

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

Report of the Regional Consultation
August 17, 2012
Agartala, Tripura



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1. Introduction and Background

CUTS is an Indian origin international NGO, established in 1983, having its headquarters in Jaipur (Rajasthan), pursuing social justice and economic equity within and across borders.

The Indian Consumer Protection Act (1986) completed 25 years of coming into force on December 24, 2011. In this background, 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*' (ConsumersUp) for a period of 12 months.

For more details please visit: <http://www.cuts-international.org/CART/ConsumersUp/>

The key activity of the project is to bring out a credible report on the '**State of the Indian Consumer 2012**'. 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 comprehensive field research, based on a quantitative and qualitative sample survey covering 19 states and 3 union territories.

CUTS followed 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 report which will be released in a National Conclave in Delhi in October 2012.

The project is being implemented in the following four states; namely Haryana, Tripura, Jharkhand, and Karnataka but for the research purposes, an additional 3 *Union Territories (Chandigarh, Delhi and Pondicherry)* and 15 states have been selected (*Kerala, Andhra Pradesh, Madhya Pradesh, Bihar, Chhattisgarh, Goa, Gujarat, Maharashtra, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal*).

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 a 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 4 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 play the watchdog role in their respective states.

2. Objective of Regional Consultation

The main objective of the regional consultation is 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.

3. Key Speakers

Manik Dey, Hon'ble Minister for Consumer Affairs, Food & Civil Supplies, Government of Tripura, Hon'ble Justice Pradip Kumar Sarkar (Former Judge Guwahati and Gujarat High Court), Lokayukta, Tripura, Hon'ble Justice A B Pal, (Former Judge Guwahati High Court) President, State Consumer Disputes Redressal Commission, Tripura & Mizoram, Prof. Mihir Deb, Chairman, Tripura Pollution Control Board, Agartala, K K Roy, Ex-Principal, Tripura & Civil Supplies, Government of Tripura, Keya Ghosh, Centre Head, CUTS, Kolkata, Amritlal Saha, President, Consumers' Protection Association, Agartala, George Cheriyan, Director, and Amarjeet Singh, Project Coordinator, CUTS International were the main speakers at the event.

4. Participants

More than 63 participants comprising Department of Consumer Affairs, representatives from consumer redressal bodies, consumer organisations, law institutes, consumer activists, media representatives, project team, etc. were present. Participants fairly represented Tripura and other nearby states such as Arunachal Pradesh, Mizoram, Assam and West Bengal. (Please refer Annexure 1 for list of participants).

Proceedings

Inaugural cum Dissemination

5. Welcome Remarks

The consultation began with the welcome remarks by Amrit Lal Saha, President, Consumers' Protection Association. He thanked CUTS for selecting Tripura as one of the project implementing state and briefly explained the current status of consumers particularly in Agartala. His welcome remarks underlined the importance of strengthening the existing consumer networks.

6. Opening Remarks

George Cheriyan, Director, CUTS welcomed and thanked all the dignitaries present. In his opening remarks while briefly touching upon the project and its objective, George reinstated that the ultimate goal of the project is to assess the level of consumer awareness and the achievements made by the consumers in India during the past 25 years since Consumer Protection Act (COPRA), 1986 came into force. He said that the main objective of the project is to bring out a credible report on the ‘*State of the Indian Consumer 2012*’.



He highlighted the project background and relevance. He pointed out that on completion of 25 years of COPRA 1986, there is need for compressive and forward looking consumer protection policy to address emerging consumer issues. Although there is progress on consumer awareness and protection on many fronts, yet the situation is alarming as only 20 percent knows about COPRA.

Delivering the inaugural address, Justice Pradip Kumar Sarkar, Lokayukta, Tripura emphasised on the ban of fraud non-banking private organisations to save the ordinary consumer from deprivation. He also highlighted the need for monitoring and effective control over non-banking financial institution operating in Tripura as these institutions are robbing hard earned money of consumers and disappearing from the state.



Manik Dey, Minister for Consumer Affairs, Food & Civil Supplies Government of Tripura addressed the meeting as Chief Guest. He emphasised on the importance of such seminar at a large scale among consumers. He pointed out that to earn excessive profit is the root of all kinds of adulteration. Various 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 116 are functioning in Tripura. He also emphasised on the urgent need of a National Consumer Protection Authority to protect interest of consumers. He urged the NGOs and VCOs to undertake consumer awareness activities and said that Tripura government is trying its best to bring about a qualitative change in the scenario.



Dey further stated that there should a universal public distribution system to provide 14 essential commodities from cooking oil, detergent to rice and wheat at affordable prices to all. He said that the Essential Commodity Act, 1956 needs to be amended to give power to states for effective intervention when the price at the open market is very high.

Hon'ble Justice A B Pal, President, State Consumer Disputes Redressal Commission, Tripura & Mizoram raised the issue of *ad hoc* consumer fora and lack of consumer awareness about redressal mechanism. He also urged the CPA, Agartala and CUTS to take the initiative to organise at least 10 workshops at sub-divisional level for consumer awareness.



7. Key Findings from the Research

Amarjeet Singh, Project Coordinator, CUTS made a brief presentation of the key findings from the survey. He began by giving a rough sketch of the research methodology. For the purpose of this study, 11,499 (53 percent male & 47percent female) consumers were surveyed following a stratified multi-stage sampling approach in 88 districts, spread across 19 states and 3 union territories of India. Also the Population Proportionate Sampling (PPS) methodology was used to draw a sample representative of the state's population. Some other factors like geographical spread, literacy rates of districts etc. were taken into account in stratifying the sample.



Elaborating the findings of the Research in Tripura, Amarjeet informed that the sample size covered in Tripura is 100 consisting of 30 (urban), 70 (rural), below poverty line (34), above poverty line (66) and male (52) female (48) in the districts of West Tripura and Dhalai. *Some of the Key Top line findings for Tripura are:*

57 percent of the respondents from Tripura use PDS as a preferred source for food grains. Close to 53 percent meet their drinking water demand through public water supply. About 44 percent consumers receive on an average more than 16-20 hours of electricity supply a day and only 34.7 percent are aware of the electricity regulator. 79 percent of the respondents send their children to government schools and almost 61 percent believe that access to education has increased due to Right to Education (RTE). 60 per cent of the respondents use LPG and 30 per cent uses wood as the fuel for cooking. Close to 56.5 percent respondents have rated healthcare facility as “fair” but according to 66 percent generic medicines are not easily available. Only 14 percent are fully satisfied, 78 percent are partially satisfied with the government's effort to ensure ensure adequacy, accessibility and affordability of basic needs.

ISI is the most known certification referred by 39 percent respondent followed by ISO (49 percent) while making a purchase.

About 79 percent respondents always check weight/quantity of product before purchasing, and 43 percent never check contents/mark of product before purchase, 73 percent always check price of the product before making a purchase, 41 percent never check warning before purchase and still 20 percent never check expiry date/period of use/best before date before purchase. Around 49 percent are aware of the COPRA 1986. About 80 percent respondents are not aware about Weights & Measures Act 1976. RBI is the most common name

recognised by 54 percent respondents followed by IRDA (45 percent) and only 13 percent are aware about TRAI.

Cost of alternative product/service (30 percent), transaction fee (19 percent), documentation required (10 percent), are the three main barriers in choosing alternative product/services.

Around 68 per cent and 13 percent respondents are aware that seller (the last person in the supply chain who directly interacts with the user) and consumer forum is first point of contact respectively for grievance reporting, but 92 percent respondents have never actually made a formal complaint, while 6 percent respondents have registered their grievance with the seller. None of the respondents have approached consumer forums for grievance redressal.

Only 37.5 percent respondents are satisfied with the present grievance redressal mechanism. 76 percent are unaware of the internal redressal mechanism of a company and only 14 percent respondents believe that the internal redressal mechanism is transparent and accountable. 89 percent respondents do not know about external redressal mechanism and only six percent believe that the external redressal mechanism is independent and accountable. Only 11 percent believe that the present grievance redressal mechanism is empowered to compensate an aggrieved consumer.

48 percent respondents are aware of consumer rights, 65 percent are aware about “Jago Grahak Jago”. 86 percent of respondents reported TV as most effective means of communication for consumer education followed by newspaper (six percent).

Only six percent are aware of the process of public consultation or consumer representation in government platforms and only two percent participated in such consultation. Lack of interest among the people (64 percent) is the most important reason followed by lack of awareness (22 percent) for not participating in such event.

Only 11 percent respondents are aware of the environmental friendly certifications and initiatives. Nine percent respondents who know about such products always tend to buy such them, 72.7 percent of respondents those who know about such products and are willing to pay some extra money to buy such products.

After the presentation few of the participants shared some comments/observations regarding the findings which were well addressed by CUTS representatives.

8. Panel Discussion - “25 Years of Consumer Protection Act in India: State of Realising the Consumer Rights & the Way Forward”

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.

Prof. Mihir Deb shared his views mainly on Right to Healthy Environment. Everybody has a right to life and to ensure that everybody must have pure pollution free air and water. To assure good quality of water –

- Solid waste must be managed as per the Municipal Solid Waste (MSW) rules. But most *Nagar Panchayats* and Municipal bodies are not able to do so. Some do not have secured landfill area, some have no composting. Thus the unmanaged MSW flows to rivers and lakes.
- Sewage treatment is another essential requirement. At present untreated sewage is being released directly in rivers and other water bodies.
- For pure water management of municipal bodies, solid waste and sewage have to be before releasing into water bodies.

For assured good quality of air -

- Air pollutants have to be properly identified
- Steps have to be taken for keeping all air pollutants under permissible limits
- Automobiles are the major source of air pollution as the old and untreated vehicles spread CO₂, SOX and NOX in huge quantity, which needs to be checked. The only way out is to ban these old vehicles. He also emphasised in frequent checking of air quality
- State Pollution Control Boards have to monitor all these. But they are extremely under-stepped and cannot cope up with the job.

He finally concluded by saying that to ensure right to fresh water and air, the above mentioned pollutions have to be controlled and prevented by appropriate executive agencies.

Dr. Keya Ghosh, Centre Head, CUTS Kolkata mainly spoke on right to safety. She pointed some reasons responsible for colossal consumer ignorance and these are:



- Insufficient attention and efforts by the government to aware the Indian consumers
- Insufficient infrastructure and resources of existing redressal mechanism
- Poor governance and lack implementation

While she pointed the reasons for consumer ignorance, she also mentioned some solutions in order to mitigate such ignorance –

- Long term, nation-wide, planned and structured consumer education and training programme on a regional basis (on safety) is the fundamental solution to the problem
- Consumer education and empowerment will remove consumer apathy

- Consumers forums & commissions established under COPRA needs to be given extra attention, infrastructure support to ensure its efficient effective, fair and inexpensive functioning
- Promotion of good governance through COPRA
- Exemplary cases should be highlighted and publicised among consumers so that they can use COPRA effectively to improve governance and change the pathetic scenario of safety in our society

The presentation was concluded by some of the recommendations to empower consumers through various ways. The Department of Consumer Affairs (DoCA), Bureau of Indian Standards (BIS) and Food Safety and Standards Authority of India (FSSAI) should jointly take the efforts to provide safety to consumers. She also mentioned that civil society should be roped in to work as partner in this initiative.

9. Vote of Thanks

The consultation concluded with vote of thanks. Sumanta Biswas, Project Officer, CUTS expressed gratitude towards all dignitaries and thanked participants for actively participating in the consultation and providing valuable inputs. In the end, he thanked CPA, Agartala (State Partner) for their kind cooperation in organising this workshop successfully.

Annexure 1:
List of Participants

S. No.	Name	Name & Address of the Organisation	Mob./Ph.	Email
1	Shyamal Prasad Jana	Alinan Ramakrishna Vivekanand Yuva Sangh	9723525880	
2	Sabyasachi Dhar	Bureau of Indian Standards	9435115412	dharsabyasachi1@rediffmail.com
3	Nebia Tapin	Drug Inspector, Deptt. of H&FW, Arunachal Pradesh	9436068972	
4	Lal Sawna	Dy. Drug Controller, Authority of Health Services, Aizawl, Mizoram	9436152192	mapc.aizwal@gmail.com
5	H. Than Tihango	Asstt. Chief (Engineering), JERC for Manipur & Mizoram, Aizawl, Mizoram	9862359448	hthianga@yahoo.in
6	Nitemal Ch. Monald	Deptt. of H&FW, Govt. of Tripura	9433510989	
7	D.K. Daschandansi	Retd. State Information Commissioner, TIC, Retd. Distt. Judge	9436130963	
8	Rasint Ac	Asst. Secy. Tripura Consumer confederation	9436128708	
9	A. Deb	Daily Derhen Kath	9436949804	
10	Shehanshu Dhar, Secretary	Samagam Social & Cultural Welfare Society, Agartala	9436489435	
11	Prof. Dr. Kamalakant	Retd. Prof., Tripura University	9822310052	ksharmah@gmail.com
12	Nandan Chakroborty	Syandan	9436453321	nandan.chakroborty72@gmail.com
13	Binalka Chanda	Director, Consumer Institute Dhalrowar, Agartala	2306995	
14	Nanayan Ch. Sahe	Retd. Asstt. Head Master, Ramnagar	9436796188	
15	H.K. Das	TERC, Agartala	9436464108	
16	Dr. Keya Ghosh	CUTS CRC, 3, Suren Tagore Road, Kolkata-700 019	9831219339	kg@cuts.org
17	Dibya Kanti Singh	Craftsworld, Jora Pukurpar, Nadnya, Agartala	9436502971	dibyakahi@yahoo.com
18	Tutan Tapadar	Hill Rigon Youth	9612469935	
19	Sandipa Deb	Bondwali Milan Sangh, AD Nagar, Agartala	9774142862	

S. No.	Name	Name & Address of the Organisation	Mob./Ph.	Email
20	Tapas Chakroborty	Kishalaya Malile Samiti, A.D.Nagar	9862219278	
21	Chhandu N. Majumdar	Milan Sangh, Bordwali	9862479789	
22	Subira Deb Gupta	A. Fariad		
23	Bishpada Baiu	Prime Foccs	9774596682	
24	B. Debnetr	Tripura Pratidin	8974222560	
25	Rakesh Shdawin	Akash Tripura	9862992102	
26	Bhaskar Sarkar	Tripura Adibasi Mahila Samiti	9402172610	
27	Susharshan Singh	Teressa Social Welfare Org., Ranirgaon, Majlishpur- 799035	9436137465	
28	Tapan Kumar Saha	Mukti Samajik Sanstha, Durjaynagar, Agartala	9436186154	ankti.tripura@gmail.com
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30	Rakesh Dabnath	Aajkaal	9436128153	makesh.agt11@gmail.com
31	Nimaib Roy	Arpan Society, Agartala	9436542757	
32	Subrata Acharya	Cast n Situ, Ramesh Chowndani, Udaipur	9856217518	
33	Dr. B. Sinha	Director of Health, Govt. of Tripura	9436130386	dsinha1967@gmail.com
34	Patan Soblam	DD	9436903918	
35	Samat Choudhury	Sabalbela	9862931326	
36	Anijit Choudhuri	BCPA, Tripura	9436483635	
37	Krishna Kusheb	IHREP, Tripura	9862429045	
38	Bhipal Chakroborty	Tripura Pratidin	9862443610	aarya2011@gmail.com
39	Abheek Saha		9774501972	
40	Dr. Jaharlal Saha	Womens' College, Agartala	9436462706	
41	Bisali Baidya Khanadbish	Member, Tripura State Consumer Court	9862590215	
42	S. Arul Selvan	Asha Holy Cross, Damdamia	9615260222	ashaheage@gmail.com
43	George Cheriyan	CUTS	9829285930	gc@cuts.org
44	Anjan Das	National Youth Project Tripura State Unit, Dhaleswar, Agartala	9436594178	anjantripura@rediffmail.com
45	Amarjeet Singh	CUTS	9829015812	as7@cuts.org
46	Mihir Del	TSPCB	9436122197	
47	Nirmal Kumar Bardhan	Hill Rigon Youth	9436122913	
48	Manabendra Nag	Agartala Tripura Times	9612999452	
49	Bithika Chakroborty	Indradhanu Social Welfare Society	9774283827	
50	Sanjay Kr. Das	Jogendranagar Consumers Protection Association	9862017557	

S. No.	Name	Name & Address of the Organisation	Mob./Ph.	Email
51	Kajal Nandi	Akhaynagar	9862361148	
52	Smnit Deb	Kabirati Tilla Video Graphic	9862018715	
53	Mithun Deb	Camera Man	9774306815	
54	Bhabatosh Debnath	Member, CPA, Agartala	9863031339	advbhabatosh@gmail.com
55	Jay kumar Bebanath	Jana Kalyan Samiti	9774707146	
56	Simul Kr. Choudhari	CAP, Agartala	9436502479	
57	Joydeep Panli	Asstt. Secretary, CPA, Agartala	9436122848	
58	N.D. Roy	North Tripura CPA, Dharmanagar	9436517151	
59	Arindan Dey	Banainalipur, L.N. Barr Road	9774212277	
60	Debabsata Deb	Member, CPA, Agartala	9774689369	
61	Suparana Sen	Member, CPA, Agartala	9774820760	
62	Amrit Lal Saha	President, CPA	9860016817	
63	Sumanta Biswas	Project Officer, CUTS International		sb2@cuts.org

Annexure 2:
Programme Schedule/Agenda

09.30 am	Arrival, Registration & Tea	Consumers' Protection Association (CPA) & CUTS
10.00 am	Inaugural Session	
	Welcome	Amrit Lal Saha, President (CPA)
	Opening Address	George Cheriyan Director, CUTS International
	Inaugural Address	Hon'ble Justice Pradip Kumar Sarkar, Lokayukta, Tripura
	Address by Guest of Honour	Shri Manik Dey, Hon'ble Minister for Consumer Affairs, Food & Civil Supplies Government of Tripura
	Address by Special Guest	Hon'ble Justice A. B. Pal, President, State Consumer Dispute Redressal Commission, Tripura & Mizoram
	Presentation of Key Findings	Amarjeet Singh Project Coordinator, CUTS
11.30 am	Tea Break	
12.00 noon	Open Discussion	
	Open Discussions on Key findings Moderator: George Cheriyan	Key Responses (maximum 10 minutes each) 1. Prof. Mihir Deb, Chairman, Tripura State Pollution Control Board, Agartala 2. K.K. Roy Ex-Principal, Tripura Govt. Law College 3. Dr. Keya Ghosh, Centre Head, CUTS Kolkata
	Responses by other key Stakeholder/ Representatives	
1.55 pm	Summing up & Vote of thanks	Sumanta Biswas Project Officer, CUTS
2.00 pm	Lunch & Departure	