



CONSUMER UPDATE

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

Licensing requirements under the Act

Any weights or measurements should be validated before being used in a transaction. The weights and measures that must be confirmed by Government Approved Test Centers are determined by the Central Government. The test centres will be informed by the central and state governments.

[Section 19](#) of the Act mandates that every person who imports any weights and measures to register with the Director of Legal Metrology as an importer. The holder of this certificate, as importer, must ensure that the model of weight or measure imported is approved by the Central Government before sale in India.

[Section 23](#) of the Act prohibits any manufacturer, repairer or dealer to manufacture, repair or sell such weights or measures without a licence from the Controller of Legal Metrology.

The Legal Metrology Act, 2009 encompasses a wide range of provisions that govern various aspects of measurement standards and practices by mandating the use of verified and calibrated weighing and measuring instruments. It is vital to raise awareness about the Act and its implications, thus protecting consumers from malpractices and ensuring transparent trading. **[Concluded]**

CAG's Green Action Week Campaign



Single-use plastics define unsustainable consumption and lead to environmental degradation. In order to share knowledge on the detrimental effects of single-use plastics, CAG planned activities in a chosen low-income community in Chennai, which included a school.

Initially, a baseline survey was conducted in 200 households in the community to understand their perspective on the harmfulness of plastics. A few findings include that 99% of the respondents were aware of the plastic ban in Tamil Nadu but they claimed that the ready availability of single-use plastic encouraged their continued usage. 44% of the respondents identified information paucity as a major reason for using plastics. 30% believed conscious behavioural practices like always carrying a cloth bag, or keeping one in a conspicuous location would remind them to carry their own bags, thus avoiding plastics. 26% reported the need for awareness programs to help them recall the harms of single-use plastics, and make appropriate choices on a regular basis.

The survey findings helped us see the need for continued awareness building exercises. Later, in order to create awareness, CAG developed a [pamphlet](#) on single-use plastics titled 'Oh No! It's Plastic' in English and Tamil. During Green Action Week, CAG organised competitions among students, street play in the school and community, along with screening an awareness video '[Plastic Pankaj](#)', created by CAG, highlighting the harms of plastics. Competitions included writing essays and story-telling on the detrimental effects of plastics. Winners were given cash prizes while all the participants were presented with certificates. CAG also discussed the need for sustainable consumption, and the importance of the 3Rs - Refuse, Reduce and Reuse. Another event, 'Surprising Shoppers' was organized to encourage shoppers to shift away from plastic usage. At certain locations, shoppers



who had come prepared with their own shopping bag, was surprised with a gift! At the end of the week's activities, a survey was conducted to understand changes in attitudes among the community households towards single-use plastics.

Meeting with hypertensive patients in Kolar District, Karnataka

CAG met with hypertensive patients visiting Primary Health Centres (PHC) in the Kolar district of Karnataka on the 27th of October, 2023 to understand the functioning of PHCs from the patients' perspective, and to gain insights on doctor's availability, drug administration and treatment protocols followed for hypertension. We had the opportunity to speak with a doctor from the PHC, as well. The main problem highlighted during the meeting was that patients were not able to access medicines from government pharmacies and had to rely on private ones. This created a big dent in their monthly income as close to 1500-2000 rupees was spent on procuring medicines. It was also found that since hypertensive patients were treated only once a week, mainly on Fridays, this created an additional burden wherein people had to make themselves available on that day. This could potentially result in a loss of wages.



FSSAI emphasises the quality of delectables this festive season

In view of the upcoming festive season, The Food Safety and Standards Authority of India met with around 150 business operators, on the 25th of September, to insist on adherence to the safety and quality of their ingredient raw materials and other edibles such as milk, ghee, khoa, paneer etc. The focus of the meeting was to alert Food Business Operators (FBO) to the risks of adulteration and emphasise on the compliance to be followed with respect to cooking oils. Also, the meeting discouraged the display of sweets in 'loose' which could potentially lead to contamination. FBOs were also informed during the meeting that 4000 state-level officers across the country would supervise food operations over the festive season. Source: [FSSAI](#)

ITC to pay compensation for one missing biscuit

The FMCG giant was ordered to pay a compensation of Rs. 1,00,000 for having made a promise of 16 biscuits in a packet of Sunfeast Marie Light whilst there existed only 15 biscuits in the packet bought by Mr. Dillibabu. Upon filing a complaint against the missing biscuit, he demanded a Rs.100 crore penalty and an additional Rs.10 crore for unfair trade practices and deficiency in service. This was contested by ITC that the biscuits are sold on weight and not by numbers but the Tiruvallur District Consumer Disputes Redressal Forum rejected the contention and stated that consumers' buying decision depends upon printed information available on the wrapper and held ITC to be liable for unfair trade practice, deficiency in service and misleading the consumer. Source: [India Today](#)

Indian Railways to pay Rs.60,000 as compensation for train delay

The Ernakulam District Consumer Disputes Redressal Forum ordered Indian Railways to pay Rs.60,000 as compensation for the 13-hour delay of 22640 Alappuzha-Chennai Express, which disrupted the plans of the complainant and caused him great mental agony. The case was filed by Mr Karthik Mohan, who happened to travel on the train to attend a business meeting in Chennai. The Railways responded by stating that all the passengers onboard were informed through SMS regarding the delay due to the reconstruction work at Arakkonam. However, the court held Railways to be accountable for negligence.

Source - [Hindustan Times](#)

Bank to compensate for cyber fraud

A Navsari resident, Vidhi Suhagiya became a victim of cyber fraud wherein, a sum of Rs.59,078 was debited from her SBI bank account, without her knowledge. Upon registering a complaint, the police managed to save Rs.19,500. The SBI, on the other hand, considering its technological capabilities, failed to take action despite being informed on the same day. When the matter reached the Navsari Consumer Disputes Redressal Commission, it ordered the bank to pay compensation of Rs.39,578 and came down on the bank which argued it was the consumer's carelessness that led to the fraud and highlighted the bank's inaction. But the Commission rejected the bank's argument stating the bank didn't provide evidence of any action being taken upon submission of the complaint. Source - [Times of India](#)

Flipkart pays compensation for cancelling order

Mr Gandhi Behara lodged a complaint against Flipkart when he found his order to be cancelled without his consent. He had ordered a pair of shoes originally priced at Rs.4,999 at an offer price of Rs.975. His order was cancelled by Flipkart with no explanations given, even when he specifically requested it. However, when he approached the Gujarat District Consumer Commission, it held Flipkart to be liable and ordered it to pay Rs.20,000 for mental harassment. Source: [Latest Laws](#)

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](#)

IKEA pays compensation for Rs. 20 logo-printed carry bag

The Bangalore branch of the Scandinavian IKEA Furniture chain store was forced to pay a compensation of Rs. 3000, along with litigation costs, for charging the complainant, Ms Sangeetha Bohra from Bangalore, Rs. 20 for her IKEA logo-printed carry bag. Upon questioning the same, it was stated that there was no unfair practice carried on by the multinational furniture retailer. The Judges of the Bengaluru Consumer Commission disagreed with the argument put forth by IKEA and stated that all the expenses with regard to the delivery of goods shall be paid by the seller. Hence, the company was held liable for deficiency of service and unfair trade practices. Source: [Economic Times](#)

Reimbursement of insurance for not exceeding 24 hours stay in the hospital

The Ernakulam District Consumer Disputes Redressal Commission stated that given the present-day technological advancements, it is an infringement of consumer rights to deny insurance to patients for less than a day's stay in the hospital. This cropped up when Mr John Milton lodged a complaint stating that his mother was denied reimbursement of insurance for myopia treatment in the hospital wherein, she was discharged within a day. The Commission also highlighted the IRDAI's notification that specified the particular injection used in the myopic treatment is covered under insurance and therefore the company is obliged to pay the sum. Source: [Live Law](#)

District Collector and cinema complex held liable for lack of access to disabled people

The complaint was filed by one Mr Sureshkumar, who had a locomotor disability. He was appalled to find out that there were no ramps or elevators to access the second floor of Gokulam Cinemas, to watch the film for which he booked the ticket. He registered the complaint against the District Collector for issuing the licence to the cinema hall and against Gokulam Cinemas for violating the Disability Act of 2006. The Thiruvallur District Consumer Disputes Redressal Commission held them both jointly liable and ordered a compensation of Rs.1,00,000/- to the complainant. Source: [Legal Era](#)

MRPயை விட ஒரு ரூபாய் அதிகம் விற்ற துணிக் கடைக்கு ஒரு லட்சம் அபராதம்

சென்னை பூந்தமல்லியில் வசிக்கும் திரு. எம்.சதீஷ், ஏப்ரல் 2022-இல், சென்னை சில்க்ஸ், திருவள்ளூர் கிளையில் ரூ.2,545/-க்கு ஆடைகள் மற்றும் காலணிகளை வாங்கினார். ஒரு ஜோடி செருப்பின் அதிகபட்ச விலை (MRP) ரூ.379/- என்று போட்டிருந்தது. ஆனால், அது நீல நிற பேனாவால் அடித்து, புதிய MRP ரூ.380/- என எழுதியிருந்தது. உண்மையாக அச்சிடப்பட்ட MRP-யை விட ரூ.1 கூடுதலாக இருந்தது. இது இந்திய நுகர்வோர் பாதுகாப்புச் சட்டத்துக்கு எதிரானது என்று திரு. சதீஷ் அங்கிருந்த ஊழியர்களிடம் முறையிட்டபோது, அவர்கள் அது குறித்து தங்களுக்கு எதுவும் தெரியாது என்று கூறினர். பின்னர், அங்குள்ள விற்பனை மேற்பார்வையாளரிடம் புகார் செய்தார். ஆனால், அவரும் உரிய பதிவை அளிக்கவில்லை. மாறாக, திரு.சதீஷை அவமானப்படுத்தும் வகையில் பேசியுள்ளனர். அவர்கள் உரிய பதிவை அளிக்காததால் ஏமாற்றி விட்டதாக மாவட்ட நுகர்வோர் குறைதீர் மன்றத்தில் திரு. சதீஷ் சென்னை சில்க்ஸ் மீது வழக்கு தொடர்ந்து, ரூ. 15 லட்சம் இழப்பீடு வழங்க வேண்டும் என்று கேட்டார். அதே நேரம், வாடிக்கையாளரை யாரும் அவமதிக்கவில்லை என்றும், ஆதாரங்களை அழிக்க யாரும் முயற்சிக்கவில்லை என்றும் சென்னை சில்க்ஸ் தரப்பினர் வாதிட்டனர். இரு தரப்பு வாதங்களையும் கேட்ட பிறகு, குறைதீர் மன்றம் MRPக்கு மேல் 1 ரூபாய் என்பது குறைந்தபட்ச தொகை என்றாலும், இது நியாயமற்ற வர்த்தக நடைமுறை என்றும், நுகர்வோருக்கு நஷ்டத்தை ஏற்படுத்துவதாகவும் கூறி திரு. சதீஷுக்கு இழப்பீடாக ரூ.1 லட்சமும், வழக்குச் செலவுக்காக மேலும் ரூ.5 ஆயிரமும் சென்னை சில்க்ஸ் வழங்க வேண்டும் என்று உத்தரவிட்டது. Source: [Tamil One India](#)



CAG

Citizen consumer and civic Action Group

CAG is a 38 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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