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Shri. Sharad Pawar
Hon'ble Minister for Consumer Affairs, Food & Public Distribution
Ministry of Consumer Affairs, Food & Public Distribution
Room No. 120, Krishi Bhavan, New Delhi -110001
Tel: 011-23383370

Hon'ble Shri Sharad Pawarji,

Request for immediate withdrawal of Rule - 5 of Standards of Weights and Measures (Packaged Commodities) Amendment Rules, 2006

Greetings from CUTS!

I am writing this letter to bring to your kind notice, a very crucial issue, an exploitation that is faced by the consumers of this country, in the midst of growing food prices. This is a serious concern expressed by many in the consumer movement across the country.

As consumers are reeling under the impact of rocketing prices of food items and inflation at record levels, and the government is introducing duty cuts to lighten the burden on the wallet of consumers, some of the branded grocery manufacturers are holding their prices, but cutting the quantity of their products in a way, it is not noticed by the consumers. This is also marketed without displaying a declaration of Non-standard Size pack as required under the present amended 'Packaged Commodities Act, Rule-5'

For example, the Maggi noodles, which always came in the familiar 100 gram pack, have gotten lighter by 5 grams. A 250 gm pack of Red Label tea has slimmed down to 245 gm. In both cases, prices have remained the same: Rs 10/- for the noodles, Rs 52/- for the tea respectively. For some other products, the difference is not so minor. Unilever's Wheel washing powder has cut 200 gm from its 1 kg pack to keep the old price of Rs 21/-. But mostly, these deductions are small enough for the consumer to miss. We no longer get 100 gm of Good Day biscuits for Rs 10/-, we are only getting 92 gm. I am attaching a report in this regard in the Hindustan Times dated April 10, 2008 for your kind information.

Customers are chafing at the companies' error of omission in not telling that they've cut the weight of familiar, much-publicised packages. The rules that allows the manufactures to do such practices is the amendment to Rule 5 of the Standards of Weights & Measures (Packaged Commodities) Rule 1977, effected vide GSR 425 (E) dated. 17.07.2006, which says,

...The commodities specified in the Third Schedule shall be packed for sale, distribution or delivery in such standard quantities as are specified in that Schedule:

Provided that if a commodity specified in the Third Schedule is packed in a size other than that prescribed in that Schedule, a declaration that 'Not a standard pack size under the

Standards of Weights and Measures (Packaged Commodities) Rules, 1977' or 'non standard size under the Standards of Weights and Measures (Packaged Commodities) Rules, 1977' shall be made prominently on the label of such package.'

This amendment is against the real spirit of the Standards of Weights & Measures Act-1976 and the Rules of 1977. In addition, the very purpose of making the standard packaging of particular weights mandatory under Rule 5 (along with specification of standard weights in Third Schedule) for each and every pre-packed commodity was to protect the gullible consumers from deceptive packaging and consequent exploitation and fleecing of consumers. The standard packaging of say, 100 gms or 150 gms or 200 gms etc. enabled the consumers to compare the prices of the same commodity produced by different manufacturers. In the changed context, the price comparison becomes extremely difficult for common consumers. Thus consumers right to choose becomes meaningless and the consumer is prevented from making an informed choice in the market place.

In this context, on behalf of consumer organisations in the country, we kindly request you to take necessary steps to immediately withdraw this anti-consumer amendment, the Rule - 5 of the Standards of Weights and Measures (Packaged Commodities) Amendment Rules, 2006, and to restore Rule 5 as it stood prior to the impugned amendment.

Pending the above action, we also request you to direct concerned authorities to take immediate action to confiscate the stocks of those commodities, which are being marketed without displaying a declaration of Non-standard Size pack as required under the present amendment

We look forward for a favorable immediate action from you, in the interest of the common consumers in this country, who are already suffering due to inflation and rise in price of food items. We appreciate you intimating us about the action taken in this regard, so that we can inform the consumers across the country through the network of consumer organisations.

Waiting for the earliest response.

With regards

Yours sincerely

George Cheriyan
Director, CUTS International &
Head, CUTS Centre for Consumer Action, Research & Training (CUTS CART)

Copy for Information to:

1. Shri Kantilal Bhuria, Hon'ble Minister of State, Ministry of Consumer Affairs, Food & Public Distribution, GoI
2. Shri Y.S. Bhawe, Secretary to Government of India, Dept. of Consumer Affairs, GoI
3. Smt. Alka Sirohi, Special Secretary to Government of India, Dept. of Consumer Affairs, GoI
4. Secretary to Government of Rajasthan, Dept. of Consumer Affairs, GoR