

Consumer Protection (Second Amendment) Rules, 2006

Section 14 - Procedure to be followed by the National Commission."

(1) A complaint containing the following particulars shall be presented by the complainant in person or by his agent to the National Commission or be sent by registered post, addressed to the National Commission:(a) the name, description and the address of the complainant;(b) the name, description and address of the opposite party or parties, as the case may be, so far as they can be ascertained;(c) the facts relating to the complaint and when and where it arose;(d) documents in support of the allegations contained in the complaint;(e) the relief which the complainant claims.(1A) Every complaint under sub-rule (1) shall be accompanied by the relevant fee as is specified in rule 9A.(1B) Every complaint under sub-rule (1) shall be filed in quadruplicate or with such number of copies as may be required by the National Commission.(2) The National Commission shall, in disposal of any complaint before it, as far as possible, follow the procedure and conditions including the provisions governing adjournments as laid down in sections 12 and 13 in relation to the complaints received by the District Forum, with such modification as may be considered necessary by the Commission.(3) On the date of hearing or any other date to which hearing could be adjourned, it shall be obligatory on the parties or their agents to appear before the National Commission. Where the complainant or his agent fails to appear before the National Commission on such days, the National Commission may in its discretion either dismiss the complaint for default or decide it on merits. Where the opposite party or its agent fails to appear on the date of hearing the National Commission may decide the complaint ex-parte.(4) The National Commission may, on such terms as it deems fit and at any stage of the proceedings, adjourn the hearing of the complaint but the complaint shall be decided as far as possible within a period of three months from the date of notice received by opposite party where complaint does not require analysis or testing of commodities and within five months if it requires analysis or testing of commodities.(4A) In the event of a complaint being disposed of after the period specified in sub-rule (4), the National Commission shall record in writing, the reasons for the delay in such disposal.(5) If after the proceedings conducted under sub-rule (3), the National Commission is satisfied with the allegations contained in the complaint, it shall issue orders to the opposite party or parties, as the case may be, directing him or them to take one or more of the things as mentioned in sub-section (1) of section 14. The National Commission shall also have the power to direct that any order passed by it, where no appeal has been preferred under section 23 or where the order of the National Commission has been affirmed by the Supreme Court under that section, be published in the Official Gazette or through any other media and no legal proceedings shall lie against the National Commission or any media for such publication.