

Only Consumer Awareness can Change the Society



If a consumer suffers, society and nation suffers in turn” said C G Betsurmth, (IAS) Commissioner, Mysore Urban Development Authority (MUDA) in Knowledge Enhancement workshop organised by CUTS, Jaipur in collaboration with the state partner at Mysore on April 26-27, 2012. He stated in his inaugural address that only through consumer awareness things could not be changed in society. He opined that consumers should have personal responsibility and producer social responsibility.

Further he added that consumer has to protect himself and producers are equally responsible in protecting interests of consumers. 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 the 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.

Prof. 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 to common man. He applauded CUTS' efforts and national research to know consumer status which is a very important tool for advocacy.

The event received excellent media coverage national and local newspapers. More than 70 participants actively attended the KEW.

First KEW in Karnataka state was organised in Bengaluru on February 28-29, 2012. It was inaugurated by George Cheriyan, Director, CUTS International and enlightened by Shalini Rajneesh, IAS, Secretary, Department of Personnel and Administrative Reforms, Government of Karnataka and other subject experts as honoured speakers. More than 40 participants were present in the first KEW.



Consumer Protection Organisations to Make Suggestions to Improve COPRA

“Consumer protection organisations must make suggestions to improve Consumer Protection Act (COPRA), 1986” said Madhu P Singh, Ex-judge at Consumer Forum, Faridkot in KEW at Chandigarh on April 06-07, 2012. Singh was said that consumer awareness can only be

strengthened with effective and enhanced participation of non-governmental organisations (NGOs) and merely enacting law will not empower consumers. She also said that the bill with proposed amendments was already available on the website of Consumer Affairs Department, and everyone has the right to suggest amendments.

Charanjeet Singh, Managing Director of Core Communications spoke on the role of media in spreading awareness related to consumers. He also highlighted the function of various newspapers and publications in raising awareness.

Pravin Kumar, Bureau of Indian Standards (BIS) explained briefly about the working of BIS and said that standardisation was an aspect, which insured flawless delivery of services and good to consumers.

“There is good news for banking customers, the Union Ministry of Finance is going to provide Bank Account Portability Service, allowing the 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”, said George Cheriyan, Director, CUTS International.

Inside

RESEARCH ACTIVITIES 2

UPCOMING ACTIVITY 2

INFORMATIVE PART 3

JUDGEMENT 3

NEWS 4

IN MEDIA 4



Ministry of Consumer Affairs,
Food & Public Distribution
Government of India

सत्यमेव जयते

Majority of the People are Unaware of Tools/Mechanisms of COPRA

“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” said Hon'ble Justice A B Pal in his introductory speech in KEW at Agartala, Tripura on March 23-24, 2012. He stated that CUTS is one of the biggest organisations working for consumers in India. He pointed out that in spite of having 65 members in Tripura State Consumer Protection Council it is not functioning properly and urged that suggestions should be provided to the state government to make the District forum full time.



Koushik Roy, Advocate, Guwahati High Court mentioned that Right to Information is one of the important instruments provided by the Indian government. Every consumer has the right to know and to be informed about the products he is going to buy/purchase.

Sankari Das, Deputy Secretary, Law, Government of Tripura 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.

Battle for Consumer Protection to be Dealt with Many Agencies

“Battle for consumer protection has to be dealt with many agencies”, said K P Singh, Food Department, Government of Jharkhand during KEW at Jamshedpur on March 20-21, 2012. He mentioned that steps have been initiated by the Government of India by way of enactment of various acts and other measures to help consumers. Indian Penal Court (IPC), Standards of Weights and Measures Act, Motor Vehicles Act, etc. are some of the acts to protect consumers. However, the fact remains that very little have been achieved in the field of consumer protection.



Ramanuj Narain, President, District Consumer Forum and Ex. District Judge 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 to 92% of the country's workforce. Liberalization is paving way for a market driven economy, where the manufacturers seek to maximize profits. Total 60 participants were present in the KEW.

During organised KEWs more than 260 representatives of consumer organisations enhanced their knowledge and skills on background to consumer protection movement, realising consumer rights as per the UN Guidelines on Consumer Protection: its possibilities and challenges, COPRA, 1986 including the Amendment Bill 2011, drafting complaints, appeals, arguing on behalf of consumers, consumer Advocacy, consumer protection and regulatory authorities, research, data collection, documentation, raising funds, writing proposals, running a consumer information, complaint handling and advisory services, avenues for consumer participation in policy making/regulatory process and consumer for grievance redressal mechanism, etc. These programmes/events were well covered in leading dailies.

RESEARCH ACTIVITIES

MoA with Writers for Input Chapters

MoA was signed with authors to write Input Chapters for the State of Indian Consumers Report 2012.

UPCOMING ACTIVITY

In II Phase, Knowledge Enhancement Workshops (KEWs) in collaboration with state partners

- May 07-08, 2012 at Gurgaon (Haryana)
- May 14-15, 2012 at Ranchi (Jharkhand)
- May 18-19, 2012 at Agartala (Tripura)

TRAI Cracks Down on Pesky Calls

The Telecom Regulatory Authority of India (TRAI) has disconnected 22,769 mobile connections for sending unsolicited telemarketing SMS. The regulator has also imposed penalty on 94 telemarketing companies for violating rules on commercial calls and SMS.

Four telemarketing firms have been blacklisted. The TRAI has taken action in line with the new regulations on telemarketing calls that had come into force from September 27, 2011. As per the provisions of this regulation, consumers who do not wish to receive unsolicited commercial call or SMSs have to get registered on National Customer Preference Register (NCPR). As on March 29, 2012 a total of 161.66 million customers have registered their preference on NCPR.

Telecom Ministry and the TRAI have been trying to deal with pesky calls for a while. It started with the 'Do Not Call' registry, which turned out to be a complete failure, as most telemarketers refused to get themselves registered with the Department of Telecom (DoT) neither did they scrub numbers with the registry before calling.

(Business Line, 29.05.12)

Bank Account Number Portability Soon

There is good news for banking customers, the Union Ministry of Finance is going to provide Bank Account Portability Service, allowing the bank customers to change their service providers without sacrificing an account number.

This was informed by George Cheriyan, Director of CUTS International, consumer organisation working in more than 20 countries. Only glitch is about the technical feasibility as all the banks have to adopt a uniform kind of software to implement these provisions.

(www.babushabi.com, 07.04.12)

JUDGEMENT

Consideration of Enhancement of Pension in Provident Fund

The Consumer Forum of Dharwad district has ordered the Commissioner of Provident Fund to consider the enhancement of pension under Provident Fund scheme.

Eight retired employees and also members of Provident Fund Scheme appealed to the Consumer Court pleading that they were sanctioned less pension amount though they had served the eligible period of service. The Court issued notices to the Commissioner of PF to put forward his argument.

After listening to the plea of all pensioners and also that of Commissioner, the Court comprising Chairman Shriharsha and members S L Matti and M Vijayalakshmi ordered to provide the appellant to two years of weightage and give them enhanced pension, a press note from the Consumer Court said.

(United News of India, 03.04.12)

NDPL Fined for Delay in Services

A Delhi consumer court (Pitampura) has levied a fine of Rs 1.2 lakh on New Delhi Power Limited (NDPL) for causing delay in awarding power connection to a consumer. A bench headed by Pitampura Consumer Court president Rakesh Kapoor and comprising member Judges Prem Lata and S C Jain, directed the electricity body to refrain from raising unjustified demands from consumers in the future.

The court further said the power company should not take advantage of their monopoly and harass consumers on issues for which they were not legally liable to pay.

NDPL has been directed to pay ₹20,000 fine to the consumer as compensation and deposit the remaining ₹1,00,000 lakh with the Consumer Welfare Fund within a period of 30 days. The matter pertains to a consumer Nimmi Devi who applied for a new electricity connection for her house in Adarsh Nagar Extension on May 05, 2008.

The inspector who came for verification of address told the complainant that an amount of ₹59,000 was due in the name of Sukhija who was staying in the same premises.

After completing all formalities regarding verification of address proof and other documents, the NDPL inspector cancelled the demand of ₹59,000 but again issued another demand of ₹2260 in the name of one Gurmail Kaur whose address was also quite far away from the complainant's house.

The court held that NDPL took no action to provide power to the consumer for 126 days from the date of application and she was put too much harassment and mental agony by raising the unjustified and illegal demands pending against some other premises without verifying their records.

(United News of India, 20.02.12)

Inter-ministerial Group to Look into Misleading Ads

"We may have an inter-ministerial group that can suggest suitable measures to curb misleading advertisements," Union Minister of State for Food K V Thomas said at a national seminar on misleading advertisements. The group will have an investigative wing that will probe the complaints and file cases for suitable action. He said the problem of misleading advertisements continues to be serious in the country despite several legislations like Food Safety & Standards Act, COPRA and the Drugs & Cosmetic Act.

"A final view on strengthening legal controls would be taken after we obtain views from stakeholders and different Ministries," Thomas said, adding that the widely accepted opinion was that both self-regulation and legal controls should work in synergy. *(The Hindu, 21.04.12)*

Committee to Suggest Norms for Issuing SIM Cards

The Supreme Court set up a joint expert panel to recommend the procedure for telecom firms for properly identifying customers before issuing SIM cards to them. A bench of Chief Justice S H Kapadia said the panel comprising officials of the DoT and the TRAI will submit its report to the government within three months.

The bench passed the order on a plea by one Avishek Goenka seeking its direction to the government to frame guidelines for telecom firms for issuing SIM cards. He further alleged the verification norms were necessary in view of the recent probe in terror attacks pointing towards the use of mobile phones the connections for which were given on the basis of fake documents. The Bench, however, refused to pass any guidelines saying that it has to be decided by the expert committee, as the judiciary has no technical knowhow on the issue. *(The Hindu, 28.04.12)*

INTERVENTIONS BY STATE PARTNERS



Karnataka state partner, Consumer Rights Education & Awareness Trust (CREAT) prepared ConsumersUp newsletter in Kannada language named *Unnathi* covering ConsumersUp project activities, local issues and judgements. This newsletter is distributed at various state and district level workshops related to consumer protection.

IN MEDIA



CUTS Centre for Consumer Action, Research & Training (CART)
 D-217, Bhaskar Marg, Bani Park, Jaipur 302016, India
 Ph: 91.141.5133259, 2282821, Fax: 91.141.4015395, 2282485
 Email: cart@cuts.org, consumersup@cuts.org
 Website: www.cuts-international.org/CART/Consumerup