

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

NOTIFICATION

New Delhi, the 3rd May, 2023

G.S.R. 343(E).—In exercise of the powers conferred by clause (zb) of sub-section (2) of section 101 read with sub-section (3) of section 57 of the Consumer Protection Act, 2019 (Act No. 35 of 2019), the Central Government hereby makes the following rules, namely:-

Chapter-I

Preliminary

1. Short title and commencement.- (1) These rules may be called the National Consumer Disputes Redressal Commission (Other terms and conditions of service of officers and employees) Rules, 2023.

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

2. Application.- These rules shall apply to every employee of the National Commission:

Provided that they shall not apply, except as respects of the matters expressly provided in these rules or to such extent as may be specified by a general or special order issued from time to time by the Central Government, to persons appointed on deputation or contract basis.

3. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);
- (b) “Appellate Authority” means the authority empowered under these rules to decide an appeal, preferred by an employee of the National Commission, in the manner as specified in rule 27 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- (c) “Appointing Authority” means the authority empowered under these rules to make appointments to the post which the employee of the National Commission for the time being holds;
- (d) “direct recruitment” means any appointment made by the National Commission through a recruiting agency authorised by the Central Government, otherwise than an appointment by promotion or by deputation or on contract basis, in accordance with the provisions of the recruitment rules;
- (e) “Disciplinary Authority” means the authority empowered under these rules to impose on an employee of the National Commission any of the penalties specified in rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965;
- (f) “employees” mean officers and employees of the National Commission appointed in accordance with the provisions of the recruitment rules notified by the Central Government under the Act;
- (g) “posts” mean the posts in the National Commission;
- (h) “President” means the President of the National Commission.

(2) Words and expressions used herein and not defined, but defined in the Act shall have the same meanings respectively assigned to them in the Act.

Chapter-II**Appointment, Pay and Allowances and other Service Conditions**

4. Appointment to post.- Every appointment to a post shall be made in accordance with the provisions of the recruitment rules notified by the Central Government under the Act.

5. Pay and allowances.- Unless otherwise expressly provided, the pay and allowances of the employees shall be regulated, *mutatis mutandis*, in accordance with such rules and instructions as are, from time to time, applicable to the Central Government servants holding the posts in the General Central Services of the corresponding level in the pay matrix:

Provided that such special provisions in regard to pay and allowances which are specific to members of any service or cadre under the Union, shall not apply to the employees of the National Commission, unless otherwise expressly provided by general or special order of the Central Government.

6. Deputation.- Subject to these rules and such other rules and instructions, for the time being in force, regulating the terms and conditions of appointment by deputation in respect of the Central Government servants, the pay and allowances and other terms and conditions of service in respect of an employee appointed on deputation in the National Commission shall be determined mutually by the borrowing and lending organisations subject to the approval of the President, National Commission:

Provided that such allowances or benefits as are not admissible to the regular employees of corresponding status in the National Commission, shall not be admissible to the employees on deputation, even if they were admissible in the parent organisation.

7. Other terms and conditions of service.- All other terms and conditions of services of the employees, for which no express provisions are made in these rules or by general or special order of the Central Government, shall be regulated, *mutatis mutandis*, in accordance with such rules and instructions as are, from time to time, applicable to the Central Government servants holding the posts in the General Central Services of the corresponding level in the pay matrix.

Chapter-III**Classification, Conduct, Discipline and Appeal**

8. Classification of posts.- The posts in the National Commission shall be classified as follows:-

Sl.No.	Description of posts	Classification of posts
(1)	(2)	(3)
1.	A post carrying the pay in the pay matrix of and above level 10.	Group A
2.	A post carrying the pay in the pay matrix in the level from 6 to 9.	Group B

3.	A post carrying the pay in the pay matrix in the level from 1 to 5.	Group C
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Explanation.- For the purpose of this rule:-

- (i) 'level' in relation to a post means, the level specified in Part A of the Schedule to the Central Civil Services (Revised Pay) Rules, 2016; and
- (ii) upgradation of the level in the pay matrix which is personal to a holder of the post on account of grant of Non-functional Scale or financial upgradation under the Modified Assured Career Progression shall not be the basis of upward revision in the classification.

9. Conduct and discipline.- Unless it be otherwise distinctly provided, the employees of the National Commission shall, in matters relating to conduct, discipline and appeal, be subject to, *mutatis mutandis*, such rules and instructions as are, from time to time, applicable to the Central Government servants holding the posts in the General Central Services of the corresponding level in the pay matrix.

10. Appointing Authority, Disciplinary Authority, Appellate Authority and Reviewing Authority.-(1) The Appointing Authority, Disciplinary Authority, Appellate Authority and Reviewing Authority in respect of the posts in the National Commission shall be as follows:-

S.No.	Description of post	Appointing Authority	Disciplinary Authority	Appellate Authority	Reviewing Authority
(1)	(2)	(3)	(4)	(5)	(6)
1.	Registrar	Central Government	President, National Commission	National Commission	Central Government
2.	Group A except Registrar	President, National Commission	President, National Commission	National Commission	Central Government
3.	Group B and C	President, National Commission	Registrar, National Commission	President, National Commission	National Commission

(2) The power exercisable by an authority specified in sub-rule (1) shall also be exercisable by an authority superior to the former.

(3) No employee shall be removed or dismissed from service by an authority lower than the appointing authority.

11. Scope of service.- (1) Unless otherwise expressly provided, the whole time of an employee shall be at the disposal of the National Commission and he shall serve the National Commission in such capacity and at such place as he may from time to time be directed.

(2) Every employee shall serve the National Commission with absolute integrity and show utmost courtesy and attention in all transactions and dealings with the public, and between the officers of the Central Government and the National Commission.

12. Abide by the rules and orders.- Every employee shall conform to and abide by these rules and observe, comply with and obey all orders and directions which may from time to time be given to him by any person or persons under whose jurisdiction, superintendence or control he may for the time being be placed.

13. Maintenance of secrecy.- (1) No employee shall, unless he is obligated to do so in accordance with the provisions of any statute or by judicial or other statutory authority or instructed to do so by the National Commission or a superior employee in discharge of his duties, divulge or disclose, directly or indirectly, any information of confidential nature to a member of the public.

(2) No employee shall make use of any information emanating from the National Commission or otherwise which has come to his knowledge in the discharge of his official duties for his personal benefit or for the benefit of his friends or relatives.

(3) No employee shall communicate any unpublished sensitive information to any other person except when required to do so in the course of his official duty.

Chapter-IV

Miscellaneous

14. Training.- (1) An employee may be required to undergo such training as may be specified by the President, National Commission.

(2) The employees charged for misconduct during the period of training may be withdrawn from training, and may be liable for disciplinary proceedings, as the Appointing Authority deems fit, and penalty in such cases may include recovery of amount spent on the training by the National Commission.

15. Power to relax.-Where the President, National Commission is satisfied that the operation of any of these rules causes undue hardship in any particular case, he may, by order for reasons to be recorded in writing, dispense with or relax the requirements of that rule to such extent and subject to such exceptions and conditions as he may consider necessary for dealing with the case in a just and equitable manner:

Provided that no such order shall be made except with the prior approval of the Central Government.

16. Saving clause.-Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Ex-servicemen and other special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

17. Interpretation.-If any question arises relating to the interpretation of these rules, it shall be referred to the Central Government whose decision shall be final and binding.

[F. No. J-1/1/2022-CPU]

ANUPAM MISHRA, Jt. Secy.