
(1997) 08 NCDRC CK 0030

In the National Consumer Disputes Redressal Commission

JOGINDERA TRANSPORT

APPELLANT

Vs

Punjab National Bank

RESPONDENT

Date of Decision : 07-08-1997

Acts Referred:

Citation : 1997 3 CPJ 223 : 1997 3 CPR 115 : 1998 1 CPC 25

Hon'ble Judges : P.N.Nag , Krishana Tandon J.

Final Decision : Appeal dismissed

Judgement

1. WE have heard the learned Counsel for the parties.

2. THE question that requires consideration is whether the claim of the complainant/appellant for calculating interest at the subsidized rates under the Debt Relief Scheme of the Government of India known as Central Interest Subsidy Scheme for the victims of November, 1984 riots against the respondent-Punjab National Bank, can be considered by the Consumer Courts. This question depends whether the complainant/appellant can be considered as a consumer under the Consumer Protection Act. Such question has been settled by the National Commission that the schemes prepared by the Government of India or the State Governments in the discharge of their sovereign function to promote a welfare measure, cannot confer the status of a consumer on the beneficiaries of such Scheme. In this context, the case of West Bengal State Co-op. Bank Ltd. v. Bimal Kumar Das (Hazara) & Ors., 1996 (3) CPR 198 may be referred to, whereby the National Commission has held that the Rural Debt Relief Schemes prepared by the Government of India as well as by the respective State Governments in the discharge of their sovereign function to promote a welfare measure, cannot confer the status of a consumer on the beneficiaries of these Schemes.

The District Forum has rightly held that the complainant is not a consumer.

3. IN view of what is discussed above, there is no force in this appeal and the appeal is accordingly dismissed with no orders as to costs. Appeal dismissed.
