



## GTZ-DoCA Project on Training of Consumer Advice Staff

Bhubaneswar, 26<sup>th</sup> April to 1<sup>st</sup> May, 2010

### A Brief Report

Submitted by:  
**CUTS Institute for Regulation and Competition**

## 1. Background

1.1 German Technical Cooperation (**GTZ**) and the Department of Consumer Affairs, Government of India (**DoCA**) under the Indo-German Bilateral Programme on Advisory Services in Environmental Management (**ASEM**) have partnered to setup six consumer advisory centres in six project states wherein consumer advisors have been recruited.

1.2 Institute for Regulation & Competition (**CIRC**) was engaged by GTZ to undertake the following activities:

- compile frequently occurring problems (**FOPs**) to consumers in different sectors,
- preparation of the training modules covering all relevant topics, and
- provide training to consumer advisors.

1.3 In keeping with the agenda CIRC conducted a six day training of consumer advisors from three project states, namely, Orissa, Tamil Nadu and West Bengal. The training workshop was organised at Bhubaneswar from 26<sup>th</sup> April, 2010 to 1<sup>st</sup> May, 2010.

## 2. Participants

2.1 The training programme was attended by twenty participants – (i) ten from Orissa, (ii) six from Tamil Nadu, and (iii) four from West Bengal.

2.2 The participants were mainly consumer activists. They were well versed with the problems faced by consumers. For instance, out of the ten participants from Orissa, four are consumer activists, and two are working with Sanjog Helpline, State Call Centre, Government of Orissa. The six participants from Tamil Nadu were from the State Consumer Helpline (**SCH**), Civil Supplies & Consumer Protection Department, Government of Tamil Nadu. All the four participants from West Bengal were from the Directorate of Consumer Affairs & Fair Business Practices, Government of West Bengal out of which three are working as Consumer Welfare Officer and one as Deputy Director.

2.3 The age of the participants ranged from 35-40 years.

### 3. Sessions

3.1 The six day training programme was broadly divided into eighteen sessions (excluding the feedback sessions). The matrix below provides details of each session and give an overview of the events that transpired in each session.

<i><u>Session Details</u></i>	<i><u>Description of Events</u></i>
<b>Day 1: April 26, 2010</b>	
<b>Session 1:</b>  <u><b>Inaugural Session</b></u>	<p>The training programme was inaugurated by Mr. Sarda Prasad Nayak, Honourable Minister, Food Supplies &amp; Consumer Welfare, Government of Orissa. Welcoming the participants, resource persons and organisers, he expressed his gratitude to GTZ and CIRC.</p> <p>Thereafter, Mr. Sibabrata Dash, Director, Consumer Affairs &amp; Additional Secretary to Government, Food Supplies &amp; Consumer Welfare Department, stated that state consumer helpline and services of consumer advice staffs would be integrated in future to strengthen consumer protection further.</p> <p>In his address, Mr. P A Krishnamoorthy, Indian Project Manager, GTZ-DoCA project on “Consumer Protection &amp; Sustainable Consumption in India,” mentioned that consumer advisors would give consumer guidance in addition to the state consumer helpline already in operation in most of the project states. He added that the draft of the Indian Consumer Diary was ready for publication and the diary would provide guidance to consumers to seek redressal of their issues. He also opined that people from rural areas needed to get necessary support regarding consumer protection.</p> <p>Mr. Patrick von Braunmuehl, Senior Advisor, GTZ-DoCA project on “Consumer Protection &amp; Sustainable Consumption in India,” mentioned that the training programme is a pilot project, and an endeavour to build a network between National Consumer Helpline (<b>NCH</b>), State Consumer Helpline (<b>SCH</b>) and consumer advisors. He gave importance on offering pre-purchase advice and comparative information on product and services to the consumers.</p>
<b>Session 2:</b>  <u><b>Introduction and Team Building</b></u>	<p>Dr. Pallavi Kishore, Fellow, CIRC conducted the session and gave a brief introduction about the training programme to the participants. This was followed by a round of orientation of the participants.</p>
<b>Session 3:</b>  <u><b>Overview of the General Consumer</b></u>	<p>Dr. Pallavi Kishore, Fellow, CIRC gave an outline of the training modules, an overview of the general consumer problems, and role of advisors. The participants shared their experiences and discussed the problems faced by consumers and possible</p>

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<b><u>Problems and Role of Advisors</u></b>	solutions. For example, Mrs. Vijayathilagam, from Tamil Nadu, cited an example of a seventh class student who lodged a consumer complaint against exercise book manufacturer for selling books with 180 pages instead of 192 pages as mentioned on the cover page.
<b>Session 4:</b> <b><u>Personal Skills</u></b> <b><u>(Exercise: Art Gallery)</u></b>	<p>Mr. S K Virmani from NCH conducted the session and discussed the role of personal skills and their relation with financial success. He touched upon various issues like - special skills required for call handling from different callers, expectations of a consumer, positive attitude, interpersonal skills, time and stress management etc. Participants shared their experiences on advising consumers and feelings of job satisfaction.</p> <p>Mr. Virmani's presentation on "Personal Skills" is attached to this report and marked as <b>Annexure A</b>.</p> <p>Thereafter, participants were divided into four groups of five each for an exercise – Art Gallery. As part of the exercise each group was given chart paper, scissors, adhesive stick and a magazine. The groups were asked to paste different photographs on the chart paper from the magazine to represent different skills of a good consumer advisor.</p>
<b>Session 5:</b> <b><u>Communication and Advice</u></b>	<p>Mr. S K Virmani led the session and discussed the definition of communication, its importance in inspiring, building confidence, developing distinct personality and revealing one's ability to others. He discussed different types of communications, essentials of communications, dos and don'ts, advantages of communications in increasing productivity, reducing stress, enhancing relationship etc. He further discussed the basic principles of communication, presentation skills, professional ethics and general steps to advice consumers.</p> <p>Sharing his experience, Mr. Virmani quoted examples on consumer attitude. He narrated an incident where a consumer booked tickets online with his credit/debit card and an amount was fraudulently debited from his account. On lodging a complaint online he was asked to fill and sign a form to claim refund. The consumer refused to sign the form on the ground that, as the debit was made without signing any document so the money should be refunded without any documentation. Ultimately, the amount was refunded to the consumer.</p> <p>Mr. Virmani's presentation on "Communication and Advice" is attached to this report and marked as <b>Annexure B</b>.</p>
<b>Session 6:</b> <b><u>Session with</u></b>	Mr. Sibabrata Dash, welcomed all the VCOs and opined that there were two sides in consumer advising - (i) informing the consumers about the cases where & how people get cheated or

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<p><b><u>Voluntary Consumer Organizations (VCOs)</u></b></p>	<p>creating awareness, and (ii) how to get the redressal.</p> <p>VCO representative, Mr. Mishra, Editor, Consumer Journal, Orissa, emphasised on prevention of exploitation of the consumers and protection of their rights.</p> <p>Mr. P K Mahapatra, Editor, Bima Chronicle, Orissa advising on consumer issues in insurance sector stressed on the need of a consumer union to boost the confidence of the unorganised consumers. He explained how consumers are cheated as they are ignorant, for example, CDs and pen drives sold in the market always offered lesser memory than specified.</p> <p>Mr. K P Krishnan, consumer activist, stated that advising consumers was not sufficient, it is important to solve issues through mediation.</p> <p>The panel observed that the consumer forums in rural areas were not working satisfactorily as the level of awareness amongst rural consumers was low; hence, there is a need to generate greater awareness.</p>
<p><b>Day 2: April 27, 2010</b></p>	
<p><b>Session 7:</b></p> <p><b><u>Designing and organising an awareness campaign</u></b></p>	<p>Mr. Pratap Bhanja's hosted the session and made clear distinction between the behaviour and level of awareness of rural and urban masses and stressed on the need of different strategies for the two. He discussed the rural economy, market domain, factors contributing to rural boom, and offered suggestions on -- rural campaign, its designing, communication methodology, purpose, issues etc.</p> <p>Mr. Bhanja's presentation on "Designing and organizing an awareness campaign" is attached to this report and marked as <b>Annexure C</b>.</p> <p>Thereafter, the participants were divided into four groups, and were asked to devise their own communication strategies.</p>
<p><b>Session 8:</b></p> <p><b><u>Indian Legal System and Law of Contracts in Relation to the Consumer</u></b></p>	<p>Mr. Apurva A Dave, Legal Consultant, CERC, Ahmedabad, conducted the session and discussed the Indian legal hierarchy, court structure, nature of liability (strict, vicarious &amp; contractual liability), contract law, agreement, promise, proposal, formation of a contract, offer &amp; acceptance, kind of offers, acceptance, consideration, capacity to contract, classification of contracts, fraud &amp; misrepresentation etc.</p> <p>Mr. Dave's presentation on "Indian Legal System and Law of Contracts in Relation to the Consumer" is attached to this report and marked as <b>Annexure D</b>.</p>

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	<p>Thereafter, Dr. Pallavi Kishore, Fellow, CIRC engaged the participants in a role play wherein ten groups of two participants each were created. One participant acted as a consumer and the other as advisor. Most of the groups took up problems from Frequently Occurring Problem (<b>FOP</b>) tables covering various sectors like airlines, domestic appliances, education, cable service, telecom, electricity etc.</p>
<p><b>Session 9:</b></p> <p><u>Law of Torts in relation to the consumer</u></p>	<p>Ms. Saroja from CAG, Chennai discussed tortious liability, purpose of the law of tort, essential constituents of tort, judicial remedies, damages, injunction etc. including case studies on medical negligence.</p> <p>Ms. Saroja’s presentation on “Law of Torts in relation to the consumer” is attached to this report and marked as <b>Annexure E</b>.</p> <p>Thereafter, participants shared case studies on consumer problems. Consumer Welfare Officers from West Bengal discussed a case where Bank of India lost the mortgaged documents of a borrower received against a home loan. The bank was neither ready to issue the duplicate documents, nor was it ready to provide any alternate remedy. The borrower sought assistance from Directorate of Consumer Affairs &amp; Fair Business Practices, Government of West Bengal (<b>Directorate</b>). The case was settled through mediation. The bank not only issued duplicate documents but also paid compensation for harassment.</p>
<p><b>Session 10:</b></p> <p><u>Exam</u></p>	<p>Day 2 ended with an exam aiming to test the knowledge of the participants. The result of the examination is annexed herewith as <b>Annexure F</b>.</p>
<b>Day 3: April 28, 2010</b>	
<p><b>Session 11:</b></p> <p><u>Law of consumer protection</u></p>	<p>Advocate Y G Murlidharan, CREAT, Bangalore, discussed the definition of consumer, needs for consumer protection, landmarks in evolution of consumer protection laws in India and USA, overview of the Consumer Protection Act 1986, (<b>CPA</b>) defect &amp; deficiency, guarantee &amp; warranty, restrictive trade practices, medical negligence &amp; contributory negligence etc. He elaborated on the reasons why people didn’t complain and explained the consumer problems related to Public Distribution Scheme in India. While answering the queries raised by the participants, he opined that cases related to medical negligence, education, postal, insurance and couriers had low success rate in consumer courts.</p> <p>Mr. Murlidharan’s presentation on “Law of consumer protection” is attached to this report and marked as <b>Annexure G</b>.</p> <p>Thereafter, participants were divided into five groups of four each and were given case studies to discuss. They were allowed</p>

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	<p>fifteen minutes for internal discussion to present their solutions/ remedies.</p> <p>The case studies are annexed to this report and marked as <b>Annexure H</b>.</p> <p>The President of Khurda District Consumer Dispute Redressal Forum interacting with the participants discussed the functioning of the consumer forums.</p>
<p><b>Session 12:</b></p> <p><b><u>Exam</u></b></p>	<p>Day 3 ended with an exam on the topics discussed during the session. For results of the examination please refer to <b>Annexure F</b>.</p>
<b>Day 4: April 29, 2010</b>	
<p><b>Session 13:</b></p> <p><b><u>Liability for goods and services</u></b></p>	<p>Advocate H K Awasthi, Consumer Voice, New Delhi, discussed issues of contract of sale, hire-purchase, difference between contract of sale &amp; contract of hire-purchase, definition of consumer, consumers’ wants, maximum retail price, common problems related to product warranties and after sales service related to domestic appliances, automobiles etc.</p> <p>Mr. Awasthi’s presentation on “Liability for goods and services” is attached to this report and marked as <b>Annexure I</b>.</p> <p>Following the theoretical session, participants were divided into five groups of four each and were given case studies to solve on various topics like medical negligence, fraud through cheque book, deficiency of services by educational institutions etc. Each group presented their solutions after fifteen minutes of group discussion.</p> <p>Mr. Arpan De Sarkar, Jr. Fellow, CIRC stated a real life consumer problem on medical negligence and sought consumer advice. After the analysis by the participants, Mr. Awasthi clarified their doubts.</p>
<p><b>Session 14:</b></p> <p><b><u>Consumer problems relating to credit and banking</u></b></p>	<p>Mr. S N Behera, DGM and Secretary, Office of the Banking Ombudsman, Bhubaneswar discussed the banking structure, banking functions, credit card related consumer issues etc. in an interactive manner with the participants.</p> <p>Mr. Behera’s presentation is attached to this report and marked as <b>Annexure J &amp; K</b>.</p> <p>Mr. Nair discussed -- definitions of NBFCs, Residuary Non-Banking Companies, issues regarding registration with and regulation by RBI, public deposits etc.</p> <p>Mr. S K Dhar from Insurance Ombudsman, discussed the</p>

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	consumer issues related to insurance.  Following the above discussions participants were asked to give mock consumer advice on the problems related to credit and banking.
<b>Session 15:</b>  <b><u>Exam</u></b>	Day 4 ended with an exam on the topics discussed during the session. For results of the examination please refer to <b>Annexure F</b> .
<b>Day 5: April 30, 2010</b>	
<b>Session 16:</b>  <b><u>Session with VCOs</u></b>	Different VCO representatives shared their concerns related to consumer problems. Mr. Vikash, consumer activist from Orissa, raised the issue of food adulteration; Mr. P K Panda, consumer activist from Orissa, shared his views regarding exploitation of consumers in the transportation sector across Orissa; Mr. Ananta Raut Roy, consumer activist from Orissa, raised consumer issues pertaining to electricity sector in Orissa. During this session, Mr. Akshay K Shamal, consumer activist and member OERC, highlighted a case of Cuttack High Court where the court overruled the decision of the State Commission although barred by CPA, on the ground of having sweeping jurisdiction.
<b>Session 17:</b>  <b><u>IT Training</u></b>	Mr. Deepak Mishra, an IT Expert, along with his colleagues imparted basic IT training required for consumer advisors to the participants.  Mr. Mishra's presentation is attached to this report and marked as <b>Annexure L</b> .
<b>Day 6: May 1, 2010</b>	
<b>Session 18:</b>  <b><u>IT Training</u></b>	Mr. Deepak Mishra, IT Expert, along with his colleagues passed on hands on IT training on registering consumer complaints online, generating status report, using online FOP tables.

## 4. Field Trips

4.1 In addition to theoretical training, participants were also provided with practical exposure of dealing with consumer complaints thorough field trips. Two field trips were organized in Bhubaneswar, details of which are stated below.

4.2 In the post-lunch session of day 3, participants were taken to Orissa Computer Application Centre (OCAC) where they were exposed of the operation of the Sanjog Helpline grievance redressal system, a call centre run by the of Government of Orissa. The participants were divided into four groups of five each and allotted different tasks, which were:

- Group 1 – inquired about the types of complaints and the procedures to lodge complaints;

- Group 2 - inquired about the procedure to document complaints in the helpline;
- Group 3 - inquired about the procedure of analysis of different complaints; and
- Group 4 - listed down the infrastructure requirement to run the helpline.

**4.3** Mr. Deepak Mishra, IT Expert, along with his colleagues provided details of working of Sanjog Helpline and clarified the doubts of the participants.

**4.4** On day 5 of the training the participants were exposed to the actual working of Sanjog Helpline at the Secretariat, Government of Orissa, where they interacted with the call operators and experienced recording of complaint.

**4.5** As part of the second field trip, participants visited Central Electricity Supply Utility (CESU) of Orissa on day 5. This field trip was intended to offer an exposure of the operation of a sector specific helpline. The participants were divided into four groups of five each and were given specified tasks as follows:

- Group 1 – enquired about the infrastructure requirement to run the helpline,
- Group 2 - enquired about the procedure of analysis of different complaints,
- Group 3 – enquired about the documentation of complaint information in the helpline, and
- Group 4 - listed down what information were collected and how they were collected.

**4.6** Thereafter, participants were given a slide show presentation detailing the operations of CESU helpline, where they gained first hand exposure of recording and registering consumer complaints. Following the trip, each group presented their findings. The presentation with respect to this session is attached to this report and marked as **Annexure M**.

## **5. Participants' Feedback**

**5.1** Participants were asked to assess the training programme candidly and give their valuable feedbacks at the end of the training programme through a semi-structured questionnaire. Evaluating the various component of the event, majority of the participants agreed that the:

- training objectives were clearly stated in the agenda,
- topics and agenda were relevant to their work,
- course content/ presentations was appropriate,
- they would be able to apply the knowledge learned from the training,
- training objectives were met at the end of the workshop,
- overall the training programme was “good”, including the organization of the event, and facilities like boarding/catering/ lodging, venue, and
- trainers/ facilitators, were knowledgeable and technically sound and met the training objectives and encouraged participant involvement.

**5.2** Comprehensiveness and relevance of the training materials including modules, interaction with the resource persons and facilitators, group activities, presentation of relevant documents to the participants, getting exposed to real consumer call handling during fieldtrips etc. were highlighted as strengths of the training programme by the participants.



**5.3** Different opinions of resource persons on certain issues, sessions with NGOs and VCOs, absence of short breaks in the midst of two sessions, same curriculum for different states having different mode of consumer protection and level of progress etc. were some of the limitations of the training programme as pointed out by the participants.

**5.4** Most of the participants opined that they would be able to pass on the newly acquired skills to their colleagues.

**5.5** Follow up training at regular interval in near future with more exposure to field trips, exclusive IT orientation regarding practical problems and helpline handling, phone-in-programmes, periodical updation of relevant information and refresher course etc. have been recommended by most of the participants as ongoing activities.

**5.6** Participants also offered some valuable suggestions for improving the training programme, these included:

- introduction of role plays, with one to one, and one to many contact,
- regular monitoring of feedback,
- arrangement of separate training for newly recruited and experienced staffs,
- increasing number of field session,
- stress on field evaluation,
- inclusion of the aspect of “transaction analysis” in the curriculum,
- involving local trade/ industry chambers, and
- involving line departments and service providers.

## **6. Key Lessons for Future Trainings**

**6.1** Some of the key lessons learnt from the program were:

- training hours for a particular day to be shorter,
- training sessions should be coupled or annexed with short tea/ coffee/ networking breaks to settle down participants,
- involvement of participants can be elevated through innovative group activities which would help them to reduce stress,
- brain teaser to be conducted to enable the participants to raise questions and think innovatively, further the efforts may be rewarded through small prizes,
- mock case studies linked to theoretical session should be discussed, and
- post-lunch session should start with activities involving participants.

## **7. Recommendation**

**7.1** In order to ensure success of the helplines, the following is recommended:

- A nodal agency to be formulated:
  - to ensure continuous hand holding of the consumer advisory staff,
  - maintain uniformity in the standards of training,
  - ensure delivery of quality advice to the end consumers,

- provide on-going resource -- knowledge, infrastructure and IT support,
- provide continuous on site coaching to identify companies, products and services posing maximum problems to the consumers,
- evaluating the quality of the advice rendered by the advisory staff,
- enable the state helpline in updating the written material and FOP tables to ensure that they are easy to understand, answer relevant issues and cover the current problems and challenges.
- organize regular visits by knowledge and IT support staff to the helpline centers.

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