



D.O. No.J-24/2/2021-CPU

March 26, 2021

Dear Principal Secretaries,

You may be aware that the vacancies of President and Member in the Consumer Commissions in the State are required to be filled up by the State Government on time for timely adjudication of disputes in the Consumer Commissions. However, the status of vacancies of President and Member in the Consumer Commissions (*enclosed*) indicates that there is huge vacancy across the States, which is resulting in long pendency in consumer cases, sometimes for more than 2 years.

2. It may be mentioned that the amendment in the Consumer Protection Act, 2019 has provided the following enabling features to tide over such issues:-

(i) **Section 32** of the Consumer Protection Act, 2019 provides that if, at any time, there is a vacancy in the office of the President or Member of a District Commission, the State Government may, by notification, direct—

(a) any other District Commission specified in that notification to exercise the jurisdiction in respect of that district also; or

(b) the President or a Member of any other District Commission specified in that notification to exercise the powers and discharge the functions of the President or Member of that District Commission also.

(ii) **Section 74 (1)** of the Consumer Protection Act, 2019, provides that State Government shall establish, by notification, a **Consumer Mediation Cell** to be attached to each of the District Commissions and the State Commission of that State for facilitating settlement of consumer disputes

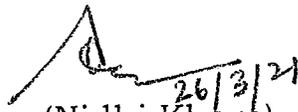
by mediation. In terms of **Section 75(1)** of the ibid Act, the State Commission or the District Commission, as the case may be, shall prepare a **Panel of Mediators** to be maintained by the Consumer Mediation Cell attached to it.

3. Pending setting up of Mediation Cell and preparation of a Panel of Mediators, State Government may utilize the services of Mediators already empanelled by District Court/High Court/Subordinate Courts/Legal Services Authority for whom the Department can arrange for a one day training workshop on the CP Act, 2019. Such trained Mediators can be immediately engaged in disposing of long pending consumer disputes.

4. The facility of **e-filing of consumer complaints** through **e-dakhil** has been set up in 17 States/UTs + NCDRC covering 469 locations, to ensure speedy filing and its disposal. As of now, more than 7000 cases are being processed through e-dakhil, including hearing on VC, and 66 cases have been disposed of. Some States are also identifying long pending consumer complaints for their resolution through **Lok Adalats**.

5. In view of the above, I shall be grateful if you could direct the concerned to dispose of cases by way of alternative dispute resolution through mediation, holding Lok Adalats, Circuit Benches etc. to curb high pendency in Consumer Commissions and additional charge may be assigned in terms of **Section 32** of the Consumer Protection Act, 2019, for quick disposal of complaints.

With warm regards,
Yours sincerely,


(Nidhi Khare)
26/3/21

Encl.: As above

Principal Secretaries
Department of Food, Civil Supplies & Consumer Affairs
(All States/UTs)