

HARYANA GOVERNMENT

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

Notification

The 24th July, 2024

No. S.O. 37/C.A. 35/2019/S.102/2024.— In exercise of the powers conferred by section 102 of the Consumer Protection Act, 2019 (Central Act 35 of 2019), the Governor of Haryana hereby makes the following rules, namely:—

Short title and commencement.

1. (1) These rules may be called the State Consumer Protection Council Rules, 2024.
- (2) They shall come into force with effect from the date of their publication in the official gazette.

Definitions.

2. (1) In these rules, unless the context otherwise requires,—
 - (a) “Act” means the Consumer Protection Act, 2019 (Central Act 35 of 2019);
 - (b) “Chairperson” means the Chairperson of the State Council;
 - (c) “State Council” means the Haryana State Consumer Protection Council established under sub-section (1) of section 6 of the Act;
- (2) The 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.

Composition of State Council.

3. (1) The State Government shall, by notification in the Official Gazette, establish the State Council which shall consist of the following members namely;
 - (a) the Minister in-charge of Consumer Affairs in the State Government who shall be the Chairperson of the State Council; a Vice Chairman to be nominated by the State Government;
 - (b) the Additional Chief Secretary/Principal Secretary to Government, Haryana, Food, Civil Supplies and Consumer Affairs Department-member.
 - (c) Secretary/Special Secretary to Government, Haryana, Food, Civil Supplies and Consumer Affairs Department- Member-Secretary;
 - (d) The Additional Chief Secretary/Principal Secretary to Government Haryana, Development and Panchayat Department, Haryana-member;
 - (e) The Additional Chief Secretary/Principal Secretary to Government, Haryana, Urban Local Bodies Department-Member;
 - (f) Other official or non-official members, not exceeding ten shall be nominated by the Central Government.
 - (g) Three representatives of any other departments/ bodies of the State Government to be nominated by the State Government-Member;
 - (h) Secretary of State Consumer Disputes Redressal Commission, Haryana, Panchkula- Member;
 - (i) Non-official members not exceeding five to be nominated by the State Government. who have specialization and proven expertise and experience in representing consumer interests, drawn from amongst consumer organizations, consumer activists, research and training organizations, academicians, farmers, trade or industry.

Term of State Council.

4. The term of the State Council shall be three years:

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

5. Non-official member may, resign by notice in writing under his hand addressed to the Chairperson of the State Council.

Resignation of Non-Official members of State Council.

6. (1) A vacancy caused by the resignation of any non-official member under rule 5 shall be filled by a fresh appointment from the same category of non-official member by the State Government.

Vacancy caused by resignation of any Non-Official Member.

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

7. (1) The State Council may constitute from amongst its members, such working groups as it may deem necessary for the purposes of performing functions under the Act and every working group so constituted shall perform such task as are assigned.

Working groups.

(2) The State 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.

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

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

8. (1) The meetings of the State Council shall ordinarily be held at Chandigarh;

provided that the Council may also hold its meeting at any other place in State, wherever in the opinion of the Chairperson, it is expedient to do so.

Meetings of State Council for transaction of business.

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

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

(4) A meeting of the State Council may be called with the approval of the Chairperson by issuing a notice in writing to every member at least ten 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 State 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 State 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 State 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 State 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 State Council as soon as possible for adoption at the next meeting.

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

Reimbursement
of expenses and
sitting fees.

9. (1) Non-official members of the State Council shall be entitled to avail the Travelling Allowance/Dearness Allowance as per Haryana Civil Services (Travelling Allowances) Rules, 2016 as applicable to the Class-I Officer of the Haryana Government in Grade-III for the purpose of attending meetings of the State Council or the working groups;

(2) All official members shall be entitled to avail the Travelling Allowance/Dearness Allowance as per Haryana Civil Services (Travelling Allowances) Rules, 2016 from the parent Department for the purpose of the attending meeting of the State Council or the working groups.

(3) Every claim made under sub-rule (1) shall be subject to the member of the State Council certifying that he shall not claim any benefit from any other Department or Organization of the State Government during his visit for the purpose of attending the meeting of the State Council or any of its working groups.

DR. SUMITA MISRA,
Additional Chief Secretary to Government, Haryana,
Food, Civil Supplies and Consumer Affairs Department.

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Notification

The 24th July, 2024

No. S.O. 38/C.A. 35/2019/S.102/2024.— In exercise of the powers conferred by section 102 of the Consumer Protection Act, 2019 (Central Act 35 of 2019), the Governor of Haryana hereby makes the following rules, namely:—

1. (1) These rules may be called the District Consumer Protection Council Rules, 2024. Short title and commencement.
(2) They shall come into force with effect from the date of their publication in the official gazette.
2. (1) In these rules, unless the context otherwise requires,— Definitions.
(a) “Act” means the Consumer Protection Act, 2019 (Central Act 35 of 2019);
(b) “Chairperson” means the Chairperson of the District Council;
(c) “District Council” means the District Consumer Protection Council in the State established under sub-section (1) of section 8 of the Act;
(2) The words and expressions used herein, but not defined, and defined in the Act shall have the meaning as assigned to them in the Act.
3. (1) The State Government shall by notification in the official gazette, establish for every District, a District Council which shall consist of the following members, namely; Composition of District Council.
(a) Deputy Commissioner-Chairperson;
(b) Superintendent of Police-Vice Chairman;
(c) City Magistrate-member;
(d) Chief Medical Officer of Civil Hospital-member;
(e) District Food and Supplies Controller-Member-Secretary;
(f) District Attorney of the Deputy Commissioner office-member ;
(g) Not more than representatives of any other department of the State to be nominated by the Deputy Commissioner- members;
(h) Not more than three non-official members who have specialization and proven expertise and experience in representing consumer interests, drawn from amongst consumer organizations, consumer activists, research and training organizations, academicians, farmers, trade or industry in the respective district be nominated by the State Council ;
4. The term of the District Council shall be three years; Term of District Council.
Provided that the District Council shall continue to function for a further period of three months or till it is reconstituted, whichever is earlier.
5. Non-official member may resign, by notice in writing under his hand addressed to the Chairperson of the District Council. Resignation of non-official member of District Council.
6. (1) A vacancy caused by the resignation of any non-official member shall be filled by a fresh appointment from the same category of non-official member by the State Government. Vacancy caused by resignation of Non-Official member.
(2) The person appointed to fill the vacancy caused by the resignation of a non-official member under rule 5 shall hold office only for the period of time that the original non-official member would have been entitled to hold office had the vacancy not occurred.
7. (1) For the purposes of performing its functions under the Act, the District 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 assigned to it by the District Council. Working Groups.
(2) The District 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 tasks to be completed.

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

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

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

Meetings of
District Council
for transaction
of business.

8. (1) The meetings of the District Council shall be held at District Headquarter provided that the council may also hold its meeting at any other place in District, wherever in the opinion of the Chairperson it is expedient to do so.

(2) The District Council shall meet as and when necessary but not less than two meetings be held every year.

(3) The Chairperson, or in his absence, the Vice-Chairperson shall preside over the meeting of the District Council.

(4) In the absence of both the Chairperson and the Vice-Chairperson, the meeting of the District Council shall be presided over by the member of District Council, elected for this purpose.

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

(6) The notice for every meeting of the District Council to intimate the time, date, place and the items of agenda for the meeting.

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

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

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

(10) No proceedings of the District Council shall be invalid merely by reasons of any vacancy or any defect in the composition of the District Council.

Reimbursement
of expenses and
sitting fees.

9. (1) Non- official members of the District Council shall be entitled to avail the Travelling Allowance/Daily Allowances as per Haryana Civil Services (Travelling Allowance) Rules, 2016 as applicable to the Class-I Officer of the Haryana Government in Grade-III for the purpose of attending meetings of the State Council or the working groups.

(2) All official members shall be entitled to avail the Travelling Allowance/Daily Allowance as per Haryana Civil Services (Travelling Allowance) Rules, 2016 from the parent Department for the purpose of the attending meeting of the District Council or the working groups.

(3) Every claim made under sub-rule (1) shall be subject to the member of the District Council certifying that he shall not claim any benefit from any other Department or Organization of the State Government during his visit for the purpose of attending the meeting of the District Council or any of its working groups.

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