

**U. T. ADMINISTRATION OF DAMAN & DIU
FOOD & CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT,
COLLECTORATE, MOTI DAMAN.**

No. 3/3/COL/DMN/CSD/Cons. Forum/Rules/2018-19/2017

Dated: - 26/12/2018

NOTIFICATION

In exercise of the powers conferred by Sub-section (2) of section 30 of the Consumer Protection Act, 1986 (Central Act 68 of 1986) and in supersession of the rules made earlier vide Notification No.4-45-87/CSD/232 dated 23/04/1991, the Administrator of Daman and Diu hereby makes the following rules, namely:-

1. Short title and commencement: -

- 1) These rules may be called Daman and Diu Consumer Protection (Amendment) Rules, 2018.
- 2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions: - In these rules, unless the context otherwise requires.

- a) "Act" means the Consumer Protection Act 1986 (Central 68 of 1986);
- b) "Administrator" means the Administrator of Union Territory of Daman and Diu appointed by the President under Articles 239 of the Constitution;
- c) "Agent" means a person duly authorized by a party to present any complaint or appeal or reply on its behalf before the State Commission or the District Forum;
- d) "Appellant" means a party which makes an appeal against the order of the District Forum;
- e) "District Forum" means the District Consumer Disputes Redressal Forum established under clause (a) of section 9 of the Act;
- f) "Memorandum" means memorandum of appeal filed by the appellant;
- g) "Member" means a Member of the District Forum appointed under sub-section (1) (b) of Section 10 of the Act; or a Member of the State Commission appointed under sub-section (1)(b) of Section 16 of the Act, as the case may be;
- h) "Opposite party" means a person who answers complaint or claim;
- i) "President" means the President of the District Forum appointed under sub-section (1)(a) of Section 10 of the Act; or the President of the State Commission appointed under sub-section (1)(a) of Section 16 of the Act, as the case may be;
- j) "Respondent" means the person who answers any memorandum of appeal;
- k) "Selection committee" means the Selection Committee constituted under section 10(1A) or section 16(1A), as the case may be;
- l) "State Commission" means the State Consumer Disputes Redressal Commission established under clause (b) of section 9 of the Act;
- m) "Union Territory" means Union Territory of Daman and Diu;
- n) Words and expressions used in these rules and not defined but defined in the Act shall have the same meaning respectively assigned to them in the Act.

3. Mode of appointments in District Forum:-

- (1) President of a District Forum shall be appointed either:
 - (a) by direct appointment or
 - (b) on deputation from amongst the serving District Judges.

Provided that appointment of a serving District Judge shall not be made without the concurrence of the High Court.

Provided further that where the pendency of complaints at the starting of the year before a District Forum does not exceed five hundred or the average number of complaints filed in the last three years does not exceed five hundred, the appointment may be made on part-time basis.

