

THE JAMMU AND KASHMIR CONSUMER PROTECTION (AMENDMENT) ACT, 2002.

(Act No. XXI of 2011)

[21st April, 2002]

An Act to amend the Jammu and Kashmir Consumer Protection Act, 1987.

Be it enacted by the Jammu and Kashmir State Legislature in the Fifty-third Year of the Republic of India as follows: –

1. Short title and commencement. – (1) This Act may be called the Jammu and Kashmir Consumer Protection (Amendment) Act, 2002.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. Amendment of section 2, Act XVI of 1987. – For clauses (h) and (kk) of section 2 of the Jammu and Kashmir Consumer Protection Act, 1987 (hereinafter referred to as the ‘principal Act’), the following clauses shall be substituted, namely:–

“(h) ‘District Forum’ means a Consumer Disputes Redressal Forum established under clause (a), section 7; and

(kk) ‘member’ includes the President and a member of the State Commission or a District Forum as the case may be.”.

3. Amendment of section 7, Act XVI of 1987. – In section 7 of the principal Act, for clause (a), the following clause shall be substituted, namely: –

“(a) A Consumer Disputes Redressal Forum to be known as the District Forum established by the Government in each district of the State:

Provided that the Government may establish Additional District Forum in any District.”.

4. Substitution of section 8, Act XVI of 1987. – In section 8 of the principal Act, the following section shall be substituted, namely:–

“8. Composition of the District Forum. — (1) Each District Forum shall consist of—

- (a) District and Sessions Judge or Additional District and Sessions Judge, having territorial jurisdiction, who shall be its *ex officio* President:

Provided that the Government may appoint any other person, who is or has been a District Judge, to be President of the District Forum; and

- (b) two members to be nominated from amongst persons of ability and integrity, having adequate knowledge or experience of dealing with problems relating to economics, law, commerce, accountancy, industry, public affairs or administration by the Government.

(2) Every appointment under clause (b) of sub-section (1) shall be made by the Government on the recommendation of Selection Committee consisting of the following, namely:—

- (a) The President of the District Forum ... Chairman
 (b) Deputy Commissioner of the District ... Member
 (c) President, District Bar Association ... Member.

(3) The Selection Committee under sub-section (2) shall prepare a panel of three names for nomination of every such member.

(4) Every nominated member of the District Forum shall hold office for a term of three years or up to the age of 65 years whichever is earlier:

Provided that a member may resign from his office in writing under his hand addressed to the Government and on such resignation being accepted, his office shall become vacant.

(5) Each nominated member shall be entitled to such honorarium as may be prescribed.”.

5. Amendment of section 9, Act XVI of 1987. – In section 9 of the principal Act, for the words “rupees five lacs” the words “rupees ten lacs” shall be substituted.

6. Amendment of section 15, Act XVI of 1987. – In sub-clause (a) of section 15 of the principal Act for the words “rupees five lacs” and “rupees thirty lacs” the words “rupees ten lacs” and “rupees fifty lacs” shall respectively be substituted.

7. Amendment of sections 9, 10, 11, 12, 13, 14, 15, 16, 16-A, 18, 18-A, 19, 20, 21, 22, 23-A, Act XVI of 1987. – In sections 9, 10, 11, 12, 13, 14, 15, 16, 16-A, 18, 18-A, 19, 20, 21, 22 and 23-A of the principal Act, for the words “Divisional Forum” and “Divisional Consumer Forum” wherever occurring the words “District Forum” and “District Consumer Forum” shall respectively be substituted.
