

RAJIV GANDHI NATIONAL UNIVERSITY OF LAW

In collaboration with

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

Organises

3-Day Capacity Building Programme on Enabling Speedy Disposal of Consumer Cases and Quality of Justice Delivery

REPORT

Event: Capacity Building Programme on Enabling Speedy Disposal of Consumer Cases and Quality of Justice Delivery

Organized by: Rajiv Gandhi National University of Law Punjab Under in collaboration with Ministry of Consumer Affairs, Food and Public Distribution

Venue: Rajiv Gandhi National University of Law Punjab

Coordinators: Dr. Ankit Srivastava and Dr. Sangeeta Taak

Dates: 18th - 20th May 2023

Participants: 28 participants comprising of presidents and members of State and District Consumer Commissions of Punjab, Haryana, Himachal Pradesh, and UT of Chandigarh

The Capacity Building Programme on Enabling Speedy Disposal of Consumer Cases and Quality of Justice Delivery was organized by Rajiv Gandhi National University of Law Punjab in collaboration with the Ministry of Consumer Affairs, Food and Public Distribution. The objective of the program was to enhance the knowledge and skills of participants involved in the adjudication of consumer cases, with a focus on expediting the resolution process and ensuring quality justice delivery. The program brought together presidents and members of State and District Consumer Commissions from Punjab, Haryana, Himachal Pradesh, and the UT of Chandigarh. These participants, with their extensive experience in consumer case adjudication, contributed valuable insights and perspectives to the program.

In inauguration ceremony, **Prof. (Dr.) Anand Pawar, Vice Chancellor**, Rajiv Gandhi National University of Law, welcomed the gathering with a positive note and appreciated the Ministry of Consumer Affairs for collaborating and supporting this event. **Shri Rohit Kumar Singh, Secretary, Consumer Affairs**, Ministry of Consumer Affairs Food and Public Distribution was the **Chief Guest**, and in his address, he stressed that consumer grievances must be addressed and they must get justice. He also stressed that in future the Alternative Measures of consumer law Dispute Resolution system must be encouraged. He also focused on the Implementation of the Consumer Protection Laws with its true spirit. In the Inaugural address, **Justice Paramjit Singh Dhaliwal, Former Judge Punjab and Haryana High Court** and Former President, Punjab State Consumer Dispute Redressal Commission, was **Guest of Honour** and he Stressed on giving the less adjournment in consumer cases. **Dr. Ankit Srivastava, Faculty of Law and coordinator of the event** explained the main idea behind the conducting of this capacity building programme and how it shall help

in future to the members and consumers. *Dr. Sangeeta Taak, Faculty of Law and Coordinator* of the event gave the vote of thanks in the inaugural session.

The primary goal of this program was to address the challenges faced by the members of state and district consumer dispute redressal commissions in effectively resolving consumer cases and focus on the importance of timely justice delivery and the need to enhance the quality of justice in consumer disputes. Therefore, the program was carefully designed to equip the members with the necessary skills, knowledge, and strategies to achieve these goals. Throughout the program, the focus was on various aspects that contribute to the speedy disposal of consumer cases. This included understanding the key principles of consumer protection, mastering efficient case management techniques, exploring alternative dispute resolution mechanisms, and embracing technological advancements that can streamline the resolution process. By empowering with these tools, the aim was to significantly reduce the backlog of cases and ensure that consumers receive justice in a timely manner. Furthermore, the emphasis was also towards the quality of justice delivery in consumer cases. Each case represents a consumer seeking resolution for their grievances, and it is our responsibility to ensure that their rights are protected and upheld. Through interactive sessions, workshops and case studies, the speakers delved into the aspects of ethical considerations and the importance of empathy and sensitivity in dealing with consumer disputes. The program was structured to facilitate interactive discussions, allowing for the exchange of ideas, challenges, and best practices. The focus was on learning from one another and collectively work towards achieving our shared goals of speedy disposal of consumer cases and quality justice delivery.

The program covered various important topics related to consumer protection and justice delivery. The sessions included discussions on the key highlights of the Consumer Protection Act 2019, procedures for filing and presenting complaints, judgment writing skills, and the role of the registry in the adjudication process. Participants also received training on the role of the bench, examination and passing of daily orders, and the ethical considerations involved in consumer protection.

The program further explored areas such as cyber security and its relevance to consumer protection, recent judgments in consumer-related areas including insurance, banking, and e-commerce, and the development of alternative dispute resolution mechanisms for the speedy dispensation of justice.

Esteemed speakers, including renowned legal experts, judges, and professors, delivered the sessions and shared their expertise with the participants. The program provided a platform for participants to engage in interactive discussions, case studies, and knowledge sharing, allowing for a comprehensive understanding of the subject matter. The detailed session-wise report with topics covered and speakers is mentioned below:

First Session:

- **Topic:** Consumer Protection Act 2019: Key Highlights; Consumer Welfare
- **Speaker:** Dr. Sushila, Associate Professor; Research Director, Centre for Study of Consumer Law & Policy; Project Director, Chair on Consumer, Law at National Law University Delhi

The speaker focused upon The Consumer Protection Act 2019 and how it represents a significant step towards strengthening consumer protection in

India. By incorporating new provisions and addressing emerging issues, it seeks to ensure fair and transparent dealings in the market and empower consumers to assert their rights. The key aspects covered were relating to the major changes in law relating to definition of consumers, consumer rights, Central Consumer Protection Authority, product liability and many more.

- **Topic:** Procedure for Filing and Presentation of Complaints; Judgment Writing Skills and Model Judgment Format: Emphasis on fostering or instilling the values of judicial/quasi-judicial
- **Speaker:** Hon'ble Mr. Justice (Retd.) Paramjit S Dhaliwal

The speaker focused on various aspects of Procedure for Filing and Presentation of Complaints relating to drafting, filing and presentation of complaints and also discussed regarding judgement writing skills stressing upon clarity and structure, Analysis and reasoning, impartiality and fairness and language and tone. Emphasizing the values of judicial and quasi-judicial processes in the procedure for filing and presentation of complaints, as well as judgment writing, ensures that justice is served with integrity, fairness, and transparency. It contributes to the credibility and trust in the legal system, promoting a robust framework for the resolution of consumer disputes.

- **Topic:** Registrar Training: Role of Registry (registrar to be directed basics with Jurisdictions/limitations/rejection/objection); Dealing and Performance
- **Speaker:** Ms. Veena Bhardwaj, Registrar, Punjab State Consumer Disputes Redressal Commission (SCDRC)

The speaker focused on how the registry of a consumer disputes redressal commission serves as the administrative backbone of the commission. It plays a pivotal role in the proper management of cases, maintenance of records, and coordination of proceedings. She stressed on the responsibilities of the registry regarding case management, jurisdiction and limitation, rejection and objection and coordination. By receiving comprehensive training on the role of the registry and acquiring the necessary skills, registrars can contribute to the efficient functioning of consumer disputes redressal commissions. Their effective management of cases and adherence to procedural requirements ensures that consumer disputes are handled with diligence and fairness, ultimately leading to the delivery of justice in a timely and efficient manner.

- **Topic:** Bench Training: Role of Bench; Examination and Passing of Daily Orders
- **Speaker:** Hon'ble Mr. Justice (Retd.) Paramjit S Dhaliwal

The speaker focused on the bench training equips judges and quasi-judicial authorities with the necessary knowledge and skills to effectively discharge their responsibilities. He emphasized that how by ensuring fair and impartial adjudication, proper case examination, and the timely passing of daily orders, the bench contributes to the efficient resolution of consumer disputes, instilling confidence in the justice delivery system.

- **Topic:** Discussion on Ethics (Qualities): Attitude and Sensitization to Social Issues; Developing Quasi-Judicial Skills; Enhancing knowledge of procedural and related substantive laws about consumer issues and their prompt and effective adjudication
- **Speaker:** Shri Satish Kumar Aggarwal, Legal Remembrancer & Principal Secretary to the Government of Punjab

The expert focused on the aspects of ethics and attitude detailing on integrity and impartiality, fairness and equity and judicial conduct. He also discussed about sensitization to social issues such as awareness of vulnerable groups and gender sensitivity. The discussion on ethics, attitude, sensitization to social issues, and the development of quasi-judicial skills was discussed to foster a strong ethical foundation among the participants and enhance their knowledge of procedural and substantive laws related to consumer issues.

- **Topic:** Complaint Examination: Case Study/Illustration
- **Speaker:** Dr. Ashok Patil, Professor, National Law School of India University Bangalore

During the capacity building program, a session was dedicated to the examination of complaints through a case study or illustration. This session aimed to provide participants with practical insights into the process of complaint examination and resolution. This session entailed discussions on case analysis, evidence evaluation, legal interpretation, decision making and resolution strategies. By examining the case study or illustration, participants gain practical experience in handling consumer complaints, developing their skills in case analysis, evidence evaluation, legal interpretation, and decision-making.

- **Topic:** Interactive discussion on various points: Commission's experiences and set examples of successful judgment writing
- **Speaker:** Mr. Rajesh K. Arya, Member State, Consumer Dispute Redressal Commission, Chandigarh

During this session, professionals who have served as presidents and members of State and District Consumer Commissions shared their experiences, challenges, and lessons learned from their tenure. They provide valuable insights into the functioning and dynamics of consumer commissions, offering participants a deeper understanding of the practical aspects of consumer dispute resolution.

- **Topic:** Cyber Security and Consumer Protection
- **Speaker:** Dr. Ashok Wadje, Associate Professor and Associate Dean at MNLU Aurangabad

The session on cyber security and consumer protection focused on the intersection of these two crucial areas and aimed to raise awareness among participants about the evolving risks in the digital realm and strategies to safeguard consumer interests. The session begins by providing participants

with an understanding of the significance of cyber security in the context of consumer protection focusing on cyber threat landscape, digital footprint and privacy, online fraud and scams, E-commerce and online transaction, data protection and privacy laws and digital literacy and awareness. By addressing the critical aspects of cyber security and consumer protection, this session empowered participants to understand the risks associated with online activities and equips them with knowledge and strategies to protect themselves and consumers from cyber threats.

- **Topic:** Judgments: Latest judgments of the National Commission, State Commissions, High courts, and Supreme Court specifically related to Insurance, Banking, e-commerce, and other important consumer-related areas
- **Speaker:** Dr. Anand Kumar Singh, National Law University Jodhpur

The session on the latest judgments of the National Commission, State Commissions, High Courts, and Supreme Court specifically related to insurance, banking, e-commerce, and other important consumer-related areas aims to provide participants with insights into recent legal developments and landmark rulings in these sectors.

- **Topic:** Judicial Ethics and Development of ADR Mechanism for Dispensation of Justice based on the Constitutional vision of justice, basic consumer rights, and fundamental rights of individuals/citizens
- **Speaker:** Adv. Varuna Bhandari, Supreme Court of India

The session on judicial ethics and the development of alternative dispute resolution (ADR) mechanisms for the dispensation of justice emphasized the importance of upholding ethical standards and exploring alternative avenues for resolving consumer disputes. The session focused on aligning the principles of justice, basic consumer rights, and fundamental rights of individuals/citizens with the Constitutional vision specifically focusing on Mediation in consumer matters, judicial ethics, and constitutional vision of Justice. By exploring the interplay between judicial ethics, Constitutional vision, ADR mechanisms, and rights-based approaches, this session equips participants with the necessary knowledge and tools to ensure fair, efficient, and rights-focused resolution of consumer disputes. It promotes a holistic understanding of justice, consumer rights, and ethical responsibilities, empowering participants to contribute to a more accessible and effective justice system for consumers.

Throughout the program, participants actively engaged in discussions, case studies, and interactive sessions. They had the opportunity to share their experiences, learn from experts, and gain valuable insights into consumer case management and justice delivery. Feedback forms were distributed at the end of each day to assess the effectiveness of the sessions and gather suggestions for improvement. The Capacity Building Programme on Enabling Speedy Disposal of Consumer Cases and Quality of Justice Delivery proved to be a valuable platform for knowledge sharing, skill enhancement, and networking among the presidents and members of State and

District Consumer Commissions. The event provided an enriching experience through the comprehensive sessions delivered by esteemed speakers. Participants left the program with enhanced capabilities and a renewed commitment to efficient and effective consumer case adjudication.