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Pink Tax: Consumers' Tax Ride in The Pink Ferris Wheel

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ABSTRACT

The link of pink with femininity became profoundly ingrained in communities all over the world thanks to "Barbie Pink," the emergence of pink auto, and pink buses, and the growth of fashion models have given rise to the blatantly misogynistic marketing adage: "Shrink it, pink it, and women will buy it at a higher price." The focus on pink hues is nothing more than an obsessive, feminized marketing tactic designed to maximize sales. The color palette serves as a subtly expressive and vibrant reflection of what we refer to as "pink taxes." A type of unrecognized indirect tax known as the "pink tax" is mostly imposed on goods consumed by women. People are now questioning its authenticity and holding opposing views on its influence, existence, and causes. This paper focuses on the emergence of the pink tax and how it violates core ideas and explicit provisions of the Constitution. This article focuses on the relevance of the pink tax in India and the extent of prejudice that girls face.

Keywords: *Tampon Tax, Gender divide, Consumer.*

I. INTRODUCTION

The shades of pink are darker than tints of blue. A fascination with color is an advertising strategy that places commodities used by women on a higher pedestal than the identical goods used by men in order to increase revenues. This is the cost of being a woman. The government levies a tax on its citizens in order to fund the benefits and services to which it is legally entitled. The pink tax's ²inclusion, however, is the main distinction between it and the tax. The "pink tax" is a tactic for artificially raising the cost of goods for women rather than a real tax. The pink tax is not as prevalent in India as it is in Western nations, which often leads to the mistaken belief that it does not exist in India. We do not have a lot of research and statistics on gender discrimination, which leads to inequity between men and women.

The color demarcation is not something that recently popped up but rather gained attention once again. Blue for boys and pink for girls could not get limited to apparel but to lifestyle products.

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² Rana, R. (2021, September 18). What is pink tax and how does it contribute to increasing gender bias? The Logical Indian. <https://thelogicalindian.com/gender/pink-tax-gender-bias-30767>

Even hunger was not gender-neutral, with pink food wrappers for princesses reared by their fathers and blue for the lads. These gender-stereotypical colors were not been the same since their introduction. Initially, pink was recognized as a male color, due to its close resemblance to red, which stands for power, rage, and bravery, and the blue color associated with freedom and tranquillity which draws its inspiration from a clear and calm sky thought to be the color for women.

The pink tax comprises paying more on the products used by females because its specially meant for them without any vast technical difference from their male counterparts.

The more specific version is Tampon Tax (period tax) which is a tax on female hygiene products. The menstrual products which are considered necessities of every woman are still subject to tax in many counties included under VAT (value added tax). Many countries including Sweden, Germany, and some states of the US have reduced the VAT but still exists.³

II. INCLUSION OF PINK TAXES

Brighter, perfect, and glossier pink characterizes Women's Empowerment. Currently, the shade is incorporated into day-to-day life and can be seen in salon services, personal care goods such as shampoos, soaps, and deodorants, as well as clothing, toys, and accessories such as jewellery. The variation can be seen in the pricing of simple lifestyle products for men and women. Price of women's razors is typically higher than that of men though it is manufactured by the very same company with almost no or minor changes in the style, color, and packaging still there is often a price difference that may be felt. Simply said, this is the fee for utilizing acrylic sheets and pink bubble wrap.⁴

According to 2015 research conducted by the New York City Department of Consumer Affairs, women's items are often more expensive than men's without justification. According to the report, things explicitly targeted to women cost 7% more on average than products offered to men. This disparity encompasses, among other things, clothing, toys, and healthcare supplies. The greatest disparity was found in personal care/hygiene products, where women's products cost 13% more than men's.⁵

The gender color scheme discrepancy is noticed by the Fashion trends of what we call fast-

³ BBC. (2018, July 21). India Scraps Tampon tax after the campaign. BBC News. <https://www.bbc.com/news/world-asia-india-44912742>

⁴ Krauss, D. (2022, January 25). *The pink tax: Does shopping like a girl cost you money?* United Texas CU. <https://utxcu.com/blog/the-pink-tax-does-shopping-like-a-girl-cost-you-money/>

⁵ Crockett, E. (2016, March 1). *Women's products cost more. here's how to avoid the "Pink Tax."* Vox. <https://www.vox.com/2016/3/1/11139280/avoid-pink-tax-women>

changing fashion models, the trend of printing or embroidering on pink fabric creating some distinct designs marketed under certain renowned companies becomes the sight of the very first appreciation. The fee charged by company models in place of their key services cannot be overlooked. The extra care and precaution that women need from salons to professional services, with a clear distinction for being more technical in-service elements, are carefully considered when their extra professional services of beauty goods are produced or manufactured for women. The most important thing is to recognize this gender-based tax differentiation.⁶ Women are one of the most important consumers, thus it becomes important to safeguard them. The United Nations Guidelines for Consumer Protection (UNGCP) is a significant set of principles for outlining the key features of successfully safeguarding consumer laws, law enforcement agencies, and redress mechanisms. The rules consider customers' vulnerability as well as the disparity in economic capability, educational attainment, and negotiating power. They emphasize the value of consumer protection laws as a vehicle for establishing sustainability in the social and economic spheres.⁷

It includes advice on a variety of topics, including sustainable consumption, the protection of economically vulnerable consumers, the defense of economic rights, health and safety, and access to justice. It is sensitive to the fact that Advertising is frequently presented in a way that is not gender-neutral, which contributes to stereotypes and behaviors that do not encourage gender equality. This contributes to misinformation and discrimination. Consumer protection is crucial in protecting customers from this stereotypical gender-based advertising. Not only does it alter preferences, but it also generates presumptions that lead to marketing tactics that focus on products that are exclusive to one gender. Women play a special role as their education and awareness can create a huge difference by not being trapped under purposed discriminatory practices by business models whose aim is to create rigid gender-specific products. The purpose of UNGCP stands out to foster wholesome, sustainable, fair, and respectful consumer connections, it offers guidelines to recognize and eliminate discriminatory practices.

One of the main objectives of the Sustainable Development Goals (SDGs), or SDG 5, is gender equality. It intends to create a society devoid of bias and discrimination based on gender. Given that the sustainable objectives must be met by 2030, it is especially pertinent to address the "pink tax" of targeted marketing, a kind of gender-based discrimination that provides an

⁶ *Gender Equality and Taxation: United Nations Development Programme*. UNDP. (n.d.). <https://www.undp.org/publications/gender-equality-and-taxation>

⁷ *United Nations Guidelines for Consumer Protection*. UNCTAD. (n.d.). <https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection>

impression of injustice and requires major accommodations.⁸

III. PINK TAX IN INDIA

In 2018, India scrapped down the taxes on menstrual products due to many protests but still does not recognize the pink tax as illegal. There is no current law regarding the regulation of the pink tax and hence it continues in Indian markets. New York has completely banned the pink tax due to its gender-neutral tax approach and many countries are still in the process of doing so. India does not enforce pink tax but it's by companies who sell it under the cover of specifically catered for women keeping in mind the sensitive, unique, and different care required by women.

If we currently look at India's landscape then there is now no legislation governing the topic. The right to equality is recognized under Article 14 of the Indian Constitution, which entails an equal footing before the law. The gender-based tax undermines the Constitution since it fosters gender discrimination. To redress consumer grievances there is nothing except the consumer protection Act. The 1986-adopted Consumer Protection Act, as revised in 2019, offers speedy and straightforward reimbursement for client complaints. It defends and gives customers the voice they need to criticize faults and flaws in goods and services. In the case that manufacturers or traders engage in any illegal behaviour, this law protects consumers' rights. The major objectives of this forum are to aid both parties and put an end to protracted legal conflicts. It offers consumers protection from producers' misleading marketing tactics, product malfunction, and claims regarding the items' quality and quantity. All of the concerns that customers experience are covered by the Consumer Protection Act of 2019. But still, the pink tax is not considered to be illegitimate in India.

IV. CONCLUSION

The fundamental problem here is to acknowledge the existence of pink taxes and how they are making money from the gender gap created by the simple color illusion. Different colour schemes for each gender are acceptable but if the quality and quantity of each gender are equal, it is unfair to raise the pricing of one gender. It is crucial that the general public is made aware of this unfair price hike. Gender-neutral solutions are preferable if a product does not fulfill any specific demands that gender has been defined.⁹ There is no purpose in charging more for color or for packaging if the consumption and the outcome are alike. Given that India is the largest

⁸ United Nations. (n.d.). *Gender equality and women's empowerment*. United Nations. <https://www.un.org/sustainabledevelopment/gender-equality/>.

⁹ Mehra, G. (2021, June 2). *It is time for our community to come together against divisive pink tax*. ThePrint. <https://theprint.in/campus-voice/it-is-time-for-our-community-to-come-together-against-divisive-pink-tax/670094/>

democracy in the world, it is crucial to uphold the constitution, which declares the Right to equality as a fundamental human right. As a result, it is crucial to address the issue of biased gender pricing of goods and to work in the interests of consumers by formulating new government policies and, if necessary, including specific rules against pink taxes in the Consumer Protection Act.
