

Chief Secretary's Office

Dy. No.: 156188

Date: 11/12/19



No. J-1/5/2018-CPU
Government of India

Ministry of Consumer Affairs, Food & Public Distribution
(Department of Consumer Affairs)

Krishi Bhavan, New Delhi
The 4th December, 2019

To

1. The Registrar General, Supreme Court of India,
2. The Registrars in the High Courts,
3. The Registrar, National Consumer Disputes Redressal Commission,
4. The Secretaries in the Central Ministries/Departments,
5. The Chief Secretaries in all the States/UTs.

Subject: Filling up of vacancies of Member in the National Consumer Disputes Redressal Commission (NCDRC), New Delhi—CORRIGENDUM-Reg

Sir/Madam,

Attention is invited to this Department's vacancy circular of even number dated 18th July, 2019 inviting applications for filling up of six vacancies of Member in the National Consumer Disputes Redressal Commission (NCDRC), New Delhi, which was subject to the final outcome of the Writ Petitions pending before the Hon'ble Supreme Court, challenging part XIV of the Finance Act, 2017 and the rules notified under section 184 of the Finance Act, 2017. The vacancies are now to be filled up under the provisions of the Consumer Protection Act, 1986 and the Consumer Protection Rules, 1987 notified thereunder, in the light of the Hon'ble Supreme Court judgment dated 13/11/2019, in Civil Appeal No. 8588 of 2019.

2. Eligible and interested persons may apply keeping in view the position elaborated in para 1 above by 24th December, 2019 before close of office hours. The details of the eligibility conditions etc are given in the succeeding paragraphs.

3. **ELIGIBILITY CRITERIA:**

In terms of Section 20 of the Consumer Protection Act, 1986, the eligibility criteria for appointment of Member in the NCDRC are as under:

The candidate--

- (i) shall not be less than 35 years of age.
- (ii) shall possess a bachelor's degree from a recognized university; and
- (iii) be a person of ability, integrity and standing and have adequate knowledge and experience of at least 10 years in dealing with problems relating to economics, law, commerce, accountancy, industry, public affairs or administration.

For vacancies for "persons having judicial background", the person should have knowledge and experience for at least a period of ten years as a presiding officer at the district level court or any tribunal at equivalent level.

4. DISQUALIFICATIONS:

A person shall be disqualified for appointment, if he-

- (a) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude; or
- (b) is an undischarged insolvent; or
- (c) is of unsound mind and stands so declared by a competent court; or
- (d) has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government; or
- (e) has in the opinion of the Central Government such financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member; or
- (f) has such other disqualifications as may be prescribed by the Central Government.

5. **TENURE:** A Member of the NCDRC shall hold office for a term of five years or up to the age of 70 years, whichever is earlier and shall be eligible for re-appointment for another term of five years or up to the age of 70 years, whichever is earlier, as per the provisions of Section 20(3) of the Consumer Protection Act, 1986.

6. **REMUNERATION:** A Member shall be paid a salary of Rs. 2,25,000/- per month and shall be entitled to dearness allowance as is admissible to a Government of India officer holding Group 'A' post carrying the same pay. The pay of a person in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.

7. **OTHER TERMS AND CONDITIONS:** The other terms and conditions of service shall be regulated in accordance with the provisions of the Consumer Protection Act, 1986 and the Rules framed thereunder, (i.e. the Consumer Protection Rules, 1987). They are available on the Ministry's website www.consumeraffairs.nic.in.

8. In the event of selection of serving officials, they would have to resign/take voluntary retirement from the post being held at that time, before taking up an appointment as Member, NCDRC.

9. In the case of serving officers of Central/State Governments, their applications should also, in addition to direct application, be routed through proper channel. In the case of persons having judicial background, their applications should be routed through Registrar of the High Court/Supreme Court/ proper channel, as the case may be.

10. In case of retired officers, 'No Inquiry Certificate', from the last employer should be attached with the application form.

ROUT

11. Applications of eligible candidates, willing to be considered for the post of Member in the National Commission, in the attached proforma, may be sent to the Deputy Secretary, Consumer Protection Unit, Department of Consumer Affairs, Room No. 461, Krishi Bhavan, New Delhi-110001, so as to reach the Department of Consumer Affairs by 24th December, 2019. The applicants who have already applied in response to the vacancy circular dated 18th July, 2019 need not apply again as their earlier applications will be considered (if eligible) under the Consumer Protection Act, 1986 and the Consumer Protection Rules, 1987 unless they withdraw their application by 24th December, 2019.

12. Applications which are incomplete or lacking in any details/documents as asked for or which are received after the due date **shall not be** entertained and will be rejected summarily.

13. The Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) reserves the right to cancel the advertisement at any time without assigning any reasons.

14. This vacancy circular, application form and the Consumer Protection Rules, 1987 are also placed on the Ministry's website: www.consumeraffairs.nic.in for easy accessibility.

Yours faithfully,



(G. C. Rout)

Deputy Secretary to the Govt. of India
Tele: 23389936/email: dscpu-ca@nic.in

FORMAT OF APPLICATION

Application for the post of Member in the National Consumer Disputes Redressal Commission.



1	Post applied for (Member(judicial) or Member(non-judicial))			
2	Name in full			
3	Date of birth			
4	Age as on closing date of receipt of application			
5	Office and Residential address with telephone number, fax, e-mail, if any.			
6	Educational & Professional Qualifications (graduation and onwards):			
	Examination	University	Year in which passed	Division
i				
ii				
iii				

Post

iv				
7	Service to which the applicant belongs/belonged (with cadre, batch and name of Cadre Controlling Authority), if applicable			
8	In the case of serving officers			
i	Date of joining service			
ii	Present designation			
iii	Scale of pay and basic Pay			
iv	Date of superannuation			
9	In the case of retired officers			
i	Date of superannuation			
ii	Last post held			
iii	Last pay scale			
9	Relevant experience [minimum 10 years in the areas of economics, law, commerce, accountancy, industry, public affairs and administration (in descending order of chronology) in case of non-judicial Member, and for 10 years in the case of Judicial Member]			

S1. No.	Position Held	Name & Address of Organization	Period (From-to)	Nature of Work handled
i.				
ii.				
iii.				
iv.				
v.				
vi.				
vii.				
viii.				

Pat

ix.				
x.				

10	Any other accomplishments/information, the candidate may like to furnish	
11	Does the candidate have more than one living spouse?	Yes/No
12	Does the candidate attract any of the disqualification criteria listed in the vacancy circular?	Yes/ No (If yes, please give details)
13	State of health	
14	In case of applicants for the post of Member (Judicial), whether copies of best five judgements/other judicial orders passed by the candidate are enclosed?	Yes/No
15	In case of retired Government servants, whether 'No Inquiry Certificate' has been attached from the last employer.	
16	Details of office in which the last five ACRs will be available including details of last employer (in case of retired officials):	

Place:
Date:

Signature.
(Name)

Post