

GOVERNMENT OF MEGHALAYA
FOOD CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong, the 1st September, 2021.

NO.SUP.16/2016/315 - In exercise of the powers conferred under Section 30 and Section 44 read with clauses (h) and (m) of sub-section (2) of Section 102, of the Consumer Protection Act, 2019, (No. 35 of 2019), the Government of Meghalaya, hereby makes the following Rules, namely :-

1. Short title, and commencement :- (1) These Rules may be called the Meghalaya State Consumer Protection (Salary, Allowances and conditions of service of President and Members of the State Commission and District Commission) Rules, 2021.

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

2. Definition :- In these Rules, unless the context otherwise requires :-

(a) "Act" means the Consumer Protection Act, 2019 (Central Act No.35 of 2019);

(b) "Official Gazette" means the Gazette of Meghalaya;

(c) "State" means the State of Meghalaya;

(d) "State Government" means the State Government of Meghalaya.

Words and expressions used in these Rules and not defined but defined in the Act shall have the same meaning respectively assigned to them in the Act.

3. Salaries and allowances payable to President and members of District Commission :- (1) A serving District Judge, appointed, on deputation basis, shall be entitled to pay and allowances of a District Judge in the super time scale of pay.

(2) A Member shall be paid a consolidated remuneration equal to the pay of the minimum of the scale of pay of a Deputy Secretary of the State Government plus other allowances as admissible.

(3) The pay of a person appointed as President or Member, who is in receipt of pension, shall be reduced by the gross amount of Pension drawn by him;

(4) There shall be an annual upward revision of the pay of the President and member at the rate of 3 %.

4. Salaries and allowances payable to President and members of the State Commission :- (1) President of the State Commission shall receive the Salary, Allowances and other perquisites as are admissible to a sitting judge of the High Court of the State.

(2) A Member of the State Commission shall receive a pay equivalent to the pay at minimum of the scale of pay of an Additional Secretary in the State Government and other allowances as admissible.

(3) The pay of a person appointed as President or Member, who is in receipt of any pension, shall be reduced by the gross amount of Pension drawn by him.

- (4) There shall be an annual upward revision of pay of a member at the rate of 3 %.
5. Medical fitness:- No person shall be appointed as President or Member unless he is declared medically fit by an authority specified by the State Government in this behalf.
6. Casual Vacancy :- In case of a casual vacancy in the office of President in the State Commission or District Commission, as the case may be, the State Government shall have the power to appoint the senior most Member to officiate as President.
7. House rent allowance:- The President or Member shall be entitled to house rent allowance at the same rate as are admissible to Group A Officer of the State Government of corresponding status.
8. Travelling allowance:- The President or Member shall be entitled to travelling allowance at the same rate as are admissible to Group A Officer of the State Government of a corresponding status.
9. Leave and Medical treatment and Hospital facilities to the appointees :- The President and Members of the State Commission and District Commissions shall be entitled to Leave, Leave Travel Concession (L.T.C.), Medical Treatment and Hospital facilities as per the provisions applicable to Group A Government Servants in the State Government.
10. Declaration of Financial and other Interests:- The President or Member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.
11. Other conditions of service:- (1)The terms and conditions of service of the President or Member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group A Officer of the State Government of a corresponding status.
- (2) The President or Member shall not practice before the National Commission, the State Commission or the District Commission after retirement from the service of the State Commission or the District Commission, as the case may be.
- (3) The President or Member shall not undertake any arbitration work while functioning in these capacities in the State Commission or District Commission, as the case may be.
- (4) The President or Member of the State Commission or District Commission, as the case may be, shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the State Commission or the District Commission:
Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).
12. Oaths of office and secrecy:- Every person appointed to be the President or Member shall, before entering upon his office, make and subscribe an oath of Office in Form I and oath of secrecy in Form II annexed to these rules.

Sd/-(Shri Shakil P Ahmed, IAS)
Principal Secretary to the Government of Meghalaya,
Food Civil Supplies & Consumer Affairs Department.

Annexure
[see Rule 14]

FORM I

Form of oath of Office for the president and member of the State Commission and District Commission

I, A.B., having been appointed as the President/Member in the State Consumer Disputes Redressal Commission,...../ District Consumer Disputes Redressal Commission, do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the President/Member of the State Commission/District Commission to the best of my ability, knowledge and judgement, without fear or favour, affection or ill-will and that I will uphold the Constitution and laws of land.

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FORM II

Form of Oath of secrecy for the President and Member of the State Commission and District Commission

I, A. B., having been appointed as President/member of the State Consumer Disputes Redressal Commission,/ District Consumer Disputes Redressal Commission, do solemnly affirm/do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as President/Member of the State Commission/District Commission except as may be required for the due discharge of my duties as the President/Member.

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Copy to:-

1. P.S. to Chief Minister of Meghalaya, for information of Hon'ble Chief Minister.
2. P.S. to Deputy Chief Minister of Meghalaya, for information of Hon'ble Deputy Chief Minister.
3. P.S. to Hon'ble Justice W. Diengdoh, Chairman of the Selection Committee of the State Commission.
4. P.S. to Chief Secretary to the Government of Meghalaya for information of Chief Secretary.
5. P.S. to Principal Secretary to the Government of Meghalaya for information of Principal Secretary.
6. The Secretary to the Government of India, Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, Krishi Bhawan, New Delhi – 110001.
7. Registrar General, Meghalaya High Court.
8. Secretary to the Government of Meghalaya, Food Civil Supplies & Consumer Affairs Department.
9. Director, Food Civil Supplies & Consumer Affairs, Meghalaya, Shillong.
10. Secretary, Meghalaya State Consumer Disputes Redressal Commission, Shillong.
11. Cabinet Affairs Department.
12. All Administrative Departments.
13. All Heads of Departments
14. All Deputy Commissioners/Sub-Divisional Officers.
15. All Presidents and Members of the State Commission and District Commissions.
16. The Director Printing & Stationery, Meghalaya for favour of publication in the next issue of the Meghalaya Gazette, with a request to print 400 copies for this department.
17. The S.I.O, NIC, Meghalaya, Shillong for necessary action.

By Order etc,


Joint Secretary to the Government of Meghalaya,
Food Civil Supplies & Consumer Affairs Department.