

Consumers Up

Indian Consumers in the New Age

A Forward Looking Agenda to Address the Concerns of the Common Man

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National Conclave on Consumer Issues

Success of Consumer Movement will Depend on Consumer Awareness



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October 11-12, 2012, New Delhi

Indian Consumer in the New Age: 'A Forward Looking Agenda to Address the Concerns of the Common People'

Consumer Protection Act, 1986 (COPRA) commemorated its Silver Jubilee on December 24, 2011. Hence, it is the appropriate time to review the status of consumer protection and focus on recommendations for future course of action and address the emerging challenges before consumers in India, said Prof. K V Thomas, Hon'ble Minister for Consumer Affairs, Food & Public Distribution. This was his inaugural speech at the 'National Conclave on Consumer Issues' organised by Consumer Unity & Trust Society (CUTS) under ConsumersUp Project at India

Habitat Centre, New Delhi on October 11-12, 2012. The objective of the Conclave was to release the report 'State of the Indian Consumer 2012' prepared by CUTS and discuss various national level consumer issues in thematic sessions on eight consumer rights and arrive at the recommendations for policymakers.

While releasing the report, Thomas said, "We proclaim consumer is king, unfortunately, larger sections of society do not know their rights and the success of consumer movement will depend on consumer awareness". Pankaj Agrawala, Secretary, Department of Consumer Affairs, Government of India said that "Consumer Protection Amendment Bill 2011 is to make the Act more effective, consumer friendly and to provide simple and speedy redressal to consumers".

Pradeep S Mehta, Secretary General, CUTS said that the "Consumer Welfare Fund is a novel achievement, which necessitates that basic needs should be legislated and that each regulatory body should have Consumer Protection Fund which promotes consumer education".

George Cherian, Director, CUTS informed regarding the background of the project & shared that in India only 20 percent consumers know about the Consumer Protection Act even after 25 years and with regard to consumer rights it is 40 percent who are aware. Being optimistic he said that five years back reports of the National Survey commissioned by the Comptroller & Auditor General of India released in May 2006 showed that 18 percent Indians were aware of the Act and 34 percent had heard about consumer rights.

Indrani Thuraisingham, Head, Asia-Pacific and the Middle East, Consumers' International (CI) shared CI's strategies for consumer protection.

While making the presentation on key findings Amarjeet Singh, Project Coordinator informed that only 22 percent respondents are satisfied with government's efforts to ensure adequacy, accessibility and affordability of basic needs. 53 percent respondents strongly believed that right to basic needs should be enacted as a legal right. RBI is the most common name recognised by 40 percent respondents followed by TRAI (27 percent) and ERC (26 percent). 93 percent respondents never made a formal complaint, out of 7 only 0.3 percent approached consumer forums for grievance redressal, 67 percent cases were not redressed within stipulated time frame.

Thematic sessions on each consumer rights were taken by subject experts. More than 110 including dignitaries such as Mathura Prasad Mahato, Hon'ble Minister-in-Charge for Consumer Affairs (CA), Jharkhand; Okendro Singh, Hon'ble Minister in Charge for CA, Manipur; Manoj Kumar Parida, Joint Secretary, DoCA; other representatives from state DoCA, redressal bodies, consumer organisations, consumer rights' experts, media etc. represented 24 states and union territories around India in the Conclave.

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सत्यमव जयते

Drugs Prices should be based on Actual Costs

Though generic drugs are cheaper, they are priced more when compared to the actual manufacturing price of that drug, said D A Gundu Rao, President, Karnataka State Pharmacy Council in responses to the findings that 43 and 41 percent respondents who said that generic medicines are not available easily in the Southern region and Karnataka respectively as shared in the Regional Consultation organised by CUTS and Consumer Rights Education and Awareness Trust CREAT at Bengaluru on August 03, 2012.

The purpose of Consultation was to disseminate preliminary findings from the field research and get the feedback from various stakeholders and undertake advocacy with policymakers on region-specific consumer issues emerging out of the research.

CUTS disseminated the key findings that 50 percent (South Region) and 62 percent (Karnataka) respondents are aware of consumer rights; around 68 percent (South Region) and 39 percent (Karnataka) are unaware of COPRA. Setting up of benches at taluka/block levels, strengthening of provisions to appoint six-months before a vacancy exists, more number of consumer clubs should be set up in schools/colleges and teachers incharge should be properly trained, and others were some of the recommendations that emerged out of the meeting. More than 55 participants represented the South region.



Consumer Advice Centres to Redress Grievances Set-up



N K Mittal, Deputy Director, Haryana Food and Supplies Department, Government of Haryana announced the setting up of 'State Consumer Helpline' at the headquarter of Haryana Food and Supplies Department, Chandigarh soon after the Regional Consultation organised by CUTS and Citizen consumer & civic Action Group (CAG), at Chandigarh on August 22, 2012.

CUTS highlighted key findings of Haryana such as only 20 percent respondents are fully satisfied with government's efforts to ensure adequacy, accessibility

and affordability of basic needs, 14 percent respondents are aware of COPRA and 42 percent are aware of consumer rights, 81 percent are aware of Jago Grahak Jago Campaign, seven percent have registered their grievances with the seller, and none of them have approached consumer forums for grievance. More than 108 participants represented the North region in the consultation.

Building Capacity of Members of District Forums

COPRA as an excellent piece of social welfare legislation, there is need to build the capacity of Members of district forums, said Mathura Prasad Mahato Hon'ble Minister, DoCA in the Regional Consultation organised by CUTS and the Janki Foundation at Ranchi on August 30, 2012. Sugar distribution through the Public Distribution System (PDS) has started for the first time since creation of Jharkhand. Over 12000 new PDS shops are being opened through women self-help groups who are being given ₹10,000 as seed money from government besides bank loans.

CUTS shared key findings that 17 percent Jharkhand respondents are using PDS as preferred source for food grains, around 8 percent are aware of COPRA, 31 percent are aware of consumer rights, 97 percent have never actually made a formal complaint. Only 11 percent are aware about the process of public consultation or consumer representation in government platforms and only 0.3 percent participated in such consultations and other relative findings. More than 65 participants represented the region.



Root of Adulteration is to Earn Excessive Profits

To earn excessive profit is the root of all kinds of adulteration, said Manik Dey, Minister for FCS & CA Department in the Regional Consultation organised by CUTS and Consumers' Protection Association (CPA), at Agartala, on August 24, 2012. He stated that various non-banking financial companies (NBFCs) are working in the North-East region without legal licence from RBI. Dey said that there should a universal PDS system to provide 14 essential commodities at affordable prices to all under the Essential Commodity Act, 1956 which needs to be amended.

Justice A. B. Pal, President, State Consumer Disputes Redressal Commission, Tripura & Mizoram raised the issue of *ad hoc* consumer forums and lack of consumer awareness about redressal mechanism. Justice Pradip Kumar Sarkar, Lokayukta, Tripura said that there should be a ban on fraud non-banking private organisations to save the ordinary consumer from deprivation, need for monitoring and effective control over NBFC operating in Tripura. There was a panel discussion on consumer rights to discuss the way forward to address these issues. More than 63 participants represented the North East region in the consultation.

(For more details please visit: www.cuts-international.org/CART/ConsumersUp/Events-Regional_Consultations.htm)

DISSEMINATION MEETING

Dissemination meeting on 'Consumer Issues' to disseminate research findings was organised at Jaipur on September 13, 2012. M L Mehta, Former Chief Secretary of Rajasthan and President, CUTS chaired the meeting. Findings were shared in the presence of representatives from SCDRC and DCDRF; senior officials from RERC, RBI, TRAI, BIS, SEBI and other regulators; consumer organisations; print and electronic media, provided inputs/recommendations on the study findings. It was attended by more than 40 participants.

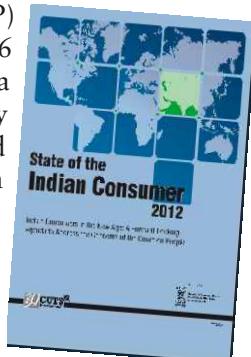
REPORT

State of the Indian Consumer 2012

In the backdrop of United Nations Guidelines on Consumer Protection (UNGCP) completing 25 years in 2010 and starting a process of review, Indian COPRA, 1986 completing 25 years in 2011, CUTS in partnership with DoCA, Government of India brought out a report on 'State of the Indian Consumer 2012' consisting of the key findings covering a total of 11,499 consumers, 385 qualitative samples collected through personal interactions from 88 districts, spread across 19 states and 3 union territories of India.

Eight input chapters on consumer rights and the Synthesis Chapter was written by external writers. The purpose is to understand the real status of the common consumers at the grassroots with regard to the level of awareness and in terms of realising the basic consumer rights and to present a forward-looking outline to the DoCA, to advocate and to act upon the state of consumers based on the recommendations:

- National campaigns for consumer awareness in all regional languages, especially focusing rural areas and women and uneducated masses. Multi-media can be more helpful in this.
- A separate DoCA to coordinate all consumer-related affairs.
- Simplify & speed-up process of consumer redressal. There should be case management system in consumer forums for proper monitoring to ensure timely disposal.
- Consumer forums at block/*tehsil* level and benches of State/National Commission with mediation/consumer advice cells in their premises.
- Activate/empower consumer protection councils at National/State/District levels.
- A National Authority to curb unfair trade practices (mainly misleading advertisements).
- Create more awareness about regulatory agencies and their regulations for consumer protection and regulators should have dedicated funds for consumer protection.
- Emphasis on consumer education in school and college curriculums.
- Promote sustainable consumption/production by providing incentives to green production/ consumption.



(For more detail please visit:
www.cuts-international.org/CART/ConsumersUp/pdf/Report_State_of_the_Indian_Consumer-2012.pdf)

भारतीय उपभोक्ता की स्थिति 2012

वर्ष 2010 में उपभोक्ता संरक्षण के लिए संयुक्त राष्ट्र के दिशा निर्देश के 25 वर्ष पूरे होने, वर्ष 2011 में भारतीय उपभोक्ता संरक्षण अधिनियम, 1986 के 25 वर्ष पूरे होने तथा वर्ष 2012 में सर जॉन केनेरी की अमेरिकी कांग्रेस में दिए गए प्रसिद्ध भाषण के 50 साल पूरे होने की पृष्ठभूमि को ध्यान में रखते हुए कन्यूमर यूनिटी एण्ड ट्रस्ट सोसायटी, जयपुर द्वारा भारत सरकार के उपभोक्ता मामलों के विभाग, के साथ साझेदारी करते हुए एक रिपोर्ट ‘भारतीय उपभोक्ता की स्थिति-2012’ बनायी गई है, जिसमें भारत के 19 राज्यों और 3 संघ शासित प्रदेशों के 88 जिलों से कुल 11,499 (53 प्रतिशत पुरुष एवं 47 प्रतिशत महिला) उपभोक्ताओं एवं 385 गुणात्मक सेंपल (उपभोक्ता संगठनों, निवारण निकायों, सरकारी विभागों/एजेंसियों के साथ व्यक्तिगत बातचीत के माध्यम) से एकत्रित प्रमुख निष्कर्ष एवं बाहरी लेखकों द्वारा लिखे गए उपभोक्ता अधिकारों पर लिखे अध्यायों को शामिल किया गया है। इसका उद्देश्य धरातल स्तर पर उपभोक्ता की जागरूकता का स्तर तथा मूलभूत उपभोक्ता अधिकारों की स्थिति का पता करना था।

इस अध्याय की मुख्य अनुशंसाएं इस प्रकार हैं:

- सभी क्षेत्रीय भाषाओं में उपभोक्ता जागरूकता के लिए राष्ट्रीय अभियान की आवश्यकता है, मुख्यतः ग्रामीणों, महिलाओं एवं अशिक्षित जनता के लिए तथा राष्ट्रीय अभियान में बहुसंचार माध्यम उपयोगी है।
 - उपभोक्ता से संबंधित सभी मामलों के समन्वयन हेतु अलग से उपभोक्ता मामलों के विभाग की जरूरत है।
 - उपभोक्ता शिकायत निवारण प्रक्रिया को और ज्यादा सरल एवं त्वरित करने की आवश्यकता है। उपभोक्ता मंचों में केसों (मामलों) को समय पर निराकरण को सुनिश्चित करने हेतु उचित निगरानी हेतु उपभोक्ता मामलों/केस प्रबन्धन प्रणाली की जरूरत है।
 - तहसील स्तर पर उपभोक्ता मंचों की स्थापना तथा राज्य/राष्ट्रीय आयोग के और ज्यादा खण्डपीठ/बैंच तथा उनके परिसर में मध्यस्थता/उपभोक्ता सलाह केन्द्रों की स्थापना की जरूरत है।
 - राष्ट्रीय/राज्य/जिला स्तर पर उपभोक्ता संरक्षण परिषदों को सक्रिय तथा सशक्त बनाने की जरूरत है।
 - अनुचित व्यापार व्यववहार (मुख्य रूप से भ्रामक विज्ञापनों) पर अंकुश लगाने हेतु एक राष्ट्रीय प्राधिकरण की जरूरत है।
 - उपभोक्ता संरक्षण के नियामक ऐजेंसियों/संस्था तथा नियामकों द्वारा पारित नियमों के बारे में अधिक जागरूकता फैलाने की जरूरत है तथा नियामकों के पास उपभोक्ता संरक्षण व जागरूकता हेतु कोष गठित करने की आवश्यकता है।
 - स्कूल कॉलेज के पाठ्यक्रम में उपभोक्ता शिक्षा पर अधिक ध्यान दिया जाना चाहिए।
 - हरित उत्पादन और उपभोग को प्रोत्साहित करते हुए सतत उपभोग एवं उत्पादन को बढ़ावा देने की आवश्यकता है।

IN MEDIA

