



State Consumer Helpline Knowledge Resource Management Portal  
(SCHKRMP)



सत्यमेव जयते  
Government of India

# Consumer Bulletin



Monthly E-Bulletin of State Consumer Helpline Knowledge Resource Management Portal (SCHKRMP), Center of Consumer Studies, Indian Institute of Public Administration (IIPA), New Delhi

## Session on Telecom and Consumer in 14<sup>th</sup> foundation training programme sponsored by DST



The Department of Science & Technology (DST) sponsored 14<sup>th</sup> foundation training program which commenced on 17<sup>th</sup> November 2014 to 6<sup>th</sup> February 2015 at the Indian Institute of Public Administration (IIPA). Project Manager Shri. S. K. Virmani, SCHKRMP took a session on “Telecom and Consumer” on 13<sup>th</sup> January, 2015. He discussed on issues about frequent occurring problems in Telecom Services and the Service Benchmarks as laid down by Telecom Regulatory Authority on India. The participants were also acquainted with the grievance handling mechanism in telecom companies as per TRAI regulations.

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## **IRDA CAUTIONS PUBLIC AGAINST SPURIOUS CALLS AND FICTITIOUS OFFERS**

**Many consumers have been stating that they are receiving telephonic calls pretending to be from IRDA seeking their personal details for distribution of bonus. These are all spurious calls and consumers are advised not to share their personal details. IRDA has come out with a public notice which is reproduced below-**

Insurance Regulatory and Development Authority (IRDA) has been receiving complaints, through email/letters and in its Integrated Grievance Management System, from members of public informing the Authority that they are receiving spurious calls from unidentified persons:

- Claiming to be representatives of IRDA and offering insurance policies of different insurance companies with various benefits.
- Claiming that IRDA is distributing bonus to insurance policyholders out of the funds invested by insurance companies with IRDA.
- Claiming that the policyholder would receive bonuses being distributed by IRDA if they purchase an insurance policy and wait for a few months after which the bonus would be released by IRDA.
- Advising customers to subscribe to fresh policy after surrender of the existing policy and wait for a few months after which the fresh policy would be entitled for additional enhanced returns / benefits.
- Informing that 'Survival Benefit or Maturity Proceeds or Bonus' is due under their existing policy and investing in a new insurance policy is mandatory to receive the amounts which are due.
- Advising public to invest in insurance policies to avail gifts, promotional offers, interest free loans, or setting up of Telecom towers or other such offers.

The general public is hereby informed that IRDA is a regulatory body established by an Act of Parliament, i.e. the Insurance Regulatory and Development Authority Act 1999, to protect the interests of the policyholders, to regulate, promote and ensure orderly growth of the insurance industry and for matters connected therewith or incidental thereto. Further, IRDA informs the members of public that:

- IRDA does not involve directly or through any representative in sale of any kind of insurance or financial products.
- IRDA does not invest the premium received by insurance companies.
- IRDA does not announce any bonus for policyholders or insurers.
- Any person making any kind of transaction with such individuals/agents will be doing the same at his own risk.

IRDA hereby urges the public to remain alert and not to fall prey to frauds or scams perpetrated by miscreants who impersonate to be employees / officers of IRDA or other insurance companies.

If any member of the public notices such instances, he or she may lodge a police complaint, along with the details of the caller and telephone number from which the call was received, in the local police station

## Misleading advertisement by the companies and their false promises to the consumers is unfair trade practice

In the matter of Birgit Gairola (complainant) versus. M/s ORB Health Sanctuary Pvt. Ltd & ors. (Opposite parties), complaint case no. 281 of 2012 decided on 20 January 2015 by the district consumer dispute redressal forum, Gurgaon.

### **Brief Facts of the Case:**

On the basis of lucrative advertisement by M/s ORB Health Sanctuary Pvt. Ltd with tall claims to treat obesity with the most advanced fat reduction procedure i.e. C-LIPO treatment published in "The Times of India" claiming loss of 4 to 5 cms in just 20 minutes from one area of the body by treatment. The complainant (Birgit Gairola) believing it true visited their Clinic/Saloon and after discussion with their authorized representative with due assurance that the treatment of C-LIPO shall bring immense weight loss as well as inch loss persuaded her for six sittings of C-LIPO treatment (three sittings for abdomen and three sittings for hips) which will be suffice and effective to reduce permanently her waist by about 21 to 25 cms. She was also assured of 5 kg weight loss and was given a complimentary package of another 5 kg weight loss and three months maintenance thereof. She has purchased two tickets of treatment from the OP namely Double Chin Removal for Rs.25, 000/- and for inch loss on the waist line and hips for Rs.48, 000/-. First one included 2 C-LIPO treatments and 1 Special treatment for skin firming and the second one included 6 treatments of C-LIPO, 5 kg weight loss along with a complementary packages of another 5 kgs and 3 months maintenance treatment. She has made the payment on 02.03.2012 vide Receipt No.1014 dated 02.03.2012 for Rs.48, 000/- and vide Receipt No.1015 dated 02.03.2012 for Rs.25, 000/-. The payment was made through Credit Card. On the date of commencement of her contract/treatment on 02.03.2012 her weight was 94.2 kg and even after the entire treatment her weight reduced only to 93.8 kg i.e. mere reduction of 400 gm. Similarly, there was meager reduction of only 1 to 1.5 inches at various body parts as against the claim of 4 to 5 inches at all body parts which was not even close to their tall claims. The complainant also informed the OP about her dissatisfaction towards their claim and treatment thereof. The complainant further alleged that however, when she visited the OP, she was not only mentally harassed and humiliated but was also insulted on all her visits to the Clinic/Saloon. They even altered the dates and appointments without notice. The people who were assigned the work of her treatment have no knowledge of operating the machines or on the modus operandi of giving the treatment to her. Thus, because of their misleading advertisements, misrepresentation, false tall claims without any fruitful results by adopting unfair trade practice have provided deficient services to the complainant. In fact, they have also violated the code of standards in relation to the advertising of medicines and treatment. The complainant further alleged that OP has assured the complainant that effect of the treatment would be permanent but 1 inch loss was found to be not permanent as it was back by the next visit. None of the effects of the treatment given to her lasted for more than few hours. Moreover, measurement taken by the OP were quite loose and after treatment they were taken much tighter. In fact, they have committed fraud on the complainant by extracting huge money on false pretext of weight loss, inch loss and have not only ill-treated the complainant but have also insulted her. The complainant asked the OP to refund the payment but in vain. The complainant also served a registered Legal Notice dated 06.06.2012 but of no use. Thus, she has filed the present complaint for refund of Rs.73,000/- paid to them along with interest @ 18 % p.a. from the date of deposit till realization and also claimed compensation for harassment and mental agony Rs.2 Lacs or any other relief deem fit by this Forum.

District Consumer Disputes Redressal Forum, Gurgaon, keeping in view the facts and circumstances discussed above and after going through the record and documents produced by the parties, considered Ops of having adopted unfair trade practice. Hence, the complainant is entitled to refund of her amount of Rs.73, 000/- from the OPs. The OPs have also harassed the complainant causing mental agony and thus, she is entitled to compensation of Rs.10, 000/-. She is also entitled to interest @ 9 % p.a. from the date of filing of her complaint till realization. She is also entitled to litigation expenses of Rs.5, 000/-.



## News from Media

### **Better late than never**

[ *The Statesman: 2<sup>nd</sup> January 2015* ]

**Kolkata:** Having delayed by nearly a year, the state government finally is likely to start distribution of digital ration cards from the last week of January. Replacing the existing ration cards by digital ones is aimed at bringing in more transparency in the public distribution system and eliminating bogus card holders. Nine crore ration card holders of the state will receive the digital cards.

Mr Jyoti Priya Mullick, state Food and Supplies minister said the digitalisation work is almost complete. "The card holders will be informed through SMSs to collect their digital cards by surrendering their existing cards. We expect to start sending SMSs by the end of this month itself," said Mr Mullick. "To get a clear picture of the consumer base we accessed data from the National Population Register and the census of 2011," said the minister.

The state Food and Supplies department had initially set a deadline of 1 January 2014 for distributing digital cards to the consumers. However, the process got delayed due to technical problems so much so that it was later decided to complete the entire digitisation work before starting the distribution process. Cards that are to be handed over to the consumers will bear a unique identification number which will enable card holders of one ration shop to avail products from any shop of Bengal.

The state Food and Supplies department, however, is still uncertain as to whether people above poverty line (APL) would be eligible for procurement of food grains from the ration shops once the National Food Security Act comes into force.

The department has asked Centre to extend the benefit to the three crore APL card holders but, it is yet to get any response. In such a situation, APL card holders will be entitled to procure only kerosene from the ration shops.

The state needs around 38 lakh metric tonnes of food grains for the 6 crore card holders of below poverty line (BPL) and Antyodaya Anna Yojana scheme. Providing food grains to the remaining 3 crore will require an ad-



### **Bill moots heavy fine for smoking in restricted areas**

[ *The Hindu: 15<sup>th</sup> January 2014* ]

**New Delhi:** From banning smoking even in designated areas in hotels and restaurants to imposing heavy fines for flouting rules, the Centre has cracked the whip on consumption of cigarettes and tobacco products by proposing a slew of amendments to the (COTPA) Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Amendment) Bill 2015.

The draft Bill, which has been put out in the public domain by the Ministry of Health and Family Welfare for inviting suggestions from stakeholders by February 15, proposes to do away with on-site advertising of tobacco products. Which means kiosks and shops selling cigarettes and other tobacco products will no longer be able to display the brand names.

To prevent exposure of non-smokers to harmful emissions, the Ministry has proposed scrapping designated smoking areas from hotels, restaurants and airports; making an exception only for international airports.

The penalty for smoking in restricted areas has been upped from Rs. 200 to Rs. 1000. Anyone found producing tobacco products without the specified warning will be liable for imprisonment for up to two years for the first offence or fine up to Rs. 50,000 or both. For the second and subsequent offences the imprisonment can be up to five years with a fine of up to Rs. 1 lakh.



## Heavy fine, jail term

Selling products without warning will incur a fine of up to Rs. 10,000 or a jail term of up to one year or both; subsequent offence will draw a fine of up to Rs. 25,000 and a jail term of two years.

Tobacco products and cigarettes in approved packaging (which have pictorial warnings across the designated area of the pack) will now be sold only to those above 21 years of age. The proposed age limit will be revised to 23 and 25 in two phases after evaluating the impact of raising the minimum age.

The draft Bill also proposes a ban on spitting of tobacco products, pointing it out as the biggest cause of spread of TB, avian flu and H1N1.

It has also been proposed to extend the ban on sale of cigarettes and tobacco products from 100 yards of an educational institution to 100 metres. "Sale of tobacco products loose and in small pouches makes minors susceptible to tobacco use as it becomes convenient and cheaper to buy tobacco products, it promotes the sale of tobacco and makes pack warning redundant," the Ministry has said, suggesting a ban on sale of cigarette sticks.

## Scientists find presence of harmful chemicals in bottled water

[ Mail Today: 11<sup>th</sup> January 2014 ]

You think that drinking bottled water will make you appear to be a purveyor of optimal hydration, but think again. You may be exposing your body to an onslaught of chemicals by drinking bottled.

A recent study by scientists from the Environmental Monitoring and Assessment Section of Bhabha Atomic Research Centre (BARC) has revealed presence of harmful chemicals in samples of bottled water. Ironically, these impurities are formed during cleaning processes deployed by bottled water companies.



While bottled water may be free of pathogens - including disease causing bacteria - once it is treated in factories, treatment processes may introduce impurities, which are not found in raw water used.

The presence of bromate, chlorite and chlorate in packaged water has come as a surprise because these ions are not present in groundwater generally used for making packaged water. These impurities, scientists say, are 'disinfection by-products'. At present, India has no regulation that sets maximum limits for such chemicals in bottled water.

An analysis of eighteen different commercial brands of packaged drinking water purchased from local markets in Mumbai revealed presence of bromate, chlorite and chlorate in them. Results of the analysis carried out by scientists from the BARC have appeared in the latest issue of scientific journal, Current Science.

"These impurities are not present in raw water but are formed due to the process of ozonation used for treatment of water. For instance, bromate is formed during disinfection of water containing bromide with ozone", explained Dr G.G. Pandit, who led the research team.

## VATS with you govt to penalize online retailers

[ The Pioneer: 5<sup>th</sup> January 2014 ]

The Delhi Government will soon slap show-cause notices on the three major online retailers in India — Amazon, Flipkart and Snapdeal — for evading Value Added Tax (VAT) in the national Capital. The three leading e-commerce companies have together notched up a turnover of over Rs1,500 crore from business in Delhi in 2014. If the trend is taken into account, their income is bound to multiply in 2015.

Interestingly, Amazon, Flipkart and Snapdeal are charging taxes from customers but they are not paying VAT to the State Government, according to the Trade and Taxes Department.

According to Trade and Taxes Rules, companies moving goods from Delhi are required to pay VAT. It is applicable even for online business: online purchase of any goods, including software, e-books and downloaded songs. In case an online retailer delivers goods from Delhi to a customer in another State, the company is required to pay Central Sales Tax.

Again, any company having annual turnover of over Rs20 crore have to pay VAT. Under both these provisions, these three online retailer companies need to pay taxes to the State Government.

Top sources in the Government said that the department is going to issue show-cause notices to these retailers to realise VAT between Rs90 crore and Rs100 crore. The Trade and Taxes Department is also planning to levy major penalty on the three companies. According to sources, the three online companies are charging taxes from customers but they are not paying it to the State Government.



When contacted, Meenu Handa of Amazon refused to comment saying that they are yet to receive any communication from the State Government in this regard. The investigation by the Trade and Taxes Department revealed that Amazon, Snapdeal and Flipkart have a huge network of dealers across the Capital. “These dealers fall under three categories — registered dealers, unregistered dealers and bogus dealers. Only registered dealers can operate their business legally. These companies are running their business with the overt support of registered, unregistered as well as bogus dealers.

Thus they are violating the law in the city,” said the sources. The Trade and Taxes department is under pressure to achieve the target of Rs21,000 crore in the current fiscal year ending March 31. But the department has realised only Rs12,000 crore till November 2014.

With online retailers like Amazon, Flipkart and Snapdeal making the headlines, local retailers are worried about losing customers. The low-priced products available in online stores act as an incentive for buyers.

The three online retailers offer products at cheaper prices than those at small shops or big stores as absence of physical shops sharply reduces online firms’ establishment and labour costs, which allow them to dictate prices to producers and distributors. If these three companies maintain their sales revenue and grow further, the shopping malls and markets will feel the heat as their sales figures have already declined by 30-40 per cent in 2014.

The acrimony between local retailers and online e-commerce websites, which had been brewing for a long time, eventually touched a sore point when local retailers officially complained to the Government against the recent “Big Billion Day Sale” conducted by Flipkart. Local retailers have blamed e-commerce portals of undercutting prices to destroy competition. The Confederation of All India Traders (CAIT) has also demanded the Central Government to bring in a law on online retailing to save local retailers. The sources added that the sales figures of local retailers, including shopping malls and markets like Karol Bagh, Connaught Place and Sarojini Nagar have declined in the past six seven months.

From small grocery stores to medium-sized companies and grocery bigwigs like Reliance Fresh and Future Retail are eyeing the online market. It would be pertinent to mention that the Tamil Nadu and Karnataka Governments have asked the Centre to impose stringent tax rules on online transaction.

## **Now, book your meal online on trains**

*[ The Asian Age: 20<sup>th</sup> January 2014 ]*

From the next week, train passengers can book their meals, along with tickets, online. The railways has tied up with three fast food chains to provide meals in 50 trains to begin with from the next week.

“Passengers travelling in 50 trains, which currently do not have pantry cars, will have the option to book their meals from any of the three fast food chains — Subway, Jubilant Food and Burger King — at the time of booking of their tickets. The meals booked at the time of booking of the tickets can be served at any station of the choice of the passengers during the train journey,” said a senior official.



The railways will inaugurate the e-catering services next week in 50 trains, which include a number of Garib Rath, Janshatabdi Express, Janta Express and intercity trains. "When the passengers book their tickets at the web portal of the IRCTC, they will also have the option to select their meals from the menu given by the food chains along with the choice of the stations where they want their meals to be served. The passengers can savor burger, pizza and other meal options during their train journey," added the official.

In the event of the waitlisted passengers, whose tickets do not get confirmed later, the IRCTC will refund the amount paid for the meals along with the tickets. "The railways will rope in more food chains to become part of the e-catering in the coming days so that the services could be offered in more trains," said the official.

The next week launch of the e-catering services will cover all the Railway zones and trains connecting almost all the regions would be part of the initiative.

Earlier, the railways had joined hands with other food chains to provide ethnic meals in long distance trains.

## डॉक्टर की लापरवाही पर आठ लाख देने का निर्देश

[ Hindustan Times: 30<sup>th</sup> January 2014 ]

नई दिल्ली | राष्ट्रीय उपभोक्ता विवाद निपटान आयोग की एक पीठ ने सरकारी एलएनजेपी अस्पताल में रेडियोथेरापी के दौरान लापरवाही के कारण एक 46 वर्षीय व्यक्ति की मौत के मामले में दिल्ली सरकार से उसके परिजन को आठ लाख रुपये का भुगतान करने का निर्देश दिया है। न्यायमूर्ति डी के जैन के नेतृत्व वाली राष्ट्रीय उपभोक्ता विवाद निपटान आयोग (एनसीडीआरसी) की पीठ ने दिल्ली सरकार से गाजियाबाद निवासी रामवीर

सिंह की पत्नी और तीन बच्चों को 8.25 लाख रुपये भुगतान करने को कहा जिनकी मौत अक्टूबर 2004 में हो गई थी। यह आदेश दो समीक्षा याचिकाओं पर सुनवाई के दौरान आया जो दिल्ली राज्य उपभोक्ता निपटान आयोग के आदेश के खिलाफ दायर किया गया था जिसमें दिल्ली सरकार से सिंह के परिजनों को मुआवजे के तौर पर 5 लाख रुपये का भुगतान करने को कहा था।

इस संबंध में एक समीक्षा याचिका सिंह के परिजनों ने दायर की थी जिसमें मुआवजे की राशि को बढ़ाने की मांग की गई थी जबकि अन्य याचिका दिल्ली सरकार ने दायर की थी जिसमें भुगतान के दायित्व से मुक्त करने की मांग की गई थी। एनसीडीआरसी ने कहा कि सरकार की ओर से लोकनायक जय प्रकाश नारायण अस्पताल की तरफ से दायर अपील में इस बात पर कोई संदेह नहीं रह जाता है कि मृतक की रेडियोथेरापी के दौरान लापरवाही हुई। उपचार करने वाले अस्पताल के चिकित्सक द्वारा सिंह को अत्यधिक विरिण रण देने के कारण शरीर को काफी नुकसान पहुंचा।

## बगैर इंटरनेट बैंकिंग खाते से निकाल लिए एक लाख रुपये

[ Hindustan Times: 26<sup>th</sup> January 2014 ]

नई दिल्ली | पश्चिमी दिल्ली में एक खाते से बिना इंटरनेट बैंकिंग के एक लाख रुपये के मोबाइल रिचार्ज और बिल भुगतान करने का मामला सामने आया है। शातिर ने ऑनलाइन ही इंटरनेट बैंकिंग की सुविधा भी शुरू कर डाली। पीड़िता मीनाक्षी अध्यापिका है। फिलहाल जनकपुरी पुलिस एवं संबंधित बैंक मामले की जांच कर रहे हैं। जानकारी के अनुसार, मीनाक्षी जनकपुरी में रहती हैं। वह एक एनजीओ में अध्यापिका थीं। संस्थान उन्हें वेतन जनकपुरी डिस्ट्रीक्ट सेंटर स्थित कॉरपोरेशन बैंक की शाखा के खाते में अंतरित करता था, लेकिन बीते साल अक्टूबर में उन्होंने संस्थान छोड़ दिया। इस दौरान उन्होंने संस्थान द्वारा दिया



गया मोबाइल नंबर भी लौटा दिया। मीनाक्षी ने बताया कि खाते में करीब एक लाख दस हजार रुपये थे। दो दिसंबर को जब वह पैसा निकालने गई तो खाते में केवल आठ हजार रुपये शेष था। जब मीनाक्षी ने बैंक से खाते का विवरण लिया तो उसमें एक लाख दो हजार रुपये का ऑनलाइन रिचार्ज एवं विभिन्न बिलों के भुगतान किया गए थे। यह रुपये नवंबर माह में निकाले गए थे। इसके बाद मीनाक्षी ने इसकी शिकायत बैंक में देने के अलावा पांच दिसंबर को जनकपुरी थाने में भी दी। पीड़िता ने आर्थिक अपराध शाखा से शिकायत की, लेकिन शाखा ने उन्हें संबंधित थाने के पास भेज दिया। मामले के जांच की जिम्मेदारी एसआई अजित को सौंप दी गई।



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The *Department of Consumer Affairs, Government of India* in partnership with the *Centre for Consumer Studies, Indian Institute of Public Administration, New Delhi* has set up a National Nodal Agency known as the **State Consumer Helpline Knowledge Resource Management Portal (SCHKRMP)**.

The Knowledge Resource Management Portal will coordinate and monitor the activities of State Consumer Helpline's, (SCH) provide solutions and advisory services to these helplines, maintain knowledge and database, build capacity of the SCH's personnel and provide for integration and convergence.

WE'RE ON THE WEB !

<http://consumereducation.in/>

<http://consumeradvice.in/>

## STATE CONSUMER HELPLINES

<b>ANDHRA PRADESH</b> 1800-425-0082 1800-425-2977	<b>HARYANA</b> 1800-180-2087	<b>NAGALAND</b> 1800-345-3701	<b>RAJASTHAN</b> 1800-180-6030
<b>ARUNACHAL PRADESH</b> 1800-345-3601	<b>HIMACHAL PRADESH</b> 1800-180-8026	<b>ODISHA</b> 1800-345-6724 1800-345-6760	<b>SIKKIM</b> 1800-345-3209 1800-345-3236
<b>ASSAM</b> 1800-345-3611	<b>KARNATAKA</b> 1800-425-9339	<b>PUDUCHERRY</b> 1800-425-1082 1800-425-1083 1800-425-1084 1800-425-1085	<b>TAMIL NADU</b> 044-28592828
<b>BIHAR</b> 1800-345-6188	<b>KERALA</b> 1800-425-1550		<b>UTTAR PRADESH</b> 1800-1800-300
<b>CHHATTISGARH</b> 1800-233-3663	<b>MADHYA PRADESH</b> 0755-2559778 / 155343		<b>WEST BANGAL</b> 1800-345-2808
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