



Food, Civil Supplies and  
Consumer Protection  
Department, Maharashtra



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# CFBP TIMES

DECEMBER, 2019 - JANUARY, 2020

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The Awards are conferred every year on business and associations, which display an outstanding commitment to Fair Business Practices. It comprises the prestigious CFBP Trophy and a laudatory Citation.

The Awards are open to all Public/Private Sector, Co-operative Ventures, Service Industries, Partnership and Proprietary business, Federations/ Chambers of Commerce, Trade Association and Charitable organizations from all over India.

The Council for Fair Business Practices (CFBP) is a unique, self regulatory body of business and industry dedicated to upholding the voluntary Code of Fair Business Practices. Formed in 1966, CFBP instituted these Awards in 1988 in memory of the Shri Jamnalal Bajaj to honour those who adhere to Fair Business Practices in the interest of the consumer and the community at large.

For Details Contact:

## Council For Fair Business Practices (CFBP)

Great Western Building, 130/132, Shahid Bhagat Singh Road, Opp. Lion Gate,  
Next to Cama Hall, Mumbai 400 023.

Phone: 2288 5249, 2284 2590 Fax: 2284 4783

E-mail: [cfbpoffice@gmail.com](mailto:cfbpoffice@gmail.com) Website: [www.cfbp.org/www.ccr.in](http://www.cfbp.org/www.ccr.in)

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## HEARTFELT FROM THE PRESIDENT



**Swapnil S. Kothari**  
President

I love both – the end of the Previous Year and the onset of the New Year. The New Year always presents a dream, an opportunity, a calling, a goal and a nostalgic thought of the year that has gone by. And just at the end of the previous year, the illustrious *TIME* magazine comes out with the *Person of the Year*. This time, it was the Swedish teenager Greta Thunberg. All I did was marvel at her fearlessness and at *TIME*'s choice – both clearly telling the world that the *youth* is at the centre-stage. The *youth* works hard and shrieks harder!! We at CFBP are no different. We work hard to ensure that the *Consumer* gets his due and the *Manufacturer* lives up to his/her promise. We yet have to shriek harder!

Myself with my colleague Anand Patwardhan had an opportunity to tie up with the Rotary Club, North End and deliver a lecture on the amended Consumer Protection Act, which was attended by a large eager audience. We, as lawyers, attempted to answer every possible query that arose out of our talk along with that of the Club President and Industrialist Mr. Sandeep Kedia. Also, we are hopeful of securing a few more members at all levels of our memberships given the tremendous interest shown by the audience in CFBP and its activities.

We are also glad to have one of our Invitee members contribute a beautiful poem on what we should all strive to achieve in the coming year. Also, one of our esteemed Advisory Board members has written on MSMEs having the potential to be the driver for the country's economic growth. As the speakers for the first Women's Rights Seminar have been finalised, we expect to host the same in the last week of February or the first week of March. It will surely project CFBP as one of the leading non-governmental organisations in dealing with topical issues that plague our nation today.

We are also preparing now for our flagship programme, the Jannalal Bajaj Uchit Vyavahar Puraskar to be held in the last week of March. It promises to be another blockbuster with some fantastic entries already received and organisations competing with each other to be crowned the winners. That's the kind of competition we like and endorse!!

When I gathered my bearings, I realised that the evil triumphed in this world not because bad people had something to say, but because good people kept silent. I am ensuring that CFBP does have a say in everything - not with a jejune perspective but from a perspicacious prism. I end with a quote from that all-time great Greek philosopher,

*Wise men speak because they have something to say;  
fools because they have to say something.*

Plato

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be harsh  
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**Purifying Neem Face Wash**

## Seminar - "Consumer Protection Act"



### CFBP Jointly with Rotary club of North End " Consumer Protection Act "

#### Distinguished Speakers :

Mr. Swapnil Kothari, Advocate & Solicitor (England and Wales)

Mr. Anand Patwardhan, Advocate

&

Rtn. Sandeep Kedia, Industrialist

On Wednesday, 11<sup>th</sup> December, 2019 at 8.00 p.m.

#### Venue:

The Club, Senate Hall, 197, D. N. Nagar, Shakti Nagar,  
Shanti Nagar, D. N. Nagar, Andheri (West) Mumbai 400053.

**Shelly Gupta (Chairperson)**  
Programmes Committee, CFBP

**Swapnil Kothari**  
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# Seminar - "Consumer Protection Act"







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## Here's how consumers will benefit under the new Consumer Protection Act

**The new Consumer Protection Act proposes a slew of measures and tightens the existing rules to further safeguard consumer rights.**

Consumers can cheer as the Consumer Protection Act, 2019 has recently replaced the three decade old Consumer Protection Act, 1986.

The new Act proposes a slew of measures and tightens the existing rules to further safeguard consumer rights. Introduction of a central regulator, strict penalties for misleading advertisements and guidelines for e-commerce and electronic service providers are some of the key highlights.

### Consumer Courts

Consumer redressal commissions, aka consumer courts, are present at the district, state and national levels to address consumer complaints. The Act has increased the pecuniary jurisdiction, which means ability of courts to take up cases depending on the value of the case, of the consumer courts. "Since access to district courts is better compared to state and national commissions, the increase in limit to Rs 1 crore of district courts will be a convenience point," says M.R. Madhavan, Co-Founder and President, PRS Legislative Research.

Another crucial change says that now the money spent on buying the product till that time will determine the value of the case as opposed to the previous parameter of total value of the purchased

goods/service. "Say something is bought on discount, it's only fair that the amount the consumer has paid is the determiner in place of the MRP," says Madhavan.

In another move, the Act allows consumers to file their complaint with the court from anywhere. This comes as a big relief as earlier they were required to file complaint in the area where the seller or service provider was located. This is a fitting move considering the rise in e-commerce purchases, where the seller could be located anywhere. In addition, the Act also enables the consumer to seek a hearing through video conferencing, saving him both money and time.

### What has changed in the new Act?

This amended Consumer Act is a very welcome instrument to provide for protection to consumers.

### Product liability

The Act has proposed provisions for product liability under which a manufacturer or a service provider has to compensate a consumer if their good/service cause injury or loss to the consumer due to manufacturing defect or poor service. For instance, if a pressure cooker explodes due to a manufacturing defect and harms the consumer, the manufacturer is liable to compensate the consumer for the injury. Earlier, the consumer would only be compensated with the cooker's cost. The consumer could ask for compensation, but through a civil court, which usually takes years to resolve a case, and not consumer forum.

The most significant impact of this provision will be on e-commerce platforms as it also includes service providers under its ambit. "Product liability is now extended to service providers and sellers along with manufacturers. This means e-commerce sites cannot escape as aggregators anymore," says Mukesh Jain, Founder, Mukesh Jain & Associates.

## E-Commerce under the Radar

E-commerce will now be governed by all the laws that apply to direct selling. The guidelines propose that platforms like Amazon, Flipkart, Snapdeal etc will have to disclose sellers' details, such as their address, website, email, etc and other conditions related to refund, exchange, terms of contract and warranty on their website to increase transparency.

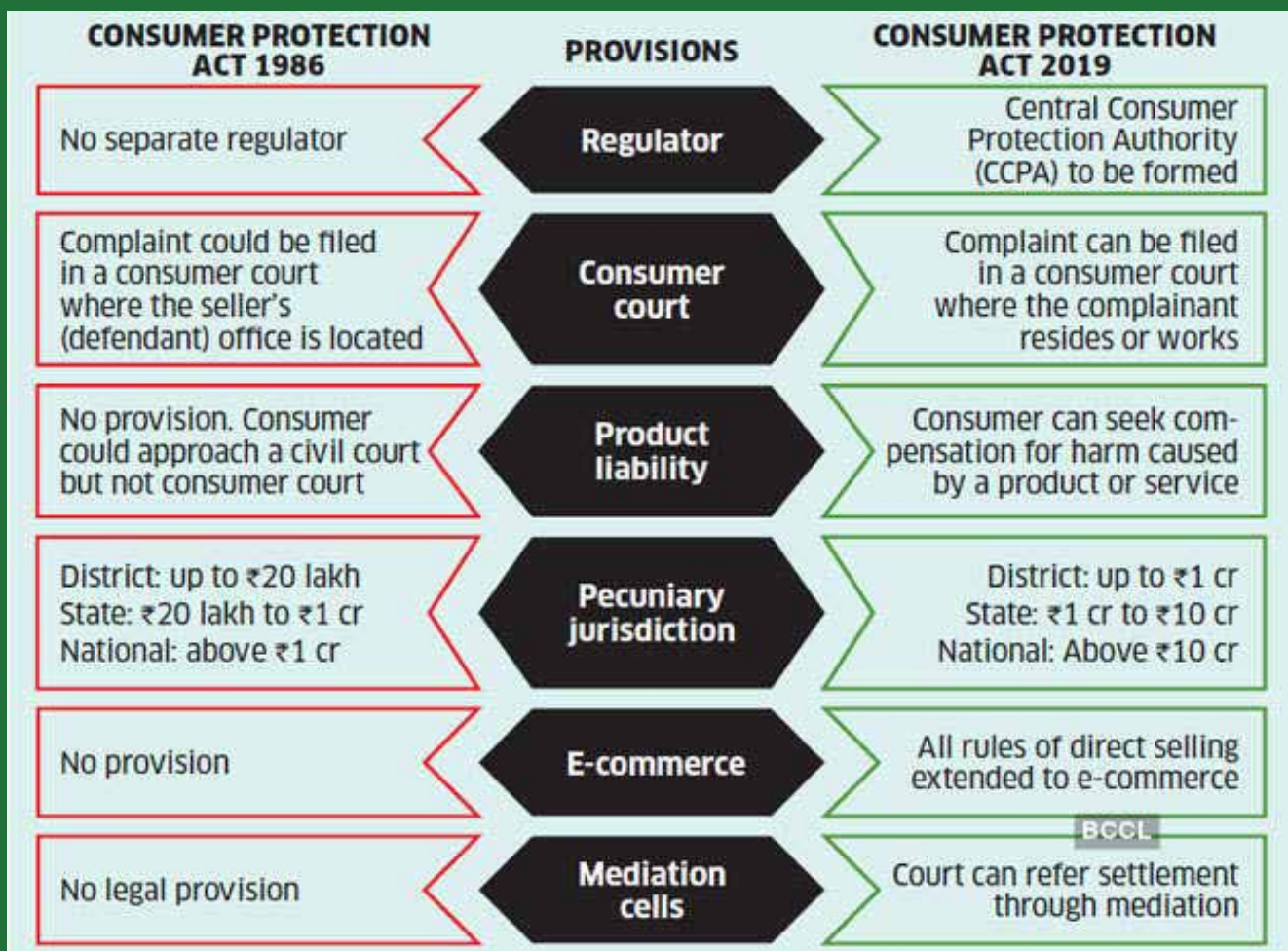


The onus of ensuring that no counterfeit products are sold on these platforms will also most likely lie with the companies. If any such product is reported or recognised, the company could be penalised.

This move is fitting since cases of fake products sold through e-commerce platforms is rampant. A survey by a social community platform LocalCircles conducted in December last year showed that 38% respondents out of 6,923 were sold counterfeit products from an ecommerce site in one year. These guidelines are open for public comment until 15 September.

## Separate Regulator

The Act proposes establishment of a central regulator, Central Consumer Protection Authority (CCPA), to address issues related to consumer rights, unfair trade practices, misleading advertisements and impose penalties for selling faulty and fake products. Broadly, regulatory moves of CCPA will be directed towards the manufacturers, sellers and service providers and will not address customers' grievances and disputes directly. Nevertheless, the overall purpose of CCPA is to strengthen the existing consumer rights.



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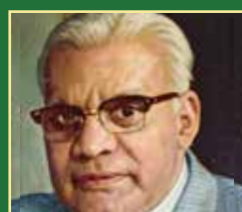
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## CODE OF CONDUCT

### TO

- Maintain the highest ethical standards in business and professions.
- Ensure maximum transparency to the satisfaction of consumers and other stakeholders
- Consider objectively the viewpoint of the consumers
- Satisfy the consumer with prompt, efficient and friendly service at a reasonable price.

### NOT TO

- Use media to mislead consumers
- Knowingly support activities which are against the laws of the land
- Misuse an advantageous market position to the detriment of consumers

Always lagega  
sweater aaj hi  
khareeda hai.

Ezee ka No soda formula andar jaakar  
safaai kare aur Micro-conditioners reshon  
ko rakhein soft, shiny aur naye jaisa.



Liquid Detergent with  
Micro-Conditioners

## MICRO SMALL & MEDIUM ENTERPRISES A DRIVER OF ECONOMIC GROWTH IN INDIA

Guest Column  
- By Invitation

As India makes its next leg of transition from a command and control economy to market driven economy - there is need to look at Indian economy on its own terms, through a lens that is truly Make in



**AJAI KUMAR**  
(Former Chairman &  
Managing Director)  
Corporation Bank

India. In this context MSMEs will have an important role to play. The MSME sector has emerged as a highly vibrant and dynamic sector of the Indian economy over the last five decades. The major advantage of the sector is its employment potential and low capital cost.

MSMEs of India are one of the most complex, dynamic and adaptive economic systems. MSME sector operates in both in organized and unorganized sector. As per the National Sample Survey (NSS) 73rd round 2016, there were 633.88 lakh unincorporated non-agriculture MSMEs in the country engaged in different economic activities. Around 196.65 lakh units operate in Manufacturing, 230.35 lakh units in Trade and 206.85 lakh in Other Services. The Micro sector with 630.52 lakh estimated enterprises accounts for more than 99% of total estimated number of MSMEs. On the other hand, the total number of active companies registered under the



Companies Act 2013 is around 11.8 lakhs. Thus the MSME sector is 54 times the corporate sector.

MSMEs are equally distributed between rural and urban India. State of Uttar Pradesh has the largest number of MSMEs with a share of 14.20 % of MSMEs in the country. West Bengal comes a close second with a share of 14% again. The top 10 States together accounted for a share of 74.05 % of the total estimated number of MSMEs in the country.

MSMEs are also a force to reckon with in the tradable sector. Share of exports of products related to India's micro, small and medium enterprises (MSME) during the year 2018-19 stood at 48.10% as per the information from Directorate General of Commercial Intelligence and Statistic.

It is also a matter of pride that socially backward groups owned almost 66.27% of MSMEs, though bulk of that can be attributed to OBCs owning in 49.72%. In rural areas, almost 73.67% of MSMEs were



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## KINDLE THE LIGHT WITHIN YOU



**Kavita Sanghvi**

(Principal at Chatrabhuj  
Narsee Memorial School)

A new year, a new beginning  
Promises to be made, targets to be achieved  
Time to cast away disillusion and fears  
Walk towards challenges and commitments.

The heart is palpitating and agitated,  
Feeling miserable and let down,  
Why is it shying away from change when change is the only  
constant in life?  
What is it fearing and why?

My eyes say, 'Look around and see the destruction around you  
Fires, death, violence, treachery  
How much more reason do you need?'

The ever practical mind whispers, 'This was yesterday and will  
continue tomorrow!'

A few enlightened souls lighted the world before,  
A few more will show the path tomorrow  
Hold those hands and plunge in,  
Even a few moments of sunshine keep the darkness at bay.  
I pray for those angels who walk amongst us kindling the good  
within us  
As only love can conquer the darkening world.



Kavita Sanghvi

## CUSTOMER SUCCESS STORIES

### Refund from Amazon

Madam,

I have on 14th December,2019, purchased on KAVID 3 wheel Kids Cycle through Amazon. As the Cycle was defective. I requested Amazon to take it back. The representative



from Amazon took it back on 19th December, 2019. But so far I did not get back the amount of Rs 1140 paid to Amazon while placing order..

I have requested for refund by mailing to three email id's found in various sites and also requested in person by calling their phone no. 180030009009. But so far I did not get the refund. I request you kindly to persuade Amazon to arrange the refund of Rs 1140.

Expecting your help.

Yours faithfully,

Cherian Joseph

Madam,

This has reference to my mail dated 21st January,2020.

Thank you very much for your help. Today I have received the amount of Rs 1140 from Amazon towards refund .

Yours faithfully,

Cherian Joseph



**Mr. Jwala Singh,**

**Mumbai Vs NIIT, Mumbai :**



“Thank you for your help, NIIT has refunded my fees by cheque. Once again thank you for help.”



**Mr. A C Sekhar,**

**Hyderabad Vs IFB Industries Limited,**

**Goa**



“Thank you very much for solving my problem. Thanks for offering such a website for costumers”.



**Mr. Ritesh Ramaiah,**

**Pune Vs Tata Sky Ltd, Pune**

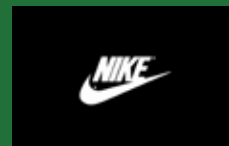


“Thank you very much for the action taken. I'd like to take back my complaint as the customer service executive called and apologised for what had happened with my account.”



**Mr. Srinivas P,**

**Andhra Pradesh Vs Nike, Andhra Pradesh**



“The shop (dealer/retailer) has returned the money after writing again, Thank you.”



**Mr. Mrudul Parikh,**

**Mumbai Vs Xiaomi Technology India Pvt Ltd,**

**Mumbai**



“Thank you very much for your interference, they have replaced the band”



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Great Western Building, 130/132, Shahid Bhagat Singh Road, Opp. Lion gate, Mumbai - 400 023. Tel.: 22885249/22842590, Fax: 22844783,  
 Email: info@cfbp.org | cfbpoffice@gmail.com | website: www.cfbp.org | www.ccrp.in

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