

The Consumer Protection (Central Consumer Protection Council) Rules, 2020

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The Consumer Protection (Central Consumer Protection Council) Rules, 2020¹

In exercise of the powers conferred by clauses (d), (e) and (zj) of sub-section (2) of Section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the **Consumer Protection (Central Consumer Protection Council) Rules, 2020.**

(2) They shall come into force on the 20th day of July, 2020.

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

- (a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);
- (b) “Central Council” means the Central Consumer Protection Council established under sub-section (1) of Section 3 of the Act;
- (c) “Chairperson” means the chairperson of the Central Council;
- (d) “Schedule” means a Schedule appended to these rules;
- (e) “State” include Union territory.

(2) The words and expressions used herein, but not defined, and defined in the Act shall have the meaning assigned to them in the Act.

3. Composition of Central Council.—The Central Government shall, by notification in the Official Gazette, establish the Central Council which shall consist of the following members, not exceeding thirty-six, namely:—

- (a) the Minister in-charge of Consumer Affairs in the Central Government who shall be the Chairperson of the Central Council;
- (b) the Minister of State (where he is not holding independent charge) or Deputy Minister in charge of Consumer Affairs in the Central Government who shall be the Vice-Chairperson of the Central Council;
- (c) the Minister in-charge of Consumer Affairs of two of the States from each region as mentioned in Schedule I to be changed by rotation on expiration of the term of the Central Council on each occasion;
- (d) an administrator (whether designated as administrator or Lieutenant Governor) of a Union territory, to represent that Union territory, as mentioned in Schedule II, to be changed by rotation on expiration of the term of the Central Council on each occasion;
- (e) two Members of Parliament—one from the Lok Sabha and one from the Rajya Sabha;
- (f) representatives of Departments of the Central Government, autonomous organisations or regulators concerned with consumer interests, not exceeding five to be nominated by the Central Government;

1. Ministry of Consumer Affairs, Food and Public Distribution (Deptt of Consumer Affairs), Noti. No. G.S.R. 447(E), dated July 15, 2020 and published in the Gazette of India, Extra., Part II, Section 3(i), datd 15th July, 2020, pp. 4-7, No. 344

- (g) the Chief Commissioner of the Central Consumer Protection Authority;
- (h) the Registrar, National Consumer Disputes Redressal Commission, New Delhi;
- (i) representatives of consumer organisations not exceeding five, to be nominated by the Central Government;
- (j) representatives with proven expertise and experience who are capable of representing consumer interests, drawn from amongst consumer organisations, consumer activists, research and training organisations, academicians, farmers, trade or industry, not exceeding five, one from each of the regions specified in Schedule I, of whom at least one shall be a woman;
- (k) the Secretaries in-charge of Consumer Affairs in the States, not exceeding three, to be nominated by the Central Government;
- (l) the Secretary in-charge of Consumer Affairs in the Central Government shall be the Member-Secretary of the Central Council.

4. Term of Central Council.—The term of the Central Council shall be three years:

Provided that the Central Council shall continue to function for a further period of three months or till it is reconstituted, whichever is earlier.

5. Resignation of members of Central Council.—Any member may, by notice in writing under his hand addressed to the Chairperson of the Central Council, resign from the Central Council.

6. Vacancy caused by resignation.—(1) A vacancy caused by the resignation of a member under Rule 5 shall be filled by a fresh appointment from the same category of members by the Central Government.

(2) The person appointed to fill the vacancy caused by the resignation of a member under Rule 5 shall hold office only for the period of time that the original member would have been entitled to hold office had the vacancy not occurred.

7. Working Groups.—(1) For the purposes of performing its functions under the Act, the Central Council may constitute from amongst its members, such working groups as it may deem necessary, and every working group so constituted shall perform such task as are assigned to it by the Central Council.

(2) The Central Council shall entrust to each working group clearly defined tasks which are specified through terms of reference, and which shall also include the time-period within which such task are to be completed.

(3) The working groups shall report to the Chairperson of the Central Council.

(4) The findings of each working group shall be placed before the Central Council for its consideration.

(5) The working group shall cease to function on the completion of the task for which it was constituted.

8. Meetings of Central Council for transaction of business.—(1) The meetings of the Central Council shall ordinarily be held in the National Capital Territory of Delhi:

Provided that the Central Council may also hold its meetings at any other place in India, wherever in the opinion of the Chairperson, it is expedient so to do.

(2) The Chairperson, or in his absence, the Vice-Chairperson shall preside over the meetings of the Central Council.

(3) In the absence of both the Chairperson and the Vice-Chairperson, the meetings of the Central Council shall be presided over by a member of the Central Council elected for this purpose.

(4) A meeting of the Central Council may be called with the approval of the Chairperson by issuing a notice in writing to every member at least fifteen days before the intended date of the meeting by post, or through e-mail to facilitate speedy communication.

(5) The notice of every meeting of the Central Council shall intimate the time, date, and place of the meeting and the items of agenda for the meeting.

(6) Any business not included in the agenda shall not be transacted at a meeting of the Central Council except with the permission of the Chairperson, or the Vice-Chairperson, or the member presiding over the meeting, as the case may be.

(7) The draft minutes of each meeting of the Central Council shall be prepared as soon as possible and not later than one week from the conclusion of each meeting and the same shall be submitted to the Chairperson or the Vice-Chairperson or to the member who presided over the meeting for his approval.

(8) The draft minutes of each meeting of the Central Council approved by the Chairperson or the Vice-Chairperson or the member who presided over this meeting shall be forwarded to each member of the Central Council as soon as possible for adoption at the next meeting.

(9) No proceedings of the Central Council shall be invalid merely by reasons of existence of any vacancy in or any defect in the constitution of the Central Council.

9. Reimbursement of expenses and sitting fees.—(1) Non-local non-official members of the Central Council shall be entitled to:—

- (a) avail economy class airfare in connection with journeys undertaken to and from for the purpose of attending meetings of the Central Council or the working groups;
- (b) a sum of rupees five thousand per each day of the meeting of the Central Council or its working groups as incidental charges to cover the expenditure towards their daily allowance, lodging, local conveyance from their place of residence to the station or airport and from the station or airport to the venue of meeting of the Central Council or its working groups, and vice-versa.

(2) Every claim made under sub-rule (1) shall be subject to the member of the Central Council certifying that he shall not claim any benefit from any other

ministry, department or organisation of the Central Government during his visit for the purpose of attending the meeting of the Central Council or any of its working groups.

(3) Local non-official members residing at the place of the venue of the meeting of the Central Council or its working groups, shall be entitled to avail consolidated conveyance hire charges of up to rupees one thousand per each day of the meeting irrespective of the classification of the city.

(4) Members of Parliament attending meetings of the Central Council or its working groups shall be entitled to travelling and daily allowances at such rates as are admissible to such Members.

SCHEDULE I

[See Rule 3(3)]

- (1) Eastern Region - to consist of the States of Bihar, Chattisgarh, Jharkhand, Odisha, and West Bengal.
- (2) Western Region - to consist of the States of Goa, Gujarat, Maharashtra, Madhya Pradesh and Rajasthan.
- (3) Northern Region - to consist of the States of Haryana, Himachal Pradesh, Punjab, Uttar Pradesh and Uttarakhand.
- (4) Southern Region - to consist of the States of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Telangana.
- (5) North Eastern Region - to consist of the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim.

SCHEDULE II

[See Rule 3 (4)]

The Union territories of the Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, Jammu and Kashmir, Ladakh, Lakshadweep, Puducherry, the National Capital Territory of Delhi.
