

# **Making Digital Market Places Fairer**

**World Consumer Rights Day-2018**

## **Event Report**



**March 15, 2018**

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# WORLD CONSUMER RIGHTS DAY

## Background and Overview

World Consumer Rights Day is observed on March 15 all over the world. The day has been chosen since it was on March 1962, then President of the United States of America John F Kennedy made the historical speech to the US congress upholding Consumer Rights. The International consumer movement now marks March 15 every year to raise global awareness about consumer rights. In an organised way, the World Consumer Rights Day first took place on March 15, 1983 and has now become an annual event for solidarity within the international consumer movement along with creating awareness about consumer rights.



## Theme 2018

### Making Digital Marketplaces More Fairer

‘Digital Marketplaces’, the buzzword of today’s world was considered the epicentre for observing World Consumer Rights Day this year. ‘Making Digital Marketplaces More Fairer’, the theme of WCRD-2018 makes it more scenario-oriented and matching with the requirements of today’s consumer. When organisation of Economic co-operation and Development adopted a first ever e-commerce recommendation in 1999, online spending on so-called E-commerce was well below 1 percent.

Today, almost 20 years later, the figures have jumped to 8.8 percent worldwide. Such a figure proves it no longer some future trend, E-commerce or digital marketplaces is here and is critical for the economies as well as the consumers where household consumption accounts for about 59 percent of total world GDP. Therefore, with the widespread usage of Internet, the sphere of digital marketplaces has widened dramatically. It raises a necessity to make constant effort to address the challenges of protecting and empowering consumers in a dynamic & developing digital environment.

Taking into consideration the importance of the theme and the occasion Consumer Unity and trust Society (CUTS International) organised a public event on March 15, 2018 to observe WCRD in Jaipur.

## Proceedings

### I. Inaugural Session

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#### Welcome Address



“Making Digital Marketplaces More Fairer – the theme of the World Consumer Rights Day this year brings India so much in the centre of the world scenario in a double sense. Firstly, India is one of the fastest growing E-commerce markets worldwide and secondly, like most of the developing nations, in India also mobile phones have penetrated deep into the consumers’ psyche.

By 2020, approximately 70 percent people in the country will be having smart phones to access Internet whereas the global average is just 49 percent”. **George Cheriyan**, Director, CUTS International, said while delivering the welcome address at the event. “Mobile phones are increasingly important tools that help to empower consumers. The digital markets today have to deal with generation that expects a seamless, fast and convenient yet safe transaction in day to day life. Uninterrupted, safe and secure access to the internet is the matter of prime concern”, he added.

Cheriyan further pointed out that in September 2013, 84 percent people made a purchase online but now the figure has gone up to 96 percent. In the same way, number of people who faced problem while purchasing online has also raised from 36 percent to 56 percent during the said period. Number of consumers who purchase online crossed 100 million in 2017 with E-retail market likely jumping 65 percent in 2018 and still we do not have a dedicated law to E-commerce. “To build up the trust amongst the consumers, E-platforms should own the responsibility. The consumers should also check the authenticity of the shopping portals before making any orders”. He suggested before concluding.

## Findings of the Survey on 'Digital Consumer Satisfaction'

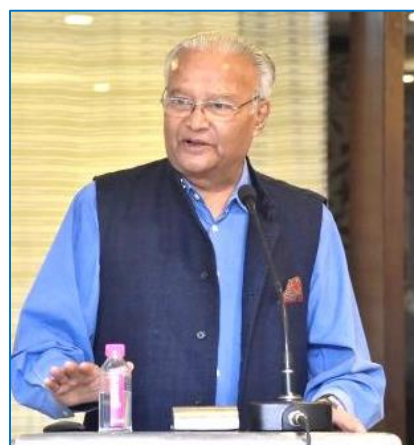
**Jeetali Agnani**, Programme Associate of CUTS International, presented the findings of the survey on 'Digital Consumer Satisfaction'. The survey was conducted by CUTS International in the wake of this year's theme of 'World Consumer Rights Day'. The highlights of the few important findings of the survey presented are as following:



- Out of all the people surveyed 100 percent of the people said that they know about the online shopping
- Out of those 96 percent have purchased goods or services online at least once in their lifetime
- 42 percent of those people have experienced the problem while using E-platforms
- The biggest problem faced by the people was internet connectivity followed by transaction failure
- 56 percent people said that they faced problem post ordering the goods
- Maximum people in the survey reported that they got cheap quality of goods followed by delay in delivery of goods
- 66 percent people reported that they knew where to file a complaint about a default online transaction. Out of those 49 percent people ever filed a complaint against such a deficiency in goods or services
- Maximum people use the e-platforms to book cabs, travel tickets and movie tickets
- Very less percentage of people relies on E-platforms to purchase medicines.
- More awareness is required

## Address by the Chair

"Data is the new oil", said Pradeep S Mehta, Secretary General, CUTS International, while delivering his address as the Chair for the event. He further stated that India is a unique country where the consumer day is observed twice in a year, on March 15 as 'World Consumer Rights Day' and on December 24 as 'National Consumer Rights Day' despite the state of Indian consumer is not as satisfactory as expected. He also shared his life experiences and said that during his journey of consumer movement, the Government always remained supportive.



'Consumer Protection' was a subject even in Twenty Point Programme initiated by then Indira Gandhi government and it still remains a big challenge, especially in two aspects i.e. trustworthiness of E-platforms and determining their accountability towards



consumers. Mehta further shared with participants that CUTS International has come a long way since it started as consumer protection organisation in 1983. By the time it has graduated as a consumer welfare organisation. It is usual to see foreign and international groups working in international arena, but an Indian organisation like CUTS coming ahead and making difference with its notable work is a matter of proud for all of us. Today, CUTS International has six overseas centres aspiring to advocate consumer rights. Now Ministry of Finance also has given membership to CUTS in the Committee on Digital/ Online Markets.

## Address by Special Guest

**Manish Lodha** Joint Advisor, Telecom Regulatory Authority of India (TRAI), spoke on 'The Role of telecom regulators in the era of E-commerce.' While clarifying the role of TRAI to the participants he said, "In the era of E-commerce, the 'E' part is regulated by TRAI, with the help of various regulations and directions to remove the barriers." Today, 'Mobile Phones' have become the backbone of internet and it has enhanced the role of TRAI in the field of E-commerce, he added.



While counting upon the challenges of the E-commerce he said that quality of service, speed, call drops are major issues to be dealt on priority basis and TRAI is working on the same. Recently a 'Try My Speed' application has developed by TRAI and has provided a cap for increasing tariffs. Other than that TRAI's major recommendation is to bring 'Net Neutrality' for consumer equality. Other than this, allowing Internet accessibility on flights, covering more rural population through the network, improving quality of service through better speed and reduced call drops are the important issues which TRAI is working upon.

Lodha also assured that TRAI has a uniform Consumer Redressal mechanism and the organisation supports E-commerce.

## Address by the Chief Guest

“We live in a country where 65 percent of Gross Domestic Product (GDP) comes through selling the services, which makes the consumer a king in a true sense but nowadays living in the world of gadgets, *digitisation* has taken over our subconscious”, said Mugdha Sinha, Secretary Consumer Affairs, Food and Civil Supplies, Government of India. She stated this while addressing the event as the Chief Guest, on ‘Role of Consumer Affairs Department in protecting the Rights of Online Consumers’. Sharing her two-way perspective, she said, “we all being consumers, should know our rights and it should be advertised from the side of government”. Sinha further pointed out government’s will to provide ‘Minimum government and maximum governance’. Today, a consumer just has to use an application and the service provider gets active to provide everything to deliver everything at one’s doorsteps.



Sinha also referred to the challenges of digital market places and said that Government’s role is to facilitate to bridge the gap between the public and the Government. The requirement is to fix the ‘**Do’s and Don’ts**’ by Legislator procedure. Since ‘Inspector-Raj’ of earlier times has now come to an end so inspections should be done on voluntary basis and for the benefit of public. All companies should keep a corpus for consumer awareness, she further recommended. While concluding she suggested participants that they should try not to leave ‘digital footprints’ behind because it is a matter of their right to privacy.

## II. Technical Session

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### Presentation on E-commerce in the context of trade, competition and Consumer Protection in India

**Sanjay Kumar Mangla**, Fellow at CUTS International gave a presentation on E-commerce in the context of trade, competition and consumer protection in India. A few important points discussed during the presentation are as following:



- Under Section 2 (44) of Central Goods and services Tax, E-commerce is defined as: The term 'Electronic Commerce' means the supply of goods or services or both, including digital products over digital or electronic network
- There are various forms of E-commerce i.e. Government to Government, Government to Business, Business to Business, Business to Consumer, Consumer to Business, Consumer to Consumer, etc.
- Asia-Pacific is the leading area in terms of region wise growth of E-commerce.
- World Trade Organisation (WTO) started on the agenda of E-commerce in 1998.
- Challenges of cross-border E-commerce are as follows:
  1. Collecting and deciding the custom duties
  2. Absence of proper regulatory frame work. Consumer awareness, protection and welfare guidelines and
  3. India does not have a stand-alone act on E-commerce

### Panel Discussion

The panel discussion session during the event mainly consisted of a discussion amongst all the Panellists and an open question-answer session with the participants. 'E-Commerce and Consumer Protection' was the theme to be discussed at the panel discussion. The expert speakers from the different E-commerce platforms shared their views on the requirements as well as the challenges of E-commerce in the Indian scenario. During the open discussion between the participants and the experts, queries put by the participants were clarified by the panel experts. The suggestions given by the participants were also noted during the session.



**Bipul Chatterjee** Executive Director, CUTS International while moderating the panel discussion welcomed Vagish Kumar (Advocate), Harkishan Wadhwan (Axis Bank), Deepansh Sharma (Ola Cabs) and Vishal Singhal (I Solutions Microsystems Private Limited) as expert panellists. Chatterjee introduced them to the



participants and said that the potential of the power of population and the power of data is very much beyond imagination. Providing a general idea about the topic to be discussed, Bipul said that a future agenda was going to be discussed there. The type of market around which that day's discussion revolved around was not the traditional market but an emerging one. "First there must be a policy followed by law". Chatterjee added. And the same should be linked with the artificial intelligence.

**Harkishan Wadhwan**, Regional Head of fraud control unit, Axis Bank presented his views and suggestions to safeguard the interest of consumers of digital market places. Digital markets which are basically virtual marketplaces, have promoted well after demonetisation. In the earlier times, a consumers' interest was tempered by someone from inside the system but with the changing scenario an unknown from the outside is more dangerous. He illustrated all the participants on phishing and E-mail spoofing. Mostly, damage occurs to consumers because in such a case they generally fail to understand – 'it is a fraud'. Wadhwan also displayed videos on spam mails, spoofing Emails, fraud SMS and SIM swap frauds. He also suggested to use different signatures and passwords depending upon the usage and gave tips to safe banking.

**Deepansh Sharma**, Marketing lead for Rajasthan, OLA Cabs, spoke on Bharat Bills Payment system and OLA Money. He said that both of these have clearly specified disputes policy refund as well as settle the conflicts aroused by their clients and after turning off or deactivating an account by a client, OLA Money delete that particular account and all the data related to it. In this manner, a client with OLA Money can remain assure about safety and security of his personal data with the company.

**Vishal Singhal**, Director, I Solutions Microsystems Private Ltd., said that an online transaction is a two way process where care to avoid a conflict should be taken care by both the sides i.e. customer and seller. Whereas consumers buying online should use some reputed portal because they are more reputed, and similarly, merchants also should provide true and detailed information about the products on their respective websites. He further added that a consumer has all the right to 'Pick and Choose', and therefore, they should make optimum use to make their choice to make a purchase.

“The problem is ‘accountability’. Who should be made liable and to whom a lawyer can sue? That should be made clearer at the policy level”, said **Vagish Kumar Singh**, Advocate at Rajasthan High Court. “In E-commerce so many parties are involved i.e. manufacturers, sellers, intermediaries, delivery persons, etc. who do not have any effective role in the transaction. They are just facilitators having no stakes. Therefore, the requirement is to fix their accountability”, he added. While suing these companies a consumer should be very careful about “To whom should you sue.” For that E-mail or the other communication should be accumulated very carefully.

**Bipul Chatterjee** concluded the panel discussion stating, “while dealing with today’s smart frauds, we have to be smarter to act. The Government also should bring in more effective regulations”.

## Open Discussion

After concluding the panel discussion, an open discussion between the participants and the panel experts was held. During this discussion participants got a chance to share their views as well as to clear their doubts with the panel experts which were clarified



accordingly. Rajendra Bhanawat (Retired IAS, Jaipur), Dr Sunita Sharma and Udai Singh Mehta, Deputy Executive Director of CUTS International, Jaipur raised their doubts related to complicated password generation system, excessive charging and security against a fraudulent transaction at OLA money respectively.

## Key Recommendations

- Accountability of the parties involved in an E-transaction should be fixed
- Government should bring in a clear and effective policy related to E-commerce. And it should have some strong intent and mechanism
- Consumers should make themselves more techno-friendly and acknowledged.
- Unethical businesses like ‘Data selling’ must be strictly dealt and
- Consumers should avoid leaving data footprints behind

## Vote of Thanks

**Satya Pal Singh**, Programme Associate, CUTS International provided a quick overview of the various issues related to the digital marketplaces discussed at the event. He expressed his gratitude on behalf of the organisation to all the eminent guests, speakers and participants for making the event a success. Besides, he also thanked them for becoming a part of CUTS initiative to safeguard the interests of the consumers at the digital market places, and improve the scenario of E-commerce in India.



## Participation

The event was attended by around 70 people including representatives of Non-Government Organisations (NGO's), media, representatives of Civil Society Organisations (CSO's), Government Departments, Lawyers, Bankers and representatives from the various E-commerce companies like OLA Cabs, I Solutions Private Ltd., OLA-Money, etc.

S.N.	Name	Name of the Organisation
1	Bhoop Ram Sharma	Hardev Shikshan & Jan Kalyan Sansthan, Jaipur
2	Arvind Raina	Vodafone, Jaipur
3	Amrita Bardoloi	Prayatn Sansthan, Jaipur
4	Narendra Kumar	J.K.S.M.J., Jaipur
5	Dr. Sanya Chaubey	FMS, Institute of Rural Management, Jaipur
6	Jitendra Singh	Idea Cellular Ltd., Jaipur
7	Kalpana Swami	Swajan Samiti
8	Sheikh Zuber	CUTS International
9	Lila	Consumer, Jaipur
10	Rajendra Bhanawat	IAS (Retd.),
11	Arun Joshi	Maulik Foundation
12	Shantanu Srivastava	CUTS International
13	Raj Sharma	Sakar Sanstha, Civil Lines, Jaipur
14	Bipul Chatterjee	CUTS International
15	Udai Ram Jindal	Bharatpur Jila Upbhokta Seva Samiti

16	Mahitosh	HEDCON, Pratap Nagar, Jaipur
17	Amrat Singh	PiD, Jaipur
18	Harkishan Singh Wadhawan	Axix Bank, Jaipur
19	Deependra Singh	Faculty, PCRA, Jaipur
20	Capt. Deepak Gupta	Dy. Director, PCRA, Jaipur
21	Ritika Sharma	RECORD, Jaipur
22	Deepa Shahu	RECORD, Jaipur
23	Renu Sharma	B-5, Vivek Vihar, N.S. Road, Jaipur
24	Manish Saxena	WORLD, Jaipur
25	Dr. Meelan Bagesh	Kanoria PG Mahila Mahavidyalaya, Jaipur
26	Dr. Sunita Shekhawat	Kanoria PG Mahila Mahavidyalaya, Jaipur
27	Vagish K. Singh	Capston Legal, Jaipur
28	Amit Chauhan	Reliance JIO, Jaipur
29	Gopal Chaturvedi	Dainik Navjyoti, Jaipur
30	Representative	Rajasthan Patrika, Jaipur
31	B.K. Sharma	ETV Rajasthan, Jaipur
32	Sanjay Mangla	CUTS International
33	K. Dheer Singh	CUTS International
34	Sanjay Jhala	Deputy Director, Dept. of Consumer Affairs, Jaipur
35	Mugdha Sinha	Secretary, Consumer Affairs, Food and Civil Supply
36	Pradeep Singh Mehta	CUTS International
37	Udai Singh Mehta	CUTS International
38	Himanshu	Axis Bank, Jaipur
39	Pratyush Sharma	Idea Cellular Ltd., Jaipur
40	Lashor Saini	Tata Teleservices Ltd., Jaipur
41	Sheetal Jain	39, Everest Vihar, Jaipur
42	Rajesh Malakar	Vikasonmukh Sansthan, Naraina, Jaipur
43	Banwari Lal Bairathi	Virat Nagar, Dist.- Jaipur
44	Shiv Lal Chaturvedi	Navjeevan Society, Jaipur
45	Abha Singh	ARAVALI, Jaipur
46	Vinod Kumar Sharma	ATMA Sansthan, Jagmalpura, Jaipur
47	Sandeep Sharma	Dainik Navjyoti, Jaipur
48	Gopal Singh	Lok Sahbhagi Sansthan, Jaipur

49	Dashrath Singh	Mayur Travels, Jaipur
50	Himanshu Sharma	Axis Bank, Jaipur
51	Ashok Kumar Sharma	HONHAAR Sansthan, Jaipur
52	Sidharth Narayan	CUTS International, Jaipur
53	Manish Lodha	Jr. Advisor, TRAI, Jaipur
54	Shubhrank	C- 300, Pradhan Marg, Jaipur
55	Ujjwal Kumar	CUTS International, Jaipur
56	Shalu	Shorya NGO, Jaipur
57	Om Mali	Shorya NGO, Jaipur
58	Piyush Singh	Consumer, Jaipur
59	Abeer Singh	Modern School, Jaipur
60	Lalit Bhardwaj	Sarojani Naidu Mahila Vikas Sanstha, Jaipur
61	Sangram Singh Rathore	139/140, Chand Bihari Nagar, Jaipur
62	Lokendra	Rajasthan Shiromani, Mansarovar, Jaipur
63	Jeetali Agnani	CUTS International
64	Dharmendra Chaturvedi	CUTS International
65	Satyapal Singh	CUTS International



## Agenda of the Event

Time	Activity	Resource Person
09.30am-11:00pm	Arrival, Registration of delegates & Tea	
11:00am-12:00pm	Inaugural Session	
	Welcome & Introductory remark.	<b>George Cheriyan</b> Director, CUTS International
	Presentation on the findings of survey "Digital Consumer Satisfaction"	<b>Jeetali Agnani</b> Programme Associate, CUTS International
	Address by the Chair	<b>Shri Pradeep S Mehta</b> Secretary General, CUTS International
	Keynote Address by Special Guest	<b>Shri P. Ramesh</b> Director, Consumer Affairs, Jaipur  <b>Mr Manish Lodha,</b> Joint Advisor, TRAI Regional Office Jaipur
	Address by Chief Guest <i>"Role of Consumer Affairs department in protecting the rights of online consumers"</i>	<b>Ms Mughda Sinha</b> Secretary, Food Civil Supplies and Consumer Affairs, Govt. of Rajasthan
12-12:15	Tea Break	
12:15-12:30	Presentation by CUTS <i>"E-Commerce in the Context of Trade, Competition and Consumer Protection in India"</i>	<b>Mr Sanjay Kumar Mangla</b> Fellow, CUTS International
12:30- 1:20	Panel Discussion <i>E-commerce and Consumer Protection</i>  Moderator: <b>Bipul Chatterjee</b> Executive Director, CUTS International	<b>Mr Vagish Kumar Singh,</b> Advocate <b>Mr Harkishan Wadhwan,</b> Axis Bank <b>Mr. Deepansh Sharma ,</b> Ola Cabs <b>Mr Vishal,</b> Shopaccino  E-wallet
1:20-1:45	Open Discussion	
2:00 PM	Summing up Vote of Thanks	<b>Satyapal Singh</b> Programme Associate, CUTS International
	Lunch and Departure	