



CONSUMER UPDATE

Understanding the role of Legal Metrology Act in consumer protection (Part II)

Filing of Complaints and Appeal

As consumers, complaints can be lodged against individuals that use any weight or measure that contravenes standards, in any transaction, industrial production, or protection, (i.e., against a manufacturer, retailer, wholesaler, dealer, repairer of any weight or measure, importer, and/or packer of any weight, measure, or number-related item) to the District Legal Metrology Officer or the Commissioner of the respective states.

Aggrieved persons can file a complaint through the online platform - <https://consumerhelpline.gov.in/>, which will be forwarded to the appropriate officer for grievance redressal. One can register complaints by call on 1800-11-4000 or 1915 or through SMS on 8800001915.

In Tamil Nadu, the Department of Labour has initiated the Legal Metrology Complaint Tracking System enabling the consumers to file complaints through online web portal - <https://tnlegalmetrology.in/> or through the mobile application, TN - LMCTS, with options of voice recording and video recording. Consumers may also file quick complaints by taking and uploading photographs of the commodity or the shop. Grievances related to weights and measures, MRP, packaged commodity regulations, etc. are addressed by respective staffs of the department with online tracking facilities and SMS updates to the complainant.

When such individuals against whom the complaint was filed and given the legal notice do not agree with the charges or decisions of lower authority, they may seek reconsideration or review under **Section 50** of Legal Metrology Act that provides for appeal to higher authority. Appeal from the lower authority is to be done within 60 days from the date of order or decision issued by the previous officer.

Thus an appeal under Section 50 of Legal Metrology Act is as follows:

- The person not agreeing with the charges to the legal notice issued by the Inspector/ Officer of legal metrology of any violation or wrong against the Act, may appeal against the order or decision of the Officer to the Director of legal metrology;
- Decisions from the Director of Legal Metrology or Controller of Legal Metrology under delegated powers of Director Legal Metrology are appealed to the Central Government;
- In case there was no compounding of offence or no appeal was filed to the controller or the state government, the legal metrology officer may file the case in the court and initiate legal proceedings. The decision then lies in the court if the punishment given by the officer is to be upheld or rejected.

(to be contd...)

Consumer Awareness Programmes on Telecom Services



Citizen consumer and civic Action Group (CAG), in association with the Telecom Regulatory Authority of India (TRAI), organised consumer awareness programmes on telecom services in 3 districts (Ulundurpet Taluk in Kallakuruchi District, Uthangarai Taluk in Krishnagiri District and Koliyanur Block in Villupuram District) of Tamil Nadu over August 2023.

The programmes were conducted to educate consumers on TRAI's various consumer-friendly regulations and the support available for consumers in grievance redressal.



These programs saw a total of around 400 participants including telecom consumers, representatives from consumer organisations and executives from BSNL, Vodafone, Airtel and Jio who actively took part in the meeting.



Telecom service providers explained their consumer friendly plans and consumer redress methods, in addition to answering the queries raised by consumers on Mobile Number Portability (MNP), poor call connection in certain networks, discrepancy in recharge plans, unsolicited commercial communications (UCC) received despite registering with DND, difference in data quality during different times in a day, difficulty in connecting with customer care and so on.

Harnessing Patient Voices for Hypertension - Patient Gathering in Thiruvannamalai

CAG organised a meeting on the 28th August in Thiruvannamalai district of Tamil Nadu with 30 hypertensive patients who were mostly women daily wagers. The attendees mainly accessed their healthcare via Primary Health Centres (PHCs), using this provider for regular check-ups, treatment and drug procurement. For this meeting, CAG prepared a short survey to gain patients' perspectives of the disease, the functioning of PHCs, the treatment adherence, patient follow-up and drug availability in the PHCs. The initial findings revealed that the functioning of PHCs were good and the Tamil Nadu government scheme named 'Makkalai Thedi Maruthuvam' which is a door-to-door screening and detection of health issues, especially of diabetes and hypertension among the lower income groups, was successful. The scheme provides required medicines to every individual at the doorstep. The survey participants confirmed effective patient follow-up and treatment for hypertension. The concerns raised by the survey was the young age of hypertensive patients (several women in their early thirties were hypertensive), non-availability of doctors in the PHCs during working hours and uncertainties around understanding treatment protocols which could result in lower compliance.



WHO releases policies to protect children from harmful effects of food marketing

The World Health Organisation on July 3rd released a new set of guidelines to curtail the practice of aggressive promotion of food marketing to children of all ages. The guidelines found that most of the food materials that were marketed were high in saturated fatty acids, trans-fatty acids, free sugars and / or salt, otherwise commonly known as HFSS. The organization also noted that food marketing was prevalent in spaces such as "schools and sports clubs where children gather; during children's television viewing times; digital spaces popular among young people; and in magazines targeting children and adolescents". The evolution of the marketing media, specifically the advent of digital media also presents a cause for concern as the penetration of advertisements increases over time. WHO also suggested that when policies are formulated, the cultural context of the country should be kept in mind as dietary practices can vary from country to country. WHO called upon governments to establish strong and adequate restrictions on aggressive marketing of harmful foods that will go a long way to protecting children's health. There was also a survey that was conducted by Centre for Science and Education in India to understand the constituent nature of the dietary practices of Indian children. The survey found that packaged food was more popular among students than non-packaged foods and that 53% students consumed packaged foods or beverages at least once a day.

Source: [Down to Earth](#)

NCDRC critiques Railways for demanding ‘Original’ Tickets

Katihar-based Birendera Kumar Paswan had booked two tickets, one for himself and the other for his mother, to travel from his town to New Delhi on 25 August 2019 by Rajdhani Express. He paid Rs 4,820 for the two tickets. When they reached New Delhi railway station, the chief ticket examiner stopped them and asked them to show the tickets in 'original'. Mr Paswan told the chief ticket examiner that the tickets were booked in advance for reserved berths and showed him the tickets along with all relevant documents and proof. The chief ticket examiner, however, took the view that they were not carrying 'original' tickets and made them pay a penalty of Rs 5,150 before letting them exit. Aggrieved by this act of the railway official, Mr. Paswan approached the Consumer Fora for redress. The National Consumer Disputes Redressal Commission (NCDRC) came down heavily on the railways for this discrepancy in conduct and ordered the railways to return the penalty of Rs 5150 charged, along with an interest of 9% per annum from the date of journey, and Rs 5000 for mental agony and Rs 25,000 towards litigation fee. Source: [Money Life](#)

Insurance firms can't randomly decide on medical expense limit

Mayur Pamar, a 61 year old man from Vadodara was denied full payment for his cataract treatment by the insurance company citing that the expense for the treatment wasn't customary and reasonable. Though later the insurance company, Oriental Insurance Company Ltd agreed to cover the claim partially by paying Rs 49,000, Mr Pamar filed a complaint against the company at the Vadodara District Consumer Disputes Redressal Commission and demanded a full reimbursement of medical expenses. He claimed in his complaint that the insurer wrongly interpreted the policy's claims and partially rejected his claims. After hearing both sides, the Commission ruled that the policy does not specifically mention what "customary and reasonable" grounds are as cataract surgery is common and pointed out that the doctor fee and the lens fee varies depending on the hospital and the insurance company cannot determine what are and are not necessary medical expenses. The Commission observed the partial claim rejection as unreasonable and directed the insurer to pay the remaining amount paid for the surgery (which was Rs 1,15,000) along with 9% interest, in 2 months. Source: [Times of India](#)

IIT Madras Research Scholar gets compensation for faulty iphone

Aditya Chandel, a research scholar at IIT Madras took Apple Inc to the District Consumer Disputes Redressal Commission, representing himself for the case and successfully received compensation of Rs 43,500. Chandel took the multinational giant to court after his Iphone 6 exhibited faulty behavior multiple times even after replacing the phone thrice during the two year period between October 2016 to January 2018. According to him, his phone froze abruptly during the day and Chandel was unable to remove the battery himself, instead having to travel to the nearest iphone service center repeatedly. Even though the phone was replaced thrice, each of the new models malfunctioned which cost him multiple trips to the service center, where the phone would be kept for extended periods from anywhere between twenty to thirty days, costing him a lot of money. Additionally, the service center did not provide a backup phone. As matters got tedious, Chandel finally approached the District Consumer Commission and filed a case, which he won. The Commission ordered the tech giant to pay Chandel the cost of his faulty iphone, the money he spent on repairs and to compensate for the loss of time and peace.

Source: [The Hindu Business](#)

Restaurant fined for not giving Sambhar with Dosa

A restaurant in Bihar's Buxar region was fined for not giving Sambhar with a dosa order of Rs Rs 140, on a takeaway order. When asked by the customer Mr Manish, the restaurant passed a comment about whether he needed the whole restaurant for the money he paid, instead of providing a proper response. Manish, being a lawyer, sent a legal notice to the restaurant, which the restaurant failed to respond to. Manish filed a complaint before the District Consumer Commission mentioning "mental, physical and economic" stress caused to him because of the incident. Hence, the restaurant was fined Rs 3500 and was given 45 days to pay the fine. Upon failing to pay within the stipulated time, the restaurant will have to pay an additional 8% interest to the fine amount. Source: [Times of India](#)

Ola, Uber செயலியில் முன்பதிவு செய்த பிறகு, ஓட்டுநர்கள் பயணத்தை ரத்து செய்தால் நீங்கள் என்ன செய்ய வேண்டும்?

முன்பதிவு செய்துவிட்டு ஆட்டோ, டாக்ஸி சேவைகளை ரத்து செய்பவர்கள் மீது புகார் அளித்து அபராதம் விதிக்கும் பணியை சென்னை மாநகர போக்குவரத்து காவல் துறை தொடங்கியுள்ளது. பயணிகளை ஏற்க மறுக்கும் அல்லது முன்பதிவை ரத்து செய்யும் டாக்ஸி மற்றும் ஆட்டோ ஓட்டுநர்கள் மீது அருகில் உள்ள போக்குவரத்து காவல் நிலையத்திலோ அல்லது அருகிலுள்ள காவல் நிலையத்திலோ புகார் செய்யலாம், என்று சென்னை போக்குவரத்து காவல்துறை இணை ஆணையர் திரு. மயில்வாகனன் கூறினார்.

புகாரளிப்பதற்கான வழிகள்

மோட்டார் வாகனத் திருத்தச் சட்டம் 178(3)(a) பிரிவின்படி, மூன்று சக்கர வாகன பயணிகளை ஏற்றிச் செல்ல மறுக்கும் ஓட்டுநருக்கு ரூ. 50ம், நான்கு சக்கர வாகனங்களில் பயணிகளை ஏற்றிச் செல்ல மறுக்கும் ஓட்டுநருக்கு ரூ. 500 அபராதம் விதிக்கப்படும் என அறிவிக்கப்பட்டது. இதைப் பற்றி போக்குவரத்துத் துறைக்கு தெரிவிக்க, **1800 425 5430** என்ற கட்டணமில்லா எண்ணில் தொடர்பு கொள்ளலாம் அல்லது www.tnsta.gov.in என்ற போக்குவரத்து துறையின் இணையதளத்தில் புகார் தெரிவிக்கலாம். இதேபோல், சென்னை மாநகர போக்குவரத்து காவல்துறையின் காவல் கட்டுப்பாட்டு அறை எண் **100** அல்லது போக்குவரத்து காவல் கட்டுப்பாட்டு அறை எண் **9003130103** ஆகிய எண்களிலும் புகார் தெரிவிக்கலாம். Source: BBC Tamil

National Consumer Helpline - Consumer grievances or complaints can be now registered and tracked in WhatsApp by sending a message to 8800001915



CAG

Citizen consumer and civic Action Group

CAG is a 37 year old non profit, non political, professional organization working towards protecting citizen's rights in consumer and environmental issues and promoting good governance including transparency, accountability and participatory decision making.

The complaints cell at CAG addresses specific problems of consumers. Also CAG regularly conducts consumer awareness programmes for schools, colleges and special target groups.

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