

The Central Consumer Protection Authority (Procedure for Engagement of Experts and Professionals) Regulations, 2021

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The Central Consumer Protection Authority (Procedure for Engagement of Experts and Professionals) Regulations, 2021¹

In exercise of the powers conferred by clause (3) of Section 13 read with clause (a) of sub-section (2) of Section 104 of the Consumer Protection Act, 2019 (35 of 2019), the Central Consumer Protection Authority, with the previous approval of the Central Government, hereby makes the following regulations, namely:—

1. Short title and commencement.—(1) These regulations may be called the Central Consumer Protection Authority (Procedure for Engagement of Experts and Professionals) Regulations, 2021.

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

2. Definitions.—(1) In these regulations, unless the context otherwise requires,—

- (a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);
- (b) “Central Authority” means the Central Consumer Protection Authority established under Section 10 of the Act;
- (c) “Chief Commissioner” means the Chief Commissioner of the Central Authority appointed under sub-section (2) of Section 10 of the Act;
- (d) “Director General” means the Director General appointed under sub-section (2) of Section 15 of the Consumer Protection Act, 2019 and includes any Additional, Joint, Deputy or Assistant Directors General appointed under that section;
- (e) “expert or professional” means a person of integrity and outstanding ability having special knowledge of, and experience in the field for which they are to be engaged;

(2) Words and expressions used herein but not defined and defined in the Act shall have the same meaning as assigned to them in the Act.

3. Engagement of experts and professionals.—The Central Authority may decide on the number of experts and professionals to be engaged and accordingly engage such persons in the fields of consumer rights and welfare, consumer policy, law, medicine, food safety, health, engineering, product safety, commerce, economics, public affairs, administration or such other disciplines related to consumer protection, as it may deem fit.

1. Vide Notification No. F. J-25/6/2020-CCPA, dated 11-10-2021, published in the Gazette of India, dated 11-10-2021.

4. Functions of experts and professionals.—The experts and professionals engaged by the Central Authority shall discharge such functions as may be assigned to them by the Chief Commissioner for assisting the Central Authority.

5. Qualifications, experience and classification of experts and professionals.—(1) The experts and professionals to be engaged by the Central Authority shall be classified on the basis of their qualifications and experience in the respective fields of specialization as given in Schedule I.

(2) Depending upon the experience in respective discipline or field, a person shall be engaged as an expert or professional in one of the two levels given in Schedule II.

6. Remuneration payable to experts and professionals.—The experts or professionals of different levels shall be paid a remuneration in accordance with Schedule II.

7. Evaluation of performance.—The performance of each expert or professional with reference to the tasks assigned to them and output delivered by them, shall be reviewed every six months by the Central Authority.

8. Procedure of selection of experts and professionals.—(1) The experts and professionals shall ordinarily be engaged by the Central Authority on contractual basis for not less than six months and not more than three years.

(2) The Central Authority shall publish the number of experts and professionals to be engaged, with details of qualifications and experience required and the remuneration payable, on its official website, inviting applications for each discipline and level, giving a stipulated last date for the receipt of the applications for each discipline and level, and may also invite such applications by suitable public notice.

(3) The Central Authority shall constitute a selection board consisting of such number of eminent experts, as it deems fit, having special knowledge and experience in the field for which selection is to be made.

(4) The Central Authority shall scrutinize the applications and prepare lists of eligible candidates for each discipline and level to be called for interview.

(5) The selection board shall be convened with the approval of the Chief Commissioner for each discipline and the Central Authority shall notify the date and venue of the interview to the shortlisted eligible candidates sufficiently in advance.

(6) The recommendations of each selection board regarding engagement for each discipline and level shall be placed before the Central Authority for its decision.

(7) On approval by the Central Authority, each candidate shall be informed in writing by an offer letter of engagement giving not less than fifteen days time to accept the offer of engagement.

(8) After receipt of acceptance from the selected candidate, the Central Authority shall issue letter of engagement to each candidate giving not less than thirty days time to join:

Provided that the joining time may be extended by the Central Authority on being satisfied that such extension is sought for circumstances beyond the control of the selected candidate.

9. Terms and condition of engagement of experts and professionals.—(1) The expert and professional who have accepted the offer of engagement, before being assigned any work, shall enter into a contract and such contract shall contain a confidentiality clause and details of the terms and conditions of engagement.

(2) The terms and conditions of engagement may be modified, in a specific case, if the Central Authority deems it necessary.

(3) Without prejudice to the legal remedies available to the Central Authority, any breach of the terms and conditions of the contract executed under sub-regulation (1) shall be considered a sufficient ground for termination of the engagement made under the said contract and may further debar such expert or professional from future engagement by the Central Authority.

10. Power to relax.—The Central Authority may relax any of the provisions of these regulations as may be deemed necessary in the discharge of its functions under the Act after recording the reasons for such relaxations.

11. Interpretation.—In the implementation of these regulations, if any doubt or difficulty arises in the interpretation of any provisions thereof, the same shall be placed before the Central Authority and the decision of the Central Authority shall be final.

SCHEDULE I

(See Regulation 5)

Discipline	Qualification	Experience
Law	Essential—	
	<p>(i) degree of LL.B. or equivalent from a recognized University or Institute in India or abroad, recognized by the Bar Council of India.</p> <p>(ii) qualified to be registered as an advocate in any State Bar Council of India in terms of Advocate's Act, 1961.</p>	<p>(i) Experience in judicial or legal work in Supreme Court, High Court or any other court or in Government or Regulatory Authority or in Tribunal or any other similar forum, or</p> <p>(ii) Professor/Reader/Lecturer of Law of any recognized University or professional Institute of India or abroad with specialization in teaching consumer law, or</p> <p>(iii) Legal Manager or senior position in the Corporate sector having experience of handling consumer complaints, product</p>
	Desirable—	

	Any higher qualification with having with the subject of consumer law or regulatory law.	liability actions, class actions, etc. under consumer law.
Information Technology	Essential— Postgraduate degree in Engineering (Computer Science or Electronic & Communication or Information Science) from any University or Institute of India or abroad, duly recognized in India.	Worked at senior level positions in organization or corporation dealing with handling of 'Big data', Database management, data visualization, etc.
	Desirable— Any higher qualification with excellent academic record.	
Medical	Essential— Master of Science or Doctor of Medicine from a University in India or abroad duly recognized by the Medical Council of India. Desirable— Any higher qualification with excellent academic record.	Professor or Reader or Lecturer of Medicine in any recognized University or professional Institute of India or abroad, or a person of eminence in the medical profession.
Science	Essential— Postgraduate degree in Pure or Applied sciences from a recognized University of India or abroad. Desirable— Any higher qualification with excellent academic record.	(i) Worked at senior level position in Government organizations or organizations in private sector dealing with technical and scientific matters; or (ii) Professor or Reader or Lecturer of sciences in any recognized University or professional Institute of India or abroad.
Economics	Essential— Postgraduate degree in Economics from either a recognized University in India or abroad, with specialization in Industrial Economics or Industrial Organization or International Trade or Econometrics or Mathematical Economics or Quantitative Economic methods or Law and Economics. Desirable— (i) consistent high academic performance. (ii) doctoral degree, from a reputed University	(i) Work experience in analysis of microeconomic problems, including International trade, investment, project evaluation and appraisal, industrial organization, Industrial economics or economic regulation including competition assessment, using quantitative economic techniques in Government, public sector, private sector, non-governmental organizations or regulatory authorities or regional or international or multilateral organizations or in universities or reputed research institutions; or

	or Institution in India or from a University or Institution duly recognized in India, in Economics in the area of consumer policy or related areas.	(ii) Professor or Reader or Lecturer in any recognised University or research institution in Microeconomics or Industrial Economics or Industrial Organization or International trade or Econometrics or Mathematical Economics or Quantitative Economic methods or related subjects.
Business Management	Essential— Postgraduate degree or Postgraduate diploma in Master of Business Management from a recognized University in India or from a foreign University, duly recognized by a competent authority in the country.	(i) Worked in managerial positions in marketing and allied divisions at organizations especially in Fast Moving Consumer Goods sector, having adequate knowledge of market surveillance (with focus on e-commerce), advertisement policies, demand modeling, development impact assessment; or Desirable— Any higher qualification with excellent academic record. (ii) Professor or Reader or Lecturer of Business Management in any recognized University or professional Institute of India or abroad. Desirable: Experience in handling consumer related issues including compliance matters.

SCHEDULE II

(See Regulations 5 and 6)

Level of experts and professionals	Preferred experience in years	Lump sum monthly remuneration
(1)	(2)	(3)
Level I	Upto three years	Rs. 50,000 with 10 per-cents increase on completion of each year.
Level II	Three to five years	Rs. 70,000 with 10 per-cents increase on completion of each year.