

Consumer Dialogue

Volume X, Issue 2, May-August, 2019

E-newsletter

Indian Army and Transport Department to Ensure Road Safety in the State

“Since the Army being one of the biggest users of roads and having a big fleet of its vehicles is deeply related to road safety issues, therefore Indian Army and State Government can join hands to ensure that road safety is ensured”, said Lt. General Cherish Mathson, Commander of South Western Command of Indian Army, Jaipur. He mentioned that blood and injury is part of the Army job but they take very seriously to the non- operational casualties, which are more than 130 in the last five years in the SE command itself. He also suggested that concerned departments must find some Indian terminology of the Good Samaritan so that it can be easily understood by the masses and assured that Army will soon speak to the state government for the cause.

George Cheriyan, Director, CUTS International in his opening remarks introduced the chief guest and briefed the evolution of Good Samaritan concept. He briefly explained the relation between army and road safety. Further, Cheriyan mentioned that 13 lakh people have died during the last decade and 416,968 lakhs in 2018, where Rajasthan holds 6-7th rank witnessing the highest rate of accidents. He concluded by defining the meaning of Good Samaritan saying that a person, who does good deeds

out of compassion without expecting any rewards can be termed as a Good Samaritan.

Rajesh Kumar Yadav, Transport Commissioner in his special address provided an overview of the road accidents and scenario of road safety of Rajasthan and spoke



about the initiatives taken to improve road safety. He mentioned the effective role of Supreme Court Committee on Road Safety and said that the number of accidents and accident deaths (10,000+ deaths every year in Rajasthan) has decreased in last three years due to collective efforts of all stakeholders including civil society organisations (CSOs) but the change is not sizable. He also said that the State Transport Department and Indian Army jointly can do something on road safety.

Deepak Kumar, DIG (Traffic Police), Head Quarters, said that Good Samaritan Guidelines are extremely important, which need to be followed by all stakeholders. He emphasised on the fact that only people's initiative to help the Good Samaritans and make the system more accountable.

Dr. D S Meena, Medical Superintendent, SMS Hospital, Jaipur said that earlier people used to avoid bringing accident victims to the hospital because they were afraid of the legal proceeding and the harassment by the police, even the staff of the trauma centre earlier used to write down the details of the person bringing the accident victim to the trauma centre, but after the Good Samaritan Guidelines, the number of people bringing accident victims has significantly increased and even the trauma centre staff does not ask for the detail of the Good Samaritan.

Virendra Rathore, DTO, Transport Department cited the case *Parmanand Katara v. Union of India*. He mentioned that this was the first case from where the due recognition was given to the importance of Good Samaritan.

CUTS organised this State Level Workshop on 'Good Samaritan Guidelines: Challenges and Way Forward' in Jaipur, Rajasthan with the assistance of Ministry of Road Transport and Highways, Government of India. More than 85 participants from the Transport Department, Police, PWD, Medical and Health Department, Road, CSOs, Educational Institutions and Media actively participated in the workshop and shared their views and experiences.

Before this, two back to back workshops at Chittorgarh on May 28, 2019 and at Bhilwara on May 30, 2019 respectively under the project were organised. Chittorgarh had a participation of 94, whereas Bhilwara witnessed the participation of 65 people.

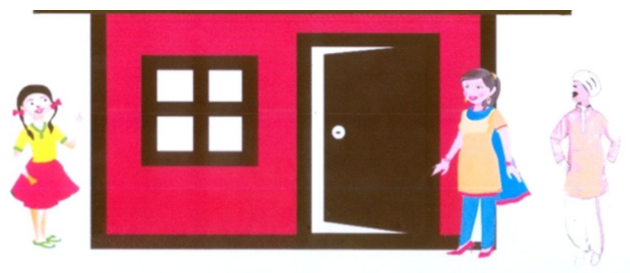
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Grahak Sahayta Kendra, Jaipur

From January onwards, the name of 'Grahak Suvidha Kendra' has formally been changed to 'Grahak Sahayta Kendra'. GSK provides services, such as advice on consumer protection related issues, addresses complaints; and publishes books, pamphlets, magazines and other relevant materials on consumer related issues. Besides, GSK centre also handles consumer complaints through counselling and conciliation for quick and easy redress.

GSK details can be accessed at:

<https://cuts-cart.org/consumer-care-centre-grahak-sahayta-kendra/>

For being a part of GSK family visit:

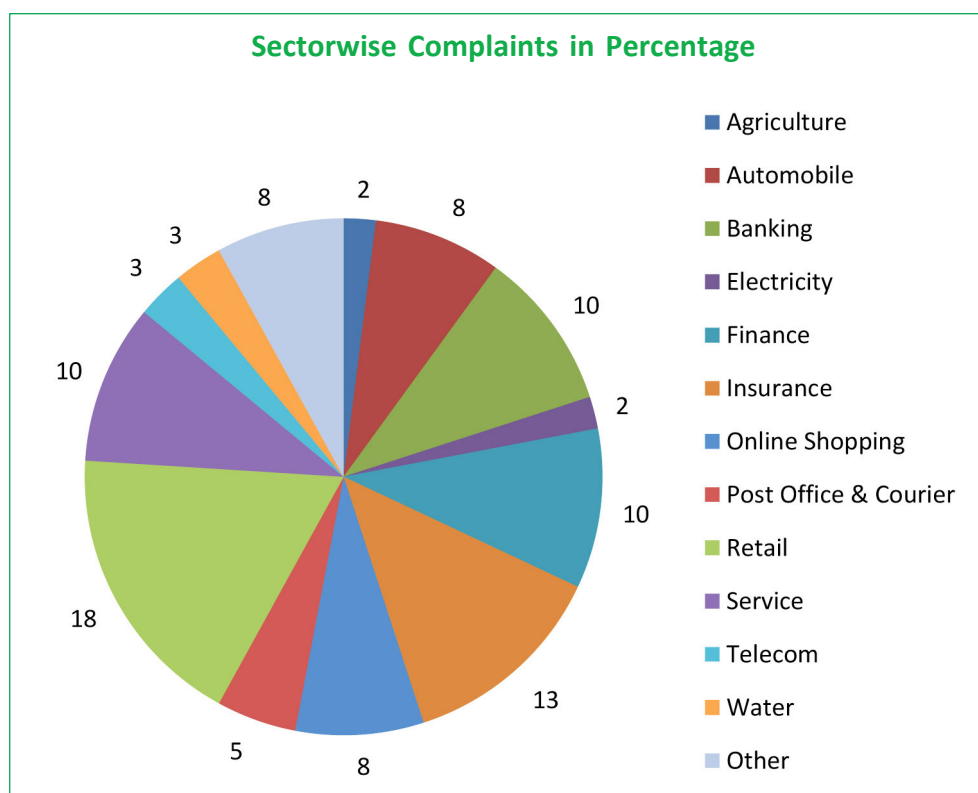
https://docs.google.com/a/cuts.org/forms/d/e/1FAIpQLSeewF_FuCIHsYsdH7i2t9vNSYvpVnBbwecy3uVXf1DtqliIWg/viewform?c=0&w=1

Online Submission of Complaints:

Online consumer complaints for GSK can be registered at:

<https://docs.google.com/a/cuts.org/forms/d/14B78zgXN1cQa61MTuZSPtcrF6rEoUBTkbtYeL4ajXx0/viewform?c=0&w=1>

During the period of May-~~to~~ August, 2019, the status of complaints and advisories received at GSK is as shown in the below graph:



CUTS Welcomes the Passage of Consumer Protection Bill, 2019

CUTS welcome the passage of the Consumer Protection Bill, 2019, which got passed by the Parliament on August 06, 2019. The passage of the Bill is very important because the Consumer Protection Act, 1986 is being amended after many years and during these years, the consumer-related affairs and the scenario has completely changed in India.



CUTS being engaged at every step of journey of this Act is jubilant at this moment. The proposed amendments are reformative and progressive in nature since it aims at protecting the interests of consumers by establishing authorities for timely and effective administration and settlement of consumers' issues, now will be able to get speedy justice. The establishment of Central Consumer Protection Authority, which provides deterrent punishment to check misleading advertisements and unfair trade and simplifies the dispute resolution

process.

Other provisions include mediation, where mediation cells will be attached to the District, State and National Commissions. In this Act, provision of Product Liability is added in which the manufacturer or product service provider or product seller to be responsible to compensate for injury or damage caused by defective product or deficiency in services. It deters manufacturers and service providers from delivering defective products or deficient services.

Undermining RTI

Any amendment to a law is bound to be viewed with suspicion if no fundamental need is seen for the changes it proposes. Amendments passed by the Lok Sabha to the Right to Information Act are so obviously unnecessary that naturally many see an ulterior motive. It is difficult not to concur with activists, who contend that the amendments pose a threat to the freedom and autonomy of Information Commissions at the Central and State levels. The Central Information Commissioner, the corresponding authorities in the States (State Information Commissioners) and other Information Commissioners at both levels are statutory functionaries vested with the power to review the decisions of public information officers in government departments, institutions and bodies.

(The Hindu, July 25, 2019)

<http://snip.ly/bj1jju>



FSSAI Plans Colour-Coded Labels for Packaged Food Products



Makers of chips, soups, biscuits, juices and other packaged foods will soon have to display red colour coding on the front of packets of products that have high levels of fat, sugar or salt content as per the regulator's new draft of labelling regulations. The food industry has expressed its concerns over the draft of the proposed changes in labelling rules drawn up by the FSSAI.

(The Economic Times, June 27, 2019)

<http://snip.ly/30f91j> ; <http://snip.ly/7zxak4>

IMPORTANT JUDGEMENTS/ DECISIONS

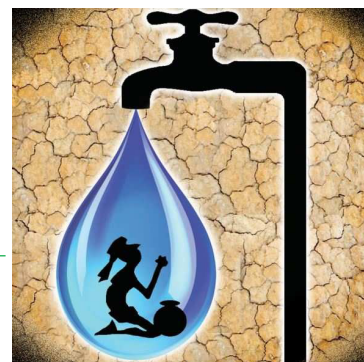




80% of Rural India Waits for Piped Water

Stories of severe water crisis in Indian cities have become routine every summer. Niti Aayog's 2018 Composite Water Management Index (CWMI) report suggests that this crisis will only worsen. The report says 600 million people in India live in high to extreme water stress and clearly the strained water supply system is susceptible to collapse.

In a guidance note, the Central Public Health & Environmental Engineering Organisation (CPHEEO), the technical wing of the Urban Development Ministry noted that 24x7 supply is the global norm. CPHEEO stated that intermittent supply of water for a few hours a day is inefficient and susceptible to contamination. There are serious health risks and hence lower consumer faith. Non-stop supply with improved quality increases willingness to pay for the service, reduces wastage.



(Times of India, June 27, 2019)

<http://snip.ly/75c58g>

No Fire NOC with Most Jaipur Roof-Top Eateries

Jaipur is sitting on a time bomb as most of the roof-top cafés and restaurants here are running without a fire no-objection certificate (NOC) from the Jaipur Municipal Corporation (JMC). As per JMC officials, none of the roof-top restaurants that are mushrooming across the city have taken fire NOC in the last two years.

Hundreds of buildings in the city have been taken. After the fire incident that occurred in Surat that killed over 20 students, JMC acted immediately against the coaching institutes in Jaipur but have completely forgotten about these restaurants.

(Times of India, June 19, 2019)

<https://tinyurl.com/y3cxyg7u>



RBI Panel Eyes 10X Growth in Digital Payments in 3 Years

A Reserve Bank of India (RBI)-appointed Committee, headed by Nandan Nilekani said that digital payments have grown 10-fold over five years and has set a target for additional growth of 10x in three years. This, according to the panel, will be driven by a major shift from high-value, low-volume and high-cost transactions to low-value, high-volume and low-cost transactions, thus leading to a decline in cash requirements.

(The Hindu, June 03, 2019)

<http://snip.ly/4azndc> ; <http://snip.ly/unsx0g>



Digital Payments Have Still a Long Way to Go

While India ranks as a 'leader' in regulation of costs of payments systems, the number of ATMs deployed and availability of alternate payment systems, it is categorised as 'weak' when it comes to the share of cheque volume relative to all payment instruments, share of card payments, and digital payment of utility bills, according to the RBI's report on Benchmarking India's Payment Systems.

(The Hindu, June 04, 2019)

<http://snip.ly/lcmaaj>



Addressing Legislative Gaps in Road Safety

If Rajasthan wants to be a pioneer in the area of road safety, new Motor Vehicles Act should be implemented at the earliest in the state and legislative gaps, which are existing in the five key risk factors of road safety (not wearing helmet, not wearing seatbelt, over speed, drink and drive and use of mobile phones) shall be removed to control the growing number of road accidents. This was one of the key findings of the CUTS Legislative Gap Analysis Report, which was presented to the key stakeholders in the State-Level Road Safety Meeting at Jaipur on May 29, 2019.

Pankaj Kumar Singh, Additional Director General of Police (Traffic) said that there has to be stricter control on the growing number of vehicles in Rajasthan, which is around 2.5 crore including other state vehicles. In Rajasthan, every day 350 new heavy vehicles and around 480 new cars are registered, which is a big number. He suggested that if road safety



is to be ensured, congestion tax should be introduced along with linking the insurance premium with the driving behaviour of drivers and if the behaviour is risky than insurance premium need to be higher.

Nalin Sinha from Global Road Safety Network, New Delhi also shared the global best practices on road safety and said that road accidents are not related to destiny but it is a manmade mistake and a behavioural issue, which can be predicted and avoided. He opined that when a person dies in an accident that means, the life of the entire family is badly affected.

CUTS consultant Ashwini Bagga gave a detailed presentation of the study on the gap analysis and said that wearing substandard helmets, not fastening the chinstrap, any type of use of mobile shall be made illegal and penalised heavily. He also spoke about the poor or namesake implementation of guidelines provided by the Supreme Court Committee on Road Safety.

In the meeting, Khem Singh, Executive Director from Rajasthan Road Transport Corporation; Yogendra Sharma, nodal in charge of Road Safety Education Department in Traffic Police of Jaipur; Dr. Sushil Tapariya, Neuro Surgeon, EHCC Hospital and officials from transport, traffic and trauma care experts also expressed their views.

A similar stakeholder workshop was also organised at Thiruvananthapuram on May 21, 2019 in collaboration with Centre for Environment and Development (CED) and Kerala Road Safety Authority. In the meeting, Shanker Reddy, IPS, Kerala Road Safety Commissioner; Elangovan T. Executive Director, KSRA; Babu Ambat, CED; Nalin Sinha, Global Health Advocacy Initiatives; Dr. Suresh, Joint Transport Commissioner and around 47 participants, road safety experts, activists and other experts participated.





Road Safety Activities at Grassroots

Addressing Legislative Gaps in Road Safety

CUTS in collaboration with Centre for Environment and Development (CED) and Kerala Road Safety Authority organised the workshop in Thiruvananthapuram on May 21, 2019. Cheriyan delivered the opening address. Shanker Reddy, IPS, Kerala Road Safety Commissioner; Elangovan T, Executive Director, KSRA; Babu Ambat, CED; Nalin Sinha, GHAI; Suresh, Joint Transport Commissioner; and John Kutti, KLIPS attended the workshop. More than 47 participants actively participated.

Implementation of Good Samaritan Guidelines

CUTS in partnership with the Ministry of Road Transport and Highways (MoRTH), Government of India has undertaken a project which aims to create awareness on road safety and advocacy for effective implementation in Jaipur, Bhilwara and Chittorgarh districts of Rajasthan, India.

At District-level

Two evening chaupal meetings were organised at Bhilwara and Jaipur and inter-school poster competitions were organised at Chittorgarh, Bhilwara and Jaipur. Also district level workshops on Good Samaritan Guidelines, its implementation and challenges were organised at Chittorgarh and Bhilwara respectively. Chittorgarh had a participation of 94, whereas Bhilwara witnessed the participation of 65 people.

At State-level

A State level seminar on Good Samaritan Guidelines was organised at Jaipur on July 02, 2019. The event was special since Lt. General Cherish Mathson, General Officer in Commanding in Chief of South Western Command of Indian Army, Jaipur; Transport Commissioner Rajesh Yadav, DIG (Traffic); Deepak Mishra and more than 100 stakeholders participated in the seminar.

Gram Gadar Journalism award for the year 2018 was presented to *Danik Bhaskar* reporter Chetan Kumar Malviya, from Bilada (Jodhpur).



Consumers International Summit 2019

The Digital Hive

The Consumers International Summit 2019 brought together diverse range of perspectives, with over 460 representatives from consumer groups, government, business and civil society from about 87 countries, coming together to learn from each other about critical issues affecting consumers in our digitised and globalised world. This, once in four-year experience, is the only event where the global consumer movement comes together in one place. The Summit witnessed open exchange of



ideas, attendee contributions, engagement and network opportunities. The Consumer Directorate-General of Portugal and The Internet Society were the main host and partners with CI of this event.

The Summit was held on April 30-May 01, 2019, which consisted of number of plenaries and breakout sessions, preceded by side events, on April 29, 2019 and again succeeded by Member's Day on May 02, 2019. George Cheriyan and Deepak Saxena attended the Summit. Besides all plenaries, they also attended side events and breakout sessions.

A side event on 'Green Action Week Skill share: How We Reignite a Sharing Community', was organised by Swedish Society for Nature Conservation (SSNC) on April 29, 2019. Cheriyan shared experience from Green Action Week (GAW) Jaipur and India. A public event on 'Developing a Scalable Behaviour Change Model to Enable Low-Income Families to Switch to Clean and Renewable Energy Use' was also organised by IKEA-CI on April 29, 2019.

There were several plenaries and breakout sessions on April 30 and May 01, 2019. Cheriyan and Saxena attended all plenaries. Cheriyan was a speaker in a breakout session on 'Tech, Trade and Trust', on May 02, 2019 which focussed on the need for international cooperation in e-commerce.

He was also a speaker in the session 'How Can We Make Sustainable Consumption the Easy Choice for Consumers?' held on May 02, 2019. Naomi Scott-Mearns, Sustainable Consumption Manager, CI moderated the session. Cheriyan also moderated a key session on 'Protecting and Empowering Vulnerable Consumers'.

The CI Asia Pacific Member's meeting was held on May 01, 2019 and General Assembly of CI was held on May 02, 2019. Marimuthu Nadason's from Federation of Malaysian Consumer Association (FOMCA) was declared as the new President of CI. Saroja Sundaram from India got elected to the Council.



Glimpses of
some more
ACTIVITIES





Grow Organic, Buy Organic

To bring forward the whole movement down the line, the activities for the year 2019 commenced with the usual partner's orientation followed by orientation for block partners in Jaipur. The intervention started with gram panchayat level awareness campaigns, inception meetings for developing kitchen gardens and clubs in selected new schools of each district, district-level media sensitisation workshops, knowledge sharing meetings on community seed bank system, etc.



Food Safety, Everyone's Business

Food Safety is a major concern in India, where just one in five eating out places have a food safety licence. Out of 24.9 lakh food business operators (FBOs) in India, only 4.67 lakh have Food Safety and Standards Authority of India (FSSAI) license, according to recently published 'India Food Service Report 2019' by National Restaurant Association of India (NRAI). The FBOs include restaurants, eateries, *dhabas* and kiosks. The FBOs in unorganised sector form a major part of food eateries in most of the states and nearly half of licenced outlets are in just two states: Tamil Nadu and Maharashtra. Globally, there are 600 million cases of foodborne illnesses and about 3 million deaths per year.

Cognisant of the urgent need to raise awareness at all levels and to promote and facilitate actions for food safety, the first-ever World Food Safety Day on the theme "Food Safety, Everyone's Business" was observed across the World on June 07, 2019. All the team members of CART took a collective pledge for the cause of safe food in coordination with the FSSAI. The UN General Assembly has designated June 07 as World Food Safety Day in 2018. How food is produced, stored, handled and consumed, affects its safety. Hence, a holistic approach is required to deal with the issue of food safety.



In India, the FSSAI has decided to celebrate the day with various engagement activities involving government, state departments, civil society, institutions and consumers across the country.

Consumers have a right to safe, nutritious and quality food. Hence, there is an urgent need to ensure the availability of safe food for consumers, said George Cheriyan, Director, CUTS International. Because a large number of people are ordering food online, online platforms are having a responsibility to register only FBOs with a licence on their platforms. While appreciating the constant efforts of FSSAI working with an inclusive and planned approach, he demanded earliest notification of The Food Safety and Standards (Labelling and Display) Regulations, 2018, which will be a watershed to improve the food safety scenario in the country.

E-cigarette should be Banned

On the eve of World No Tobacco Day 2019, CUTS organised a conference on 'Tobacco and Lung Health' in Jaipur on May 30, 2019, where health experts and tobacco control organisations demanded ban on e-cigarettes.

Jyoti Khandelwal, former Mayor of Jaipur said that today the concern of the society is to become aware of their health. She laid emphasis on the people being affected because of the tobacco and smoke polluted environment. She also said that she will request the State Government to ban e-cigarettes in Rajasthan.



George Cheriyan, Director, CUTS International, in his opening address said that two-third of the lung cancer in the world is because of the tobacco consumption and globally around seven million people are dying yearly because of tobacco consumption. 1,65,000 children below the age of 5 die globally as a result of second hand smoking. India is the 2nd largest country in tobacco consumption.

He said that there are around 120 lakh smokers in India, which is 10 percent of smokers in the world and out of this, around 57 percent are men and 11 percent are women in India, who consume tobacco. He suggested strengthening of tobacco law in the country followed by strict enforcement.

The session on Tobacco Control and Emerging Challenges focussed on harms of e- cigarettes. Experts demanded a ban on e-cigarettes in Rajasthan. Dharamveer Kateva, President, India Asthma Care Society; Dr. Rakesh Gupta, Consultant, Tobacco Cessation, Santokba Durlabji Memorial Hospital; and Dr. K K Sharma, Pulmonologist spoke in the technical session. The programme was attended by more than 100 participants including health experts, lungs specialists, organisations working on tobacco control, health and medical institutions etc.

Consumer Outreach Programme

The fourth Consumer Outreach Programme with the support of Telecom Regulatory Authority of India (TRAI) was organised at Shahpura, Jaipur on June 28, 2019. More than 105 participants actively participated, including representatives of telecom service providers (Airtel, BSNL, Reliance Jio and Vodafone-Idea).



CART at Social Network

- CART is managing four FB pages, one each for MyCity, Insight into Indian States (I3S), ProOb & CoPSA (Community of Practice on Social Accountability), GSK and three dedicated web portals for (ProOb), COPSA and I3S.
- CART has Twitter account with link: <https://twitter.com/CUTSCART>
- Besides, CART is also responsible for moderating two google groups:
- CUTSConsumersUp: for Consumer Empowerment in India to take the issues of consumer protection forward.
- CUTSGovForum: to discuss news and views on Governance issues and challenges in India.

Glimpses of
some more
ACTIVITIES



REPRESENTATION/ VISITS



- George Cheriyan and Deepak Saxena attended Consumers International Summit, 2019 at Estoril, Portugal on April 29-May 02, 2019. Besides plenaries, they also attended various side events and parallel sessions.
- Madhu Sudan Sharma attended the strategic meeting of Global Road Safety Partnership at the office of Save Life Foundation, New Delhi on June 04, 2019.
- Aakansha Choudhary participated in the fourth Conference of the Global Research Forum on Sustainable Production and Consumption hosted by the Hong Kong University of Science and Technology at Hong Kong during June 26-29, 2019.
- Amar Deep Singh attended a workshop organised by Centre for Advocacy and Research in Ajmer on June 26, 2019 and delivered sessions on 'Citizen Engagement and 74th Constitutional Amendment' focused on CUTS' urban interventions.
- Aakansha Choudhary attended Committee meeting of the Bureau of Indian Standards on 'Food Hygiene, Safety Management and Other Systems' at New Delhi on July 18, 2019.
- George Cheriyan attended the 4th Session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy organised by UNCTAD at Palais des Nations, Geneva on July 08-09, 2019. He also attended a Round table on 'Contribution of Consumer Protection to Sustainable Consumption' on July 09, 2019.
- George Cheriyan attended the National Consultation on 'Towards Inclusive Green Economies' organised by UNEP-PAGE-TERI at Goa on July 14-16, 2019.
- Deepak Saxena attended a Stakeholder's Consultation on Energy for Development in Climatic Vulnerable Rajasthan organised by World Resource Institute, India at Jaipur on July 23, 2019.
- Amar Deep Singh attended the consultation organised by PRIA at Indira Gandhi Panchayati Raj Institute, Jaipur on July 31, 2019.
- Satya Pal Singh attended 'World Bio-Fuel Day' organised by Harsh Vardhan, Minister of Health & Family Welfare, Science & Technology, & Earth Sciences at New Delhi on August 10, 2019.
- Amar Deep Singh participated in a conference organised by Safetipin jointly with Centre for Social Research and The Asia Foundation at Jodhpur on August 06, 2019.
- Amar Deep Singh attended closing session on 'Panchayati Raj and Local Self Government Empowerment' on 75th birth anniversary of late Prime Minister Rajiv Gandhi, Rajasthan Government organised a state level programme at Birla Auditorium, Jaipur on August 19-20, 2019.

Visitors

- **Priyanka Londhe**, CSR visited CUTS CART on June 27, 2019 and discussed issues related to urban women's safety and issues attached with this.
- **Lopa Ghosh** and **Om Bera** of Global Health Advocacy Initiative Country Coordinator, India visited CUTS CART on August 30, 2019 and reviewed project activities, and had a detailed discussion on new strategies.



Internship at CART

Shreya Dangayach	May 15-June 14, 2019	School of Law, JECRC, Jaipur
Garima Jain	May 27-June 30, 2019	School of Law, Manipal University, Jaipur
Jaya Paliwal	May 20-June 27, 2019	Manipal University, Jaipur
Kshitij Sharma	May 27-June 30, 2019	School of Law, JECRC University, Jaipur
Mridula Sharma	July 01-July 31, 2019	Manipal University, Jaipur
Divyae Patel	June 17-July 16, 2019	United World School of Law, Ahmedabad

Upcoming Events

- Green Action Week (GAW) 2019, Jaipur from September to October, 2019 under ProOrganic II. The Green Action Week 2019 took off during the month. This year, the theme for Green Action Week is 'Sharing Community'. The Stakeholder's Consultation of GAW will be held at Jaipur on October 11, 2019.
- GAW 2019, India from September 2019-March 2020. The process of selection has started and the activities commenced from September, 2019.
- Remaining Farmer's Trainings and Exposure Visits; Inception Meetings of Kitchen Gardens and Clubs, District Level Media Workshops, Knowledge Sharing Meetings on Community Seed Management System and Village Level Meetings under ProOrganic II
- Depositor Education Awareness Programme with the support of Reserve Bank of India starting from October 16, 2019.
- The remaining activities of the second year's activities of Financial Consumer Protection (FCP) with the support of Department of Consumer Affairs of Government of India
- Second year's activities under ROSA II supported by Global Road Safety Programme
- Activities of 'Mobilising Key Stakeholders for Eliminating Trans-fats from India'
- Activities of Sustainable Consumption and Production in India (SDG 12)-A Consumer Perspective
- Support Population Foundation of India for Strategic Engagement with Key Influencers in Rajasthan



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