

Grassroots Reachout & Networking in Rajasthan through Consumer
Action (GRANIRCA)

Synthesis Report of Public Interface Meetings (PIM) Phase - I



Submitted By:
Consumer Unity & Trust Society,
D-222, Bhaskar Marg
Bani Park, Jaipur, Rajasthan

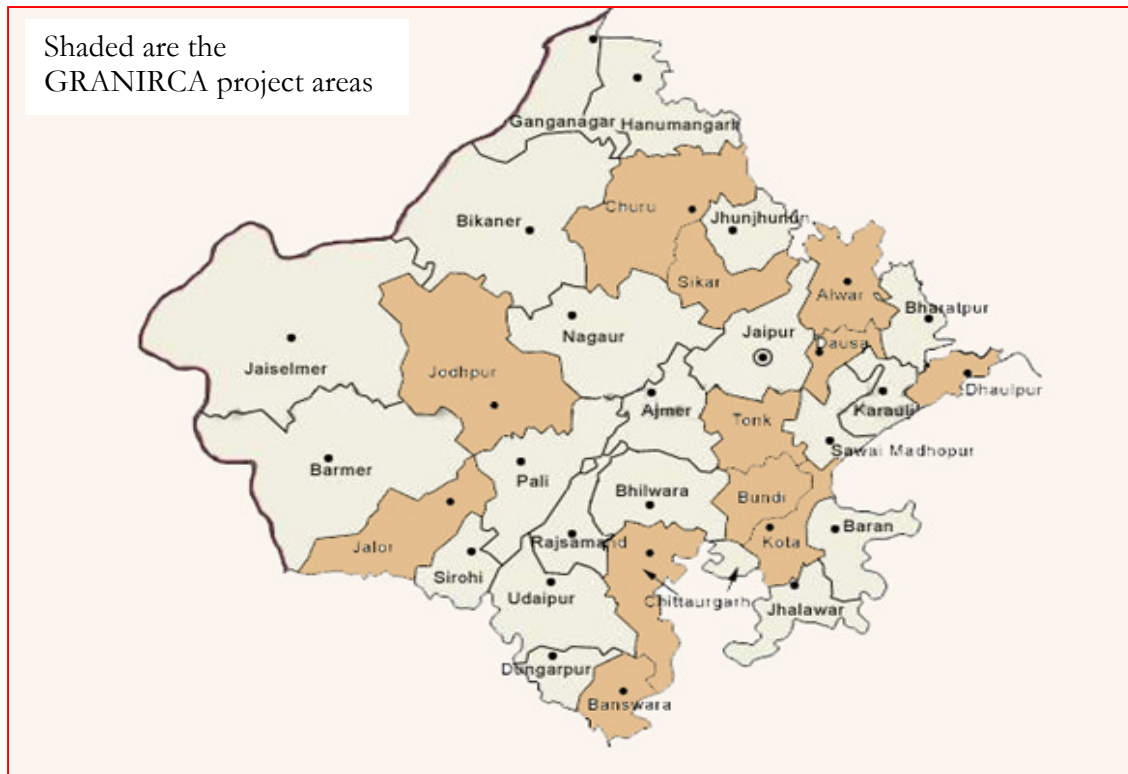
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Background

Lack of consumers' access to adequate information, improper understanding about the redressal mechanism/procedure as well as other socio-economic vulnerabilities of individuals and households are the reasons that the under-privileged classes are not getting justice.

To address the problem, CUTS is partnering with the Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India under the Consumer Welfare Fund (CWF) to implement the project entitled, 'Grassroots Reachout & Networking in Rajasthan through Consumer Action' (GRANIRCA) in 12 districts of Rajasthan, i.e. Tonk, Chittorgarh, Kota, Bundi, Alwar, Banswara, Jodhpur, Jalore, Churu, Sikar, Dholpur and Dausa (*as shaded in the below appended map*) covering a total of 89 blocks, through 12 partner organisations. The local partner organisations would be responsible to coordinate in generating awareness among common people, ensure speedy redressal of grievances and provide information and advisory services.



The objective of the project is to build a strong consumer movement at the grassroots by equipping consumer activists with skills and creating a network of zealous grassroots' activists through intensive training, capacity building and orientation programmes on consumer protection issues to create an enabling environment at the grassroots activists

through intensive training, capacity building and orientation programmes on relevant consumer protection issues. The duration of the period is of three years, i.e. from January 2010-December 2012.

Introduction

The Constitution of India seeks to ensure social, economic and political justice for its citizens. However, as consumer's faces imbalances in economic terms, education levels and bargaining power, the National Consumer Policy aims to promote and protect consumer's rights for just, equitable and sustainable economic and social development.

In view of complexity of the market place and technology and impact of liberalisation, the consumer needs to be protected. In past, there was a system of barter and consumers did not have to choose from a large range — the allocation of resources was simpler. However, the situation has changed considerably. With the growth and dominance of the market place, consumers' interests and protection have taken a back seat.

The first phase of Public Interface Meetings (PIMs) were conducted in 12 districts of Rajasthan to propagate the rights and responsibilities of consumers at the grassroots and initiate a dialogue with the people, in between the people and redressal agencies and among buyers and sellers.

Objectives

The overall objectives of the PIMs were to:

- raise consumer awareness at the grassroots by strengthening the capacity of net-workers in selected blocks of respective districts in Rajasthan;
- build a strong consumer movement at the grassroots level in Rajasthan;
- establish a contact institution in projected district to guide and motivate buyers as well as sellers for developing faith in judiciary and administrative system;
- share the existing appropriate mechanisms for exchange of information on measures of consumer protection, nationally and regionally;
- empowering urban and rural populations to make informed choices and thereby protects their health and safety and gets more value for money; and
- obtain feedback from the people about the existing redressal mechanism condition, environment and accessibility.

Schedule:

It was decided that venue of PIMs should be near to offices of government departments, Railway Station/Bus Stand and centrally located to make convenient for the participants as well as resource people. Details of the venue along with dates are mentioned in Table 1.

Table 1: Details of Venue/Date of PIMs			
S. No.	Date	PIM Event District	Venue of PIM
1	June 10, 2010	Dausa	Madhuvan Hotel
2	June 10, 2010	Chittorgarh	<i>Zila Parishad Hall</i>
3	June 11, 2010	Alwar	Hotel Saroop Vilas Palace
4	June 11, 2010	Banswara	Hotel Relax Inn, Udaipur Road
5	June 24, 2010	Sikar	<i>Zila Parishad Hall</i>
6	June 24, 2010	Jodhpur	Kisan Bhawan, Near Bus Stand
7	June 25, 2010	Churu	Hotel Natraj
8	June 25, 2010	Jalore	Government Mahila College, Jodhpur Road
9	June 28, 2010	Bundi	District Club Hall, By pass road
10	June, 10	Kota	Rajasthan Lalit Kala Akademi, Ravindra Mach
11	June 30, 2010	Tonk	<i>Zila Parishad Hall</i>
12	July 02, 2010	Dholpur	<i>Panchayat Samiti Hall</i>

Participation & Representation

Against adverse weather condition people from all fold of society and geographical coverage actively participated in the meeting. Simultaneously, print as well as electronic media gave

wide coverage of the programme. Meeting photograph along with the news was one of the prominent matters of media on the date. Details of the participants along with media coverage of the meeting are mentioned below in Table 2 and annexed with the report as *Annexure A*.

Table 2: Details of Participants and Media Coverage			
S. No.	PIM Event District	No. of Participants	Media Representation
1	Dausa	66	2 Print Media
2	Chittorgarh	54	4 Print Media
3	Alwar	41	2 Print Media
4	Banswara	52	4 Print Media
5	Sikar	55	4 Print Media
6	Jodhpur	54	5 Print and 2 Electronic Media
7	Churu	44	3 Print Media
8	Jalore	64	4 Print Media
9	Bundi	27	5 Print and 1 Electronic Media
10	Kota	62	7 Print and 1 Electronic media
11	Tonk	59	2 Print Media
12	Dholpur	35	3 Print Media

Resource Persons

Due to regular interaction of project team and district partners with officials of government departments, consumer activists, similar minded people and advocates accepted the invitation to be part of the meeting as resource persons. Details of the resource persons and their designations are mentioned in Table 3.

Table 3: Details of External Resource Persons

S. No.	PIM Event District	Name & Designation of Resource Person
1	Dausa	Rajendra Jain Raja Babu, Advocate Satya Narain, Advocate Prem Chand Jain, Advocate Ram Dayal Sharma, Advocate
2	Chittorgarh	Shyam Sunder Sharma, DSO, Chittorgarh D.C Jain, ADM, Chittorgarh Mithu Lal Sawant, <i>Up Zila Pramukh</i> Sushila Jingar, <i>Zila Pramukh</i>
3	Alwar	Alok, District Industries Officer ML Sharma, DSO Sanjay Pradhan, Inspector, Legal Metrology
4	Banaswara	PS Ameta, Deputy General Manager, BSNL – Chairman. Archana Dave, Member, Consumer Forum – Chief Guest Ajit Bhai, Special Guest, Ex. Member, Consumer Forum
5	Sikar	Rita Singh, <i>Jila Pramukh</i> Prof J.D Saini – JD College Education Rajkumar Ji Pareek, <i>Jan Sampark Nideshak</i>
6	Jodhpur	Murlidhar Vaishnav, President, District Consumer Forum SR Devasheesh, Inspector, Weights & Measures Department
7	Churu	Giri Raj Gupta, President, <i>Zila Upbhokta Manch</i> Vinod Kumar Jangir, District Industrial Officer Dharmera Poonia, General Manger, District Industry Centre
8	Jalore	Pushp Raj Paliwal, EO, Weight & Measure Dept. Madan Raj Bohra, Industrialist, Bohra Engineering Co.

9	Bundi	Rakesh Boyata, CEO, Bundi Rajkumar Dadhiech, Advocate & Ex Member, District Consumer Forum
10	Kota	Rakesh Jaiswal, DSO Rajkumari, Member, District Consumer Forum Hari Mohan Sharma, Inspector, Legal Metrology Ram Bharosh, Member, District Consumer Forum
11	Tonk	R.P Meena, CMHO, Tonk B.L Bairwa, Chief Planning Officer
12	Dholpur	Sukhram Kohli, MLA, Basedi B.L Nahlawat, DSO, Dholpur Devi Singh, BDO, Dholpur

Agenda

The meeting agenda is a roadmap for the meeting. It is framed to obtain maximum utilisation of time and resources involved in meeting. Agenda is mentioned in Table 4.

Table 4: Agenda of PIMs		
Minutes	Activities and Dialogue	Person
	Welcome	By District Partners
25 Minutes	Introduction about project and background	Project Team
30 Minutes	<ul style="list-style-type: none"> - Consumer's rights - Research Findings - Other related issues 	Project Team
20 Minutes	Introduction of Consumer Protection Act	Collector, President/Member Consumer Forum, District Supply Officer, <i>Zila Pramukh</i>

30 Minutes	Address on <ul style="list-style-type: none"> - Departmental information pertaining to consumers - Provisions and responsibility of department - Schemes and programmes of department for consumer's protection - Action taken to prevent abuse of consumer's rights 	District Supply Officer, Chief Health and Medical Officer, Weights and Measures Department, District Consumer Forum
35 Minutes	Open discussion	Participants and Resource Persons
20 Minutes	Future Strategies	District Partner/Project Team
20 Minutes	Vote of thanks	District Partner/Project Team
	Refreshments	

Structure

As proposed by the district partners, meetings proceeded on time. Accordingly, district partners were responsible for the registration of participants, introduction of the resource persons and the project team.

Resource kits were handed over to the participants at the time of registration comprising detailed information about District Supply Office, District Consumer Forum, Project and study materials. *Content of resource kit is attached as Annexure B.*

At each meeting after the introductory remarks by the district partners, the participants were briefed about the project overview and scope, activities, past experiences with references, present scenario of particular district, existing redressal mechanism, procedure of filing complaints, definition of being a consumer, descriptions of grievances and nature of violations etc.

Further, resource persons representing different departments addressed the participants and provided information about their departments and the ways to deal with consumer issues. In open session, queries raised by participants were suitably answered.

Proceedings

Welcome Session

District partners welcomed the participants and representatives for sharing their valuable time and informed about the activities conducted by them in their districts. They also narrated the overall consumer arena in the district and the emerging situations.

Introduction of the Project

Initiating the meeting CUTS representative welcomed the participants and briefed about the past activities of the organisation, which has



Welcome speech by District Partner at Sikar

built the ground for strengthening and upliftment of consumer rights. In continuation, he mentioned the GRANIRCA activities, which will further built a network of activists to take care of poor consumers of rural and urban areas. They also mentioned the matchbox scam, which was taken over by CUTS and brought to conclusive ending. Awareness and efforts to resist against the unfair practices are the only way of getting the rights as consumer.

Further, CUTS personnel stated about the available rules and redressal body for emerging services such as telecom, credit card, banking & finance. Six departments were identified to safeguard consumer's interests at the district level: District Consumer Forum, Collectors Office, District Supply Officer, Chief Health and Medical Officer, Weights & Measures Department.

One of the greatest achievements of the Indian consumer movement is the enactment of the dynamic consumer protection law, i.e. COPRA 1986. It has acknowledged the rampant consumer abuses, including those of the government owned public utilities such as telephones, transport, power etc. These utilities, in the first place, were created as state monopolies ostensibly to protect consumers.

Departments responsible for addressing consumer issues are either inactive or not functioning properly due to various reasons, which are contradictory with the statement made by the government disclosed along with the facts and figures revealed in the survey conducted under the GRANIRCA project. Detailed information of the survey findings is attached with the report as *Annexure C*.

Introduction: Consumer & Protection Aura

In the 20th century, the presence and influence of the market grew dramatically in consumer life. Consumers began to purchase things from the market for a price. Soon, mass production and industrial production came into, giving the consumer world an entirely new dimension. Earlier only

urban consumers depend on the market for fulfilment of even their basic needs but now rural community has come in the fray. This over-dependence on the market and the inherent profit motive in mass production and sales has given manufacturers and dealers a good reason to exploit consumers. Marketed



Introduction about project and background by CUTS Representative

products are constantly under-weight, of inferior quality and do not prescribe to quality standards specified by quality-control agencies. Consumers not only do not get value for their money but also often have to suffer losses and inconvenience due to market manipulations.

Consumer goods market largely depends on consumer buying behaviour and the decisions. The buying behaviour differs from user to user and also widely from region to region. Today globally consumer goods market has urged as the major economy generator for the business fraternity. At present major players are concentrating in the consumer goods sector because of its development and increased buying ability of the population. Advertising is one of the aspects of mass communication and brand building through effective communication and has become an integral service industry. It helps to create demand, promote marketing

system and boost economic growth whereas misleading advertisement has become a tool to maximise the profit.

In order to safeguard consumer interest, rules were made the COPRA 1986 and subsequently amendments were made to empower consumer. Apart from framing rules, empowered Consumer Redressal Forum (commonly known as Consumer Court) in each district of the country has been constituted to safeguard the grassroots people. Several liberal features have been constituted in these consumer forums to make it accessible, affordable and preventing delay in justice.

Address by Departments

A. Weights and Measures Department

The Weights and Measures Department is engaged in regulating use of correct weighing and measuring instruments in production, trade and commerce to ensure that exact weight, measure and number of any commodity is provided to any customer as contracted for, or paid for by him. It also safeguards consumers' interest by ensuring mandatory declarations on packaged commodities.

The Department carries out regular/surprise inspections in markets, fair price shops, kerosene oil depots, petrol pumps, gas agencies etc. to check whether measuring and weighing units bear valid verification stamp and deliver correct weight, measure or volume of commodities to consumers. Inspections are also conducted on receipt of complaint from any source either in writing or telephonically. Action for short measurement, use of defective and non-standard weights and measures is taken as per provision of relevant Act and Rules.

Packaged commodities are regularly inspected to see whether the mandatory declarations such as complete name and address of the manufacturer/packer/importer, month and year of packing/import, common or generic name of the commodity, net contents and the sale price of the package (Maximum Retail Price, incl. of all taxes) are printed on the such packages and declaration printed on them conform to the contents of the package.

Under these Acts and Rules all the Weights & Measures used in trade, industrial production and human safety are mandatory to be verified and stamped periodically by this department. The user of Weights & Measures has to submit the Weights & Measures to the concerned inspector for verification either directly or through licensed repairers.

In brief, this Department has to check that all the Packaged Commodities like soap, Biscuit, Bread, Dal, Rice, Masala and the items sold in volume like Milk, Kerosene, Petrol are supplied to the consumers in the correct weight or volume. For this purpose, the department makes regular inspections and those who violate the laws are prosecuted.

The Weights & Measures Department is offering following services to the citizens:

1. Stamping and Verification of Weights, Measures, Weighing and Measuring instruments used by the commercial establishments.
2. Verification & Stamping of Autos/taxi fare meters.
3. Verification & Stamping of Weigh bridges.
4. Calibration/verification of Tank lorries/flow meters used in transportation of petroleum products.
5. Stamping/sealing of dispensing units of Petrol pumps.
6. Checking of net contents of LPG at bottling plant or retail outlets.
7. Issue of licences for Manufacturing, Repairing and dealing with Weights, Measures, Weighing and Measuring instruments being used in commercial establishments.
8. Registration of Packers, Manufacturers and Importers of packaged commodities.
9. Checking, inspections and prosecutions of the commercial establishments found violating the provisions of Weights & Measures Laws in short delivery of the commodities.
10. Checking of packaged commodities being offered for sale by the commercial establishments regarding their net contents in r/o weights, measures, volume or number and regarding the mandatory declarations to be made on the packaged commodities like:

***Case Study as Stated by
Murleedhar Vaishnaw, President, District
Consumer Forum***

One poor women resident of village Osia in Jodhpur was enrolled in Accidental Policy, Life Insurance Policy with LIC. During some agricultural work, she was died because of snakebite. Her husband then approached the insurance company to claim the compensation, which was refused to be paid by the company on the ground that the incident was not an accident.

On suggestion of residents of the same village he filed a complaint in the District Consumer Forum at Jodhpur stating the whole incident occurred along with the copy of the policy with the complaint. District Consumer Forum issued a notice to clarify the definition of accident as per the said policy, which remained unclear and became the ground for releasing an order in favour of poor resident of Osia along with compensation and annual interest.

- a. Name and complete address of the Manufacturer, Packer and/or importer of the packaged commodities.

- b. Net contents in terms of weight, volume or number.
 - c. Date of manufacture/packing/import of the commodity (month and year).
 - d. Maximum Retail Price (inclusive of all taxes).
 - e. Generic name of the commodity.
11. Checking of commercial establishments regarding the overcharging above the MRP in respect of the sale of packaged commodities.



*President Jodhpur District Consumer Redressal Forum (Centre)
CUTS Representative (Right) and Inspector Weight & Measure
department (L) along with participants*

B. District Consumer Forum

COPRA 1986 was enacted to better protect the rights and interests of the people who are consumers in one way or the other from the exploitation of trade and industries. According to the Act, any one who buys goods and services for his/her use is a consumer. A user of such goods and services

with the permission of the buyer is also a consumer.

Consumer disputes redressal agencies (popularly known as Consumer Forums or Consumer Courts) are set up under the Act at the district, state and national level to provide simple and inexpensive quick redressal against consumer complaints. The complainant, apart from engaging a lawyer, can himself or through a representative represents his case.

A consumer can file complaint in the consumer court against any defective goods purchased or deficient service rendered including restrictive/unfair trade practice adopted by any trader/person. Normally a complaint is to be filed within two years from the date on which cause of action arose.

If the cost of goods or services and compensation asked for is up to 20,00000 the case can be filed in the concerned Consumer Forum. Similarly, if the compensation is more than 20,00000 and up to 1,0000000, then case can be filed in the State Commission and if it is

more than 1,0000000, then it goes to the National Commission. In accordance with the quantum of amount, maximum fee applicable is Rs 500.

The Consumer Forum has power to order removal/replacement of defects/deficiencies in goods and services, refund of price paid, compensation for loss/injury suffered, discontinuation of unfair/restrictive trade practice, withdrawal of hazardous or unsafe goods or award of adequate cost to the parties etc.

C. District Supply Officer

The Civil Supplies Department discharges the important responsibilities of Public Distribution,



enforcement of markets discipline and promotion of consumer awareness and protection of their interest. It has been pioneer in the implementation of Universal Rationing System.

Kota District Supply Officer Addressing the Participants along him are District Consumer Redressal Forum Members, District Weight & Measures Department, CUTS Representative and District Partner

The Department of Civil Supplies functions under the Department of Food, Civil Supplies

and Consumer Affairs of the Government of Rajasthan. The Secretary to Government, Food, Civil Supplies and Consumer Affairs Department holds the post of Commissioner of Civil Supplies concurrently. He exercises the statutory functions entrusted with him and other control orders issued by the government under the Essential Commodities Act.

In each district, there is a District Supply Officer (DSO) who is the head of the Civil Supplies administration of each revenue district. The concerned District Collector also supervises the work of the DSO. Rationing inspectors assists the DSO. DSO duties are mainly to sanction rationed articles indented by the ration dealers and check/supervise the

functioning of each outlet. The DSO frequently to keep a check against malpractice is inspecting all the ration shops.

Besides the above responsibilities the Government of India, Ministry of Consumer Affairs with the active help of its State counter part also implements major welfare programmes for the upliftment of the general public.

National Consumers Day

National consumer Day is celebrated on 24th December every year to mark the day on which President of India gave assent to the Consumer Protection Act 1986, a historical step towards protection. On this occasion various activities are undertaken by the government by non-government organisations, Trade & Industry, Educational Institutions to highlight the importance of the consumers and the need to make the consumer more aware of his rights and responsibilities on this occasion.

World Consumer Rights Day

World Consumer Rights Day is celebrated each year on 15th March world over. The Department of Consumer Affairs being the nodal department for the protection and welfare of consumers started observing the World Consumer Rights Day from 1988 onwards to educate the consumers about their rights and responsibilities. The Department not only observes the Day in a befitting manner by undertaking various outdoor publicity programmes including audio/video print publicity programmes, arranges seminars but also request all the state governments, ministries/departments, voluntary consumer organisations, trade and industry associations, AIR, DD and various other institutions to do the same. Publicity through newspaper advertisement at all India level is also undertaken during this occasion.

D. Prevention of Food Adulteration

- Prevention of Food Adulteration Act 1954 and the Prevention of Food Adulteration Rules 1955 as amended from time to time are enforced in the state.
- The Act aims at the abatement of adulteration in food articles of human consumption commonly used by the people so as to enable the people to have access to wholesome and unadulterated food.
- In the urban of the State, Municipal/Corporation Health Officers are functioning as Local Health Authorities and where there is no Health Officer the Commissioner acts as Local Health Authority.

- In the rural areas Medical Officers of the Primary Health Centres are functioning as Local Health Authorities. The Food Inspectors function under the control and guidelines for the purpose of enforcement.
- Lifting of food-samples has been fixed for local bodies including all Corporations, Municipalities and cantonments and certain town *panchayats*. The food samples lifted under the Act are tested for adulteration in seven Food Analysis Laboratories in the State.
- The Food Inspectors as per the guidelines of Local Health Authority and Public Analysts in the above Laboratories authorised for launching prosecution.
- In the Court of law they pursue cases with the assistance of APP & Legal Adviser at the Directorate, in Courts, if the food sample found to be adulterated and certified by the government/public analyst.
- The public who is in need of testing the food samples suspected to be adulterated might contact the nearby mobile food analysis laboratory, which has been launched by state government.

E. Drug Inspector

The Health Department is situated in every district and work under the guidance of District Chief Medical Health Department of the state. The basic role of drug inspector is to:

- a. regulate the manufacture, sale and distribution of drugs and medicines;
- b. ensure that drugs are available at reasonable price to all;
- c. ensure availability of quality drugs for the public; and
- d. issue license for operating medical store.

The Department carries out regular/surprise inspections in markets to check whether the quality of medicines are available at reasonable prices, preventing black marketing of essential drugs, preventing fake/duplicate medicine and the shortfall to be occurred. Inspections are also conducted on receipt of complaints from any source either in writing or telephonically. Action against the culprit is taken as per provisions of the relevant Act and Rules.

Open Session

The participants raised several queries pertaining to different departments, service providers etc. which showed the positive impact of PIMs upon them. Most of the queries were related with irregularity in public distribution system (PDS) and delay in justice at consumer forums. Few participants were clarifying their stand as consumer on issues related to water, health and transportation whereas; women were raising issues related to purchasing of precious metallic ornaments.



CUTS Representative Responding to the Queries at Sikar

The shopkeepers are not issuing any receipts in rural areas, i.e. whether it is medical store, food items, agricultural goods, seed, equipments etc. against the payment. At the same time the government owned departments like post office, banks and insurance also cheat them. This was revealed by some of the rural participants who after being cheated brought the information into the notice of local administration and then also did not achieve desired results.

7. Future Strategies

Participants were told about the existence of Complaints Handling, Information and Advisory Services (CHIAS) in their respective districts at the premises of district partners' office to get support and guidance on consumer issues. Also, information related to upcoming district level training programme was given, so that interested participants may contact district partners.

District partners have been requested to identify the participants, venue, resource persons and suitable dates for upcoming two-day training workshop from the perspective to volunteer the services at the grassroots and assist in disseminating the consumer protection issues to consumers. On receipt of information final date would be finalised for the same.

Closing Session

In the closing session, participants were asked to provide their feedback and mention the systemic problems. The participants find the PIMs an effective platform to directly communicate with the officials and resolve queries that arises in their day-to-day life.

Highlights

- i. Apart from other departments, District Consumer Forum and Weights & Measures Department of targeted districts actively participated in the PIMs. At few places *Zila Pramukh*, Additional Collector, *Zila Up Pramukh*, Chairman and Members of District Consumer Forum, DSO, CMHO and Drug Inspector etc. also participated.
- ii. Overwhelming response was received from media, youth, *panchayat* representatives and women.
- iii. People are not satisfied with the performance of DSO. DSO being a district representative of the State Food, Public Distribution and Consumer Affairs Department, is entrusted with major responsibilities but its overall functioning is not up to the mark.
- iv. Details of the consumer counselling services related to CHIAS were provided to the participants during PIMs.

Outcomes

- Majority of the rural participants were unaware of the availability of redressal mechanism and procedure of filing complaints in their respective districts.
- The functioning of other line departments such as CMHO, Weights and Measures and Drug Inspectors was reported as non-consumer friendly.
- Those, who were aware, were unsatisfied with the present trend of functioning of forums, the way, the redressal is given and the time consumed, which ultimately discourage the consumers.
- PDS emerged as one of the main problematic areas among other district level departments.
- Still goldsmiths use traditional practices of weight, which is illegal and the concerned department has never taken any measures to curb it.
- Misleading advertisements emerged as biggest source of befouling consumers.

Recommendations

- Expansion of consumer forum at sub-district level so that overburdened district consumer forum may work smoothly.
- Reviving of consumer clubs.
- Appointment of district consumer members/judge on a priority basis.
- Increasing number of mobile food analysis laboratory.
- Increasing transparency in department of Drug Inspector, DSO and health.
- Conducting refresher meetings of *panchayati raj institutions* (PRIs) and line departments on regular intervals.
- Continuation of PIMs and expanding it at village level.

Limitation

- More people should have benefited and utilised district level resource persons and distributed enough resource materials, on availability of sufficient funds under PIMs.