

**PART III**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMER  
AFFAIRS

(CONSUMER PROTECTION ACT BRANCH)

**NOTIFICATION**

The 24th August, 2021

**No. G.S.R.120/C.A.35/2019/S.102/2021.**-In exercise of the powers conferred by section 102 of the Consumer Protection Act, 2019 (Central Act No. 35 of 2019), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely: -

**RULES**

**1. Short title and commencement.**— (1) These rules may be called the Punjab Consumer Protection (General) Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

**2. Definitions.** - (1) In these rules, unless the context otherwise requires,---

- (a) “Act” means the Consumer Protection Act, 2019 (Central Act No. 35 of 2019);
- (b) “appellant” means a person who makes an appeal against the order of the District Commission;
- (c) “authorised agent” means a person duly authorised by a party to present any complaint, appeal or reply on behalf of such party before the State Commission, or the District Commission, as the case may be;
- (d) “Commission” means the District Commission or the State Commission, as the case may be;
- (e) “Consumer Welfare Fund” means the Consumer Welfare Fund established by the State Government;
- (f) “Form” means the Form appended to these rules;
- (g) “memorandum” means any memorandum of appeal filed by the appellant;

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- (h) “State Bank of India” means the State Bank of India constituted under section 3 of State Bank of India Act, 1955 (Central Act No. 23 of 1955);
- (i) “Public Sector Banks” means State Bank of India and Nationalised Bank (Nationalised bank means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980);
- (j) “opposite party” means a person who answers a complaint under the Act;
- (k) “public utility service” means any,—
- (i) transport service for the carriage of passengers or goods by air, road or water; or
  - (ii) postal, telegraph, telephone or broadband service; or
  - (iii) supply of power, light or water or fuel or natural gas to the public by any establishment; or
  - (iv) insurance service; and
  - (v) service in, or in connection with, the working of any major port or dock;
- (l) “President” means the President of the State Commission or the District Commission, as the case may be;
- (m) “respondent” means the person who answers any memorandum of appeal;
- (n) “section” means a section of the Act;
- (o) “State” means the State of Punjab; and
- (p) “State Government” means the Government of the State of Punjab in the Department of Food, Civil Supplies and Consumer Affairs.
- (2) The words and expressions used herein, but not defined shall have the same meaning as respectively assigned to them in the Act.

Section 2(19). **3. Public utility services to be establishments.** – Public utility services shall be establishments for the purpose of clause (19) of section 2.

- 4. Certain activities to be exempt from unfair trade practice.**- Section 2(47)(iii)(b).  
Permitting of the following activities carried out for promoting directly or indirectly the sale, use or supply of any product or any business interest shall be exempt from the purview of unfair trade practices, namely: –
- (a) lotteries allowed under the Lotteries (Regulation) Act, 1998 (Central Act No. 17 of 1998);
  - (b) games of chance or skill not prohibited under the Public Gambling Act, 1867 (Central Act No. 3 of 1867), which are not gambling and wherein success depends on a substantial degree of skill and not chance;
  - (c) Pyramid Scheme defined under the Direct Selling Guidelines of Punjab, 2020; and
  - (d) Money Circulation Scheme defined under the Direct Selling Guidelines of Punjab, 2020.
- 5. Working days and office hours of State Commission and District Commission.**—The working days and office hours of the State Commission and District Commission shall be the same as that of the Government of Punjab, from time to time. Section 102(1).
- 6. Seal and emblem.**— The official seal and emblem of the State Commission and District Commission shall be such as the State Government may specify. Section 102(1).
- 7. Sitting of State Commission / District Commission.** —The President shall convene sittings of the State Commission or District Commission, as the case may be, as and when it may be necessary. Section 102(1).
- 8. Manner of authentication of goods by State Commission / District Commission for analysis and testing.**- (1) The State Commission or District Commission, may direct the complainant to provide one or more than one sample of the goods in clean containers with stopper properly fixed on them for the purposes of testing or analysis. Section 38(2)(c).
- (2) On receiving the samples of such goods, the State Commission or District Commission, as the case may be, shall seal it and fix labels on the containers carrying the following information, namely: -
- (a) the name and address of the appropriate laboratory or University or department recognised by Centre or State Government to whom sample shall be sent for analysis and test;

- (b) the name and address of the State Commission or District Commission, as the case may be;
  - (c) the case number; and
  - (d) the official seal of the State Commission or District Commission, as the case may be.
- (1) The sealed sample shall be sent to the recognized laboratory by the State Commission or District Commission, as the case may be.
  - (2) The recognized laboratory shall, after receiving sealed sample and examining it, shall forward its report to the State Commission or District Commission, as the case may be, within forty-five days or within such extended time as may be granted by the State Commission or District Commission, specifying the nature of the defect and date of submission of report.

Section 41. **9. Fee for making complaints.**— The fees to be deposited by the complainant under rule 7 of the Consumer Protection (Consumer Disputes Redressal Commission) Rules, 2020, made by the Central Government, shall be deposited by the State Commission or District Commission in the Consumer Welfare Fund, and it shall be utilized by the President of the State Commission after it is duly pre-audited by the State Accounts Service (SAS) Officer concerned. However, prior approval of the State Government shall be required if the amount exceeds rupees five lacs.

Section 41(a). **10. Remittance of the deposited amount alongwith memorandum of appeal before the State Commission.**—Where an appeal is filed under section 41, the amount to be deposited by the appellant as provided in the second proviso to the said section shall be remitted in the form of a crossed Demand Draft drawn on any Public Sector Bank in favour of the Punjab State Consumer Disputes Redressal Commission, payable at Chandigarh, which shall be deposited by the State Commission in the State Bank of India in the deposit account of the State Commission.

Section 70(5). **11. Manner of furnishing information to the State Government.**— The State Commission shall furnish information every month or as and when required by the State Government, in Form-I.

- 12. Mediation rules.-** The State Commission shall adopt the Consumer Protection (Mediation) Rules, 2020 made by the Central Government and the Consumer Protection (Mediation) Regulations, 2020 made by the National Consumer Disputes Redressal Commission, for carrying out the purposes of mediation, provided under the Act. Section 74
- 13. Cessation of notifications etc.-** All notifications, instructions etc. issued with regard to any provision of these rules, if any, shall cease to be in effect from the date of coming into force of these rules.
- 14. Repeal and saving.-** The Consumer Protection (Punjab) Rules, 1987 are hereby repealed:

Provided that any order issued or any action taken under the rules so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

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**FORM-I**

(See rule 11)

PERIODICAL STATEMENT TO BE SUBMITTED BY THE STATE COMMISSION  
TO THE STATE GOVERNMENT

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I	State Commission	District Commission
(a) Total case filed since inception		
(b) Cases disposed of		
(c) Cases disposed of within prescribed Time norms		
(d) Number of cases disposed of by Lok Adalat method		

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II	State Commission	District Commission
Detailed breakup of cases pending(Give number of cases)		
a) Over three months upto six months		
b) Over six months upto 1 year		
c) Over 1 year upto 2 years		
d) Over 2 years upto 5 years		
e) Over 5 years		

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III	State Commission	District Commission
Cases disposed of within time norms (Give number)		
(a) Cases received after March 2016		
(b) Cases disposed of within time norms out of		
(c) Above(Number and percentage)		

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PUNJAB GOVT. GAZ. (EXTRA), AUGUST 24, 2021 1919  
(BHDR 2, 1943 SAKA)

S. No.	Name of District Commission	Number of cases filed since inception	No. of cases disposed since inception	No. of cases Pending
1	Amritsar			
2	Bathinda			
3	Barnala			
4	Fatehgarh Sahib			
5	Faridkot			
6	Ferozepur			
7	Gurdaspur			
8	Hoshiarpur			
9	Jalandhar			
10	Kapurthala			
11	Ludhiana			
12	Mansa			
13	Moga			
14	Mohali			
15	Muktsar			
16	Nawanshahr			
17	Patiala			
18	Ropar			
19	Sangrur			
20	Tarn Taran			

TOTAL NUMBER OF DISTRICT COMMISSIONS FUNCTIONAL- \_\_\_\_  
FILING AND DISPOSAL OF CASES AS ON (MONTH), 20\_\_

**RAHUL TEWARI,**  
Secretary to Government of Punjab,  
Department of Food, Civil Supplies and  
Consumer Affairs, Punjab.