

GOVERNMENT OF MEGHALAYA
FOOD CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong the 7th January, 2022

NO.SUP.54/2020/179 - In exercise of the Powers conferred by clauses (c) , (d), (e) and (f) 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 (State Consumer Protection Council and District Consumer Protection Council) Rules, 2022

(2) They shall come into force on the date of publication in the Official Gazette.
- 2 **Definitions:-** (1) In these rules, unless the context otherwise requires,:-
 - (a) 'Act' means the Consumer Protection Act, 2019 (35 of 2019);
 - (b) 'State Council' means the State Consumer Protection Council established under sub-section (1) of Section 6 of the Act;
 - (c) 'District Council' means the District Consumer Protection Council established under sub-section (1) of Section 8 of the Act;
 - (d) 'Chairperson' means the Chairperson of the State Council or District Council as the case may be;
 - (e) 'State' means the State of Meghalaya.
(2) Words and expression 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 **Composition of State Council -** The State Government shall, by notification in the Official Gazette, establish the State Council which shall consist of the following members, not exceeding thirty-five, namely:-
 - (a) the Minister in-charge of Food, Civil Supplies & Consumer Affairs in the State Government who shall be the Chairperson of the State Council;
 - (b) Minister and/or any other person as notified by Government as Vice-Chairpersons not exceeding two in number;
 - (c) the Chief Executive Members of three Autonomous District Councils or their representatives concerned with Consumer Affairs;
 - (d) eight members of the Legislative Assembly;
 - (e) the Additional Chief Secretary/ Principal Secretary/ Commissioner and Secretary/ Secretary of Food Civil Supplies and Consumer Affairs Department;

- (f) *the President of the State Commission;*
- (g) *the Director of Food Civil Supplies and Consumer Affairs shall function as Member Secretary of the State Council;*
- (h) *the Heads of Departments of Autonomous Organizations concerned with Consumer interest not exceeding six in number;*
- (i) *the representatives of Consumer Organizations/Women Organizations/Farmers/Trade and Industries not exceeding two in number;*
- (j) *persons capable of representing consumer interest not specified above not exceeding two in number.*

4 **Term of State Council** – *The term of the State Council shall be for a period of 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 **Resignation of members of State Council** – *Any member may, by notice in writing under his hand addressed to the Chairperson of the State Council, resign from the State Council.*

6 **Vacancy caused by resignation** – (1) *A vacancy caused by resignation of a member under rule 5 shall be filled by a fresh appointment from the same category of members by the State Government.*

- (2) *The person appointed to fill the vacancy caused by the resignation of a member under rule 5 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.*

7 **Working Groups** – (1) *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, and every working group so constituted shall perform such task as are assigned to it by the State Council. Such working groups shall consist of not exceeding five members.*

- (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 group shall report to the Chairperson of the State Council.*
- (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 **Meetings of the State Council for transaction of business-** (1) *The meetings of the State Council shall ordinarily be held in the State Capital of Shillong:*

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

- (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 and 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 fifteen 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 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 proceeding 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** **Travelling Allowance/Daily Allowance** – (1) *The Members shall be entitled to Travelling Allowance/ Daily Allowance at the rate as admissible to Grade I officers of the State Government.*
- (2) *Non-Official out stationed members shall also be entitled to sitting fees as follows:-*
 - (a) *Rupees Three Thousand per day for attending meeting in Shillong;*
 - (b) *Rupees Three Thousand per day for attending meeting in their own station.*
- 10** **Composition of District Council** - *The State Government shall, by notification in the Official Gazette, establish the District Council in every District of the State of Meghalaya, which shall consist of the following members, not exceeding thirty-five, namely:-*
- (a) *the Deputy Commissioner of the District, who shall be the Chairperson of the District Council;*
 - (b) *three representatives from the Government Departments and Undertakings concerned with consumer interests nominated by the Chairman;*
 - (c) *Two representatives from amongst NGOs capable of representing consumer interest in the District.*
 - (d) *Two representatives of Trading Community.*
 - (e) *The District Supply Officer who shall be the Member-Secretary of the District Council.*
- 11** **Term of District Council** – *The term of the District Council shall be for a period of three years:*

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

12 **Resignation of members of District Council** – Any member may, by notice in writing under his hand addressed to the Chairperson of the District Council, resign from the District Council.

13 **Vacancy caused by resignation** –(1) A vacancy caused by resignation of a member under rule 5 shall be filled by a fresh appointment from the same category of members by the District Government.

(2) *The person appointed to fill the vacancy caused by the resignation of a member under rule 5 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.*

14 **Working Groups** –(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 under the Chairmanship of the Member-Secretary, and every working group so constituted shall perform such task as are assigned to it by the District Council. Such working groups shall consist of not exceeding five members.

(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 task are to be completed.*

(3) *The working group shall report to the Chairperson of the District Council.*

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

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

15 **Meetings of the District Council for transaction of business** - (1) The meetings of the District Council shall ordinarily be held in the District Headquarters:

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

(2) *The Chairperson, shall preside over the meetings of the District Council.*

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

(4) *A meeting of the District Council may be called with the approval of the Chairperson by issuing a 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.*

(5) *The notice of every meeting of the District 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 District Council except with the permission of the Chairperson, or the member presiding over the meeting, as the case may be.*

- (7) *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.*
- (8) *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.*
- (9) *No proceeding 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.*

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Travelling Allowance/Daily Allowance –(1) *The Members shall be entitled to Travelling Allowance/ Daily Allowance at the rate as admissible to Grade I officers of the State Government.*

- (2) *Non-Official out stationed members shall be entitled to sitting fees as follows:-*
- (a) *Rupees Three Thousand per day for attending meeting in the Headquarter;*
- (b) *Rupees Three Thousand per day for attending meeting in their own station.*

Sd/- (Pravin Bakshi, IAS)

*Commissioner & Secretary to the Government of Meghalaya,
Food Civil Supplies & consumer Affairs Department.*

Memo No.SUP.54/2020/179-A

Dated Shillong the 7th January, 2022

Copy to:-

1. P.S. to Chief Minister of Meghalaya, for information of Hon'ble Chief Minister.
2. P.S. to Minister in charge Food Civil Supplies & Consumer Affairs, for information of the Minister.
3. P.S. to Chief Secretary to the Government of Meghalaya for information of Chief Secretary.
4. P.S. to Principal Secretary to the Government of Meghalaya, Food Civil Supplies & Consumer Affairs Department, for information of Principal Secretary.
5. The Secretary to the Government of India, Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, Krishi Bhawan, New Delhi – 110001.
6. The Commissioner & Secretary to the Government of Meghalaya, Food Civil Supplies & Consumer Affairs Department.
7. Director, Food Civil Supplies & Consumer Affairs, Meghalaya, Shillong.
8. Cabinet Affairs Department with reference to I/D No 85 dated 15.11.2021.
9. All Administrative Departments.
10. All Heads of Departments
11. All Deputy Commissioners/Sub-Divisional Officers.
12. 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.
13. 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.