

PART III
GOVERNMENT OF PUNJAB

DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMER
AFFAIRS
(CONSUMER PROTECTION ACT BRANCH)

NOTIFICATION

The 24th August, 2021

No. G.S.R. 118/C.A.35/2019/S.102/2021.—In exercise of the powers conferred by section 102 of the Consumer Protection Act, 2019 (Central Act No. 35 of 2019), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, namely: -

RULES

1. Short title and commencement.— (1) These rules may be called the Punjab State Consumer Protection Council Rules, 2021.

(2) They shall come into force on and with effect from the date of their publication in the official Gazette.

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

- (a) “Act” means the Consumer Protection Act, 2019 (Central Act No. 35 of 2019);
- (b) “Chairperson” means the Chairperson of the State Council or District Council;
- (c) “District Council” means the District Consumer Protection Council established under sub-section (1) of section 8 of the Act;
- (d) “State” means the State of Punjab;
- (e) “State Council” means the Punjab State Consumer Protection Council established under sub-section (1) of section 6 of the Act; and
- (f) “State Government” means the Government of the State of Punjab in the Department of Food, Civil Supplies and Consumer Affairs.

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

Section 3. **Composition of State Council.**— The State Council shall consist of 6(2)(b). the following members, namely:

- (i) the Minister-in-Charge of Food, Civil Supplies and Consumer Affairs, who shall be its Chairman;
- (ii) two Members of Parliament from the State of Punjab as may be decided by the Hon'ble Chief Minister (whether from Lok Sabha or Rajya Sabha);
- (iii) President of the Punjab State Consumer Disputes Redressal Commission;
- (iv) three Members of Legislative Assembly of the State of Punjab;
- (v) Legal Remembrancer and Secretary to Government of Punjab;
- (vi) Secretary-in-charge of the Department of Food, Civil Supplies and Consumer Affairs, Punjab, who shall be the Member-Secretary;
- (vii) representatives of consumer organizations, not exceeding two to be nominated by the State Government; and
- (viii) one non-official Member who shall be an industrialist or economist.

Section 4. **Procedure for the meetings of the State Council.**— (1) Every meeting 6(4). of the State Council shall be convened by the Member-Secretary in accordance with the directions of the Chairperson.

(2) The meeting of the State Council shall be presided over by the Chairperson. In the absence of the Chairperson, the members present shall elect a person from amongst themselves to preside over the meeting.

(3) The quorum for a meeting of the State Council shall be one third of the total number of its members.

(4) Every meeting of the State Council shall be convened only after giving a notice in writing to each Member atleast seven days prior to the said meeting:

Provided that a meeting of the State Council may be convened with less than seven days' notice if the circumstances so warrant.

(5) Every notice of the meeting of the State Council shall specify the place, date and hour of the meeting and shall contain a statement of the business to be transacted thereof.

(6) For the purpose of performing its functions under the Act, the State Council may constitute, from amongst its members, such working groups as it may deem necessary under the Chairmanship of the Member-Secretary of the Council and each such working group so constituted shall perform such functions as are assigned to it by the State Council. Such working groups shall consist of not exceeding five members and shall meet as and when necessary. The report of such working groups shall be placed before the State Council for its consideration.

(7) The resolutions passed by the State Council shall be advisory in nature.

(8) No act or proceedings of the State Council shall be invalid merely by reason of existence of any vacancy in or any defect in the constitution of the said Council.

(9) The members shall be eligible for travelling allowance and daily allowance for attending the meetings of the State Council or its working groups at the rate admissible to Group-A Officers of the Government of Punjab.

(10) Every claim under sub-rule (9) shall be payable, if not claimed anywhere else, by the member from any other Government Department, Ministry or Organization or establishment for his visit to attend the meeting of the State Council or any of its working group. For the purpose of calculating travelling allowance, the address of the members as shown in the notification constituting the Council shall be followed.

5. Composition of the District Consumer Protection Council.— The Section District Consumer Protection Council shall consist of the following members, namely:- 8(2)(b).

- (i) Collector of the District who shall be its Chairperson/Chairman;
- (ii) District Food Supply Controller of the District – Convenor-cum-member;
- (iii) two representatives from the Non-Governmental/Consumer Organisations; and
- (iv) three non-official members to be nominated by the Chairperson of such Council.

6. Procedure for the meetings of the District Council.— (1) Every Section meeting of the District Council shall be convened by the Convener-cum- 8(4). member in accordance with the directions of the Chairperson.

(2) The meeting of the District Council shall be presided over by the Chairperson. In the absence of the Chairperson, the members present shall elect a person from amongst themselves to preside over the meeting.

(3) The quorum for the meeting of the District Council shall be one third of its total members.

(4) Every meeting of the State Council shall be convened only after giving a notice in writing to each Member atleast seven days prior to the said meeting:

Provided that a meeting of the District Council may be convened with less than seven days' notice if the circumstances so warrant.

(5) Every notice of the meeting of the District Council shall specify the place, date and hour of the meeting and shall contain a statement of the business to be transacted thereof.

(6) For the purpose of performing its functions under the Act, the District Council may constitute, from amongst its members, such working groups as it may deem necessary under the Chairmanship of the Convener-cum-Member of the District Council and each such working group so constituted shall perform such functions as are assigned to it by the District Council. Such working groups shall consist of not exceeding five members and shall meet as and when necessary. The reports of such working groups shall be placed before the District Council for its consideration.

(7) The resolutions passed by the District Council shall be advisory in nature.

(8) No act or proceedings of the District Council shall be invalid merely by reasons of existence of any vacancy in or any defect in the constitution of the said Council.

(9) The non-official members shall be eligible for travelling allowance and daily allowance for attending the meetings of the District Council or its working groups at the rate admissible to Group-A Officers of the Government of Punjab.

(10) Every claim under sub-rule (9) shall be payable, if not claimed anywhere else, by the member from any other Government Department, Ministry or Organization or establishment for his visit to attend the meeting of

the District Council or any of its working group. For the purpose of calculating travelling allowance, the address of the member as shown in the notification constituting the District Council shall be followed.

7. Term of State Council or District Council. — The term of the State Council or District Council shall be three years. Sections 6 and 8.

8. Resignation of members of State Council or District Council. — Any member may, by notice in writing under his hand addressed to the Chairperson of the State Council, resign from the State Council or District Council, as the case may be. Sections 6 and 8.

9. Vacancy caused by resignation. — (1) A vacancy caused by the resignation of a member under rule 8 shall be filled from the same category of members by the State Government. Sections 6 and 8.

(2) The person appointed to fill the vacancy caused by the resignation of a member 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.

10. Cessation of notifications etc. - All notifications, instructions etc. regulating the constitution of State Council and District Council and the procedures thereof shall cease to be in effect from the date of coming into force of these rules.

RAHUL TEWARI,
Secretary to Government of Punjab,
Department of Food, Civil Supplies and
Consumer Affairs.