



GTZ-DoCA Project on Training of Consumer Advice Staff

Bhopal, 3rd May to 8th May, 2010

A Brief Report

Submitted by:
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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 two project states, namely, Gujarat and Madhya Pradesh. The training workshop was organized at Bhopal from 3rd May to 8th May, 2010.

2. Participants

2.1 The training programme was attended by twenty seven participants – (i) eighteen from Madhya Pradesh, and (ii) nine from Gujarat.

2.2 The participants were mainly consumer activists. They were well versed with the problems faced by consumers. For instance, out of the eighteen participants from Madhya Pradesh – eight are working with Madhya Pradesh State Citizen Facilitation Centre, three are employed with Madhya Pradesh State Electronic Development Corporation, two were from Madhya Pradesh State Civil Supplies Department, and five from Madhya Pradesh State Food, Civil Supplies, and Consumer Protection Department. Two participants from Gujarat are working with Department of Legal Metrology and Consumer Affairs, and seven are associated with consumer organizations.

2.3 The age of the participants ranged between thirty five to forty five years.

3. Sessions

3.1 The six day seminar was broadly divided into sixteen 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>Session Details</i>	<i>Description of Events</i>
Day 1: May 3, 2010	
Session 1: <u>Inaugural Session</u>	<p>Dr. Yogendra Srivastava, National Law Institute University (NLIU), inaugurated the session by welcoming all the participants and guests.</p> <p>Prof. S.S. Singh, Director, NLIU gave an overview of the training programme and its objectives. He stated that the idea of consumer helpline was initiated by the DoCA and given to Delhi University. In view of the interest and initial experience, it was decided to decentralise it and have help-lines at the state level.</p> <p>Prof. Rajiv Khare, NLIU stated that consumer protection involved many topics and laws. The idea of the training was to familiarise the participants with legal concepts which are required for effective advisory to consumer.</p> <p>Dr. Poonam Pande of GTZ stated that the training programme is a pilot project for five states and comprehensively cover laws, activities and sectors affecting consumers, so that the learning may be put into practice.</p> <p>Mr. Ashok Das, Principal Secretary, Department of Consumer Affairs, Government of Madhya Pradesh commenting on the curriculum stated that it was comprehensive. He observed that as participants, from wide-ranging fields would be assisting consumers vide the consumer helplines, therefore, they should be equipped to deal with consumer problems. He stated that GTZ would run the pilot project in Madhya Pradesh for one year, thereafter; it shall be taken over by the state government.</p>
Session 2: <u>Introduction and Team Building</u>	<p>S.K. Virmani, National Consumer Helpline (NCH), New Delhi 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>
Session 3: <u>Overview of the General Consumer Problems and Role of Advisors</u>	<p>S.K. Virmani, NCH, New Delhi 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 solutions.</p>
Session 4:	<p>Mr. S K Virmani from NCH discussed personal skills and their importance for a consumer advisor. He emphasized on the need</p>

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<p><u>Personal Skills</u></p>	<p>of effective communication and stated that the communication is required to find a job, fulfill job requirements, and decision-making. He stated that the communication is a two way process and explained the different types of communication. Offering practical advice to the participants he stated that they should not make assumptions when the consumers come with complaints. They should listen to the problem first, and focus on the situation and issues, thereafter, they should summarise the problem and offer advice only at the end of the conversation. It is important for consumer advisors to take notes while the consumer is speaking and use his words while responding. He stated that communication is important because it increases productivity and reduces stress.</p> <p>Mr. Virmani’s presentation on “Personal Skills” is attached to this report and marked as Annexure A.</p>
<p>Session 5:</p> <p><u>Communication and Advice</u></p> <p><u>(Exercise: Art gallery)</u></p>	<p>Mr. S K Virmani conducted the session and gave participants practical tips on handling consumer complaints and offering advice. He stated that consumers calling the helpline may be distressed therefore it is important for consumer advisors to understand their problems patiently. The consumer should feel valued and appreciated. He encouraged the participants to treat each call as a learning experience as no two calls are the same. According to him a consumer advisor should understand the problem of the consumer and should offer him various options of seeking redressal.</p> <p>Mr. Virmani’s presentation on “Communication and Advice” is attached to this report and marked as Annexure B.</p> <p>The session was followed by an exercise wherein participants were divided into five groups of five each. Each group was given chart paper, scissors, adhesive stick and magazine. They were asked to paste different photographs on the chart paper from the magazine to represent different skills of a good consumer advisor. On completion of the group activity, each group was asked to present their chart to highlight the required skill set of an advisor.</p>
<p>Day 2: May 4, 2010</p>	
<p>Session 6:</p> <p><u>Indian Legal System and Contacts in relation to the consumers</u></p>	<p>Prof. Ghayur Alam of NLIU conducted the session and discussed the definition of a legal system according to Max Weber and made a comparison of common and civil law systems. He explained the three arms of the legal system, their accountability, the Constitution, the rule of law and due procedure of law, contract law and its principles, and definition of consumer. He interacted with the participants and answered their questions.</p> <p>Prof. Alam’s presentations are annexed to this report and marked as Annexures C and D.</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 (FOP) tables covering various sectors like airlines, domestic appliances, education, cable service, telecom, electricity etc.</p>
<p>Session 7: <u>Law of Torts in relation to the consumer</u></p>	<p>Prof. Rajiv Khare, NLIU giving the basic background on the law of torts informed the participants that a person is entitled to a remedy under the law of tort if they are unable to get relief for a civil wrong under any other law. He explained the general conditions and the basis of liability in torts and stated that negligence is actionable if it causes harm to another. Touching upon consumer problems in different sectors like food and beverages, medicine, electricity, transport, and municipal authorities, he discussed the various practical issues faced by the customers by way of examples and case studies.</p> <p>Prof. Khare’s presentation on “Law of Torts in relation to the consumer” is attached to this report and marked as Annexure E.</p>
<p>Session 8: <u>Designing and Executing and Awareness Campaign</u></p>	<p>Mr. Ashish Bharadwaj, Consultant, conducted the session and explained the meaning of awareness and informed the participants about the various means of identifying the problem, gaining knowledge on prevention, seeking remedy, and spreading the knowledge. According to him an awareness campaign, should answer the following seven Ws – What, To Whom, Who, Why, How, By Whom, When, Where. He showed various commercials to the participants like Maruti Alto, Lifebuoy etc. to explain the concept of target group, and objectives to be achieved. Highlighting the limitation of the use of media in rural areas he suggested the use of alternate forums like <i>melas, sammelans, haats</i> etc for creating consumer awareness.</p> <p>Thereafter, he divided the participants into six groups of four each and gave each group a topic to design an awareness campaign. The topics were – National Leprosy Mission, <i>Sarvshiksha Abhiyaan</i>, Save Electricity, Save Ganges, National Rural Health Mission, and Panchayati Raj. The participants were supplied with essential materials and were asked to answer the seven Ws vide their campaign.</p> <p>Mr. Bharadwaj’s presentations on “Designing and organizing an awareness campaign” is attached to this report and marked as Annexure F to I.</p>
<p>Session 9:</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</p>

<u>Session Details</u>	<u>Description of Events</u>
<u>Exam</u>	Annexure J.
Day 3: May 5, 2010	
Session 10: <u>Law of Consumer Protection</u>	<p>Prof. S.S. Singh, NLIU explained the philosophy of consumer protection as the desire to protect the consumer's rights. Expressing his point of view he stated that if the state had played its role for citizens, consumer issues would not have risen. According to him consumer protection law is a consequence of market economy. He discussed the rights of consumer under Section 6 of the Consumer Protection Act, 1986 (CPA) and the United Nations Guidelines on Consumer Policy. He referred to the objectives of the CPA and stated that India was the only country in the world with a separate specialized adjudicatory mechanism for consumer disputes. He also explained the definition of consumer by giving examples. He went on to explain the definition of goods, defect, complaint, complainant, services and the reliefs possible under the CPA. He touched upon various sectors like medical, banking, transport, railways, electricity, housing sectors and the Right to Information Act.</p> <p>Mr. Singh's presentations on "Law of Consumer Protection" is attached to this report and marked as Annexure K.</p> <p>Thereafter, Dr. Pallavi Kishore, CIRC, divided the participants into five groups. Each group was given time to prepare and present a case study. These case studies are annexed to this report and marked as Annexure L.</p>
Session 11: <u>Exam</u>	<p>Day 3 ended with an exam aiming to test the knowledge of the participants For the results of the examination please refer to Annexure J.</p>
Day 4: May 6, 2010	
Session 12: <u>Liability for Goods and Services</u>	<p>Advocate H.K. Awasthi explained the different rights of the consumers, and types of complaints related to defect and deficiency. He discussed the issues faced by various service industries like banking, insurance, airlines, housing, education and medical. Explaining the difference between a contract of sale and a contract of hire purchase, he elaborated on the problems related to Maximum Retail Price (MRP), Packaged Commodities Rules and goods purchased online or from another jurisdiction.</p> <p>Mr. Awasthi's presentations on "Liability of Goods and Services" is attached to this report and marked as Annexure M.</p> <p>Thereafter, the participants were divided into six groups of four each and were presented with case studies. The case studies are annexed to this report and marked as Annexure N.</p>
Session 13:	Mr. S.K. Sinha, Secretary, Office of Banking Ombudsman,

<u>Session Details</u>	<u>Description of Events</u>
<u>Consumer Problems related to Credit and Banking</u>	<p>Reserve Bank of India, Bhopal explaining the Banking Ombudsman (BO) Scheme to the participants informed the participants that the BO can pass an award for a maximum of ten lakh rupees and one lakh rupees in case of ATM problems. In order to claim damages the complainant has to quantify his loss. He elaborated that the award by a BO can be challenged before the Appellate Authority of the bank. However, the complainant cannot be represented by an advocate. He touched upon various issues like deficiency in service such as delay in collection of cheque, accounts closed forcibly, matured fixed deposits not given to holder etc.</p> <p>Advocate Vivek Agarwal, in the same session touched upon postal financial services, insurance, banking, micro-finance and Non Banking Financial Companies (NBFCs).</p> <p>Participants were given complaint forms to fill for lodging a complaint with Insurance and Banking Ombudsmen.</p>
Session 14: <u>Exam</u>	Day 4 ended with an exam aiming to test the knowledge of the participants For the results of the examination please refer to Annexure J .
Day 5: May 7, 2010	
Session 15: <u>IT Training</u>	<p>Mr. Deepak Mishra, an IT Expert, imparted basic IT training required for consumer advisors. He explained the objectives of the IT Platform and the process of call resolution including convergence. He then explained the Call Registration screen in detail.</p> <p>Mr. Mishra's presentation is annexed to this report and marked as Annexure O.</p>
Day 6: May 8, 2010	
Session 16: <u>IT Training</u>	Mr. Deepak Mishra, an IT Expert imparting practical knowledge on the use of the consumer helpline platform, allotted one computer to two participants and guided them in navigating through the centrally hosted IT Platform.

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. Three field trips were organized in Bhopal, details of which are stated below.

4.2 The first field trip was to Madhya Pradesh Electricity Regulatory Commission (MPERC). Mr. Manish Yadav, Customer Care Officer and Mr. Prashant Chaturvedi, Secretary, MPERC explained the objectives and functions of Consumer Advocacy and Relationship Cell. They referred to the special courts set up to dispose of complaints relating

to electricity theft and stated that complainants can approach the Electricity Ombudsman in case they are dissatisfied by the order of the Electricity Consumer Forum. Participants were divided into four groups and assigned different tasks to be performed during the field trip. At the end of the field trip each group presented its findings on the method and type of information being collected, method of documentation of the complaints, method of analysis of the problems to provide solutions, and the infrastructure used to run the entire activity.

4.3 The second field trip was a visit to Madhya Pradesh Madhya Kshetra Vidyut Vitran Company Limited. Mr. Yadav, officer incharge for consumer affairs explained that they received and redressed complaints online. He explained the types of complaints and the procedure of resolution. He informed the participants that they do not have a call centre because they resolve consumer complaints through website. The company has an independent Consumer Redressal Forum comprising of one Chairman and two Members in accordance with the Electricity Act, 2003. The Consumer Redressal Forum is like a mini court and complainant can go to the Electricity Ombudsman in case they are dissatisfied with the resolution of the complaint.

4.4 The third field visit was conducted to the Madhya Pradesh Shasan Nagrik Sahayata Kendra, a call centre of the Madhya Pradesh Government dealing with sixteen government departments, where participants saw the actual calls being taken by call centre executives.

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 The strengths of the programme as mentioned by the participants included -- good coordination, good faculty, rich and relevant course content, role plays, advertisement clippings, knowledge imparted, illustrative and exhaustive nature of lectures, practical training, case studies, well thought structure, and interaction between teachers and students.

5.3 The limitations of the programme mentioned by the participants include lack of interaction with each other since candidates did not know each other, lack of usage of Hindi, lack of focus on *Jago Grabak Jago* clippings, insufficient use of audio-visual tools, lack of information on consumer forum, insufficient IT training, inclusion of less relevant topics such as awareness programme, and repetition of content in the presentations.

5.4 All the participants replied that they would be able to pass on their newly acquired skills to their colleagues.

5.5 The follow-up activities recommended by the participants include -- follow-up programme after few months, more practical sessions through IT and clippings, regular programme at state and district level, field visit to district and state consumer forums, direct interaction with consumers approaching the forums, explanation in detail of CPA and filing cases under it, more field visits, and further training on other laws related to consumer protection.

5.6 Participants recommended that improvement in the training programme can be made by:

- elucidating each aspect of consumer forum by showing trailers,
- receipt in advance of training material,
- organization of similar programme with manufacturers and service providers resulting in the benefit of consumers,
- inclusion of audio-visual tools,
- use of Hindi as a medium of instruction,
- organization of training programme on youth,
- engagement of energetic/enthusiastic faculty,
- sharing of participants' experiences,
- organization of 2-3 programmes on new FAQs and FOPs every year,
- shortening the training to four days, and
- discussion of more case studies, and Right to Information Act.

6. Key Lessons for Future Trainings

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

- it will be better to concentrate on less topics instead of touching upon too many topics, and
- the medium of instruction in the training programme should be bilingual i.e. along with English use of other Indian languages should be encouraged.

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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