

Indian Consumers in the New Age: A Forward Looking Agenda to Address the Concerns of the Common Man (ConsumersUp)

Completion Report

2011-12



Supported by



Consumer Welfare Fund (CWF)
Department of Consumer Affairs,
Ministry of Consumer Affairs,
Food & Public Distribution
Government of India

सत्यमेव जयते



#1318

About CUTS International

Established in 1983-84 as a rural development communications initiative, Consumer Unity & Trust Society (CUTS) is now at the cutting edge of the consumer movement in India as well as across the globe and has expanded into trade and development, competition, investment and economic regulation and human development. Today, CUTS International, with a staff of over 100, operates out of:

- Three programme centres in Jaipur (CUTS Centre for International Trade, Economics and Environment, CUTS Centre for Consumer Action, Research and Training and CUTS Centre for Competition, Investment and Economic Regulation), one in Chittorgarh (CUTS Centre for Human Development);
- An advocacy centre in New Delhi, and a Centre in Calcutta (focusing on Consumer Safety and Grassroots Economic Development), India; and
- Four resource centres in Lusaka, Zambia; Nairobi, Kenya; Hanoi, Vietnam, and Geneva, Switzerland.

The organisation elects its Board/Executive Committee every fourth year, while the Secretary General heads the Secretariat. The organisation is accredited to the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Commissions for Sustainable Development (UNCSD).

CUTS works with several other regional, national and international organisations, such as: Consumer International (CI); International Centre for Trade and Sustainable Development (ICTSD); South Asia Watch on Trade, Economics and Environment (SAWTEE); World Trade Organisation (WTO); the World Bank; International Finance Corporation (IFC); Organisation for Economic Cooperation and Development (OECD); the Commonwealth Secretariat, East Africa Community Secretariat; various development cooperation and trade ministries all over the world and, in India, various federal and state ministries and departments, National Bank for Agricultural and Rural Development (NABARD), the Consumer Coordination Council of India, etc. It also serves on several policy-making bodies of the Government of India.

CUTS International's vision is "consumer sovereignty" and mission is "consumer Sovereignty is in the framework of social justice and equality, within and across borders". In all its work, it follows the method of research-based advocacy and connects the grassroots with the international policy making processes.

CUTS CART

CUTS Centre for Consumer Action, Research & Training (CUTS CART) is a Programme Centre of CUTS established in 1996. This programme centre was created as a result of the diversification of CUTS in order to move ahead with its inherited agenda consumer protection and education - and to create a more responsible society. In order to contribute in the CUTS' vision of CONSUMER SOVEREIGNTY, CUTS CART endeavors through the mission 'To enable consumers, particularly the poor and the marginalized to achieve their right to basic needs, sustainable development and good governance through strong consumer movement'. Continuous pioneering work in the area of consumer protection found CUTS CART at the forefront of the consumer movement in India and beyond.

For more information please visit: www.cuts-international.org/CART/index.htm

**“Indian Consumers in the New Age:
A Forward Looking Agenda to Address the
Concerns of the Common Man”
(ConsumersUp)**

Completion Report 2011-12



Supported by

**Consumer Welfare Fund (CWF)
Department of Consumer Affairs
Ministry of Consumer Affairs,
Food & Public Distribution
Government of India**

**“Indian Consumers in the New Age: A Forward Looking
Agenda to Address the Concerns of the Common Man”
(ConsumersUp)**

Completion Report 2011-2012

Published by



Consumer Unity & Trust Society (CUTS)
D-217, Bhaskar Marg, Bani Park, Jaipur-302016, India
Ph: +91.141.5133259, 2282821, Fx: +91.141.4015395
E-mail: cart@cuts.org
Web: www.cuts-international.org/cart/consumersup

Implementing Organisation
CUTS International

With the support from



Consumer Welfare Fund (CWF)
Department of Consumer Affairs
Ministry of Consumer Affairs,
Food & Public Distribution
Government of India

© CUTS, 2013

Printed by: M.S. Printer, Jaipur

ISBN 978-81-8257-193-8

#1318

Contents

Preface	i
1. Introduction	1
2. Project Objectives	3
3. Target States	5
4. In Partnership With	7
5. Activities Accomplished	8
6. Developed Project Webpage	11
7. Inception cum Partners Meet	12
8. Research Activities	15
9. CUTS ConsumersUp Forum	18
10. Knowledge Enhancement Workshops (KEWs)	19
11. Regional Consultations (RC)	32
12. Additional Activities	41
13. National Conclave on Consumer Issues	43
14. Outreach through Publications and Documentation	47
15. Initiatives taken by State partner and active Participants	49

16. Key Findings	50
17. Key Recommendations	57
18. Outcomes	58
ConsumersUp in Media	60
Glimpses of Activities	61

Preface

We are pleased to submit the Project Completion Report of the project “Indian Consumers in the New Age: A Forward Looking Agenda to Address the Concerns of the Common Man” ConsumersUp, which has successfully completed its phase on November 03, 2012.

In the year 2011, the Indian Consumer Protection Act (COPRA) has completed 25 years, which came into existence in 1986 and coincidentally this is also the 50th year of John F Kennedy’s historical speech to the American Congress on March 15, 1962, which he delivered to uphold four basic rights of consumers, which led to the start of modern consumer movement. Looking at these two important occasions, the government has taken up consumer protection on high priority in its agenda and now there is a big debate going on across the country that to what extent, we have achieved so far in the last 25 years of the enactment of the Act, what are the challenges, we are still facing and how to overcome those challenges.

The COPRA, enacted in 1986, is one of the benevolent social legislation, intended to protect the large body of consumers from exploitation. The three-tier quasi-judicial grievances redressal mechanism is the backbone of the Act. The Act has come as a panacea for consumers all over the country and assumed the shape of practically the most important legislation enacted in the country during the last few decades.

While the Act completed 25 years of its enactment in 2011, it was a good opportunity to assess its real impact on the ground and further strengthen it in addressing the new and emerging consumer issues because the recent survey conducted by CUTS in Rajasthan in 2011, depicts the picture that 63 and 35 percent respectively of the people of Rajasthan were still unaware of the Act and rights respectively and that is the only data available. This being a serious issue and a crucial time for all of us, therefore, all stakeholders must come forward.

In the present era, every consumer has to realise own role and importance in the right perspective. However, empowerment of consumers and the strengthening of the consumer movement in India have a long way to go. Keeping all these aspects in mind, CUTS International implemented a one-year project entitled “Indian Consumers in the New Age: A Forward Looking Agenda to Address the Concerns of the Common Man” ConsumersUp to address these emerging challenges.

This completion report is a product, designed to showcase the project progress in its concluding year along with outreach, observations, findings, assessments, and lessons learned on issues related to consumer protection. This document can also be conceived as a work in progress to encourage the exchange of ideas about issues of consumer protection.

I sincerely thank my colleagues Amarjeet Singh, Arjun Kant Jha, Abhimanyu Singh, Jai Shree Soni and Sumanta Biswas for the successful implementation of the project activities during the year and also thank Abhimanyu Singh and Jai Shree Soni with team for preparing this completion report. We acknowledge the valuable guidance of Pradeep S Mehta, Secretary General, CUTS International. We are also gratefully to other team members of the CUTS whose guidance helped in implementing the project successfully.

We sincerely express our thanks to the Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, especially to Pankaj Agrawala, Secretary, Consumer Affairs and Manoj Kumar Parida, Joint Secretary, Consumer Affairs for the funding support from the Consumer Welfare Fund. We also thank the Chairman and members of the Monitoring Committee of project under the Department of Consumer Affairs for their valuable guidance and suggestions.

We thank both print and electronic media for providing wide coverage to all the project activities.

We are grateful to the four state partners for providing their support in project implementation especially in the activities done at the field level and that of concerned departments/consumer forums in respective states.

We also acknowledge the contribution of Madhuri Vasnani in editing and that of Mukesh Tyagi and Rajkumar Trivedi in the layout of the Annual Report and other publications of ConsumersUp.

We also thank the IT team and the Finance team of CUTS, for their support for developing and maintaining the project webpage, as well as for maintaining the accounts of the project and fulfilling all the accounting and auditing requirements of the project, respectively.

We express our sincere gratitude to all without whom the successful implementation of the project would not have been possible.

Jaipur
April 2013

George Cheriyan
Director, CUTS &
Head, CUTS CART

1

Introduction

India has an ancient history of consumer protection. Consumer movement was part of its ancient culture and formed the core of its administration. Kautilya's '*Arthashastra*' of 400 BC was the basic law of ancient India and the same was strengthened with provisions to protect consumers. Sale of commodities was organised in such a way that general public was not put to any trouble. For traders, profit limit was fixed and for services timely response was prescribed. Sellers were fined heavily for shortfall in weighing/measuring, passing off inferior products, adulteration and cartelising.

India has been pioneer in consumer protection and a source of inspiration to other countries. It had an unique COPRA, which was passed in 1986. The Act provides not only easy and quick redressal of their grievances but also a mechanism to promote and protect their interests.

The Act is now more than 25 years old yet majority of consumers do not have proper information about their rights and the procedures involved to access these. Adding to this, now there is drastic change in the scenario. Globalised market and emergence of various new services has posed many new serious threats and challenges before consumers. Unfair, restrictive and monopolistic trade practices are being used to maximise profits by the business community.

As evident from the evolution of the consumer movement in the developing world over the last two decades, the Indian model has emerged as an effective medium for cooperation on a subject having its bearing on the poor and rich alike. However, the Indian consumer movement is to evolve itself with new challenges and opportunities so that concerns of the common man and new generation consumer issues are addressed in a systematic manner. While policy inertia (concomitant with less than required political will, as evident from the operationalisation process of establishing the National Consumer Protection Authority which is proposed in the Eleventh Five Year Plan document) is a larger issue which should mainly be addressed at the government level, some emerging issues need immediate attention.

2

Project Objectives

Long-term Objective:

“To create an enabling environment for protection and promotion of consumer interest contributing towards the national interest”

Immediate Objective:

“To bring out thematic report on the ‘State of the Indian Consumer’ and enhance the knowledge of civil society organisations (CSOs) working on consumer issues in four identified states in India with facts and information on concerns of the common man and new generation consumer issues, with the aim to strengthen and take the Indian consumer movement forward”

The programme objectives were as follows:

- **Research**
To conduct comprehensive thematic research on the state of the Indian consumer and come up with credible report on the same annually
- **Advocacy**
To advocate with relevant stakeholders on consumer issues emerging out of the research with the help of network of consumer organisations

- **Networking**
To mobilise consumer organisations and networking at regional and national level for coordinated action on issues affecting common consumers
- **Knowledge Enhancing**
To equip the consumer organisations with knowledge and skills to handle emerging and relevant new generation consumer issues woven around basic needs, to ensure improvement in service delivery and to play the watchdog role in their respective states.

3 *Target States*

- 3.1 The project was implemented in the following 4 (Four) states namely **Haryana, Tripura, Jharkhand, and Karnataka**.
- 3.2 Selected CSOs working on consumer issues were the implementing partners in each of these target states. Apart from the selected CSOs in four states, policymakers and CSOs from other states were also invited during regional and national level activities. Only for the research purpose, the



additional 15 states and 3 Union Territories, as mentioned below were covered to ensure the holistic national representation.

15 States and 3 Union Territories (for research purpose): Kerala, Andhra Pradesh, Madhya Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal. Three Union Territories were Chandigarh, Delhi and Puducherry.

4 *In Partnership with*

CUTS International implemented one-year project (from November 04, 2011 to November 03, 2012) to take the Indian consumer movement forward with the support from Department of Consumer Affairs, Ministry of Consumer Affairs, food & Public Distribution, Government of India supported under the Consumer Welfare Fund (CWF).



Signing of project MoA between CUTS & DoCa, GoI

5

Activities Accomplished

5.1 MoU of ConsumersUp Signed

A Memorandum of Understanding (MoU) was signed between Manoj Kumar Parida, Joint Secretary on behalf of Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India on November 04, 2012 and George Cheriyan, Director CUTS on behalf of Consumer Unity & Trust Society (CUTS) in presence of S K Nag, Director, Department of Consumer Affairs; Prema Bhatt, Under Secretary to the Government of India and Amarjeet Singh, Project Coordinator, CUTS. The MoU is valid for a period of one year from the date of signing. The project was sanctioned vide letter No. O-11011/121/2010-CWF dated on October 19, 2011.

5.2 Appointment of Project Team

After the signing of MoU as mentioned in the sanctioned proposal, staff was recruited and oriented about the project to look after the effective implementation of the Project; and got actively involved in various project activities. The project team consists of four project officers, one Project Coordinator and one Project Director.

Please visit the contact tab on project web page for project team list and coordinates or visit the link: www.cuts-international.org/CART/ConsumersUp/Contact_us.htm

Project Team	
Project Director	George Cheriyan, Director, CUTS
Project Coordinator	Amarjeet Singh
Project Officers	<ol style="list-style-type: none"> 1. Arjun Kant Jha 2. Abhimanyu Singh 3. Jai Shree Soni 4. Sumanta Biswas

5.3 Project Scoping Visit and Strategic Meetings

George Cheriyan, Director, CUTS made four visits to identify state partners of four states as a tier II partners in the project implementing states (Haryana, Jharkhand, Karnataka and Tripura) to look after the project and assess their capabilities and network reach out.

- (i) He visited Bangalore, Karnataka on November 09, 2011 to meet with Y G Muralidharan, Secretary, Consumer Rights Education & Awareness Trust (CREAT), and other staff to discuss the role of CREAT as a tier II partner under ConsumersUp project. Apart from this he also met with officials of DoCA, Government of Karnataka and Ashok R Patil Professor, Chair Consumer Law and Practice, National Law School of India University, Bengaluru, Karnataka to make them aware of the project activities in the state.
- (ii) He also visited Chandigarh on November 24-25, 2011 to meet with Surinder Verma, Chairman, Citizens Awareness Group (CAG), and other staff and discussed the role of tier II partnership. A positive meeting also took place with Shakuntla Jakhu, IAS, Principal Secretary, DoCA, Government of

Haryana. She was very positive and asked for the copy of the sanction letter and also requested to write to her specifically what CUTS was expecting from the Department.

- (iii) George Cheriyan along with R Prashant, Project officer, CUTS Kolkata; visited Agartala, Tripura on December 05-06, 2011 to meet Amrit Lal Saha, President, Consumer Protection Association (CPA) – one of the tier II partners. They were explained the objectives of the project, activities, partners' roles/responsibilities etc.

Detailed discussion took place with Director of Consumer Affairs, Tripura with an objective to provide the project details in context with the state. Director seemed to be quiet positive about the initiative and verbally conveyed his full support to it.

- (iv) The team also visited Ranchi, Jharkhand on December 07, 2011 at branch office of The Janaki Foundation, which was represented by Ashish Kumar, Senior Programme Manager. They shared their organisation's history and on-going projects. The Janaki Foundation is headquartered at Jamshedpur. All necessary documents were checked and collected.

George Cheriyan, R. Prasant along with Ashish went to DoCA and met with various officials of the Department and discussed the project.

These meetings proved to be very fruitful in knowing the partners, assessing the capabilities and network reach out, informing them about the project activities and also incorporating line departments from the beginning of project.

6 Developed Project Webpage

A dedicated webpage of the project was developed. All project-related information including project area, activities, publications, media & press releases are placed for wider dissemination. Preparation of CUTS Consumer Forum (CCF), where consumer issues from secondary sources (such as newspapers, magazines) and postings are in the process for wider dissemination. (Please visit the webpage: www.cutsinternational.org/CART/ConsumerUp/)

Indian Consumers in the New Age
A Forward Looking Agenda to Address the Concerns of the Common People (ConsumerUp)

Home CUTS CART Activities Publications Media Corner Events Useful Links Contact us

Supported by
CUTS Consumers Up on Yahoo! Groups

About Project:
The Indian Consumer Protection Act (1986) completed 25 years of coming into force on December 24, 2011. Taking into consideration this aspect, CUTS conceptualised a proposal well in advance, submitted, discussed and finalised it with the Department of Consumer Affairs, Government of India. The Memorandum of Understanding was formally signed with the Department of Consumer Affairs, on November 04, 2011 to implement the project entitled Indian Consumers in the New Age: A Forward Looking Agenda to Address the Concerns of the Common People (ConsumerUp) lasting for a period of 12 months.

What's New
The key activity of the project is to bring out a credible report on the State of the Indian Consumers. The report will have chapters on each of the consumer rights, consisting of an analysis of the state of implementation of the consumer rights based on a comprehensive literature review and findings of a quantitative and qualitative survey covering 19 states and three union territories. In addition there will be an executive summary, a Synthesis chapter and a chapter on consumer protection index. CUTS will follow a hybrid approach for research methodology. Based on the findings of the state of the consumers, CUTS will present a forward-looking outline to the Department of Consumer Affairs, state consumer departments, and other line ministries/departments (of the Central and state governments) and will advocate to act upon the state of consumers. The final report is expected to be ready and to be released in a National Conference in Delhi in October 2012.

Publications
October 11-12, 2012, New Delhi
National Conference on 'Consumer Issues'

In Media
State of the Indian Consumer 2012
BUSINESS LINE, February 01, 2013

Project Objectives:

- Long term Objective:** To create an enabling environment for protection and promotion of consumer interest contributing towards the national interest
- Immediate Objective:** To bring out thematic report on the 'State of the Indian Consumer' and to enhance the knowledge of the Civil Society Organisations (CSOs) working on consumer issues in 19 identified states in India with the facts and information on the concerns of the Common people and on new generation consumer issues, with the aim to strengthen and take the Indian consumer movement forward
- The programme objectives are as follows:
 - Research:** To conduct comprehensive thematic research on the state of the Indian Consumers and come up with a credible report.
 - Advocacy:** To advocate with relevant stakeholders on the consumer issues emerging out of the research with the help of network of consumer organisations
 - Networking:** To mobilise consumer organisations and networking at regional and national level for coordinated action on issues affecting common consumers
 - Knowledge Enhancing:** To equip the consumer organisations with knowledge and skills to handle emerging and relevant new generation consumer issues woven around basic needs, to ensure improvement in service delivery and to give the watchdog role in their respective states.

Supported and implemented by
The project is being implemented by CUTS Centre for Consumer Action, Research & Training (CUTS CART), with financial assistance under the Consumer Welfare Fund (CWF) by the Ministry of Food and Consumer Affairs, Government of India.

7

Inception cum Partners Meet

After scoping visit by the Director in all the four states, four partners were selected and an inception cum partners' meet was organised at CUTS CART office on January 12, 2012. The basic objective of the meet was to have clarity and better understanding of the project activities and financial dispersion for successful implementation. One representative from each of the four target states was present during the meet. The presentation was shared, fruitful discussions and important decisions were taken for future activities.

CUTS partnered with following four State Partners for the successful implementation of the project:

- Haryana – Citizen's Awareness Group (CAG), Chandigarh
- Jharkhand – The Janaki Foundation, Ranchi
- Karnataka – Consumer Rights Education & Awareness Trust (CREAT), Bangalore
- Tripura – Consumer Protection Association (CPA), Agartala

7.1 Participants

Arun Kumar Tiwari, CEO, The Janaki Foundation, Ranchi, Jharkhand; Ashish Kumar, Senior Manager Programme, The Janaki Foundation, Ranchi, Jharkhand; Simul Ranjan Chaudhuri, Treasurer & Project Officer, Consumer Protection Association, Tripura; Surinder Verma, Chairman, Citizen's Awareness Group, Chandigarh; Y T Rajesh, Consumer Rights Education & Awareness Trust (CREAT) Bipul Chatterjee, Deputy Executive

Director, CUTS and Head, CUTS CITEE; George Cheriyan, Director, CUTS and Head, CUTS CART; Udai Singh Mehta, Assistant Director, CUTS and Centre Coordinator, CUTS CCIER; Amarjeet Singh, Project Coordinator; Arjun Kant Jha, Ramakrishnan Prasant, Abhimanyu Singh and Jai Shree Soni, Project Officers, CUTS.

7.2 Planning of the Project Activities

After a lot of discussion planning of the project activities for every state was done and following decisions were taken with consultation of partners:

- The research organisation/professional agency would be selected within one week from inception meeting.
- Field test of questionnaire would be done by State partners in their respective States and will provide inputs.
- Each State partner would do States' and CSOs' mapping and prepare a list of stakeholders, such as key officials of DoCA, Grievance Redressal Officer, consumer organisations, presidents of the District Consumer Forum, members of the Council etc. of their respective States and nearby States would be identified for focussed group discussions (FGDs), Regional Consultation and National Conclave

State partners will plan with their team and confirm the dates for Knowledge Enhancement Workshops (KEWs).

- In two KEWs in each State, districts covered had to be far apart for complete coverage of the districts.
- Keeping in mind the budget constraints, it would be better to call the people within the State. State partners would need to work on the budget and send it to CUTS.
- National Conclave in New Delhi could be a one and half day affair so that the participants could fly back on the same day.
- Link of CHIAS from the CART website could be put up on the ConsumersUp web page.

7.3 Signing up of MoA: George Cheriyan and State Partners

Formal Memorandum of Agreements (MoAs) were signed with all four state partners and they actively participated in the meeting.



MoA signing with Haryana Partner



MoA signing with Tripura Partner

The meeting report was prepared and uploaded on to the project web page. *For detailed report of the Partners' cum inception meeting, please visit the following link: www.cuts-international.org/CART/ConsumersUp/pdf/Report_Inception_cum_Partners_Meet.pdf*

After the partners meet a dinner cum interactive meet was hosted by CUTS in which Pradeep S Mehta, Secretary General, CUTS interacted with the state partners and discussed the project strategy.



MoA signing with Jharkhand Partner



MoA signing with Karnataka Partner

8

Research Activities

The objective of the study was to assess the level of knowledge and awareness of consumers regarding their rights. Towards this end, a consumer survey was conducted in 19 Indian states namely Haryana, Jharkhand, Tripura, Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, Madhya Pradesh, Chhattisgarh, Goa, Maharashtra, Gujarat, Odisha, Punjab, Rajasthan, Uttar Pradesh, Bihar, Uttarakhand and West Bengal and 3 Union Territories of India viz. Chandigarh, Delhi and Puducherry.

8.1 Finalisation of Research Agency

A proposal for bid was called to execute the research on the State of the Indian Consumer in 19 States and three Union Territories across India for which professional agencies (bidders) submitted the proposal. After receiving proposals, bidding agencies were called for further separate discussions and after the deep revision of the proposal on the basis of quality of proposal, survey approach, clarity of methodologies etc. by the Senior Management and Project team, the bid was sanctioned to Insight Development Consulting Group (IDCG), New Delhi, on January 17, 2012.

8.2 Execution of Survey

Quantitative data collection under the project commenced on March 23, 2012 and continued till May 16, 2012. The survey work was started from Delhi and concluded in Maharashtra covering 11,499 respondents. While the qualitative data collection

started from March 26, 2012 and continued till June 22, 2012 covering 385 respondents. Prior to development of the study tools a research framework was developed in consultation with members of CUTS team those who were involved in implementation of this project. Based on the research framework, separate set of survey tools were developed for quantitative and qualitative survey.

The survey tools were pilot tested by IDCG team at two urban locations in Delhi and two rural locations in Haryana. After receiving final approval from CUTS team the survey tools were translated into different regional languages.

Apart from the quantitative survey of consumers, about 385 qualitative samples have been collected with an objective to understand the state of Indian consumer from the perspective of public and private sector organisations, departments and individuals working closely with consumers with an objective to develop policy lessons and recommendations on the way forward. The qualitative survey respondents comprise of the following:

8.3 Input Papers

A concept note regarding the nine input papers were prepared after finalising Terms of Reference (ToR) and nine authors were identified for input papers. ToRs for authors were finalised. MoA was also signed with them. The following authors were assigned to write chapters on different rights:

- (i) Right to Basic Needs: Suresh P Singh, Policy Analyst, CUTS Centre for International Trade, Economics and Environment (CUTS CITEE)
- (ii) Right to Choice: Vandana Vasudevan, Graduate, Indian Institute of Management, Ahmedabad

- (iii) Right to Information: Y G Muralidharan, Director, Consumer Rights, Education and Awareness Trust (CREAT), Bengaluru
- (iv) Right to Safety: Keya Ghosh, Centre Head, CUTS Calcutta Resource Centre (CUTS CRC), Kolkata
- (v) Right to Representation: Adv. Shirish V. Deshpande, Chairman, *Mumbai Grahak Panchayat*, Mumbai
- (vi) Right to Healthy Environment: Dr. Roopa Vajpayee, Vice Chairperson, Consumer Voice
- (vii) Right to Consumer Education: Prof. (Dr.) C Rajshekhar, Chairman, Post-Graduate Department of Studies in Law, Karnataka University
- (viii) Right to Seek Redressal: Prof. (Dr.) Ashok R Patil, Professor, Chair Consumer Law and Practice, National Law school of India University, Bengaluru, Karnataka
- (ix) Synthesis Chapter: Dr. Vivek Bhandari, Executive Director, Sandarbha Consulting Pvt. Ltd

9

CUTS ConsumersUp Forum

CUTS developed a global forum on consumer issues named CUTS ConsumersUp Forum on yahoo groups. This forum has been created to facilitate dynamic interaction on various issues related to Consumer Education, Protection, Redressal, Investor Education & Protection, Utility Reforms etc. The forum provides a platform to the people interested in sharing their knowledge, learning from practices, experiences, and exchanging their viewpoints and ideas with the wider community to create a world to protect consumer rights. Articles, news, views, research findings and discussions on relevant and contemporary issues are being periodically posted on this forum. A total of 302 members were added. This group will be continuing, news and issues will be posted. *(Please visit the CUTS ConsumersUp Forum on yahoo group: <http://finance.groups.yahoo.com/group/CUTSConsumersUp/>)*

10

Knowledge Enhancement Workshops (KEWs)

The objective of two-day Knowledge Enhancement Workshops (KEWs) were to enhance the knowledge of consumer organisations from the state on new generation consumer issues, on research, advocacy, communication, and resource mobilisation skills by helping them to make further interventions on frequently occurring problems and to ensure improvement in service delivery and act as ‘watchdogs’ in their respective states.

10.1 Resource Kit Distributed

During the workshop a training manual on consumer protection, six briefing papers namely ‘Advertising: Challenges and Future Prospects’, ‘Consumer Protection in the Financial Sector: Challenges and the Way Forward’, ‘Consumer Participation in the Standardisation Process’, ‘Medical Services and Consumer protection Act’, ‘Remittances: Travails of the Migrants’, ‘Insurance Services: Challenges and Opportunities before Consumers’, A brochure on the project ConsumersUp and newsletters related to the project were distributed among the participants.

Total eight KEWs were organised in two phase during the project period. Details of the KEWs are as follows:

KEWs at a Glance

<i>SN</i>	<i>Date</i>	<i>Place</i>	<i>Number of Participants</i>
First Phase			
1	February 28-29, 2012	Bengaluru, Karnataka	41
2	March 20-21, 2012	Jamshedpur, Jharkhand	60
3	March 23-24, 2012	Agartala, Tripura	65
4	April 06-07, 2012	Chandigarh, Haryana	45
Total Participants in First Phase			211
Second Phase			
5	April 26-27, 2012	Mysore, Karnataka	94
6	May 07-08, 2012	Gurgaon Haryana	44
7	May 14-15, 2012	Ranchi, Jharkhand	62
8	May 18-19, 2012	Agartala, Tripura	94
Total Participants in Second Phase			294
Overall total outreach			505

10.2 KEW at Bengaluru, Karnataka

First KEW of the project was organised at Bengaluru, Karnataka on February 28-29, 2012. The workshop was inaugurated by George Cheriyan, Director, CUTS International and enlightened by Shalini Rajneesh, IAS, Secretary, Department of Personnel and Administrative Reforms, Government of Karnataka. Ashok Patil, Professor, NLSIU; K N V Giri, Secretary, Consumer Forum, Sagar, Shimoga, Maya, Institute of Public Health, Bengaluru; Vasant Kumar Parigi, Founder Trustee of Consumer Education Centre and CREAT; and Y G Murlidharan, Managing Trustee, CREAT (state partner) as the privileged resource persons and speakers.



Amarjeet Singh making presentation on project details

Amarjeet Singh, Project Coordinator and Jai Shree Soni, Project Officer from CUTS facilitated the workshop and took few sessions.

George Cheriyan stressed on the need to empower and educate rural consumers regarding consumer rights as future growth is seen in the Indian rural market with 55-60 percent consumption. He also highlighted few concerns related to access, availability, affordability and delays in decisions. He emphasised on the grievance redressal and consumer protection law workable to poor and rural consumers and demanded for separate Ministry of Consumer Affairs.

Shalini Rajneesh stated that more than 150 services of 11 departments are being brought within the purview of the Citizens Services Guarantee Act 2012.

More than 41 participants comprising representatives of CSOs and different institutions, member of consumer forums, Government of Karnataka, resource persons, activists and ConsumersUp project team were present.

*For detailed report, please visit:
[http://www.cuts-international.org/CART/ConsumersUp/pdf/
Report_Knowledge_Enhancement_Workshop_Bengaluru.pdf](http://www.cuts-international.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Bengaluru.pdf)*

10.3 KEW at Jamshedpur, Jharkhand

Second KEW was organised in Jamshedpur, Jharkhand on March 20-21, 2012. The workshop was inaugurated by K P Singh, Food Department, Government of Jharkhand, and enlightened by Ramanuj Narain, Ex. District Judge and President, District Consumer Forum. Vinod Nidhi, Advocate, District Consumer Forum; Om Prakash, Advocate, Consumer Forum; Hari Ballabh Singh “Arshi”, Founder of Consumer Forum, Jamshedpur and Current Secretary, Sri Krishna Public School; Lakshmi Nidhi, Senior Advocate, Jamshedpur; Murli Dhar Kedia, Advocate and President, Rajasthan Sewa Sadan; Ashish Kumar, Director, The Janaki Foundation and media representatives were honoured resource persons and speakers. They played vital role on their respective topics prominently. Prashant Ramakrishnan and Abhimanyu Singh from CUTS facilitated the KEW.

K P Singh presented government insights and importance of evidences in policymaking and Food Adulteration Act in India. He mentioned that Government of India has initiated steps by way of enactment of various acts and other measures to help consumers. However, the fact remains that very little have been achieved in the field of consumer protection.



Resource person taking session in KEW



Participants discussing issues of new generation consumers in group exercise during workshop

Ramanuj Narain shared that liberalisation is paving way for a market driven economy, where manufacturers seek to maximise profits. He also informed that protection of not only those who could afford to purchase goods and services in the market place but also consumers from rural India who earn a meagre living out of engaging in small trading activities. They currently constitute 92 percent of the country's workforce.

Abhimanyu Singh, Project Officer made a presentation on the overview of ConsumersUp project. Prashant Ramakrishnan, Assistant Project Officer, explained about Complaints Handling Information and Advisory Services (CHIAS). More than 60 participants were present in the KEW.

For detailed report, please visit:

http://www.cutsinternational.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Jamshedpur.pdf

10.4 KEW at Agartala, Tripura

Hon'ble Justice A B Pal, President, State Commission inaugurated the third KEW in Agartala, Tripura on March 23-24, 2012. Key resource persons included Sankari Das, Deputy Secretary of Law,



Hon'able Justice A B Pal making introductory remark in KEW

Government of Tripura. S C Das, Hon'ble Judge, Guwahati High Court; Koushik Roy, Ld. Advocate, Guwahati High Court; Purushuttam Roy Barman, Ld. Advocate, Guwahati High Court were present and D K Das Choudhury, Retd. District Judge delivered enriching sessions. R Prasant, Assistant Project Officer, CUTS and Abhimanyu Singh, Project Officer, CUTS also took few sessions and facilitated the KEW.

Justice A B Pal in his introductory speech stated that since the introduction of COPRA, 1986, the country has passed 25 years, still majority of the people in the country are unaware of tools and mechanisms of COPRA, 1986. He mentioned that CUTS is one of the biggest organisation working for consumers in India. He said that suggestions should be provided to the state government to make the District Forum full time. He pointed out that in spite of having 65 members in Tripura State Consumer Protection Council it is not functioning properly.

Sankari Das spoke on various avenues (formal/informal) available to consumers for grievance redressal mechanism and consumer participation in policy making/regulatory process and tools. More than 70 participants were present in the KEW.

For detailed report, please visit:

http://www.cutsinternational.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Agartala.pdf

10.5 KEW at Chandigarh, April 06-07, 2012

The workshop was inaugurated by Madhu P Singh, Ex- Judge, Consumer Forum, Chandigarh and enlightened by George Cheriyan, Director, CUTS International at Chandigarh, on April 06-07, 2012. Pravin Kumar, Bureau of Indian Standards; Sardar Charanjeet Singh, Managing Director, Core Communications; T R Jain, Financial Consultant; Dinesh Singh Rawat, Citizen Research Foundation; Prakash Kaur, Food Adulterations and Testing Institute; Akshat Mehta, Phd holder; Surinder Verma, Chairman, Citizen Awareness Group as the privileged and honoured speakers. Arjun Kant Jha and Abhimanyu Singh, Project Officers from CUTS facilitated the workshop.

George Cheriyan made a presentation on ‘Realising Consumer Rights as per the UN Guidelines on Consumer Protection: Its Possibilities and Challenges’. He informed that the Union Ministry of Finance is going to provide Bank Account Portability Service, allowing bank customers to change their service providers without sacrificing an account number. Only glitch is about the technical feasibility, as all banks have to adopt a uniform kind of software to implement these provisions.

For detailed report, visit the link:

http://www.cutsinternational.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Chandigarh.pdf



Madhu P Singh informing redressal mechanism

10.6 KEW at Mysore, Karnataka, April 26-27, 2012

C G Betsurmath, Commissioner, Mysore Urban Development Authority (MUDA) and Prof. Suresh, Principal, JSS Law College, Mysore inaugurated the workshop at Mysore, Karnataka, on April 26-27, 2012. He stated that only through consumer awareness things could not be changed in the society. He opined that consumers should have personal responsibility and producer social responsibility. Pointing out instances of adulteration of food products, he said, adulteration always seems attractive to make quick money. He added that to save the money consumers should deal directly with producers without the intervention of middlemen. Quoting the 21st century he stated that this is an era of choice and massive changes will take place in all sectors.

Suresh, Principal, JSS Law College, Mysore stated that government enact laws and provide services, but it is also important to know at what extent services are reaching common man. He applauded CUTS' efforts and national research to know consumer status, which is a very important tool for advocacy. Amarjeet Singh, Project Coordinator, CUTS made a presentation about ConsumersUp project.

Y G Muralidharan and Y T Rajesh from CREAT, local resource person Prof. M.P. Nagendra Murthy, JSS Law College, Mysore,



Consumer activist raising local issue of consumers during KEW

Dr. Ashok Patil, Associate Professor from Chair on Consumer Law & Practice NLSIU, Bengaluru, Prashant Kone, Janapara Seva Samsthe, Belguam were present and delivered their respective sessions.

*For detailed report, visit the link:
www.cuts-international.org/CART/ConsumersUp/pdf/Report_of_Second_Knowledge_Enhancement_Workshop_Mysore.pdf*

10.7 KEW at Gurgaon, Haryana, May 07-08, 2012

Jayashree Gupta, Former Additional Secretary to Government of India and President of Consumer India inaugurated the workshop at Gurgaon, Haryana, on May 07-08, 2012. Poonam Pandey, Project Associate, GIZ; Prabhakar Rai, Director, BIS Faridabad; Rajinder Raja, B P Yadav, DSO, Surinder Kumar from Food & Supply Department, Gurgaon, Haryana; Rajesh Kumar, Assistant Professor, MDU, Rohtak; B K Mitra from Telecom User Group of India were present as the privileged resource persons and speakers. Amarjeet Singh, Project Coordinator; Arjun Kant Jha and Abhimanyu Singh, Project Officer, CUTS, Surinder Verma, Chairman, Citizen Awareness Group, Chandigarh state partner facilitated the workshop and also took few sessions.

Jayashree Gupta in her key address stated that drug industry makes a whole lot more money on pharmaceuticals that patients must



Participants interacting and discussing with Jayashree Gupta

take perpetually for chronic conditions, rather than on those, they take occasionally for isolated illnesses. Talking about generic medicines, she informed that a generic medicine is developed to be the same as a medicine that has already been authorised (the 'reference medicine'). However, the name of the medicine, its appearance (such as colour or shape) and packaging can be different from those of the reference medicine.

Poonam Pandey informed participants about various avenues available to consumers for redressal of grievances and how consumer issues and awareness can be taken in the rural areas as 70 percent of the Indian population reside in villages. She informed that 'for weak projection and implementation of consumer awareness and protection' governmental organisations, departments and their employees alone were not at fault. In her view, 'negligence on part of consumers' was equally responsible for the current condition.

Amarjeet Singh briefed about key advocacy skills that should be garnered to take up consumer protection issues. He also explained research methods such as quantitative, qualitative and sampling techniques with special reference to consumer organisations.

*For detailed report, visit the link:
[www.cuts-international.org/CART/ConsumersUp/pdf/
Report_Knowledge_Enhancement_Workshop_Gurgaon.pdf](http://www.cuts-international.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Gurgaon.pdf)*

10.8 KEW at Ranchi, Jharkhand, May 14-15, 2012

The workshop was inaugurated by Sanjay Kumar, Director, Arun Sharma, Manager, Employee State Insurance Corporation (ESIC) Jharkhand at Ranchi, on May 14-15, 2012. Arun Sharma said that in courts of law huge unreasonable claims are considered irresponsible and may go against consumer's interest. A consumer should be careful while claiming compensation. He emphasised that one should not make unreasonably large claims while making complaints and claiming compensation.



Sajjan Saraf addressing participants in KEW and informing about consumer rights

Sajjan Saraf, President, Jharkhand Chamber of Commerce and Industries stated that consumers are saddled with problems of choosing between too many products with less information. With the concentration of market in hands of a few large corporations, it becomes important that consumers should be aware of their rights to ensure proper standards for goods and services for which they make payment. Ashok Kumar Thakur, Retired Deputy Zonal Manager, Bank of India insisted that one should be very cautious while purchasing any product or scheme and taking loan from banks. He also said that one should read documents carefully before signing while taking any loan from banks.

Other speakers/key resource person- B N P Singh, Electricity Consultant, Ranchi, Sajjan Saraf, President, Kishore Mantri, Vice President, Jharkhand State Chamber of Commerce and Industries Association, Om Prakash, Advocate, Consumer Forum; Pankaj Kumar, Media Representative, Ramakant Pathak from UNICEF, Manish Kumar, Managing Director, Dynamic Tarang Pvt. Limited; Subir Kumar from Urban Health Programme, Government of Jharkhand; Arjun Kant Jha and Abhimanyu Singh Project Officer, CUTS were present and delivered their respective sessions.

*For detailed report, visit the link:
www.cuts-international.org/CART/ConsumersUp/pdf/Report_Knowledge_Enhancement_Workshop_Ranchi.pdf*

10.9 KEW at Agartala, Tripura, May 18-19, 2012

Hon'ble Justice S Talpatra, Gauhati High Court inaugurated the KEW at Agartala, Tripura, on May 18-19, 2012. B Kilikder, Retd. Judge; K K Roy, Principal, Tripura Government College; Hari Das Dutta, Advocate, Guwahati High Court; Indraneel Bhowmik, Reader, Tripura University; Shukla Saha, Assistant Professor, Ramthakur Degree College; Shreelekha Roy, Executive Director, Voluntary Health Association of Tripura, Agartala; and Samya Bharadwaj, Director, Consumer Legal Protection Forum, Assam were present as resource persons and played vital role on their respective topics prominently. More than 94 participants attended KEW. The event received excellent media coverage in national and local newspapers.

Hon'ble Justice S Talpatra stated that licence should be given to only those shopkeepers who provide cash memo/bills, this would help in reducing the time to redress consumers' grievances and all the states should adopt this. He mentioned that European market as compared to Indian is more open and with increasing access to remote rural markets with little regulations in place, investor/traders are maximising their profits at the cost of consumers'



Hon'ble Justice S Talpatra making inaugural speech during KEW

interest. He also expressed his concern and said that 2.4 crore cases are pending for judgment in various courts across India. Such a situation is a threat to our democracy. He insisted that that all consumer organisations/forums need to take forward the Indian consumer movement.

George Cheriyan said that rural India is having the biggest market and in 2010, 55 percent of insurance was sold by Life Insurance Corporation in rural areas. Also, many items of vehicle, electrical, etc. are sold in rural areas since urban areas are saturated; however they do not have any grievance redressal mechanism below the district level. He reinstated the need for making consumer protection law and grievance redressal mechanism workable for the poor and rural consumers and the role of local administrative bodies in this regard.

Amrit Lal Saha, President of CPA & Chairman, Consumer Coordination Council (State Partner) said that there is three-tier structure comprising National and state commissions and district forums to lodge complaints on any consumer issue, but most of consumers do not use this mechanism due to lack of awareness. In one of his recommendations, he stated that complaints' handling procedure will need to be make more accessible to common consumers and the fee required to register a complaint should be less or eliminated. He said that India has the best legislation in the world. While appreciating the role of CUTS in the consumer protection movement, he urged grassroot CSOs to take guidance from CUTS to take consumer movement forward in their respective regions.

*For detailed report, visits the link:
[www.cutsinternational.org/CART/ConsumersUp/pdf/
Report_of_KEWII_at_Agartala_Tripura.pdf](http://www.cutsinternational.org/CART/ConsumersUp/pdf/Report_of_KEWII_at_Agartala_Tripura.pdf)*

11

Regional Consultation (RC)

The main objective of the regional consultation was to disseminate the preliminary findings from the field research and to get feedback from various stakeholders such as representatives of State Department of Consumer Affairs, consumer organisations, consumer redressal bodies, policymakers, media, academia etc. Apart from dissemination of preliminary research findings, consultation will serve the purpose of advocacy with policymakers on region-specific consumer issues emerging out of research. Total four RCs were conducted during the period. Details are as follows:

RCs at a Glance

<i>SN</i>	<i>Date</i>	<i>Place</i>	<i>Number of Participants</i>
1	August 03, 2012	Bengaluru, Karnataka	55
2	August 17, 2012	Agartala, Tripura	63
3	August 22, 2012	Chandigarh, Haryana	108
4	August 31, 2012	Ranchi, Jharkhand	65
Total Participants			291

11.1 RC at Bengaluru, Karnataka: Aug.03, 2012

First RC was organised in partnership with state partners at Bengaluru, Karnataka, on August 03, 2012. C R Rajendra, Bangalore Branch Head and Scientist -'F' & Head, Bureau of Indian



C R Rajendra making comments on research key finding during RC

Standards, Bengaluru inaugurated the consultation. Panellists, discussants from Karnataka and nearby states, such as Dr. C Rajashekhar, Dean, Faculty of Law and Professor, Department of Studies in Law, Karnatak University, Dharwad, Karnataka; George Cheriyan, Director, CUTS; Dr. Ashok R. Patil, Associate Professor, Chair of Consumer Law and Practice, National Law School of India University, Bengaluru; S. Saroja, Citizen consumer & civic Action Group, Chennai; J. Vijayathilagam, Superintendent and Coordinator, State Consumer Help Line and Consumer Advice Centre, Department of Consumer Protection, Government of Tamil Nadu; Dr. M.S. Kamath, Secretary, Consumer Guidance Society of India, Mumbai; Vivek Patki, Vice President, Mumbai Grahak Panchayat, Mumbai; Dr. T. Balachandran, President, Kerala Consumer Service Society, Kochi; Divakar Babu Chennupati, General Secretary, Consumer Guidance Society, Andhra Pradesh, Roland Martins from Goa-Civic & Consumer Action Network; Y G Muralidharan, Secretary, CREAT actively participated in the consultation.

George Cheriyan highlighted the relevance of the project. He cited two international developments happening in the field of consumer protection – a) this year marks 50 years since US President John F. Kennedy became the first ever serving world leader to directly address the issue of consumer rights; and b) UNCTAD is considering to revise the United Nations Guidelines for Consumer Protection, in the light of new consumer concerns. Hence, these developments make this project even more relevant and it is the right time to provide recommendations/suggestions through this project.

Amarjeet Singh, CUTS CART gave a brief presentation of the key findings from the survey.

After dissemination of preliminary research findings, panel discussion on “25 Years of Consumer Protection Act in India: State of Realising the Consumer Rights and the Way Forward” was scheduled where panellists made the presentation on specific consumer rights and provided their insights. Panellists and discussants discussed and highlighted the good things that happened during the past 25 years and dynamic issues which diluted the COPRA. They provided few recommendations/suggestions for the way forward. Then the floor was open to general discussion.

More than 55 participants comprising Department of Consumer Affairs, representative from consumer redressal bodies, consumer organisations, law institutes, consumer activists, media representatives, project team, etc. participated in the event. Participants fairly represented from Karnataka and other nearby states, such as Andhra Pradesh, Tamil Nadu, Puducherry, Kerala, Maharashtra and Goa.

*For detailed report, visit the link:
[www.cutsinternational.org/CART/ConsumersUp/pdf/
ReportRegional_Consultation_Bengaluru_Karnataka.pdf](http://www.cutsinternational.org/CART/ConsumersUp/pdf/ReportRegional_Consultation_Bengaluru_Karnataka.pdf)*

11.2 RC at Agartala, Tripura, August 17, 2012

Second RC was organised at Agartala, Tripura, on August 17, 2012 and inaugurated and addressed by Manik Dey, Minister for Consumer Affairs, Food & Civil Supplies Government of Tripura. He stated that “various non-banking financial (NBF) companies are working in North-East region without legal licence from the Reserve Bank of India. Only Central Government can take proper steps to control these cheat funds. 84 cheat funds out of 116 are functioning in Tripura. He urged non-governmental organisations (NGOs) and voluntary consumer organisations (VCOs) to undertake consumer awareness activities. Justice Pradip Kumar Sarkar, Lokayukta, Tripura also highlighted the need for monitoring and effective control over NBF institution operating in Tripura as these institutions are robbing hard earned money of consumers and disappearing from the state.

Hon’ble Justice A B Pal, President, State Consumer Disputes Redressal Commission, Tripura & Mizoram raised the issue of *ad hoc* consumer forum and lack of consumer awareness about redressal mechanism.



Manik Dey making comments on status of regional consumers

George Cheriyan reinstated that the ultimate goal of the project is to access the level of consumer awareness and the achievements made by the consumers in India during the past 25 years since COPRA, 1986 came into force. Amarjeet Singh, Project Coordinator, CUTS made a brief presentation of the key findings and shared that in Tripura approximately 49 percent are aware of the COPRA 1986, 48 percent respondents are aware of consumer rights, only 14 percent are fully satisfied with the government's effort to ensure adequacy, accessibility and affordability of basic needs. 92 percent respondents have never actually made a formal complaint; none of the respondents have approached consumer forums for grievance redressal, 89 percent do not know about external redressal mechanism.

The presentation was followed by a panel discussion to take way forward to address these issues where Prof. Mihir Deb, Chairman, Tripura State Pollution Control Board, Agartala, K.K. Roy Ex-Principal, Tripura Govt. Law College, and Dr. Keya Ghosh, CUTS Kolkata shared their views that solid waste must be managed as per the Municipal Solid Waste (MSW) rules; long term, nationwide, planned and structured consumer education and training programme on a regional basis; The Department of Consumer Affairs (DoCA), Bureau of Indian Standards (BIS) and Food Safety and Standards Authority of India (FSSAI) should jointly take efforts to provide safety to consumers. More than 63 participants from Tripura and other nearby states, such as Arunachal Pradesh, Mizoram, Assam and West Bengal were present.

*For detailed report, visit the link:
[www.cuts-international.org/CART/ConsumersUp/pdf/
ReportRegional_Consultation_Agartala_Tripura.pdf](http://www.cuts-international.org/CART/ConsumersUp/pdf/ReportRegional_Consultation_Agartala_Tripura.pdf)*

11.3 RC at Chandigarh, August 22, 2012

NK Mittal, Deputy Director, Haryana Food and Supplies Department, Government of Haryana inaugurated the regional consultation at Chandigarh on August 22, 2012. Madhu P Singh,



George Cheriyan making an opening remark

President Consumer Forum, Faridkot; Anant Sharma Secretary, CAINS, Jaipur; Charanjeet Singh, Managing Director, Core Communication, Chandigarh; Vijay Acharya, President & Director General, Bharat Jyoti, Lucknow; Surinder Verma Chairman, CAG, Chandigarh and others were prominent key speakers from Chandigarh and nearby states.

NK Mittal announced the setting up of ‘State Consumer Helpline’ at headquarter of Haryana Food and Supplies Department, Chandigarh soon on the pattern of National Consumer Helpline to make consumers aware of their rights and to redress their grievances promptly along with setting Consumer Advice Center in each district of the Haryana. He shared his concern and said for long time consumer organisations are working on several consumer issues at different levels but the desired results have yet not materialised.

George Cheriyan informed participants about the project background, its objectives & various activities, etc. Sharing about the key findings of the research he mentioned that in India only 20 percent consumers are aware of the COPRA even after 25 years of its enactment, and with regard to consumer rights, it is

just 42 percent. He also shared that report on ‘State of the Indian Consumer 2012’ is a major output of the project.

Amarjeet Singh, Project Coordinator, CUTS made presentation and highlighted national key findings of Haryana. He stated that in Haryana, 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 grievances.

In a panel discussion on ‘25 Years of Consumer Protection Act in India: State of Realising Consumer Rights & the Way Forward’, panellists provided responses, remarks and recommendations on research, specific consumer rights, current situation of consumer protection in India. More than 108 participants from the Department of Consumer Affairs, representatives from consumer redressal bodies, consumer organisations, institutes, consumer activists, media representatives, NGOs, project team, etc. were present. Participants fairly represented Punjab, Haryana, Delhi and other nearby states Rajasthan and Uttar Pradesh.

For detailed report, visit the link:

http://www.cuts-international.org/CART/ConsumersUp/pdf/Report-Regional_Consultation_Chandigarh.pdf

11.4 RC at Ranchi, Jharkhand, August 31, 2012

Regional consultation was inaugurated by Mathura Prasad Mahto, Hon’ble Minister of Consumer Affairs, Food and Public Distribution, Government of Jharkhand, on August 31, 2012. Hon’ble Minister underlined the important role of the district consumer forums as envisaged under the COPRA, 1986 and emphasised the need to build the capacity of members of district consumer forums so that justice could be delivered efficiently.



Mathura Prasad Mahto informing state government initiatives

Further he focused on the need to protect consumers in the market economy and stressed on the need to focus on rural consumers, who lack awareness and are being exploited.

George Cheriyan briefed about the project and shared that in India only 20 percent of consumers have heard about the COPRA even after 25 years of its enactment, and with regard to consumer rights, it is just 42 percent. He also expressed his concern over the people losing faith in redressal mechanism.

Amarjeet Singh, Project Coordinator, CUTS made a presentation of national key findings. Elaborating the findings of the research in Jharkhand, he informed that 31 percent of respondents are aware of consumer rights; around 08 percent are aware of COPRA 1986; only 25 percent are aware of the electricity regulator; only 33 percent are fully satisfied with the governments' effort to ensure adequacy, accessibility, and affordability of basic needs; only 06 percent believe that the present grievance redressal mechanism is empowered to compensate aggrieved consumer.

Naresh Prasad Singh, Joint Secretary, Department of Consumer Affairs, Food and Civil Supplies, Government of Jharkhand Prakash Roy, President, District Consumer Forum, Ranchi, Jharkhand;

J.K. Bhagat, Sanrakshan, Patna, Bihar; P C Sahu, Secretary, BIRD, Ganjam, Orissa; Hari Ballabh Singh Arsi, Consumer Union, Jamshedpur; F R Mallick, Sanrakshan, Patna, Bihar were panellists and put forth issues that seek attention for protecting interest of consumers and provided feedback/recommendations. More than 65 participants from the Department of Consumer Affairs, representatives from consumer redressal bodies, consumer organisations, law institutes, consumer activists, media representatives, project team, etc. were present.

*For detailed report, visit the link:
www.cuts-international.org/CART/ConsumersUp/pdf/Report-Regional_Consultation_Ranchi.pdf*

12

Additional Activities

12.1 Dissemination Meeting on Consumer Issues, Jaipur, September 13, 2012

One Dissemination Meeting on Consumer Issues was organised at Jaipur on September 13, 2012. The main objective of the meeting was to disseminate the information related to Rajasthan State and gather inputs which will be incorporated in the State of the Indian Consumer Report 2012 that will be formally released in the National Conclave.

M.L. Mehta President, CUTS and former Chief Secretary, Rajasthan chaired the meeting and stated that the knowledge of law is not widespread, people are not getting time to seek redressal of their grievances. Right to live is of no use unless one have right



M.L. Mehta making comments on status of Rajasthan Consumers

to livelihood and basic needs. He emphasised on scientific research and advocacy and said knowledge should be spread through schools and underlined the need to put more money to create awareness and research.

George Cheriyan mentioned that main objective of the project is to bring out a credible report on the 'State of the Indian Consumer 2012'. He stated that findings are still encouraging since five years before the consumer awareness was just 18 percent.

Project Officer, CUTS, Abhimanyu Singh made a presentation highlighting key findings of the research. He shared that in the study it was found that Rajasthan is still behind in generating awareness about consumer rights, only 16 percent respondents are aware of consumer rights in Rajasthan as compared to India (42 percent). Only 20 percent respondents and only 11 percent respondents have heard about COPRA 1986 at the National level and in Rajasthan respectively.

The consultation was attended by more than 40 participants comprising representatives from State Consumer Dispute Redressal Commission (SCDRC) and District Consumer Dispute Redressal Forums (DCDRF); Senior officials from Rajasthan Electricity Regulatory Commission (RERC), Reserve Bank of India (RBI), Telecom Regulatory Authority of India (TRAI), Bureau of Indian Standards (BIS), Securities and Exchange Board of India (SEBI) and other regulators, consumer originations, policymakers, print and electronic media who provided their inputs on the study findings.

13

National Conclave on Consumer Issues

October 11-12, 2012, New Delhi

National Conclave on Consumer Issues was organised by CUTS in partnership with Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India at Indian Habitat Centre, New Delhi on October 11-12, 2012. The main objectives of this conclave were to release the report of 'State of the Indian Consumer 2012' and to discuss on various national level consumer issues and to arrive at the recommendation for the policymakers to address issues.

Hon'ble Minister of State (I/C) for Consumer Affairs, Food & Public Distribution, Government of India K V Thomas inaugurated and released the report with Pankaj Agrawala, Department of Consumer Affairs, Food & Public Distribution, Government of India; Indrani Thuraisingham, Head, Consumer International for Asia-Pacific & the Middle East; Pradeep S Mehta, Secretary General, CUTS in the presence of Mathura Prasad Mahto, Hon'ble Minister for Food, Public Distribution and Consumer Affairs, Government of Jharkhand; Okendro Singh, Hon'ble Minister for Food, Public Distribution and Consumer Affairs, Government of Manipur; Manoj Kumar Parida, Joint Secretary, Department of Consumer Affairs, Food & Public Distribution, Government of India and 110 participants representing 24 states and union territories of India.



Hon'ble Minister K V Thomas making introductory remark during in NC

George Cheriyan provided a brief overview of the Project and National Conclave. Also, shared emerging few key findings and stated that 53 percent have not heard of the grievance redressal mechanism, out of 47 percent who have heard 93 percent respondents have never actually made a formal complaint, only 0.3 percent have approached consumer forums for grievance redressal. The main reason he cited was that 78 percent respondents have rated the grievance redressal process as 'difficult'.

Amarjeet Singh, Project Coordinator shared 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.

Pradeep SMehta highlighted the exploitation of consumers in the monopoly age. He opined that Consumer Welfare Fund was a novel achievement and emphasised that right to basic needs should be legislated.

Indrani Thuraisingham mentioned that it is high time that an action plan should be developed by government agencies and consumer organisations to face the new generation consumer issues.

Formal release of the report ‘State of the Indian Consumer 2012’ was also done by Hon’ble Minister of State (I/C) for Consumer Affairs Prof. K V Thomas. While addressing the dignitaries Prof. K V Thomas said, “We proclaim consumer is king, but unfortunately, larger sections of society do not know about rights and privileges given to consumers. The success of consumer movement will depend on consumer awareness”. He praised consumer organisations for taking the consumer movement at the grassroots and making people aware of their rights and responsibilities. He concluded by saying that the key findings of the research that has emerged in form of recommendations will guide policymakers to serve consumers through better ways and means.

Pankaj Agrawala said that in most of products it is written that ‘goods once sold will not be returned’; he emphasised on changing such kinds of laws. He mentioned that the Department is trying



Pankaj Agrawala informing national initiatives towards consumers welfare in India during NC

to empower and protect consumers and enhance the consumer welfare through various steps.

*For detailed report, visit the link:
www.cuts-international.org/CART/ConsumersUp/pdf/Report-Two_days_National_Conclave_on_Consumer_Issues_and_Release_of_the_State_of_Indian_Consumer_Report_2012.pdf*

14

Outreach through Publications and Documentation

- The project brochure was prepared: A brochure containing the project details in brief was prepared.
- Newsletter: Total four Quarterly Newsletters were prepared covering the need of the ConsumersUp project, its activities, target states and the concerns of common man. These newsletters were disseminated during KEWs, RCs and at National Conclave in New Delhi to the stakeholders. The newsletters were also disseminated by post and online circulation. *Please visit: www.cuts-international.org/CART/ConsumersUp/Newsletter.htm*



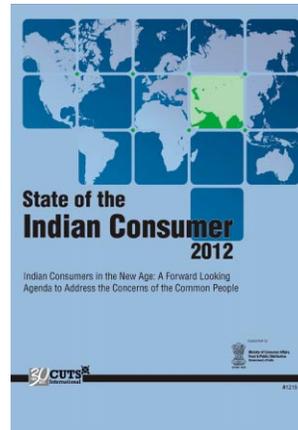
- Karnataka state partner CREAT has taken the initiative and prepared four Quarterly Newsletters in Kannada language which comprised a brief overview of the ConsumersUp project, local issues and judgments.



- A Book on ‘State of the Indian Consumer 2012’ was published which was released by Prof. K V Thomas Hon’ble Minister of State (I/C) for Consumer Affairs, Food & Public Distribution, Government of India during the National Conclave.

(Please visit:

www.cuts-international.org/CART/consumersup/pdf/Report_State_of_the_Indian_Consumer-2012.pdf)



15

Initiatives taken by State Partner and Active Participants

Karnataka

Karnataka state partner initiated and established Mysore Citizens Advisory Bureau (MYCAB). It is set up in collaboration with JSS Law College, Mysore. Further, the activities done so far by them were as follows:

- Telephone helpline for citizens of Mysore district
- Almost six legal awareness camps through college students were organised to cover issues, such as consumer protection, RTI, women's rights, social welfare benefits etc. Several workshops and lectures such as 'Banking and Insurance Ombudsman Scheme' and Workshop on 'Domestic Violence and Child Marriage issues for Women' were organised.

Shylaja, a participant in ConsumersUp training programmes collected a group of women in her home town Shimoga and organised two programmes – 'Hallmarking of Gold' and 'COPRA', on the eve of National Consumer Rights Day on December 23, 2012. More than 30 women have been trained through this training programme.

16

Key Findings

Key findings that emerged from the project were as follows:

16.1 Right to Basic Needs

- A fair price shop (FPS) of the public distribution system (PDS) is preferred source for food grains of 14 percent of respondents while 52 percent access a privately-owned retail shop. Others use a mix of both options. Of those using the PDS-FPS, almost 73 percent are BPL families. Just 26 percent of respondents accessing PDS-FPS have never received their entire entitlement while 11 percent have not received it at the prescribed price. 5 and 10 percent of such respondents respectively were unaware of their entitlements and the prescribed price
- About 18 percent respondents often make complaints regarding irregularities in PDS/FPS operations. Also, 19 percent do not have knowledge regarding the process of registering complaint
- Only 14 percent consumers are aware of the proposed Food Security Act
- About 70 percent sample respondents covered under the survey own a self-financed house on privately-owned land, while 15 percent have received land from public housing scheme for construction of house and another 5 percent have received full or partial financial assistance from government for construction of house. Only 12 percent of those who own a self-financed house on privately-owned land have tried to access public housing finance or bank finance scheme. About 74 percent of

such respondents believe that finance is not easily accessible to everyone

- Close to 54 percent of respondents meet their drinking water demand through public supply. However, the public supply is more common in urban areas (70 percent). About 74 percent of respondents receive adequate quantity of drinking water from these sources. However, only 69 percent believe that the water from these sources is potable and safe for drinking. Only 22 percent respondents consider their primary source of drinking water expensive
- Just 26 percent of respondents do not have access to a toilet. In rural areas, 33 percent lack the access to a toilet. About 13 percent of urban respondents use community toilets thus enabling access to toilet for 90 percent of urban respondents. Only 16 percent of those who have toilet at home have reported receiving government support for construction of toilet at home. About 24 percent respondents are aware of government schemes, such as *Nirmal Gram Yojana*/Integrated Low Cost Sanitation Scheme/National Urban Sanitation Programme aimed at providing affordable and hygienic sanitation facility
- About 79 percent of respondents covered under the survey have electricity connections. About 23 percent of rural and 48 percent of urban consumers receive more than 20 hours of electricity supply on a normal day. Only 62 percent consumers consider electricity to be affordable and 33 percent are aware of the electricity regulator
- 46 percent of respondents use wood as the fuel for cooking while only 2 percent use kerosene. About 37 percent use LPG and 56 percent of those who use LPG or kerosene as their primary source of energy for cooking have reported incidence of obtaining LPG/kerosene from black market while 20 percent of them always obtain LPG or Kerosene from black market. Only 54 percent respondents consider their primary source of energy for cooking affordable

- 64 percent of respondents send their children to study in government schools. Almost 80 and 70 percent respondents believe that access to education has increased due to Right to Education (RTE) and Mid-Day Meal Scheme respectively
- The most common mode of transport used by majority of respondents is Bus/Jeep (57 percent). About 78 percent respondents believe that their common mode of transport is easily available and accessible. However, only 54 percent consider them to be affordable
- Only 26 percent of respondents have received institutional healthcare facility in last 6 months; 66 percent of these from government hospitals. 26 percent respondents have travelled more than 5 km to access institutional health care facility
- Close to 50 percent respondents have rated healthcare facility as “fair”, neither good nor bad. Only 44 percent respondents consider cost of obtaining healthcare services affordable
- According to 59 percent respondents doctors do not generally prescribe generic or competitively priced drugs/medicines
- 90 percent of the respondents have access to a telephone.
- Only 22 percent respondents are satisfied with Government’s effort to ensure adequacy, accessibility and affordability of basic needs
- About 53 percent respondents strongly believe that right to basic needs should be enacted to cover products and services such as food, housing, health, water, education, sanitation, energy, transport and communication

16.2 Right to Safety

- About 22 percent respondents have reported to always assess products or services from its potential to cause threat/hazard
- 40 percent of respondents do not refer to any safety or quality certifications such as ISI, ISO, Agmark, Codex etc. before making a purchase
- ISI is the most known certification referred by 44 percent respondent while making a purchase

- Only 2.5 percent respondents were able to correctly name at least one products other than cigarettes, pan masala, liquor, food material and medicines that should carry mandatory warnings/safety provisions or certifications
- About 83 percent respondents believe that certification and warnings are an important means to ensure right to safety

16.3 Right to be Informed

- About 63 percent respondents always check weight/quantity of product before purchasing, while 32 percent respondents always check price of the product before making a purchase
- Only 20 percent respondents are aware of or have heard of COPRA 1986 while only 14 percent have knowledge of the Weights and Measures Act, 1976
- Reserve Bank of India (RBI) is the most common name recognised by 40 percent respondents followed by Telecom Regulatory Authority of India (TRAI 27 percent) and Electricity Regulatory Commission (ERC 26 percent)

16.4 Right to Choose

- Only 1.6 percent respondents were able to correctly name at least one product/service which has only one or two producers/providers
- Only 3.4 percent respondents were able to name at least one product/service other than telecom which should be provided with portability
- Only 2.1 percent respondents were able to name at least one sector where free & fair competition will increase benefits to consumer
- Cost of alternative product/service (16 percent) and transaction fee (14 percent) are the two main barriers in choosing alternative product/services

16.5 Right to Seek Redressal

- Over 61 percent of consumers normally voice their complaints to seller (the last person in the supply chain who directly interacts with the user)
- 93 percent respondents have never actually made a formal complaint, while 3 percent have registered their grievance with the company/producer. Only 0.3 percent respondents have approached consumer forums for grievance redressal, while 0.1 percent have approached sector ombudsman for redressal
- 78 percent respondents have rated the grievance redressal process as 'difficult'
- 75 percent of cases were not properly redressed while 18 percent of such unresolved cases were taken to a higher authority for redressal
- Over 67 percent of cases were not redressed within stipulated time frame of 90 days or 150 days whichever is applicable
- Three major reasons for delay in redressal is adjournment sought by advocates parties (19 percent), followed by reasons such as lack of adequate administrative/support staff (18 percent) and educational status of complainant (11 percent).
- About 22 percent respondents reported that the direct cost of seeking redressal was high
- 55 percent respondents do not know about internal redressal mechanism of a company
- Only 7 percent respondents believe that the internal redressal mechanism is not transparent and accountable
- About 53 percent respondents do not know about the external redressal mechanism
- Only 28 percent of those who know about external redressal mechanism believe that it is easily accessible by a common man while 37 percent of these believe that the external redressal mechanism is independent and accountable
- Only 12 percent consumers believe that the present grievance redressal mechanism is empowered to compensate aggrieved consumer

- About 34 percent of forum members believe that effective consumer education with respect to consumer rights should be helpful. On the other hand, 24 percent members believe that providing free technical/legal assistance to complainant will make the process more convenient for consumers
- About 82 percent SCDRC & DCDRF members believe that the present grievance redressal mechanism is empowered to compensate aggrieved consumers

16.6 Right to Consumer Education

- A little more than 40 percent respondents were aware of consumer rights
- Almost 50 percent of respondents were not aware of '*Jago Grahak Jago*' Campaign.
- 63 percent of respondents reported TV as most effective means of communication for consumer education
- 27 percent of consumer organisations have reported lack of consumer awareness as one of the most important hurdles in promoting consumer rights
- Almost 53 percent of consumer organisations have reported spreading consumer awareness as a major tool for promoting consumer rights, while 8 percent have highlighted the need to enhance government support to NGOs for promotion of consumer rights where in such organisations can play a vital role in safeguarding consumer interest by educating and counselling them
- Another 9 percent of organisations have highlighted the need to include consumer education in school, college & university syllabus

16.7 Right to be Heard/Consumer Representation

- Only 23 percent are aware of the process of public consultation or consumer representation
- 28 percent of those who are aware of the public consultation or consumer representation have also participated in such events

- About 81 percent of those who have ever participated in such events believe that their participation resulted in taking public friendly decisions/consumer friendly regulations
- Lack of awareness among people (64 percent) is the most important reason for not participating in such events

16.8 Right to Healthy Environment

- Only 13 percent respondents are aware of certifications and initiatives, viz. Energy Star Rating, Bharat/Euro Emission for Automobiles, Organic Food & Natural Textiles and Recyclable Plastic etc.
- About 63 percent respondents are aware of incentives from the government to promote environment-friendly products
- About 28 percent respondents those who know about such products always tend to buy them
- About 65 percent respondents those who purchase such products find them competitively price as compared to other similar products available in the market
- About 63 percent respondents those who know about such products are willing to pay some extra money to buy such products

17

Key Recommendations

Some key recommendations that emerged from the project were as follows:

- National campaigns for consumer awareness in all regional languages, especially focusing rural areas and women and uneducated mass. Multi-media can be more helpful in this
- Create more awareness about regulatory agencies and their regulations for consumer protection and regulator should have dedicated fund for consumer protection
- Emphasis on consumer education in school and college curriculum
- A separate DoCA to coordinate all consumer related affairs
- Simplify & speed-up process of consumer redressal. There should be case management system in consumer fora 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
- Regulators for education, health and real-estate sectors
- Promote sustainable consumption and production by providing incentives to green production/consumption
- Activate/empower consumer protection councils at National/ State/District level
- A National Authority to curb unfair trade practices (mainly misleading advertisements)

18

Outcomes

The Project has been successful in empowering people and creating more than 505 consumer activists in the four targeted states through eight KEWs as assertive consumers to uphold their rights and fight for justice. CSOs are now capable of playing as ‘watchdogs’ in their respective states. The project also created an enabling environment in the target states protecting the state interest which resulted in replicable model for other areas as well. There are several other outcomes in different target states which were as follows:

- NK Mittal, Deputy Director, Haryana Food and Supplies Department, Government of Haryana announced the setting up of ‘State Consumer Helpline’ at headquarter of Haryana Food and Supplies Department, Chandigarh soon on the pattern of National Consumer Helpline to make consumers aware of their rights and to redress their grievances promptly along with setting Consumer Advice Centre in each district of the Haryana.
- Karnataka state partner along with the Knowledge Enhancement Workshops (KEWs) participants initiated and established Mysore Citizens Advisory Bureau (MYCAB) a Telephone helpline for citizens of Mysore district.
- A National level Network of consumer activists were formed as ConsumersUp E- Group forum where issues related to consumer empowerment and protection are being discussed.
- Media covered the issues at mass level and gave proper coverage and highlighted the consumer related issues both at

State and National level and also covered project related activities for wider outreach.

- Based on project research, evidence based findings were presented in the form of book 'State of the Indian Consumer 2012' to the Department of Consumer Affairs (DoCA) which was well appreciated by the department and they acclaimed it as their own data.
- State Partner were able to strengthen their network with different states as well as district level and were to stand together in one platform for the consumer rights and justice.

Glimpses of Activities





ISBN 978-81-8257-193-8

D-217, Bhaskar Marg, Bani Park, Jaipur-302016, India
Ph: +91.141.5133259, 2282821, Fx: +91.141.4015395

E-mail: cart@cuts.org, Web: www.cuts-international.org/cart/consumersup

