

Three Day Training Programme on “Capacity Building for Researchers in Consumer Protection and Consumer Welfare”

(June 27-29, 2010)

A three day Training Programme on “Capacity Building for Researchers in Consumer Protection and Consumer Welfare” was organized by the Indian Institute of Public Administration, New Delhi in collaboration with Dr. B.R. Ambedkar College of Law, Andhra University, Visakhapatnam (AP) as one of the activities of Consultancy Project under the Scheme on “**Promoting Involvement of Research Institutions, Universities and Colleges in Consumer Protection and Consumer Welfare**” from June 27-29, 2010. The programme is sponsored by the Department of Consumer Affairs, Government of India. The programme aimed at understanding the need and importance of consumer protection and welfare and to deliberate on the various provisions of the Consumer, Protection Act and its working. The course focused on the methodological aspects for undertaking qualitative and quantitative research and its application in the area of Consumer Protection and Welfare. 30 Researchers from various institutions in Andhra Pradesh attended the programme.



The Programme Directors welcomed the participants and briefed them about the programme objectives, contents and the expectations from each participant. The participants while introducing themselves provided information about their educational qualifications, work experience and their interest in the area of consumer protection and consumer welfare.

In the Inaugural Session, Prof. Rajendra Prasad, Principal, Dr BR Ambedkar College of Law, AU, Visakhapatnam in his Presidential Address lamented that the subject has contemporary relevance and stressed the need to counter the deceptive attitude of the sellers. He said that consumer boycotts are uncommon in India. Tracing the history of the Consumer Protection Act he aptly remarked that the Act has changed the legal culture in India. He appealed to the Trainees in the programme and the prospective researchers to probe into the ways and means of taking the consumer rights to the door steps of the rural poor.

Prof. Beela Satyanarayana, Vice Chancellor, Andhra University the Chief Guest on the occasion stated that Consumerism is a universal concept and everyone including a manufacturer is a consumer as a purchaser of raw material. The students of the University are also consumers and have been claiming for knowledgeable services from the University. He called upon the researchers to take the benefit and encourage students to take up research in the area of consumer welfare. He urged the Indian Institute of Public Administration, New Delhi to support for starting a Sub Center of Consumer Studies at AU.

Prof. A. Subrahmanyam, one of the Course Directors briefed the gathering on the agenda of the Training Programme. He expressed gratitude to the I.I.P.A, New Delhi for collaborating with the Andhra University in organizing the Training Programme. He pointed out

that due care has been taken to get representation from different faculties besides the faculty members from various law colleges of the state.

Prof. Kesava Rao, Dean, Faculty of Law, Dr B.R. Ambedkar College of Law, AU and the Guest of Honor, explaining the attitude of the businessmen traced an event where the Pope was requested to change two words in the Prayer by a Multi Billionaire Businessman in America. He also cautioned about the Unfair Trade Practices especially the deceptive advertisements. He urged the researchers to create a conducive environment whereby the consumers do not get deceived in the market.

The Course Coordinators and the Project Directors Prof. Pranab Banerji and Prof. Suresh Misra from I.I.P.A. New Delhi were the Guests of Honor for the inaugural event. They stated that 'most of us are silent sufferers as consumers' due to lack of information and awareness. To enhance the training and research the DCA, Gol entered into an MoU with the IIPA for starting the Center for Consumer Studies. Since then IIPA have been training a number of stakeholders and as many as 150 research projects have been completed so far. They urged the prospective trainees to create awareness and empower consumers to take effective decisions to protect the common consumer.

The programme was divided into a number of thematic sessions. The programme commenced with an "Introduction to Consumer Protection", by Prof. Suresh Misra, Chair Professor and Coordinator, Centre for Consumer Studies, IIPA, New Delhi. He touched upon the aspects of consumer welfare in the present day context and explained how the consumers are deceived by gullible advertisements. He highlighted the plight of rural consumers due to lack of consumer awareness. The violations are found to be most common in the weights of goods in local weekly markets and gross irregularities in the implementation of the Consumer Protection Act and Weights and Measures Act are in vogue.

The second session of the programme was a lecture on "Sampling Research Design" by Dr. S. Sumitra, Associate Professor, Dr.B.R. Ambedkar College of Law, Andhra University. She highlighted the need for enhancing their knowledge base on research methodology. The lecture

focused on the kinds of research, such as doctrinaire or fundamental, empirical, comparative, analytical research and so on. Her lecture touched upon the need for undertaking interdisciplinary research, covering the sociological, psychological, economic, commercial and legal aspects aimed at consumer protection awareness building and welfare. The lecture gave deep insights for undertaking empirical research.

The importance of adopting the 'sampling techniques', which represent the views of the larger universe on the subject taken for investigation were highlighted. Kinds of sample, like, Random or probability sample, judgment or purposive sample, convenient sample and their advantages were dealt with exhaustively.

The last session on the first day was a lecture on "Research Methods- Qualitative studies" by Prof Pranab Banerji, Professor of Economics, I.I.P.A. New Delhi. He explained the importance of qualitative research for evolving new theories or knowledge addition. He called upon the need for undertaking evaluatory research, especially relating to government schemes and their impact on the poorer sections of the Indian society. Research on schemes like Swarna Jayanthi Shahari Rozgar Yojana and National Rural Employment Guarantee Scheme (NREG) and such studies provide the necessary direction for the government either to modify the mode of implementation or to completely discontinue the schemes. The participants were divided into three groups, and elicited their opinion for identifying six different research studies in the area of consumer protection and welfare. He concluded his lecture by noting that research must essentially contribute to the knowledge base aimed at establishing either commonality or distinctiveness.

The second day of the training programme, began with a lecture on "Consumer Education and Awareness" by Prof. K. Ramamohana Rao, Department of Commerce and Management Studies, Andhra University, Visakhapatnam. His lecture pointed out the varied nuances of consumer preferences and behaviour in the market driven economy. He stressed the need for the consumers to be vigilant about the available products and the need for protecting their legal rights especially under the Consumer Protection Act, 1986 and Competition Act.

The next session was on “Consumer Protection in India: Some Legal Issues” by Prof. A. Rajendra Prasad, Principal, Dr. B.R. Ambedkar College of Law, Andhra University, Visakhapatnam. His lecture centred on the cardinal legal principle of privity of contract, which essentially confers the right on the aggrieved party to sue the seller or the manufacture for defects in goods. He explained the legal provisions and remedies available to the buyers before the advent of Consumer Protection Act, 1986. However, he said that courts have come to the rescue of the buyers, especially quoting an important decision of the English court, in *Donoghue v. Stevenson*. In this context a reference was made to Lord Atkin, while explaining the contours of ‘neighbours rights’. He stressed the need to maintain ethical standards by the manufacturers and sellers, and called on them to exercise a great degree of care and to foresee possible injury to Consumer interests.

The lecture gave rise to pertinent questions, like, “do the consumers” need a special Law? If so, whether the existing laws have teeth and vigour to achieve the objectives? And thus was very interactive. He drew a comparative note on Indian Law with English Law and pointed out the evils of justice delivery system. He mentioned that the secondary function of state is to deliver justice. Reminding Salmond’s definition that, “Law is a body of principles recognized and applied by the State in the administration of Justice”, he explained the instances in which the consumers can redress their grievances under Consumer Protection Act, 1986 and discussed the cases filed under the Act. He dealt with the cases instituted on the ground of sale of defective goods or deficiency of services under the Consumer Protection Act, 1986. He dealt at length the legal and jurisdictional issues under the Consumer Protection Act, 1986. A vivid explanation on the plight of illiterate rural consumers was also given.

The next lecture was on “Consumer Protection Act 1986 and Unfair Trade Practices” by Prof. V. Kesava Rao, Dean, Faculty of Law, Dr. B.R. Ambedkar College of Law, Andhra University, Visakhapatnam. He noted the importance of protection of consumer interests against, 3Ds i.e., Defects in goods, Deficiency in service and Deception in trade practices. A lucid explanation of the key expressions, trade practice, representations and unfair trade practices under section 2 (1) (r) of Consumer Protection Act were given. He mentioned how most of the times, businessmen resort to false representations to promote their products by

misleading the consumers. According to him, not being just, honest, and upright can be termed as “Unfair Trade Practice”. He strongly believed that the consumers need to be made aware of the ways in which they are deceived, and explained how even educated people fall a prey to the bait of the sellers and manufacturers. This was supplemented by some lively illustrations. The ‘making of representations’ and ascertainment of their falsity form the key deterministic factor before the Consumer Disputes Redressal Agencies, and the higher judiciary. He discussed various important Supreme Court decisions promoting consumer welfare, which included: Hanuma v Meena Jewellers, [(1992) 1 CPJ 269, Purity of gold); M/s. Runwell Services Centre v. L.C. Toora [(1998) 1 CCC 91] on sale of reconditioned T.V. set as Unfair Trade Practice (UTP). Citing an instance of non-delivery of the promised prize as UTP, he referred to M/s. Hira Moti Spices Pvt. Ltd., v. Amarchand, [1998) 2 CCC (3)], wherein the Apex Court directed delivery of the ‘promised prize’ under section 14 (1) (d) of the Consumer Protection Act, [COPRA], 1986. He concluded his lecture by suggesting potential areas for undertaking research in consumer protection and welfare, viz. on “Awareness Levels of Consumers”, “Attitude of Consumers” and Assessment of Falsity etc.

The next two sessions were lectures on computer applications and Excel based E-views by Prof. P.S. Avadhani, Department of Computer Science and Systems Engineering, Andhra University. In his lecture on ‘Computer Applications’ he explained the rudiments of computer applications, like storage capacity of PCs and other hardware devices quoting specific examples of system software and application software. The examples of system software would be compilers of languages. C. Compiler and C++ compiler. The use of application Software, like MS Word, MS Excel, statistical packages like by SYSTAT, SPSS were discussed.

Further Prof. P.S. Avadhani also explained the use of Excel spread sheets for data recording and analysis & Techniques of data analysis by way of statistical applications. The use of graphs in research applications, recording data in MS Excel sheet were also explained.

The first session on the Third day was on “Research Methods and Quantitative Analysis”. Dr. S. Sumitra dealt with the research process in general, right from the selection of the research topic to report writing. She explained the need and process of evolving hypothesis.

She explained as to what is research, why do we need a research design, and what is observational research. The preparation of different kinds of tools based on the nature and scope of the research problems were also discussed.

Prof. Pranab Banerji covered areas like “Hypothesis, Testing Processing and Data Analysis. He involved all the trainees in identifying a topic to conduct a research on which hypothesis can be developed, tested and data analyzed. A hand on exercise was done in which data collection was done by circulating a questionnaire among the trainees. The typical excel sheet having columns namely size of the family, net income of family in rupees per month, wealth/assets, No. of TV watching hours and male/female. The entire population was assumed as all the trainees i.e. the 30 members divided into male and female. The data was collected. Then Prof. Banerji explained as to how the collected data can be analyzed using the Excel-sheet itself in a simple manner. Calculation of average and graphic presentation of the data was demonstrated. Thus, in view of the involvement of all the trainees and the demonstration method followed in explaining the concepts, Prof. Banerji explained the critical issues in the research, especially the concepts relating to collection of data, data analysis, framing and verification of hypothesis.

Prof. Rajendra Prasad, Principal, Dr BR Ambedkar College of Law, AU, Visakhapatnam presided over the Valedictory Function. He appreciated the trainees for their active participation and called for the feedback. Mr. B. Mohan Rao and Dr Lily Grace gave the feedback on behalf of the trainees. They appreciated the meticulous selection of the Resource Persons and the relevance of the issues on which they were enlightened in the Training Programme. They opined that they were involved in the sessions which enabled them to understand the critical subject of Research Design, Methods of Interview, Qualitative and Quantitative techniques of Research, the Consumer Protection Act and Unfair Trade Practices. ‘The essence of the outcome of the Research experience of the Resource Persons has been delivered to the trainees in simple and lucid form’ they said.

Prof. Rajendra Prasad thanked the I.I.P.A. New Delhi for extending the Resource Support to organize the three day training programme which was beneficial to the trainees. Prof. Y. Satyanarayana, Vice-Chancellor, A.P. University of Law, Viskhapatnam, the Chief Guest of

the Valedictory Session lamented that both the Consumer Protection and Right to Information are part of the Constitutional Right to Life and Personal Liberty. The researchers as well as the people in general must be in a position to differentiate between the 'need and greed'

Prof. P.V.G.D. Prasad, the Registrar of Andhra University who was the Special Guest of Honour, appreciated the collective efforts and team spirit of Dr B.R. Ambedkar College of Law for the effective conduction of the Training Programme. He requested the trainees not only to utilize the knowledge in the research and replicate the training programmes as Resource Persons but also to take it to the rural masses.

Prof. D. Surya Prakash Rao, the Chairman, Board of Studies, Law, AU also a Guest of Honour remarked that he indirectly participated in the sessions and got benefited while interacting with the Resource Persons who have articulated the general ideas of the trainees into a knowledge base. Prof. A. Subrahmanyam, the Programme Director, gave a brief presentation of the three day training programme and acknowledged the sponsorship and collaboration of I.I.P.A, New Delhi. Chair Professor, Centre for Consumer Studies and the Course Director, Prof. Suresh Misra and Prof. Pranab Banerji from I.I.P.A. New Delhi thanked the organizers and the participants and urged them to take up research in the area of consumer protection and welfare.

Views/Opinions of the participants on different aspects of the Training Programme are analysed and presented below: (Total views of 29 participants)

1. Please rate the structure and organization of the Course.

| | | | |
|-----------------------------|------------------------|-------------------------------|---------------------------|
| Very Well structured | Well structured | Somewhat un-structured | Very un-structured |
|-----------------------------|------------------------|-------------------------------|---------------------------|

| | | | |
|----|---|---|---|
| 21 | 8 | - | - |
|----|---|---|---|

2. How useful is the training to you immediately in your job?

| Very useful | Quite useful | Of limited use | Not at all useful |
|-------------|--------------|----------------|-------------------|
| 20 | 8 | 1 | - |

3. How useful is the training likely to be in future jobs that you may handle?

| Very useful | Quite useful | Of limited use | Not at all useful |
|-------------|--------------|----------------|-------------------|
| 12 | 14 | 3 | - |

4. How far have you been benefited from interaction with the fellow participants of the course?

| Extremely | Considerably | Fairly | Not at all |
|-----------|--------------|--------|------------|
| 14 | 10 | 5 | - |

5. How far was the course material supplied relevant and related to the course content?

| Extremely relevant | Considerably relevant | Fairly relevant | Not at all relevant |
|--------------------|-----------------------|-----------------|---------------------|
| 16 | 13 | - | - |

6. To what extent are you satisfied with the following?

| | Satisfied fully | Satisfied to a large extent | Satisfied to a limited extent | Not satisfied at all | NC/NA |
|---------------------------------|-----------------|-----------------------------|-------------------------------|----------------------|-------|
| a. Reception | 24 | 1 | 1 | - | 3 |
| b. Residential accommodation | 13 | 3 | - | 1 | 12 |
| c. Food quality and service | 25 | 3 | 1 | - | - |
| d. Class room Facilities | 26 | 1 | - | - | 2 |
| e. Interaction with the Faculty | 26 | 2 | 1 | - | - |
| f. Recreation Facilities | 12 | 3 | 1 | - | 13 |

7. Assessment of Training Faculty/sessions (29 Participants responded)

| Sl. No. | Topic | Name of Speaker | Assessment | | | | |
|---------|---|--------------------|------------|-----------|------|------|----|
| | | | Excellent | Very Good | Good | Fair | NC |
| 1. | Introduction to Consumer Protection | Suresh Misra | 23 | 5 | - | - | 1 |
| 2. | Sampling – Research Design | S. Sumitra | 18 | 9 | 1 | - | 1 |
| 3. | Research Methods: Quantitative | S. Sumitra | 15 | 10 | 1 | - | 3 |
| 4. | Consumer Education & Awareness | K. Ramamohan Rao | 16 | 6 | 6 | - | 1 |
| 5. | Consumer Protection Act | A. Rajendra Prasad | 21 | 5 | 1 | - | 2 |
| 6. | Consumerism and Unfair - Trade Practices | V. Kesava Rao | 28 | - | - | - | 1 |
| 7. | Research Methods: Qualitative, Interview, Questionnaire, Case Study | Pranab Banerji | 26 | 1 | 1 | - | 1 |
| 8. | Hypothesis, Testing Processing & Data Analysis | Pranab Banerji | 22 | 6 | - | - | 1 |
| 9. | Computer Application | P. S. Auodhem | 9 | 8 | 10 | 1 | 1 |
| 10. | Excel based/ E-views | P. S. Auadhem | 8 | 7 | 10 | 2 | 2 |

| | | | | | | | |
|-----|--------------------------|--------------------------------|----|---|---|---|---|
| 11. | Consumer Research Design | Pranab Banerji Suresh Misra | 23 | 4 | - | 1 | 1 |
|-----|--------------------------|--------------------------------|----|---|---|---|---|

8. Your overall impression of the course

| Excellent | Very Good | Good | Fair |
|-----------|-----------|------|------|
| 19 | 10 | - | - |

9. Did the course give you any specific ideas about how you can improve your work?

| Yes | No | NC |
|-----|----|----|
| 27 | 2 | - |

- Came to know about the grant provided from the CWF for research in consumer protection and Consumer welfare.
- Knew about the areas in which research work is required to be undertaken
- Imparted skills to complete project work in time.
- Will definitely help in generating awareness among the students.
- Will organize consumer awareness programmes frequently through different organizations.
- Will help me to do research study and programme.
- Helped me in improving my research skills.

- Imparted knowledge on Consumer Protection and Consumer Welfare.
- It will be useful in preparing research design and doing research in the area.
- Gave useful information on various techniques and computer application.
- Gave useful information on defective goods and deficient services under CPA.
- It helped to develop research skills and innovative thinking to do research.
- The programme helped in improving knowledge and also in research work.
- Imparted knowledge regarding the areas in consumer protection where problem persist and need for research is there.
- We will educate the rural people and conduct campaign there.
- Capacity building programme is very useful

10. Any other Comment / observations you wish to make about the course?

- ◆ Make early intimation about organization of such programme.
- ◆ Every one in the society should be made aware about Consumer Protection Act
- ◆ Very useful course.
- ◆ For computer related research work taking the participants to the computer lab is very useful.
- ◆ Arrange this type of programmes in major universities.
- ◆ Course useful for all.
- ◆ Satisfied with the training programme which gave a lot of idea and strength to do research on the subjects related to consumer protection and welfare.
- ◆ The period of training may be increased to seven days dso that the techniques can be covered in detail.

We would like to place on record the practice followed in the Indian Institute of Public Administration to give due consideration to the views/suggestions of the participants in regard to the course contents and design of the programme at the time of restructuring the training programme. The views/comments of the participants, therefore, will certainly be considered next time, while designing the programme.

The report would be incomplete, if we do not record our appreciation to the Faculty, Officers and staff of Dr B. R. Ambedkar College of Law, Visakhapatnam for their help. However, Prof. Y. Satyanarayana, Prof. HCM Patro, Prof. D. Sury Prakash Rao, Prof. Prasad Reddy, and Dr. Vijayalakshmi and other staff deserve special mention for their support.

We would also like to take this opportunity to acknowledge our thanks to Sh. B. S. Baswan, Director, IIPA for his guidance and encouragement. The Secretary, Additional Secretary and Joint Secretary, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Government of India, deserve special thanks for sponsoring the Centre for Consumer Studies and reposing confidence and trust in the Indian Institute of Public Administration, New Delhi.

(Suresh Misra)

(Pranab Banerji)

Programme Directors