

**Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs**

**LOK SABHA
UNSTARRED QUESTION NO. 1829
TO BE ANSWERED ON 08.03.2016**

REVAMPING OF CONSUMER FORA

1829. SHRI RAMDAS C. TADAS:
SHRI C. MAHENDRAN:
SHRI VINOD KUMAR SONKAR:
SHRI RAJESHBHAI CHUDASAMA:
SHRI MULLAPPALLY RAMACHANDRAN:

(OIH)

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
मिनिस्टर कंस्मर अफेयर्स, फूड अण्ड पब्लिक डिस्ट्रिब्यूशन be pleased to state:

- (a) whether a number of cases are pending in Consumer Courts/Fora beyond the time stipulated in the Consumer Protection Act, 1984, if so, the details thereof and the reasons therefor indicating the number of functional Courts/Fora, cases registered and disposed during the last three years, State-wise;
- (b) whether the Government proposes to set up a panel to suggest measures for revamping of the Consumer Courts/Fora, if so, the details thereof indicating the composition and terms of reference thereof;
- (c) whether a number of sanctioned posts are lying vacant in the Consumer Courts/Fora, if so, the details thereof and the reasons therefor along with the action taken to fill up these vacancies and set up additional Courts/Fora; and
- (d) whether the Government proposes to take any concrete steps for speedy disposal of pending cases in Consumer Courts/Fora, if so, the details thereof and the time limit prescribed for their disposal?

ANSWER

मिनिस्टर कंस्मर अफेयर्स, फूड अण्ड पब्लिक डिस्ट्रिब्यूशन
श्री राम विलास पासवान

**THE MINISTER OF
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI RAM VILAS PASWAN)**

(a) : The number of functional and non-functional Consumer Fora are given at **Annexure-I**. The details of cases filed and disposed of in the Consumer Fora for the years 2013, 2014 and 2015 are at **Annexure-II**. The delay in disposal of cases in the Consumer Fora is due to several factors such as non-filling up the post of President & Members, shortage of support staff, lack of infrastructural facilities.

(b) : The Hon'ble Supreme Court of India vide order dated 14.1.2016 in Civil Appeal No. 2740/2007 has directed the Government to constitute a three member Committee to look into the deficiencies in the functioning of the Consumer Fora in the country and to recommend remedial measures. Accordingly, the Government has notified setting up of a Committee comprising Dr. Justice Arijit Pasayat, retired Supreme Court Judge as Chairman, Justice Rekha Sharma, retired Judge of Delhi High Court and Shri P.V.Rama Sastry, Joint Secretary, Department of Consumer Affairs, Government of India (representative of Secretary, Department of Consumer Affairs). The terms of reference of the Committee is at **Annexure-III**.

(c) : The details of posts of President and Member lying vacant in Consumer Courts/ Fora is placed at **Annexure IV**. As per provisions of the Consumer Protection Act, 1986, it is the responsibility of the State/UT Governments to fill up the vacancies of President and Member in the State Consumer Disputes Redressal Commission and the District Consumer Disputes Forum. The State Governments are asked from time to time to initiate action for filling up the vacancies well in time. In so far as the National Consumer Disputes Redressal Commission is concerned, the Central Government has already taken action for filling up of one existing and two anticipated vacancies of Member.

(d): As per Section 13(3A) of the Consumer Protection Act, 1986, every complaint shall be heard as expeditiously as possible and endeavour shall be made to decide the complaint within a period of three months from the date of receipt of notice by opposite party where the complaint does not require analysis or testing of commodities and within five months, if it requires analysis or testing of commodities. The Government has already introduced the Consumer Protection Bill, 2015 in Lok Sabha proposing, inter alia, simplification of the adjudication process.

ANNEXURE-I**STATEMENT REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UNSTARRED QUESTION NO. 1829 FOR 8/03/2016 REGARDING REVAMPING OF CONSUMER FORA.****INFORMATION ON FUNCTIONAL/NON-FUNCTIONAL CONSUMER FORA**

Sl. No.	States	Whether State Commission Functional or Non-functional	District Fora			As on
			No. of District Fora	Functional	Non-functional	
1	Andhra Pradesh	Yes	17	17	0	31.12.2015
2	A & N Islands	Yes	1	1	0	30.06.2015
3	Arunachal Pradesh	Yes	18	18	0	30.06.2015
4	Assam	Yes	23	21	2	30.09.2015
5	Bihar	Yes	38	33	5	30.06.2014
6	Chandigarh	Yes	2	2	0	31.12.2015
7	Chattisgarh	Yes	27	18	9	31.12.2015
8	Daman & Diu	Yes	2	2	0	31.03.2011
9	Dadra & Nagar Haveli	Yes	1	1	0	31.03.2011
10	Delhi	Yes	10	10	0	30.06.2015
11	Goa	Yes	2	2	0	31.12.2015
12	Gujrat	Yes	30	30	0	31.03.2015
13	Haryana	Yes	21	21	0	31.12.2015
14	Himachal Pradesh	Yes	12	11	1	31.12.2015
15	Jammu & Kashmir	Yes	2	2	0	30.06.2014
16	Jharkhand	Yes	24	24	0	31.12.2015
17	Karnataka	Yes	31	31	0	30.09.2015
18	Kerala	Yes	14	14	0	30.09.2015
19	Lakshadweep	Yes	1	1	0	30.09.2015
20	Madhya Pradesh	Yes	48	48	0	31.12.2015
21	Maharashtra	Yes	40	40	0	31.12.2015
22	Manipur	Yes	9	4	5	31.12.2015
23	Meghalaya	Yes	11	7	4	31.03.2015
24	Mizoram	Yes	8	8	0	30.06.2015
25	Nagaland	Yes	11	11	0	30.09.2015
26	Orissa	Yes	31	31	0	31.03.2015
27	Pondicherry	Yes	1	1	0	31.12.2015
28	Punjab	Yes	20	20	0	31.12.2015
29	Rajasthan	Yes	37	37	0	30.06.2015
30	Sikkim	Yes	4	4	0	31.03.2015
31	Tamil Nadu	Yes	30	25	5	31.12.2015
32	Telangana	Yes	12	12	0	31.12.2015
33	Tripura	Yes	4	4	0	31.12.2015
34	Uttar Pradesh	Yes	79	79	0	31.12.2015
35	Uttaranchal	Yes	13	13	0	31.12.2015
36	West Bengal	Yes	23	23	0	31.12.2015
	TOTAL		657	626	31	

ANNEXURE-II

STATEMENT REFERRED TO IN REPLY TO PART (a) OF LOK SABHA UNSTARRED QUESTION NO. 1829 FOR 8/03/2016 REGARDING REVAMPING OF CONSUMER FORA.

YEAR-WISE FILING & DISPOSAL IN NATIONAL COMMISSION & STATE COMMISSIONS.

	2013		2014		2015	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
National Commission	7223	6602	6806	6668	5943	7259
Andhra Pradesh	1586	1467	1095	827	578	118
A & N Islands	2	2	2	NA	3	1
Arunachal Pradesh	4	5	NA	NA	NA	NA
Assam	63	419	NA	NA	NA	NA
Bihar	597	325	NA	NA	NA	NA
Chandigarh	825	874	961	980	1047	894
Chattisgarh	695	491	842	909	726	887
D & N Haveli/Daman & Diu	NA	NA	NA	NA	NA	NA
Delhi	2173	1292	1295	1335	558	503
Goa	146	176	142	138	127	155
Gujarat	3365	6375	NA	NA	NA	NA
Haryana	1073	905	1389	841	1370	1177
Himachal Pradesh	1584	1673	1945	1700	1089	1132
Jammu & Kashmir	388	423	304	329	1359	712
Jharkhand	170	173	219	175	188	218
Karnataka	2054	3008	2087	1523	1910	648
Kerala	1198	731	NA	NA	NA	NA
Lakshadweep	1	NA	NA	NA	NA	NA
Madhya Pradesh	2759	1793	2653	1069	1762	1473
Maharashtra	2756	2033	3412	1725	4485	853
Manipur	NA	NA	6	NA	4	37
Meghalaya	NA	NA	NA	NA	NA	NA
Mizoram	8	5	9	3	4	1
Nagaland	4	3	15	NA	10	44
Orissa	477	369	NA	NA	NA	NA
Pondicherry	7	7	23	14	NA	NA
Punjab	1636	3528	1923	2716	1673	2760
Rajasthan	2601	2312	2951	2024	3509	1779
Sikkim	7	5	6	7	NA	NA
Tamilnadu	988	593	734	765	1121	721
Telangana	223	98	305	4	229	3
Tripura	132	37	71	130	NA	NA
Uttar Pradesh	3572	4201	3137	4149	3453	3989
Uttarakhand	379	234	339	226	305	280
West Bengal	2520	1572	2827	1829	3213	2642
TOTAL	33993	35129	28692	23418	28723	21027

YEAR-WISE FILING & DISPOSAL IN DISTRICT FORUMS

States	2013		2014		2015	
	Filed	Disposed	Filed	Disposed	Filed	Disposed
Andhra Pradesh	3739	1149	1959	1062	1772	526
A & N Islands	30	31	30	50	14	17
Arunachal Pradesh	NA	NA	NA	NA	NA	NA
Assam	NA	NA	NA	NA	NA	NA
Bihar	3730	2239	NA	NA	NA	NA
Chandigarh	2157	2165	2078	2048	2178	2019
Chattisgarh	1801	1785	2270	1954	2447	1460
D & N Haveli/Daman & Diu	NA	NA	NA	NA	NA	NA
Delhi	7420	8226	8205	7739	3369	2690
Goa	208	294	214	276	199	182
Gujarat	8909	10003	NA	NA	NA	NA
Haryana	7714	10740	6881	8696	7822	7803
Himachal Pradesh	2024	2313	1860	1981	1613	1718
Jammu & Kashmir	NA	NA	NA	NA	NA	NA
Jharkhand	1527	953	1296	1154	1260	1041
Karnataka	7703	6427	11113	6167	7848	6859
Kerala	6142	4770	NA	NA	NA	NA
Lakshadweep	2	NA	NA	NA	NA	NA
Madhya Pradesh	10430	11323	10330	8613	10774	8550
Maharashtra	9525	6914	13287	8486	14566	33724
Manipur	22	5	45	30	25	22
Meghalaya	NA	NA	NA	NA	NA	NA
Mizoram	60	8	56	53	33	21
Nagaland	NA	NA	NA	NA	NA	NA
Orissa	3240	2607	NA	NA	NA	NA
Pondicherry	56	18	92	99	NA	NA
Punjab	8417	10198	7589	8135	7885	7104
Rajasthan	22140	20879	21792	20606	22990	20497
Sikkim	16	14	22	23	NA	NA
Tamilnadu	3316	2498	2992	1858	2633	2180
Telangana	2058	1550	1979	1077	2133	288
Tripura	NA	NA	NA	NA	NA	NA
Uttar Pradesh	26073	26060	23156	24579	24026	24639
Uttarakhand	1430	1316	1421	1112	1376	1414
West Bengal	5896	5116	6396	5892	6192	5522
TOTAL	145785	139601	125063	111690	121155	128276

STATEMENT REFERRED TO IN REPLY TO PART (b) OF LOK SABHA UNSTARRED QUESTION NO. 1829 FOR 8/03/2016 REGARDING REVAMPING OF CONSUMER FORA.

TERMS OF REFERENCE OF THE SUPREME COURT APPOINTED COMMITTEE

- 1) The infrastructural requirements of the respective State Commissions in terms of office space for the Presiding Officer, members and supporting staff and whether the same has been provided for. In case the requirement is not satisfied, what is the extent of deficiency and possible ways and means of removing the same.
- 2) The vacancy position of President/Members/Presiding Officers in the National Commission, State Commissions and the District Fora and the steps that need to be taken for ensuring that vacancies are filled-up on a timely basis.
- 3) Need for additional benches of the National Commission, State Commissions and the District Fora in the States or in any one of them having regard to the workload and the difficulties/inconvenience which a consumer dispute litigant has to face to access the National Commission, State Commissions and/or District Fora.
- 4) The conditions of eligibility, if any prescribed, for appointment as non-judicial members of National Commission, State Commissions and the District Fora. In case no such conditions of eligibility are prescribed whether there is a need for doing so and what could be the conditions of eligibility for such appointments having regard to the nature of work and the relevant provisions of the Consumer Protection Act, 1986.
- 5) The nature and extent of Administrative Powers, if any, conferred upon the Presidents of the State Commissions and the President of the District Fora. In case no such powers have been conferred whether the same need to be conferred and if so, to what extent and effect.
- 6) The service conditions currently applicable including pay-scales admissible to President and Members, Judicial/Non-Judicial of the National Commission, State Commissions and the District Fora and in case no service conditions are stipulated what could be reasonable conditions of service applicable to such appointees.
- 7) The minimum staff required for the National Commission and respective State Commissions/District Fora and in case no such standard is recognized or the staff provided is inadequate having regard to the nature and extent of work to be done by the concerned Commissions and Fora what could be the norms for providing the same.
- 8) Desirability and feasibility of creating a separate cadre for staff in the National and State Commissions and the District Fora.
- 9) Any other aspect that the Committee may consider relevant and helpful with a view to making the Consumer Disputes Fora/Commissions more effective, efficient and their process speedy.

STATEMENT REFERRED TO IN REPLY TO PART (c) OF LOK SABHA UNSTARRED QUESTION NO. 1829 FOR 8/03/2016 REGARDING REVAMPING OF CONSUMER FORA.**Vacancy Position in Consumer Fora's as on 31/01/2016**

S. No.	State	State Commission			
		Sanctioned Strength		Vacancy Status	
		President	Member	President	Member
1	Assam	1	2	0	0
2	Andhra Pradesh	1	2	0	2
3	Arunachal Pradesh	1	2	0	0
4	A&N Island	1	2	0	1
5	Bihar	1	2	0	0
6	Chandigarh	1	2	0	0
7	Chhattisgarh	1	3	0	0
8	Daman & Diu	0	0	0	0
9	Dadra & Nagar Haveli	1	2	0	0
10	Delhi	1	4	0	0
11	Goa	1	2	0	0
12	Gujarat	1	5	0	1
13	Haryana	1	4	0	0
14	Himachal Pradesh	1	2	0	0
15	Jammu & Kashmir	1	2	0	0
16	Jharkhand	1	2	0	0
17	Karnataka	1	2	0	0
18	Kerala	1	4	0	0
19	Lakshadweep	1	2	0	1
20	Madhya Pradesh	1	3	0	0
21	Maharashtra	1	11	0	0
22	Manipur	1	2	0	0
23	Meghalaya	1	2	0	0
24	Mizoram	1	2	0	1
25	Nagaland	1	2	0	0
26	Odisha	1	2	0	0
27	Puducherry	1	2	0	0
28	Punjab	1	5	0	0
29	Rajasthan	1	8	0	3
30	Sikkim	1	2	0	0
31	Tamil Nadu	1	4	1	0
32	Telangana	1	2	0	2
33	Tripura	1	2	0	0
34	Uttar Pradesh	1	9	0	1
35	Uttarakhand	1	2	0	0
36	West Bengal	1	2	0	0
Total		35	108	1	12

Vacancy Position in Consumer Fora's as on 31/01/2016

S. No.	State	District For a			
		Sanctioned strength		Vacancy Status	
		President	Member	President	Member
1	Assam	23	46	3	7
2	Andhra Pradesh	17	34	6	23
3	Arunachal Pradesh	16	32	0	14
4	A&N Island	1	2	0	0
5	Bihar	38	76	0	21
6	Chandigarh	2	4	1	0
7	Chhattisgarh	12	54	1	8
8	Daman & Diu	2	4	0	2
9	Dadra & Nagar Haveli	1	2	0	2
10	Delhi	10	20	2	5
11	Goa	2	4	0	0
12	Gujarat	26	52	11	12
13	Haryana	21	42	5	3
14	Himachal Pradesh	4	24	0	6
15	Jammu & Kashmir	2	4	0	0
16	Jharkhand	22	44	1	8
17	Karnataka	31	62	0	8
18	Kerala	14	26	1	1
19	Lakshadweep	1	2	0	2
20	Madhya Pradesh	24	102	0	26
21	Maharashtra	40	80	8	8
22	Manipur	3	6	0	0
23	Meghalaya	7	14	2	8
24	Mizoram	8	8	0	0
25	Nagaland	11	22	0	4
26	Odisha	31	62	7	29
27	Puducherry	1	2	0	0
28	Punjab	20	40	1	4
29	Rajasthan	37	74	12	16
30	Sikkim	4	8	0	0
31	Tamil Nadu	25	60	7	11
32	Telangana	12	24	8	17
33	Tripura	4	8	0	0
34	Uttar Pradesh	79	158	12	21
35	Uttarakhand	13	26	0	3
36	West Bengal	21	42	0	3
Total		585	1270	88	272
