**HOW TO FILE CASES BEFORE CONSUMER FORUM WITHOUT AN ADVOCATE**

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**The purpose of the Consumer Protection Act, 1986 (CPA) is to provide for the better protection of the interests of the consumers (defined u/S2(d) of CPA) and for that purpose to make provisions for the establishment of consumer councils and other authorities for the settlement of consumers' disputes and for matters connected within. In the past years the number of cases filed under the consumer forum have risen significantly, yet many issues stay unattended due to the unwanted hassle of hiring an advocate by the aggrieved party. But in 2011 the Supreme Court ruled that a non-lawyers can represent, appear and argue cases filed under the CPA in a Consumer Forum while dismissing an eight-year-old appeal filed by the Bar Council of India against a 2002 Bombay high court judgment that permitted agents to represent consumers. To file a case under Consumer Forum without an Advocate the representative must fulfill the following steps:**

**The First Step is to understand the jurisdiction of the case. There are three levels at which a consumer can file a case. (i) There is a District Forum for every district and it settles disputes in its jurisdiction involving claims of up to Rs. 20 lakh. (ii) Then comes the State Commission which hears cases where the value of the claim is between Rs. 20 lakh and Rs. 1 crore and those cases within the state which have been appealed against the District Forum’s decision. (iii) At last comes The National Consumer Disputes Redressal Commission (NCDRC) which hears cases that have been appealed against the decision of the State Commission and those in which the claimed sum exceeds Rs. 1 crore.**

**The Second Step is to Draft a complaint which must include: important facts to establish some harm has been suffered by the consumer due to the faulty good bought or service availed from the defendant; name, despcription and address of the consumer and the defendant (against whom the case has been filed); the relief or compensation one would like to claim.**

**It is advised to get the complaint typed out on a legal size type paper measuring 356x216mm. It should be double spaced, with atleast 1.5 inches of margin space on the left, top and bottom.**

**The *Third Step is to Attach relevant documents like: copy of the bill, warranty or guarantee certificate, and a copy of the written complaint or notice sent to the defendant. These documents may help support the case in the court.***

***The Fourth Step is to Pay requisite court fees. Court Fee is the fee which maybe imposed upon a litigant in order to begin a lawsuit or start a legal dispute resolution case. This is to be payed along with the complaint filed and its value depends on the value of good bought and the amount of compensation sought. The court fee differs from court to court.***

***Before the District Forum:***

***- For claims upto Rs 1 Lakh = Rs. 100***

***- For claims from Rs. 1 Lakh to 5 Lakhs = Rs. 200***

***- For claims from Rs. 5 Lakhs to 10 Lakhs = Rs. 400***

***- For claims from Rs. 10 Lakhs to 20 Lakhs = Rs. 500***

***Before the State Commission:***

***- For claims from Rs 20 Lakhs to Rs. 50 Lakhs = Rs. 2000***

***- For claims from Rs. 50 Lakhs to Rs. 1 Crore = Rs. 4000***

***Before the National Commission:***

***- For claims exceeding Rs. 1 Crore = Rs. 5000***

***The fee has to be paid in the form of a Demand Draft (DD) on a nationalized bank in favour of the President of the concerned Forum.***

***The Fifth Step is to Submit an Affidavit which states that the facts presented and statements made by the consumer are true to their knowledge. This affidavit is to be on an oath basis and need not be notarized by a notary.***

***Another fact to be kept in mind is the time duration, which is of two years from the date of grievance, within which the case needs to be filed.***

***All the pages should be numbered in the complaint and it has to be arranged in the following order :***

***(1) Index (giving page number of each document).***

***(2) Application for condonation of delay, if there is delay, giving the reasons for the delay duly affirmed before a notary public.***

***(3) The complaint draft, as discussed in the second step.***

***(4) Affidavit, as discussed in the fifth step.***

***(5) Copies of all the required relevant documents, as discussed in the third step.***

***One original and two xerox copies of the complaint are to be submitted and further if the complaint gets accepted, copies of the complaint are to be submitted to the defendant(s) as well.***