



ABSTRACT

The Consumer Protection Act, 2019 (Central Act 35 of 2019) – Framing the Tamil Nadu Consumer Protection (State Consumer Protection Council and District Consumer Protection Council) Rules, 2023 - Notification - Issued.

Co-operation, Food and Consumer Protection (H1) Department

G.O.(Ms) No.157

Dated 29.11.2023.

சோபகிருது வருடம்,

கார்த்திகை - 13,

திருவள்ளூர் ஆண்டு-2054

Read :

1. Gazette Notification No. 344, dated: 15.07.2020 of Government of India, Consumer Protection (Central Consumer Protection Council) Rules, 2020.
2. The Commissioner of Civil Supplies and Consumer Protection Department letter Rc.No.CP2/12725/2018, dated: 27.12.2021 and 16.06.2023.

ORDER:

In the letters second read above, the Commissioner of Civil Supplies and Consumer Protection Department has requested the Government to frame the Tamil Nadu Consumer Protection (State Consumer Protection Council and District Consumer Protection Council) rules as per the provision under the clause (c),(d),(e),(f) and (q) of sub section 2 of section 102 of the Consumer Protection Act, 2019.

2. After careful examination, the Government have decided to issue the orders for framing the Tamil Nadu Consumer Protection (State Consumer Protection Council and District Consumer Protection Council) Rules, 2023.

3. Accordingly, the appended notification will be published in the issue of the **Tamil Nadu Government Gazette**.

(p.t.o)

4. The Works Manager, Government Central Press, Chennai - 600 079 is requested to print a supply of 100 copies of the notification to the Co-operation, Food and Consumer Protection Department, Secretariat, Chennai - 600 009.

(BY ORDER OF THE GOVERNOR)

**K. GOPAL,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.**

To
The Works Manager,
Government Central Press, Chennai- 600 079.
(for Publication in the Tamil Nadu Government
Gazette)
The Hon'ble President,
National Consumer Disputes Redressal Commission,
New Delhi - 110 001.
The Hon'ble President,
State Consumer Disputes Redressal Commission,
Chennai -600 003.
The Principal Secretary / Commissioner of Civil Supplies
and Consumer Protection,
Chennai -600 005.
The Secretary to Government of India,
Ministry of Consumer Affairs, Food and Public Distribution,
Department of Consumer Affairs and Public Distribution,
New Delhi -110 001.
The Tamil Development and Information (Translation) Department,
Chennai - 600 009.
All Departments of Secretariat, Chennai -600 009.
The Law Department, Chennai-600 009.
All Presidents of District Consumer Disputes Redressal Forum,
All District Collectors.
Copy to:-
The Special Personal Assistant to Hon'ble Minister
(Food and Civil Supplies), Chennai -600 009.
Stock File /Stock Copy.

// Forwarded by order //

SECTION OFFICER.

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29/11/2023

25.11.2023

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G.O(Ms)No. 157, Co-operation, Food and Consumer Protection (H1)
Department, dated: 29.11.2023.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by clauses (c), (d), (e), (f) and (g) of sub-section (2) of section 102 of the Consumer Protection Act, 2019 (Central Act 35 of 2019), the Governor of Tamil Nadu hereby makes the following rules, namely:-

Rules.

1. Short title and commencement.- These rules may be called as the Tamil Nadu Consumer Protection (State Consumer Protection Council and District Consumer Protection Council) Rules, 2023.

2. Definitions.- (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 or the Chairperson of the District Council, as the case may be;
- (c) "District Council" means the District Consumer Protection Council established in the State of Tamil Nadu under sub-section (1) of section 8 of the Act;
- (d) "Government" means the Government of Tamil Nadu;
- (e) "State Council" means the Tamil Nadu 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 meaning assigned to them in the Act.

3. Composition of State Council.— The Government shall, by notification in the Tamil Nadu Government Gazette, establish the Tamil Nadu State Consumer Protection Council which shall consist of the following members, not exceeding twenty three, namely:-

- (a) the Minister in-charge of Consumer Affairs in the State Government who shall be the Chairperson of the State Council;
- (b) two members of the Parliament nominated by the Government;
- (c) two members of the Legislative Assembly, nominated by the Government;
- (d) the Commissioner of Civil Supplies and Consumer Protection;

- (e) the Registrar, State Consumer Disputes Redressal Commission, Chennai;
- (f) representatives from Departments of the Government and Public Sector Undertakings concerned with consumer interests, not exceeding five, to be nominated by the Government;
- (g) representatives of Consumer Organisations not exceeding five, to be nominated by the Government;
- (h) 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, of whom at least one shall be a woman to be nominated by the Government; and
- (i) the Secretary to Government, Co-operation, Food and Consumer Protection Department, who shall be the Member-Secretary of the State Council.

4. Term of office of non-official members of State Council.— The term of office of the non-official members of the State Council shall be three years.

5. Resignation of non-official members of State Council.— A non-official member of the State Council may, by notice in writing under his hand, addressed to the Chairperson of the State Council, resign from the State Council.

6. Removal of non-official members of State Council.— The Government may, after giving reasonable opportunity, remove any non-official member of the State Council, at any time, for the reasons to be recorded in writing.

7. Vacancy caused by resignation or otherwise.— (1) A vacancy caused by resignation or otherwise shall be filled by a fresh appointment from the same category of members by the Government.

(2) The person appointed to fill the vacancy under sub-rule (1) 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.

8. Procedure for the meetings of the State Council.— (1) The meetings of the State Council shall ordinarily be held in Chennai;

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

(2) The meetings of the State Council shall be presided over by the Chairperson.

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

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

(5) A meeting of the State Council shall be called with the approval of the Chairperson by giving 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.

(6) 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.

(7) 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 member presiding over the meeting, as the case may be.

(8) 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 to the member who presided over the meeting for his approval.

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

(10) 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.

9. Allowances to Members to attend meetings of the State Council.— (1) The State Consumer Protection Council is classified as a First Class Committee.

(2) The non-official members of the State Council are eligible to avail the daily allowance and travelling allowance for attending the State Council meetings as per the orders issued by the Government in Finance Department from time to time.

(3) The Members of Parliament and Members of Legislative Assembly are eligible to draw the daily allowance and travelling allowance admissible to them as per the orders issued by the Lok Sabha Secretariat and Tamil Nadu Legislative Assembly Secretariat, respectively, for attending the State Council Meetings.

10. Composition of the District Consumer Protection Council.—

The Government shall by notification in the Tamil Nadu Government Gazette, establish for every District, a District Consumer Protection Council which shall consist of the following members, not exceeding twenty four namely:-

- (a) the Collector of the district concerned, except Chennai district, and for Chennai district, the Additional Registrar (Consumer Affairs) of Co-operatives, office of the Registrar of Co-operatives, who shall be the Chairperson of the respective District Council;
- (b) one Member of Parliament and two Members of Tamil Nadu Legislative Assembly of the concerned district;
- (c) two representatives from the Government Departments and Undertakings concerned with consumer interests to be nominated by the Chairperson;
- (d) three representatives from the Voluntary Consumer Organizations in the District Mailing List, to be nominated by the Chairperson;
- (e) two representatives from among farmers, manufactures, traders and industrialists, to be nominated by the Chairperson;
- (f) two representatives of the recognised trade unions of the District, to be nominated by the Chairperson;
- (g) three persons capable of representing consumer interests in the district other than those specified above to be nominated by the Chairperson;
- (h) Six members representing the Panchayats, two each from the Village Panchayat, Panchayat Union Council and District Panchayat to be nominated by the Chairperson in consultation with the Chairman of the District Panchayat of the district concerned, except Chennai district. For Chennai district, six members from Ward Councilors, to be nominated by the Chairperson (Additional Registrar (Consumer Affairs) of Co-operative Societies), in consultation with the Mayor of the Corporation of Chennai;
- (i) a member of the District Consumer Disputes Redressal Commission of the district concerned, to be nominated by the Chairperson in consultation with the President of such District Consumer Disputes Redressal Commission; and
- (j) the District Supply and Consumer Protection Officer of the district concerned, except Chennai district, and for Chennai district, the Joint Commissioner of Civil Supplies and Consumer Protection Department, who shall be the Member- Secretary of the respective District Council.

11. Term of office of non-official members of District Council.—

The term of office of the non-official members of the District Council shall be three years.

12. Resignation of non-official members of District Council.—

A non-official member of the District Council may, by notice in writing under his hand addressed to the Chairperson of the District Council concerned, resign from such District Council.

13. Removal of non-official members of District Council.—

The Government may, after giving reasonable opportunity, remove any non-official member of the District Council, at any time, for the reasons to be recorded in writing.

14. Vacancy caused by resignation or otherwise.—

(1) A vacancy caused by resignation or otherwise shall be filled by a fresh appointment from the same category of members by the Government.

(2) The person appointed to fill the vacancy under sub-rule (1) 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.

15. Procedure for the meetings of the District Council.—

(1) The meetings of the District Council shall ordinarily be held in the headquarters of the District concerned:

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

(2) The meetings of the District Council shall be presided over by the Chairperson.

(3) In the absence of Chairperson, the meetings of the District Council shall be presided over by a member elected for this purpose.

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

(5) A meeting of the District Council shall be called with the approval of the Chairperson by giving 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.

(6) The notice of the meeting of the District Council shall intimate the time, date and place of the meeting 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 member presiding over the meeting, as the case may be.

(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 the same shall be submitted to the Chairperson or to the member who presided over the meeting for his approval.

(9) The draft minutes of each meeting of the District Council approved by the Chairperson or the member who presided over this 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 existence of any vacancy in or any defect in the constitution of the District Council.

16. Allowances to members to attend meetings of District Council.— (1) The District Consumer Protection Council is classified as a Second Class Committee.

(2) The non-official members of the District Council are eligible to avail the daily allowance and travelling allowance for attending the District Council meetings as per the orders issued by the Government in Finance Department from time to time.

(3) The Members of Parliament and the Members of Legislative Assembly are eligible to draw the daily allowance and travelling allowance admissible to them as per the orders issued by the Lok Sabha Secretariat and the Tamil Nadu Legislative Assembly Secretariat, respectively, for attending the District Council meetings.

K. GOPAL,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.

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Section Officer.

29/11/2023

29.11.2023