

# Consumer Dialogue

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## ConfoNet: An Innovative Approach

“Computerisation and Computer Networking of Consumer Forums in Country” (ConfoNet) is a project undertaken by the Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India. Implementation of this project has been assigned to National Informatics Centre (NIC).

The ConfoNet project is aimed at improving operational efficiency, co-ordination, accessibility, speed in judicial administration and to set Information Communication Technology (ICT) infrastructure at Consumer Redressal Forums all over India to provide information technology (IT) solutions at each level. IT enabled consumer forums are being set up to provide e-governance, efficiency, transparency and systematisation of working. ConfoNet also aims to achieve the goal of allowing time-bound delivery of justice to the consumers.

NIC provides IT support in terms of study and analysis of application requirements at National Consumer Disputes Redressal Commission (NCDRC), State Consumer Disputes Redressal Commission (SCDRC) and District Fora. It also provides technical solutions for development and implementation of computer network based system for application areas with main focus on case monitoring.

The technical solutions are in the form of turnkey solutions in terms of deciding hardware and system software requirements, their procurement, supply and installation, networking, customised trainings, application software development and technical support for deployment of each location.

Case monitoring is done through software, an intranet based application to record the proceedings of cases registered by complainants or appellants in consumer courts and provides an easy retrieval of information. Thus, the job of monitoring the status of multiple cases as well as maintaining their statistics is highly simplified. The software has the following features:

- Automated scrutiny process
- Generates case numbers automatically
- Reduces delay in preparation of cause list
- Helps storage and easy retrieval of judgments
- Helps obtaining case status easily
- Helps litigants to obtain copies of judgment through web
- Generates administrative reports for e.g.
  - particulars of cases filed and pending
  - particulars of disposed off cases:
    - (a) within 90 days
    - (b) 90 days to 150 days
    - (c) Above 150 days
    - (d) By selecting any duration and state
- Cases filed, disposed and pending since inception, yearly and quarterly basis
- Cases filed, disposed and pending state/district wise

The Case Monitoring System has been developed for capturing data relating to case registration through its proceedings and till the final judgment. Attempt has been made to develop standard application software for all consumer forums in the country along with state specific features. The software is with bilingual features although provision has been made for incorporating more Indian languages in terms of notice generation and judgment recordings etc. Thus, single application will enable consumer forums to render efficient services with better transparency and responsiveness. *More information can be viewed at <http://confonet.nic.in/complainantLodge.html>*



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## ACTIVITIES



# Diagnostic Survey on the State of the Consumer

Under the 'Grassroots Reachout & Networking in Rajasthan through Consumer Action' (GRANIRCA) project, in March 2010 field research/diagnostic survey has begun just after completion of "Project Launch and Partner's Orientation" with the help of a questionnaire. This questionnaire was developed by the project team, which was field tested in Jaipur and further distributed among the district partners with few revisions, in order to gauge the status of different departments at the district level. These departments are weights & measures department, district supply department, district health department, consumer forum and district collector's office.

In obtaining responses on the questionnaire, district partners were facing usual confounding and non-cooperative feedback from the authorities. To deal with this situation, the project team visited the district and observed that most of the 'Consumer Fora' established to support the consumers were not having full-time magistrates to address the complaints, thus delaying the redressal mechanism somewhere/somehow supports the violator. On the other hand, departments such as health and weight & measures are not having single cases because still at grassroots people are not aware of the rights as a customer. Thus, the whole scenario needs to be observed closely and an in depth analysis of the questionnaires need to be carried out to resolve the problem and provide speedy justice to the consumers.

Questionnaire developed in Hindi is uploaded and is accessible by the link [http://www.cuts-international.org/CART/GRANIRCA/pdf/GRANIRCA\\_Research\\_Questionnaire.pdf](http://www.cuts-international.org/CART/GRANIRCA/pdf/GRANIRCA_Research_Questionnaire.pdf) English copy of the questionnaire is available on demand.

## GRANIRCA – Project Launch Meeting

The GRANIRCA project was launched in Jaipur, on March 17, 2010. The meeting was attended by various dignitaries: Babu Lal Nagar, Hon'ble Minister for Consumer Affairs, Food & Civil Supplies, Government of Rajasthan (GoR); Rajiv Agarwal, Secretary, Government of India, Ministry of Consumer Affairs, Food & Public Distribution; S K Garg, President, Rajasthan State Consumer

Dispute Redressal Commission; M.L Mehta, Former Chief Secretary, Government of Rajasthan and President, CUTS. Representatives from civil society organisations (CSOs), media, government departments and private service providers, consumer activists, members of district consumer fora actively participated in the meeting.

On the occasion, the web page of GRANIRCA ([www.cuts-international.org/CART/GRANIRCA](http://www.cuts-international.org/CART/GRANIRCA)) was launched and a brochure on the project was released by Ravjiv Agarwal. These will act as dissemination tools for the project. Rajiv Agarwal proposed that the Central Ministry will provide three-fourth of its funds for establishing Consumer Welfare Fund, which was further accepted by Babu Lal Nagar. During the meeting, need for widening the project outreach at the district level and incorporating *Panchayats* were one of the issues of discussion.

On conclusion of the project launch meeting, orientation of the district partners was conducted with 24 participants (two each from one district partner). Orientation was on the following: Introduction to Consumer Protection Act, Grievance Redressal Mechanism, New Challenges before Consumers, Origin & History of Consumer Movement & UN Guidelines and Emerging Issues in Consumer Protection and Role of Consumer Organisations.

### Upcoming Event

Field Research (Diagnostic Survey on the State of the Consumer) activities are moving ahead and very soon project team will have the analysed information. The analysed information will leverage the Public Interface Meetings (PIMs), which will be organised in all the project districts beginning from June 2010. These meetings will serve as a platform to generate awareness on consumer issues and the statutory body working in the redressal mechanism at the grassroots. These PIMs are an outcome of the diagnostic survey conducted on the state of the consumer. Upon analysis of the questionnaires, the gaps so identified will be discussed in the PIMs and the possible way forward will be conveyed to have an aware consumer. Two meetings will be conducted simultaneously at two projected districts in coordination with the district partners. PIMs will work towards enhancing the consumer movement at the grassroots in the state by ensuring an enabling environment for protecting consumer interests, which in turn, will contribute towards national interest.



## CMHOs Served Notice for Negligence

The health department's special drive to ensure the quality of frozen food products, cold drinks and other beverages concluded in March-April, 2010. During the drive, more than 4,736 ice-cream factories, juice shops and other places involved in manufacturing milk products were inspected and samples were collected from 1,550 places.

"The special drive was initiated as the consumption of milk products, ice-creams and cold drinks increases in summers, which may raise the possibility of contamination and adulteration. Even as the drive has concluded, the department will continue action against any irregularity reported", said B R Meena, Additional Director, and Health Department.

As the test report of the samples takes more than a month to arrive, no case has so far been registered against any of the manufacturers found violating the health norms. However, four Chief Medical Health Officers (CMHOs) have been issued notices for laxity during the drive.

Inspection teams were constituted at every district and they were given a target to hold 10 inspections and collect five samples every day. The performance of the teams in Churu, Jhunjhunu, Sirohi and Banswara were found to be unsatisfactory following which notices were issued to the respective CMHOs.

During the drive, negligence of hygiene was discovered to be the most common violation followed by use of prohibited chemicals like saccharine and non-edible colours.

The department has collected more than 6,000 samples between January 2009 and February 2010, of which 1,048 cases were confirmed for adulteration. Legal action has been initiated in nearly 750 such cases while the remaining are under process.

*Source: Times News Network*

## Misleading Deals are not Accepted

### Kamal Auto Hyundai vs. Pavan Chand

The National Consumer Commission has upheld an order of a state forum directing an authorised car dealer to pay Rs 30,000 to a person for selling the vehicle above the price mentioned in the bill.

It passed the order on a plea of Kota-based Kamal Auto Hyundai, seeking to set aside a Rajasthan State Consumer Commission order which had directed the agency to pay Rs 30,000 to the buyer, Pavan Chand with interest but set aside the compensation of Rs 10,000, awarded by the District Forum.

The Commission agreed with the view of the lower consumer fora that there was a deficiency in service and unfair trade practice in misrepresenting the facts to the customer as there was a reasonable difference between the price demanded and the actual one.

Chand bought a Santro car from an authorised dealer in 2005 on assurance that he would be given discount but on the contrary, the authorised dealer charged him more than the actual cost of the vehicle.

The complainant moved to the District Forum for refund of extra money alleging deficiency in service and unfair trade practice. The District Forum gave its decision in favour of the complainant.

*Source:*

<http://www.cardekho.com/india-car-news/misleading-car-buyers-is-not-acceptable-ncdrc-1648.htm>

## Insured Amount to be Remitted

### Hari Ram vs ICICI Lombard Insurance Company

Hari Ram's motorcycle insured with ICICI Lombard Insurance Company till June 15, 2009 was stolen on July, 03, 2008. The complainant lodged First Information Report (FIR) – is a written document prepared by the police when they receive information about the commission of a cognizable offence – at the concerned police station which remained untraceable by the police. Ram then informed the Insurance Company to claim the insured amount but neither the amount was remitted nor was the complainant informed of any reason for non-payment.

Ultimately, the complaint was brought before the District Forum, Nagaur for redressal of grievance alleging deficiency in service and unfair trade practice. The District Forum provided its verdict in favour of the complainant and ordered to pay an insured amount of Rs 25200 along with nine percent annual interest and Rs 1500 as compensation from the date of filing the complaint, i.e. October 10, 2009.



## Complaint Handling Information and Advisory Service



As a part of inherited agenda of consumer protection, CUTS Centre for Consumer Action, Research & Training (CUTS CART) is running a Complaint Handling Information and Advisory Service (CHIAS) at Jaipur, sponsored by the Ministry of Consumer Affairs, Government of India.

### **Free of Cost Services Available at CHIAS:**

- Advice on consumer protection related issues and consumer complaints;
- Consumer related books, pamphlets, magazines and other materials; and
- Handling consumer complaints through counselling and conciliation for quick and easy redressal.

*For more information please visit:*

*[http://www.cuts-international.org/CART/  
Complaints\\_handling\\_Information\\_and\\_Advisory\\_Services.htm](http://www.cuts-international.org/CART/Complaints_handling_Information_and_Advisory_Services.htm)*

Similarly under the GRANIRCA project the district partners in 12 districts of Rajasthan have initiated CHIAS for consumers of their respective districts.

Consumers can also approach **National Consumer Helpline 1800-11-11-4000** (Toll Free) for assistance or registering any complaint which is supported by the Department of Consumer Affairs, Ministry of Consumer Affairs, Food & Public Distribution, Government of India, New Delhi.

Government of India Portal (<http://pgportal.gov.in>) is created for providing the citizens with a centralised platform for redressal of their grievances, be they related to any department or ministry of the Government of India.

### Consumer Rights Ensured under Consumer Protection Act, 1986

*Section 6 of the Consumer Protection Act, 1986 has defined six basic rights of the consumers:*



1. **Right to Safety:** It means right to be protected against the marketing of goods and services, which are hazardous to life and property.
2. **Right to be Informed:** It means right to be informed about the quality, quantity, potency, purity, standard and price of goods so as to protect the consumer against unfair trade practices.
3. **Right to Choose:** It means right to be assured, wherever possible of access to variety of goods and services at competitive price. This right can be better exercised in a competitive market where a variety of goods are available at competitive prices.
4. **Right to be Heard:** It means that consumer interests will receive due consideration at appropriate forums. It also includes right to be represented in various forums formed to consider the consumer's welfare.
5. **Right to Seek redressal:** It means right to seek redressal against unfair trade practices or unscrupulous exploitation of consumers.
6. **Right to Consumer Education:** It means the right to acquire knowledge and skill to be an informed consumer throughout life. Ignorance of consumers, particularly the rural consumers, is the main reason for their exploitation.



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