

State Consumer Disputes Redressal Commission
Plot No. 5B, Sector 19 B, Madhya Marg,
U.T., Chandigarh

No. SCDRC/CP/2020/URGENT

Dated: 17.07.2020

ORDER

The Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs), New Delhi has issued Notification dated 15th July, 2020 and while exercising the powers conferred by sub-section (3) of section 1 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government has appointed the 20th day of July, 2020 as the date on which the provisions of the said Act (Consumer Protection Act, 2019) shall come into force. In view of this Notification, the jurisdiction of the Consumer Fora shall be as under:-

• **JURISDICTION OF THE STATE COMMISSION:- SECTION 47 OF CONSUMER PROTECTION ACT 2019:**

47. (1) Subject to the other provisions of this Act, the State Commission shall have jurisdiction-

(a) to entertain-

(i) complaints where the value of the goods or services paid as consideration, exceeds rupees one crore, but does not exceed rupees ten crore:

PROVIDED that where the Central Government deems it necessary so to do, it may prescribe such other value, as it deems fit;

(ii) complaints against unfair contracts, where the value of goods or services paid as consideration does not exceed ten crore rupees;

(iii) appeals against the orders of any District Commission within the State; and

(b) to call for the records and pass appropriate orders in any consumer dispute which is pending before or has been decided by any District Commission within the State, where it appears to the State Commission that such District Commission has exercised a jurisdiction not vested in it by law, or has failed to exercise a jurisdiction so vested or has acted in exercise of its jurisdiction illegally or with material irregularity.

(2) The jurisdiction, powers and authority of the State Commission may be exercised by Benches thereof, and a Bench may be constituted by the President with one or more members as the President may deem fit:

PROVIDED that the senior-most member shall preside over the Bench.

(3) Where the members of a Bench differ in opinion on any point, the points shall be decided according to the opinion of the majority, if there is

a majority, but if the members are equally divided, they shall state the point or points on which they differ, and make a reference to the President who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other members and such point or points shall be decided according to the opinion of the majority of the members who have heard the case, including those who first heard it:

PROVIDED that the President or the other members, as the case may be, shall give opinion on the point or points so referred within a period of one month from the date of such reference.

(4) A complaint shall be instituted in a State Commission within the limits of whose jurisdiction,-

(a) the opposite party or each of the opposite parties, where there are more than one, at the time of the institution of the complaint, ordinarily resides or carries on business or has a branch office or personally works for gain; or

(b) any of the opposite parties, where there are more than one, at the time of the institution of the complaint, actually and voluntarily resides, or carries on business or has a branch office or personally works for gain, provided in such case, the permission of the State Commission is given; or

(c) the cause of action, wholly or in part, arises; or

(d) the complainant resides or personally works for gain.

- **JURISDICTION OF THE DISTRICT FORUM:- SECTION 34 OF CONSUMER PROTECTION ACT 2019:**

34. (1) Subject to the other provisions of this Act, the District Commission shall have jurisdiction to entertain complaints where the value of the goods or services paid as consideration does not exceed one crore rupees:

PROVIDED that where the Central Government deems it necessary so to do, it may prescribe such other value, as it deems fit.

(2) A complaint shall be instituted in a District Commission within the local limits of whose jurisdiction,-

(a) the opposite party or each of the opposite parties, where there are more than one, at the time of the institution of the complaint, ordinarily resides or carries on business or has a branch office or personally works for gain; or

(b) any of the opposite parties, where there are more than one, at the time of the institution of the complaint, actually and voluntarily resides, or carries on business or has a branch office, or personally works for gain, provided that in such case the permission of the District Commission is given; or

(c) the cause of action, wholly or in part, arises; or

(d) the complainant resides or personally works for gain.

(3) *The District Commission shall ordinarily function in the district headquarters and may perform its functions at such other place in the district, as the State Government may, in consultation with the State Commission, notify in the Official Gazette from time to time.*

2. Furthermore, as per the above notification, keeping in mind Section 28 of the Consumer Protection Act, 2019, the District Consumer Disputes Redressal Forums-I and II, U.T., Chandigarh, will be called as The District Consumer Disputes Redressal Commissions I and II (The District Commissions-I and II), U.T., Chandigarh w.e.f. 20.07.2020.

3. The Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) New Delhi has issued another Notification dated 15 July, 2020 and while exercising the powers conferred by sub-section (1) and clauses (a), (p), (q), (s), (u), (v), (y), (z), (zd), (ze), and (zj) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019) and in supersession of the Consumer Protection Rules, 1987 in so far as they relate to matters covered under these rules, except as respects things done or omitted to be done before such supersession, the Central Government has also made rules called as the Consumer Protection (Consumer Disputes Redressal Commissions) Rules, 2020, which shall also come into force on the 20th day of July, 2020. In view of Rule 7 of this Notification, court fees in the Consumer Foras, while instituting consumer complaints, is payable as under:-

S.No.	Value of goods or services paid as consideration	Amount of fee payable
	<i>DISTRICT COMMISSION</i>	
1)	<i>Upto rupees five lakh</i>	<i>Nil</i>
2)	<i>Above rupees five lakh and upto rupees ten lakhs</i>	<i>Rs.200</i>
3)	<i>Above rupees ten lakh and upto rupees twenty lakhs</i>	<i>Rs 400</i>
4)	<i>Above rupees twenty lakh and upto rupees fifty lakh rupees</i>	<i>Rs.1000</i>
5)	<i>Above rupees fifty lakh and upto rupees one crore</i>	<i>Rs.2000</i>
	<i>STATE COMMISSION</i>	
6)	<i>Above rupees one crore and upto rupees two crore</i>	<i>Rs.2500</i>
7)	<i>Above rupees two crore and upto rupees four crore</i>	<i>Rs.3000</i>
8)	<i>Above rupees four crore and upto rupees six crore</i>	<i>Rs.4000</i>
9)	<i>Above rupees six crore and upto rupees eight crore</i>	<i>Rs.5000</i>
10)	<i>Above rupees eight crore and upto rupees ten crore</i>	<i>Rs.6000</i>
	<i>NATIONAL COMMISSION</i>	
11)	<i>Above rupees ten crore</i>	<i>Rs.7500</i>

4. A copy of both the notifications, aforesaid, containing other necessary details pertaining to Consumer Protection Act, 2019 (35 of 2019) and Consumer Protection (Consumer Disputes Redressal Commissions) Rules, 2020, is also placed on the website of this Office, for perusal.

Henceforth, all the consumer complaints, appeals, revisions etc. shall be filed by the litigants/Advocates, accordingly.

By Order

Sd/-
President

State Consumer Disputes Redressal Commission
U.T. Chandigarh