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NOTIFICATION

No. F. 20016/24/08-FCS&CA, the 25th August, 2021. In exercise of the powers conferred under Section 30 and Section 44 read with clauses (h) and (m) of sub-section (2) of Section 102 of the Consumer Protection Act, 2019 (35 of 2019), the Government of Mizoram hereby makes the following rules, namely: -

1. Short title and commencement.-
 - (1) These rules may be called the "Mizoram Consumer Protection (Salary, allowances and conditions of service of the President and Members of the State Commission and District Commission) Rules, 2021".
 - (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) 'Member' means a Member of the District Commission or the State Commission, as the case may be;
 - (c) 'President' means the President of the District Commission or the State Commission, as the case may be;
 - (2) The words and expressions used herein and not defined in the Act shall have the same meaning respectively assigned to them in the Act.
3. Salaries and allowances payable to President and members of District Commission.-
 - (1) The President shall be entitled to the salary and allowances as are admissible to a District Judge (Entry Level) of the Mizoram Judicial Service.
 - (2) A Member shall receive a pay equal to the pay at the minimum of the scale of pay of a Group-A (Entry Level) of the State Government and other allowances as admissible to such officer.
 - (3) The pay of a person appointed as President or Member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.
 - (4) There shall be an annual upward revision of the pay of the President and Member at the rate of 3%.

4. Salaries and allowances payable to President and Members of the State Commission.-
 - (1) President of the State Commission shall receive the salary and other allowances as are admissible to a Sitting Judge of the High Court of the State.
 - (2) A Member of the State Commission shall receive a pay equivalent to the pay at minimum of the scale of pay of a Group-A (Senior Grade) of the State Government and other allowances as are admissible to such officer.
 - (3) The pay of a person appointed as President or Member, who is in receipt of any pension, shall be reduced by the gross amount of pension drawn by him.
 - (4) There shall be an annual upward revision of the pay of a member at the rate of 3%.
5. Medical fitness.-

No person shall be appointed as President or Member unless he is declared medically fit by an authority specified by the State Government in this behalf.
6. Casual vacancy.-

In case of a casual vacancy in the office of President in the State Commission or District Commission, as the case may be, the State Government shall have the power to appoint the senior-most Member to officiate as President.
7. House Rent Allowance.-

The President or Member shall be entitled to House Rent Allowance at the same rate as are admissible to Group 'A' Officer of the State Government of a corresponding status.
8. Travelling Allowance and Daily Allowance.-

The President or Member shall be entitled to Travelling Allowance and Daily Allowance at the same rate as are admissible to Group 'A' Officer of the State Government of a corresponding status.
9. Leave and medical treatment and hospital facilities.-

The President and Members of the State Commission and the District Commission shall be entitled to Leave, Medical Treatment and Hospital Facilities as per the provisions applicable to Group 'A' Government servants in the State Government.
10. Declaration of Financial and other Interests.-

The President or member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.
11. Other conditions of service -
 - (1) The terms and conditions of service of the President or Member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the State Government of a corresponding status.
 - (2) The President or Member shall not practice before the National Commission, the State Commission or the District Commission after retirement from the service of the State Commission or the District Commission, as the case may be.
 - (3) The President or Member shall not undertake any arbitration work while functioning in these capacities in the State Commission or the District Commission, as the case may be.
 - (4) The President or Member of the State Commission or the District Commission, as the case may be, shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of,

any person who has been a party to a proceeding before the State Commission or the District Commission:

Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).

12. Oaths of office and secrecy.—
Every person appointed to be the President or Member shall, before entering upon his office, make and subscribe an oath of office in Form-I and oath of secrecy in Form-II annexed to these rules.
13. The salary, remuneration and other allowances shall be defrayed out of the Consolidated Fund of the State Government.

By order etc.,

Zothanmawia,
Secretary to the Government of Mizoram
Food, Civil Supplies & Consumer Affairs Department

Annexure
[See Rule 12]

FORM I

Form of Oath of Office for the President and Member of the State Commission and District Commission

I, _____, having been appointed as the President/ Member in the State Consumer Disputes Redressal Commission, _____/ District Consumer Disputes Redressal Commission, _____ do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the President/Member of the State Commission/District Commission to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of land.

(_____)

FORM II

Form of Oath of Secrecy for the President and Member of the State Commission and District Commission

I, _____, having been appointed as the President/Member of the State Consumer Disputes Redressal Commission, _____/ District Consumer Disputes Redressal Commission, _____ do solemnly affirm/do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as President/Member of the State Commission/District Commission, except, as may be required for the due discharge of my duties as the President/Member.

(_____)