

The Consumer Protection (Administrative Control over the State Commission and the District Commission) Regulations, 2020

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The Consumer Protection (Administrative Control over the State Commission and the District Commission) Regulations, 2020¹

In exercise of the powers conferred by Section 103 of the Consumer Protection Act, 2019 (35 of 2019), read with Section 70 and in supersession of the Consumer Protection (Administrative Control over the State Commission and the District Commission) Regulations, 2018, except as respects things done or omitted to be done before such supersession, the National Consumer Disputes Redressal Commission 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 Consumer Protection (Administrative Control over the State Commission and the District Commission) Regulations, 2020.

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

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

- (i) “Act” means the Consumer Protection Act, 2019 (35 of 2019);
- (ii) words and expressions used in these regulations and not defined herein but defined in the Act or in the rules made thereunder shall have the same meaning as assigned to them in the Act or in the rules, as the case may be.

3. Observance of work.—(1) The State Commission and the District Commission shall list sufficient matters on each working day as prescribed in Regulation 5 of the Consumer Protection (Consumer Commission Procedure) Regulations, 2020.

4. Inspection of State Commission.—(1) The President or a member of the National Commission duly authorised by him shall inspect each State Commission at least once in a calendar year and prepare a report of such inspection and submit the same to the National Commission within fifteen days of such inspection.

(2) On receipt of the inspection report, the President of the National Commission may issue such administrative directions to the State Commission, as may be deemed appropriate by him, to improve the functioning of the State Commission and to achieve the objects and purposes of the Act without interfering with its quasi-judicial freedom.

(3) The State Commission shall expeditiously comply with the directions issued under sub-regulation (2).

1. National Consumer Disputes Redressal Commission, Noti. No. F. No.A-105/ACR/NCDRC/2020, dated July 24, 2020 and published in the Gazette of India, Extra., Part III, Section 4, dated 24h July, 2020, pp. 3-4, No. 279

5. Inspection of the District Commission.—(1) The President or a member of the State Commission duly authorised by him shall inspect each District Commission under its administrative control at least once in a calendar year and prepare a report of such an inspection and submit the same to the State Commission within fifteen days of such inspection.

(2) On receipt of the inspection report, the President of the State Commission may issue such administrative direction to the District Commission, as may be deemed appropriate by him to improve the functioning of the District Commission and to achieve the objects and purposes of the Act without interfering with its quasi-judicial freedom.

(3) The District Commission shall expeditiously comply with the directions issued under sub-regulation (2).

(4) A copy of the directions issued by the President of the State Commission under sub-regulation (2) shall also be forwarded to the President of the National Commission.

6. Recommendation to State Government for administrative action.—(1) The President of the National Commission, may, on receipt of a complaint against the President or a member of a State Commission, after making such inquiry, if any, as he may deem appropriate, recommend to the concerned State Government for taking suitable administrative action against such President or member, as the case may be.

(2) The President of a State Commission, may, on receipt of a complaint against the President or a member of the District Commission, after making such inquiry, if any, as he may deem appropriate, recommend to the concerned State Government for taking suitable administrative action against such President or member, as the case may be, and a copy of such recommendation shall also be forwarded to the National Commission.

7. Uploading of orders.—The State Commission and the District Commission shall upload final orders pronounced by them, on their respective websites, within three days of the pronouncement of such order.

8. Uploading of pending matters.—The State Commission and the District Commission shall upload, on their respective websites by the 7th day of each month, the particulars of the pending matters, in which arguments have been heard, but the order has not been pronounced for more than forty-five days.
