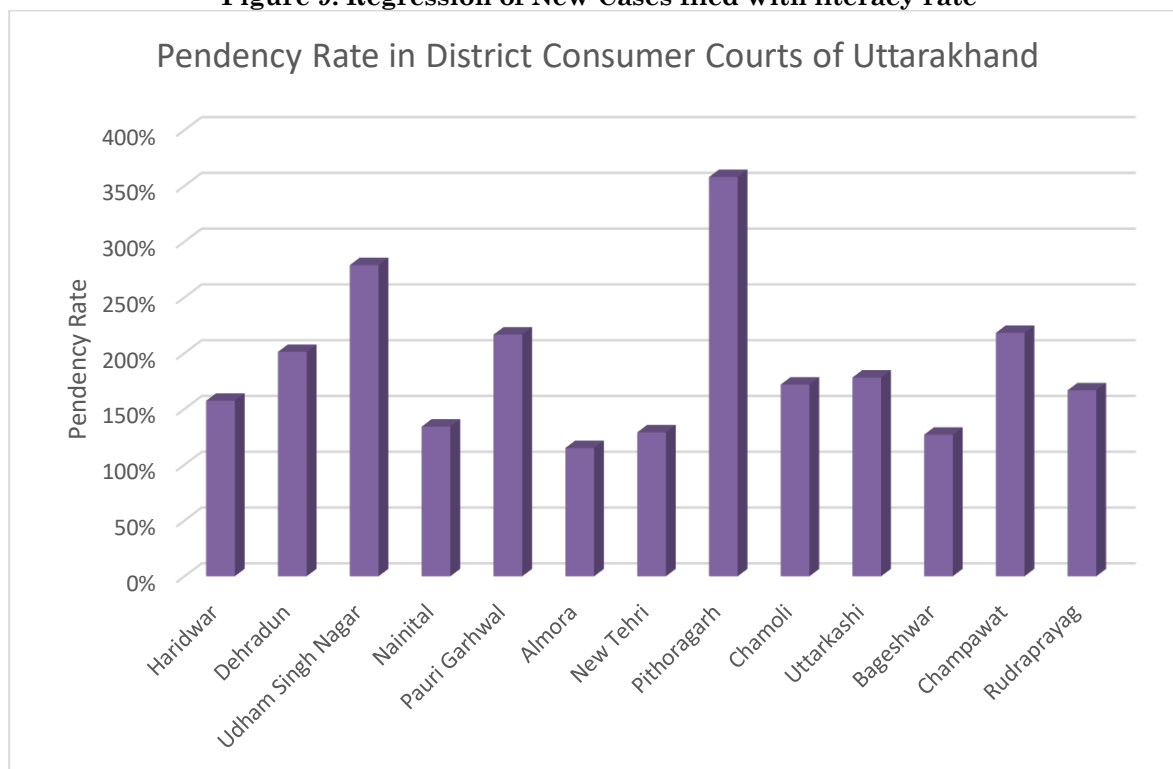
Figure 6: District-wise Pendency Rate

Regression Statistics	
Multiple R	0.085598
R Square	0.007327
Adjusted R Square	-0.08292
Standard Error	0.712287
Observations	13

ANOVA								
	df	SS	MS	F	Significance F			
Regression	1	0.041193	0.041193	0.081193	0.780981			
Residual	11	5.580882	0.507353					
Total	12	5.622075						
	Coefficients	Standard Error	t Stat	P-value	Lower 95%	Upper 95%	Lower 95.0%	Upper 95.0%
Intercept	1.929116	0.248549	7.761497	0.000009	1.382062	2.476169	1.382062	2.476169
Avg No. of New Cases	-0.00041	0.001431	-0.28494	0.780981	-0.00356	0.002742	-0.00356	0.002742

Table 2: Regression statistics of Regression of Pendency Rate on no. of new cases filed

c. **Relationship between Rate of filing new cases and pendency rate:** A study is made to analyse if higher pendency rate in the consumer courts have any bearing on the tendency to file new cases with them. Hence a regression analysis was conducted on these two variables with rate of filing new cases as dependent variable and pendency rate as independent variable (Figure 12). The rate of filing of new cases is calculated as the change in the number of new cases on year-on-year basis. It is found that Pendency rate has a negative effect on the rate of filing new cases with Consumer Courts. The regression statistics (Table 3) reveals that 74% (R^2=0.7421) of the variance in the rate of filing new cases is defined by Pendency rate. The p-value from ANOVA is 0.001357 which is lower than 0.05. Thus, the variance in rate of filing new cases is significant at 95% confidence level. Another possible reason for the decrease in the rate of new cases filed with consumer forums could be increased emphasis of companies on Customer Relationship Management (CRM). With increased attention on CRM, companies have provided a platform to customers where they can voice their issues. The Consumer forums are tertiary layer in the Consumer Redressal System. Thus, with stronger primary layer i.e. CRM, pressure on District Consumer Forums is expected to be reduced.
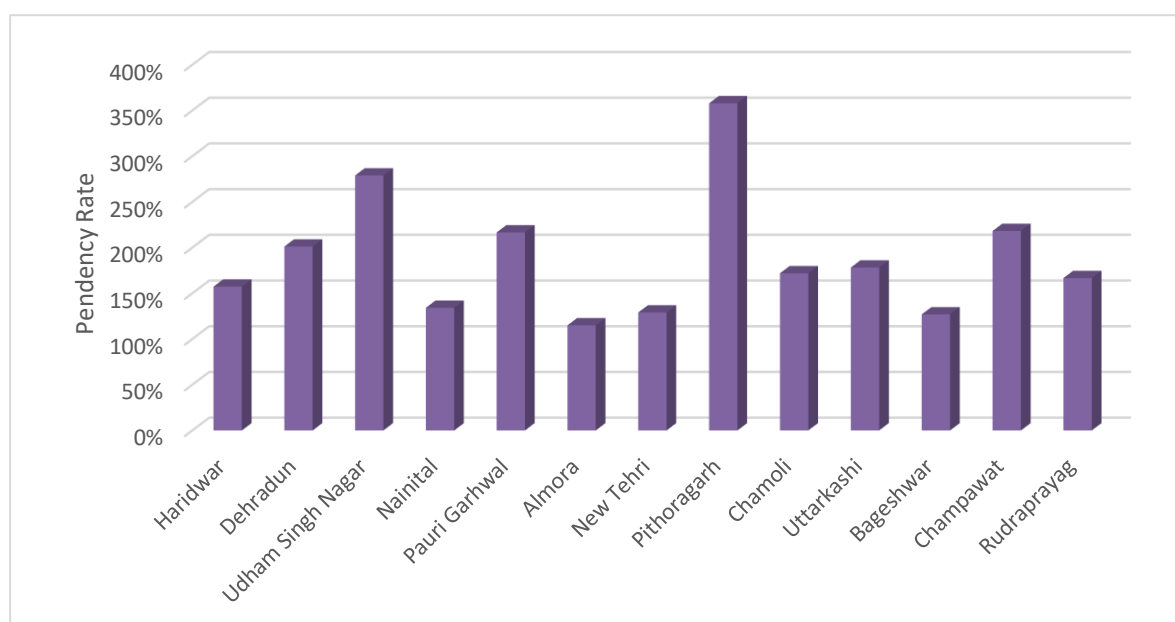
Figure 6: District-wise Pendency Rate
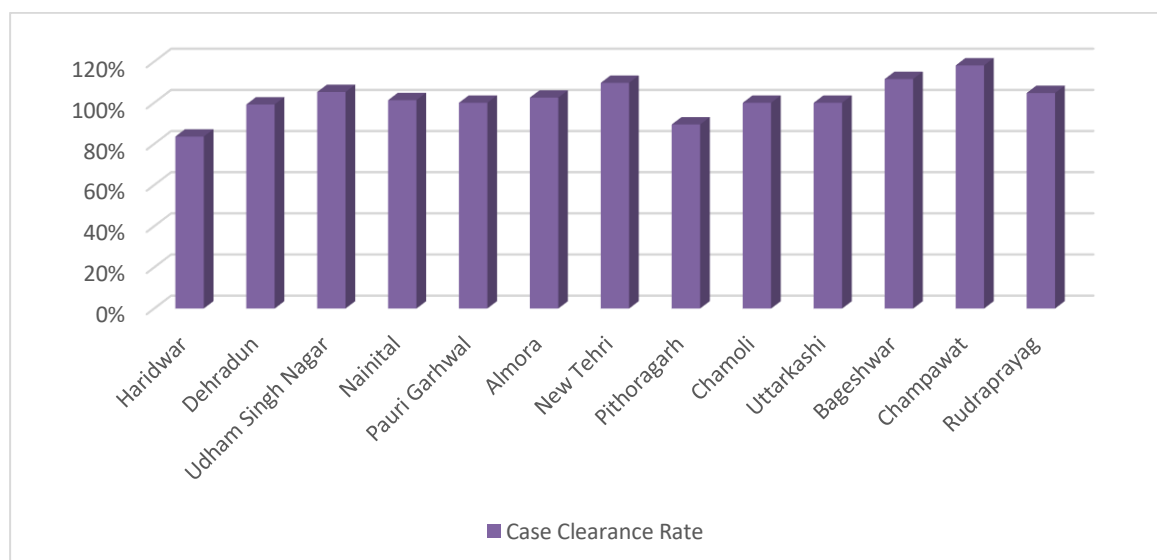
Figure 7: District-wise Case Clearance Rate
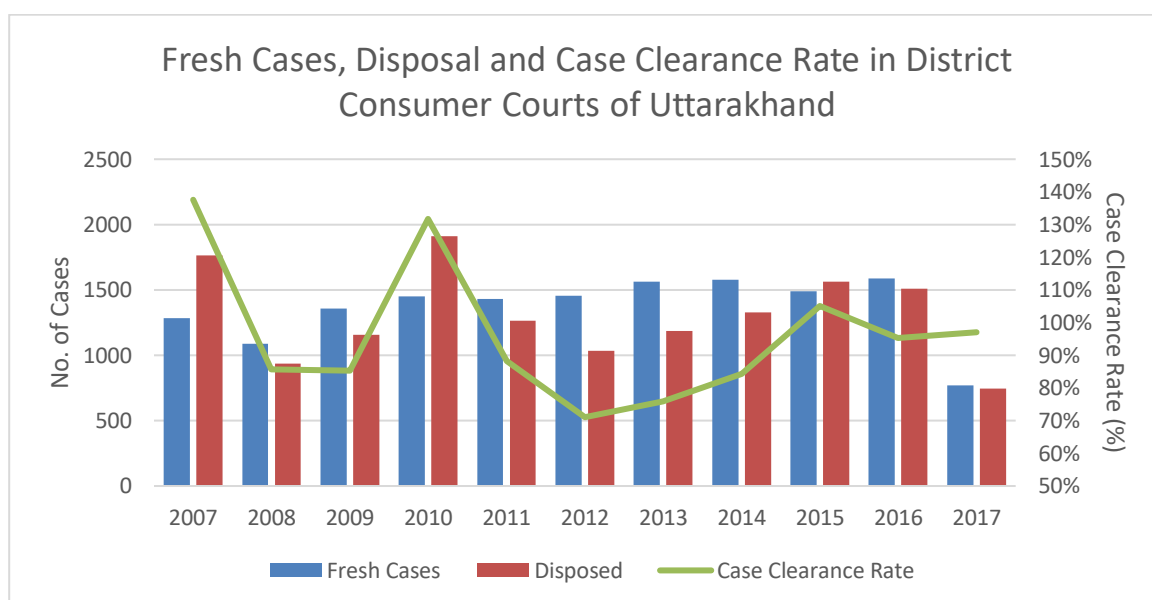
**Figure 8: Year -wise Fresh cases, Disposed Cases and CCR**

CONCLUSION

The distribution of cases among the 13 districts shows that more than 50% of the cases are filed only in two districts of the sate viz. Dehradun and Haridwar. Thus, among the 2 regions of Uttarakhand i.e., Garhwal and Kumaon, Garhwal has more representation in the number of cases filed. The number of cases settled over the years and number of cases pending follow the same trend as number of cases filed per year.

The performance of the consumer courts was analysed on the basis of two ratios – Pendency Rate and Case Completion Rate. The results show that in terms of Pendency Rate Pithoragarh District has the worst performance. In terms of Case Completion Rate, Haridwar is the worst performer with a rate of 84%. Since Haridwar gets the highest number of cases per year, poor CCR is leading to increased pendency in the state. Pendency rate and CCR in the state could be bettered by appointment of more Judges in District Consumer Forums.
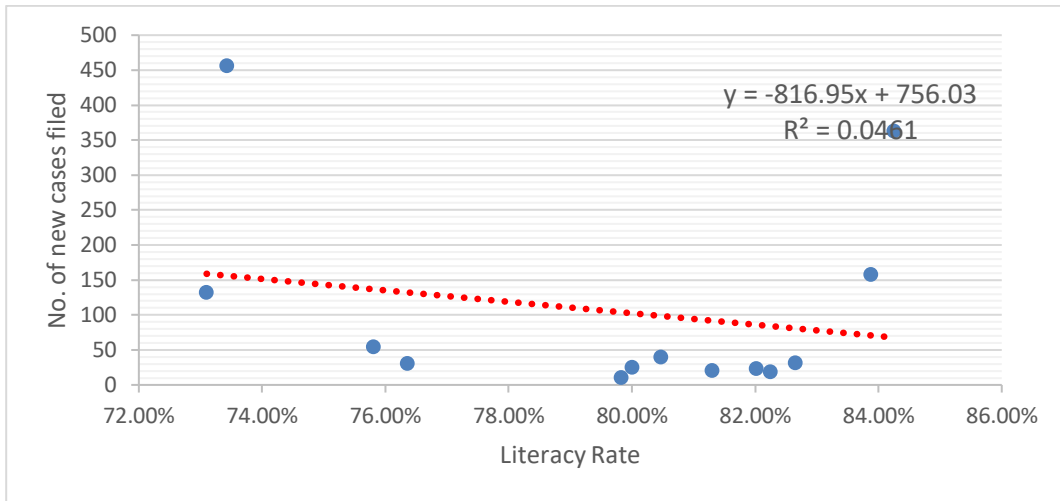
Figure 9: Regression of New Cases filed with literacy rate
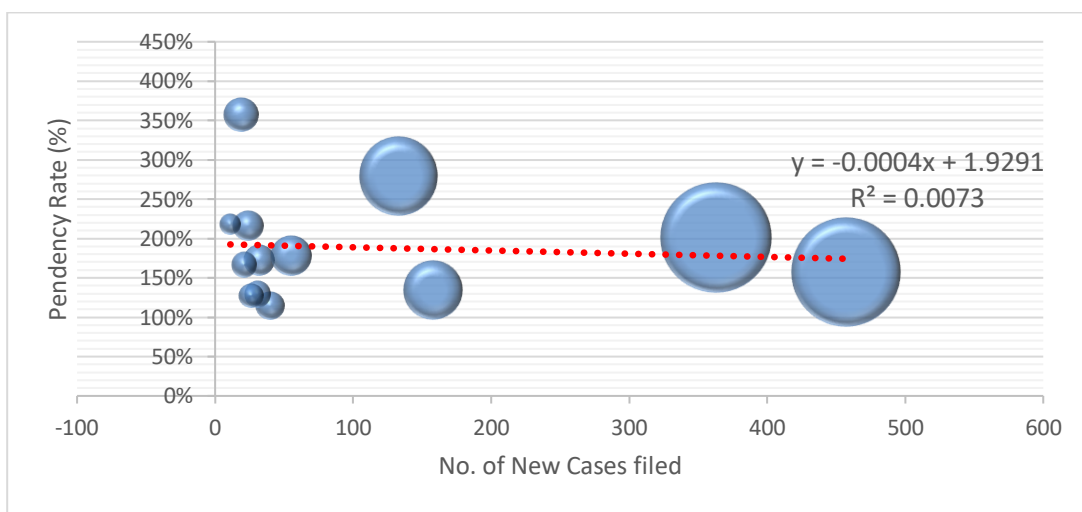
Figure 10: Regression of Pendency Rate with New Cases filed
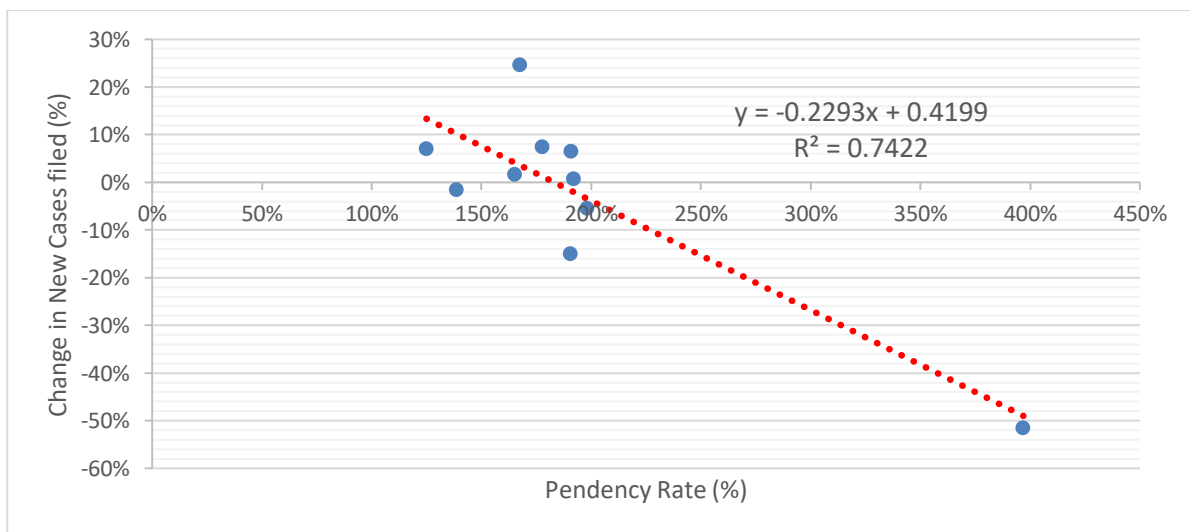
Figure 11: Regression of Pendency Rate on Rate of New Cases Filed

From the study it is discussed that literacy rate has no relationship with the number of cases being filed with the consumer courts. Thus, it is argued that level of education do not define the intention to file a case with the consumer courts.

It is further studied that pendency rate in a consumer court has no relationship with the

number of new cases being filed with it. Hence, in respect to the consumer courts of Uttarakhand it can be argued that higher pendency rate can be an indicator of system inefficiency. However, to understand the reason of inefficiency in these courts, it is important to further study the availability of judges in these courts and work load on them.

The effect of pendency rate on the intention to file new complaints is studied in this research. It is strongly argued that higher pendency rate in the courts discourages the aggrieved consumers from filing cases with Consumer courts. But if the reduction in rate of fresh cases filed in consumer forums is due to strengthening of CRM activities undertaken by corporates, it is a desirable state.

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