



No. J-1(4)/2016-CPU
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Consumer Affairs
(Consumer Protection Unit)
website: www.fcamin.nic.in

Krishi Bhavan, New Delhi
Dated the 4th November, 2016

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 two posts of Member (with judicial background) in the National Consumer Disputes Redressal Commission, New Delhi.

Sir/Madam,

As per the provisions of the Consumer Protection Act, 1986, the Central Government has established the National Consumer Disputes Redressal Commission (NCDRC). The Commission adjudicates consumer complaints relating to defective goods, deficient services, including unfair/restrictive trade practices, where the value of the goods or services and the compensation claimed exceeds Rs. one crore. It also hears appeals against the orders of the State Commissions besides having administrative control over State Commissions on matters mentioned in the Consumer Protection Act.

2. The Commission consists of a President (who is a retired judge of the Supreme Court) and eleven Members (judicial and non-judicial). **It is now proposed to fill up two posts of Member with judicial background from amongst persons of eminence and standing in terms of the provisions of Section 20 of the Act.** Accordingly, a background note and an application form are enclosed for use by the interested candidates. This may kindly be circulated amongst persons suitable for the post.

3. Applications of eligible candidates, willing to be considered for the post, 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 **19th December, 2016** in the prescribed proforma accompanied by administrative clearance. Applications which are incomplete or which are received after the due date will not be entertained.

4. In case of serving government officers and persons working in Central/State Government Undertakings, administrative clearance of the Cadre Controlling Authority as well as vigilance clearance will be required. **In case of retired officers, date of superannuation and 'No Inquiry Certificate', will be necessary from the last employer.** ACR dossiers with ACRs of last 5 years of officers found eligible for consideration after preliminary scrutiny, will also be called for. **These may kindly be made available within two weeks where requested otherwise it may not be possible to consider their applications.**

5. While forwarding applications of serving officers it may be clearly stated that the officer is clear from vigilance angle. In case any penalty has been imposed in the past against the officers under relevant Service Rules, details of the same may also be furnished.

6. Candidates who are serving or retired High Court Judges and other judicial officers applying for the post are required to give copies of their 5 best judgments/other judicial orders passed by them along with their application form.

7. Persons who are selected for appointment would have to resign/take voluntary retirement from the post being held at that time, before taking up this appointment. The appointment of selected candidates shall be subject to his/her production of a certificate of physical fitness, duly signed by a Civil Surgeon or District Medical Officer in the prescribed proforma.

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

Yours faithfully,



(G. C. Rout)

Deputy Secretary to the Govt. of India
Tel.: 011- 2338 9936

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS

Applications are invited from suitable candidates for appointment on whole time basis in the National Consumer Disputes Redressal Commission (NCDRC), New Delhi established under the Consumer Protection Act, 1986 for **two posts of Member having judicial background**. In this case the term "judicial background" would mean persons having knowledge and experience for at least a period of ten years as presiding officer at the district level court or any tribunal at equivalent level.

2. In case of serving officials, applications should be sent through proper channel along with administrative clearance from the appropriate cadre controlling authority. In all cases, it may also be clearly stated that the officer is clear from vigilance angle. In case, any penalty has been imposed in the past against the officers under relevant Service Rules, details of the same may be furnished.

3. **All applicants will have to submit their applications in the prescribed form, which is annexed. Candidates will also be required to submit with the application, copies of their best 5 judgments/other judicial orders passed by them.**

4. In terms of Section 20 of the Consumer Protection Act, 1986, the eligibility criteria and the criteria for disqualification governing the Members of the NCDRC in brief are as under:

4.1 ELIGIBILITY CRITERIA:

The candidate:-

- (i) Should not be less than 35 years of age.
- (ii) Should possess a bachelor's degree from a recognized university and
- (iii) Should be a person of ability, integrity and standing 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.

Explanation- for the purpose of this clause, the expression "person having judicial background" shall mean person having 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:

4.2 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

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- (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.

4.3 AGE & PERIOD OF TENURE:

The 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.

4.4 REMUNERATION:

In terms of Rule 11(1A) & Rule 11(2) of the Consumer Protection Rules, 1987, as amended, Members of the National Commission appointed on whole-time basis shall be entitled to the following honorarium and other perks, namely:

- (a) the members shall be paid twenty-three thousand rupees per month by way of honorarium:
Provided that the members, who are retired Judges of High Courts or retired Secretaries to the Government of India shall have the option to either receive consolidated honorarium of twenty-three thousand rupees per month or receive remuneration of last pay drawn less pension;
- (b) a woman who has not held an office of profit earlier, on appointment as a member shall be entitled to a pay in the scale of Rs. 24050-26000 per month (pre-revised as per 5th CPC recommendations) along with other benefits;
- (c) the members shall be provided with Government accommodation or receive house rent allowance of twenty five thousand rupees per month in lieu thereof;
- (d) the members shall be paid conveyance allowance at the rate of ten thousand rupees per month, if no chauffeur driven government vehicle is provided in which event one hundred fifty litres of petrol shall be supplied or the price therefore shall be paid;

Explanation - For the purpose of this clause, if the members are not provided with chauffeur driven government vehicle or if the members do not opt for hired vehicle in lieu of conveyance allowance, the members shall be paid conveyance allowance per month at the rate of ten thousand rupees and the cost of one hundred fifty litres of petrol.

- (e) the members shall be entitled to telephone facility with the maximum amount of two thousand eight hundred rupees per month reimbursable, including mobile phone and broadband facility at residence; and
- (f) the members shall be entitled to –
 - (i) twenty days' half pay leave;
 - (ii) earned leave in proportion in a year in lieu of the number of days of vacation not taken;
 - (iii) eight days' casual leave;
 - (iv) leave travel concession equivalent to the entitlements of a Secretary to the Government of India to one's home town or any place in India in a block of four years;

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- (v) no leave encashment on leave travel concession.
- (2) The members shall be entitled to travelling and daily allowances on official tours at the same rates as are admissible to Group 'A' Officers of the Central Government.\ including the following:-
- (i) within the country – Business/Club class by Air/AC 1st class by train.
 - (ii) international – First Class, except for the member in the Grade Pay of Rs. 10,000 (6th Pay Commission) in whose case business class travel will apply.

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. The appointment of selected candidates shall be subject to his/her production of a certificate of physical fitness, duly signed by a Civil Surgeon or District Medical Officer in the prescribed proforma.

Other terms and conditions of assignment shall be regulated in accordance with the provisions of the Consumer Protection Act, 1986 and the Rules framed thereunder, as amended from time to time. They can be seen on the Ministry's website www.fcamin.nic.in.

Persons interested in applying for the post of Member (with judicial background), NCDRC may apply only in the format annexed to this Circular, and attach all prescribed documents. Application may be sent to the Deputy Secretary, Consumer Protection Unit, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution, Room No. 461, Krishi Bhavan, New Delhi-110001, so as to reach by 19th December, 2016.

Applications which are incomplete or lacking in any details/documents as asked for and those received after the due date will be rejected summarily.



FORMAT OF APPLICATION REQUIRED TO BE FURNISHED BY THE CANDIDATES:

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

- (a) Name in full _____
- (b) Date of birth & age _____
- (c) Office and Residential address _____
with telephone number, _____
fax, e-mail, if any, _____
- (d) Educational & Professional Qualification (graduation and onwards):

Please
affix your
Recent
Photograph

Sl.No.	Examination	University	Year in which passed	Division
1				
2				
3				
4				

- (e) Service to which the applicant belongs/belonged (with cadre, batch and name of Cadre Controlling Authority), if applicable _____
- (f) Date of Joining service: _____
- (g) (i) Present Designation (In case of serving officers) _____
(ii) Last post held (in case of retired officers) _____
- (h) Scale of Pay and Basic Pay _____
- (i) Date of Superannuation: _____
- (j) Experience [At least during the last 10 years (in descending order)]

Sl.No.	Position Held	Name & Address of Organization	Period (From-to)	Nature of Work handled
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

- (k) Any other accomplishments/information, the candidate may like to furnish

- (l) Does the candidate have more than one living spouse? Yes/No*

- (m) Does the candidate attract any of the disqualification criteria listed in Section 20 of the Consumer Protection Act, 1986? Yes/No*
(If yes please give details)

- (n) State of health _____

- (o) Are copies of best five judgements/other judicial orders passed by the candidate enclosed ? [applicable in case of applicants for the post of Member (Judicial)]. Yes/No*

- (p) 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)

* Strike Out whichever is not applicable