**Central Consumer Protection Authority (Allocation and Transaction of Business) Regulations, 2019**

In exercise of the powers conferred by clause (b) of sub-section (2) of section 104 read with sub-section (1) of section 14 of the Consumer Protection Act, 2019 (35 of 2019), the Central Consumer Protection Authority hereby makes the following regulations, namely:---

1. **Short title and commencement.---**
2. These regulations may be called the Central Consumer Protection Authority (Allocation and Transaction of Business) Regulations, 2019.
3. They shall come into force on the date of their publication in the Official Gazette.
4. **Definitions.**---
5. In these rules, unless the context otherwise requires,
6. ‘Act’ means the Central Consumer Protection Act, 2019;
7. ‘Central Authority’ means the Central Consumer Protection Authority established under section 10 of the Act;
8. ‘Central Commissioner’ means a Commissioner of the Central Authority other than the Chief Commissioner or a Regional Commissioner;
9. ‘Commissioner’ means Chief Commissioner or any other Commissioner of the Central Authority as mentioned under sub-section (2) of section 10 of the Act;
10. ‘Regional Commissioner’ means a Commissioner of a regional office of the Central Authority as mentioned under sub-section (2) of section 14, and under sections 16 and 17 of the Act in relation to regional offices mentioned under sub-section (3) of section 10 of the Act; and
11. ‘Secretary’ means the senior officer of the Central Authority nominated by the Chief Commissioner under sub-regulation (1) of regulation 12 of these regulations.
12. All words and expressions used herein and not defined shall have the meanings respectively assigned to them under the Consumer Protection Act, 2019 (35 of 2019).
13. **Procedure for transaction of business**.—
14. The transaction of business of the Central Authority related to making regulations under section 104 of the Act, constituting committees under regulation 4, allocating business under sub-regulation (3) of regulation 5, and all other business that has not been so allocated may only be carried out in meetings of the Central Authority in which the number of Commissioners present constitutes quorum under regulation 7.
15. Subject to sub-regulation (1), and notwithstanding the requirement of quorum under regulation 7, the transaction of business allocated under sub-regulation (3) of regulation 5 may be carried out:
	1. in meetings of a committee of the Central Authority constituted under regulation 4; and
	2. by order of a single Commissioner.
16. No Commissioner or committee of the Central Authority transacting business allocated under sub-regulation (3) of regulation 5 shall transact any business that has not been specifically allocated to such Commissioner or committee.
17. **Committees of the Central Authority.—** For the purpose of discharging its functions under the Act, the Central Authority may constitute committees with such number of Commissioners as it may consider necessary and may select the Commissioner who is to preside over meetings of the committee.
18. **Procedure for allocation of business**.---
19. The Chief Commissioner shall have powers in respect of all administrative matters of the Central Authority and may delegate such powers as per clause (2) of section 14 of the Act.
20. For the purpose of hearings or passing of orders under sections 20 or 21 of the Act, the Central Authority may allocate business only among single Commissioners, provided that only that Commissioner who has heard a matter throughout shall pass orders for such matter.
21. Subject to sub-regulations (1) and (2), the Central Authority may allocate the items of business specified in the Schedule among such Commissioners and committees of the Central Authority as it may consider necessary for the purpose of discharging its functions under the Act.
22. For the purposes of allocation of business under sub-regulation (3), the items of business specified in the Schedule may be allocated with respect to any specific complaint, matter, sector, entity, industry or region, or to groups thereof.
23. **Meetings of the Central Authority for transaction of its business**.---
24. The Central Authority may hold as many meetings as may be required for the purpose of discharging its functions under the Act.
25. The meetings of the Central Authority shall ordinarily be held at its headquarters in the National Capital Region of Delhi:

*Provided* that the Central Authority may also hold its meetings at its other offices or at any other place in India, wherever, in the opinion of the Chief Commissioner, it is expedient to do so.

1. The Chief Commissioner, or in his absence, the senior-most Central Commissioner, in terms of date of appointment to the Central Authority, shall convene and preside over the meetings of the Central Authority.
2. A meeting of the Central Authority may be called by requisition in writing, addressed to the Chief Commissioner, and signed by not less than two of the Central Commissioners, and setting out the purpose of the meeting to be called and the business to be conducted at such meeting.
3. On receipt of the requisition of meeting referred to in sub-regulation (4), the Chief Commissioner shall convene the meeting within such time as he may direct, but in any case not less than a period of 15 days from the date of receipt of such requisition.
4. The Chief Commissioner, and in his absence, the senior-most Central Commissioner shall fix the date, time and place of meetings of the Central Authority and approve the items of agenda for the meetings.
5. The notice of every meeting of the Central Authority shall be signed by the Chief Commissioner, and in his absence, the senior-most Central Commissioner, intimating the date, time and place of the intended meeting.
6. The notice shall, subject to the provisions of sub-regulation (4) be given to every Commissioner at least fifteen days before the date of the meeting by post to the address of every Commissioner, or through e-mail to facilitate speedy communication, stating therein the brief agenda of the meeting and setting out the items of business to be considered.
7. The Chief Commissioner may, in case of urgency, at any time, call a meeting of the Central Authority at a lesser notice than fifteen days.
8. Any business not included in the agenda shall not be transacted at a meeting of the Central Authority except with the permission of the Chief Commissioner or Commissioner presiding over the meeting.
9. With the permission of the Chief Commissioner or Commissioner presiding over the the meeting, urgent questions may be added to the agenda at any time before the conclusion of the meeting.

1. If all the items of business to be transacted at a meeting of the Central Authority cannot be completed in one sitting, the meeting may be adjourned from time to time:

*Provided* that at the meeting convened post adjournment only the unfinished items in the agenda shall be discussed and decision taken thereon.

1. The Chief Commissioner may also invite any officer of the Central Authority or any other person qualified in the matters to be discussed at any meeting to attend any meeting of the Central Authority, with a view to facilitate meaningful discussions and such invitee may participate in the the meeting but shall have no right to vote.
2. **Quorum.**---
3. The quorum for a meeting of the Central Authority shall be three Commissioners and no business shall be transacted at such meetings unless quorum is present throughout the meeting.
4. Any Commissioner who is unable to be present in a meeting for any reason, may if feasible, choose to participate in the said meeting through video conferencing and this shall be considered as attendance by the Commissioner for the purpose of quorum as set out in sub-regulation (1) and for the purpose of casting votes during the meeting.
5. If the quorum is not present at any meeting of the Central Authority, the Chief Commissioner or in his absence, the Commissioner presiding, shall adjourn the meeting to such other date, time and place as may be specified by him not being later than thirty days:

*Provided* that if, at such adjourned meeting, quorum is not present, then, notwithstanding anything contained in sub-regulation (1), the Commissioners present at the said adjourned meeting shall constitute a quorum for such meeting to take up discussion and to dispose of only those items of business set out in the agenda for the initial meeting.

1. The attendance of a Regional Commissioner shall not be counted for the purposes of determining whether the requirement of quorum for any meeting has been satisfied.
2. **Decisions in meetings, etc.—**
3. All questions which come up before any meeting of the Central Authority shall be decided by a majority of votes of the Commissioners present and voting.
4. In the event of an equality of votes at a meeting, the Chief Commissioner, or in his absence, the Commissioner presiding, shall have a second or casting vote.

1. The Chief Commissioner may invite any Regional Commissioner to attend and take part in meetings of the Central Authority but without a right to vote.
2. The Chief Commissioner or the Commissioner presiding over the meeting shall endeavour at all times to arrive at decisions or recommendations through a consensus among Commissioners and voting shall be resorted to if attempts to arrive at a consensus fail.
3. The Chief Commissioner or the Commissioner presiding over the meeting may move for the closure of the debate on any item of business discussed at a meeting when he considers that all members have had the opportunity to express their views on any business discussed at the meeting and the decision of the Chief Commissioner or the Commissioner presiding shall be final.
4. Votes on every item of business to be transacted at a meeting of the Central Authority shall be taken by a show of hands.
5. Decisions taken at every meeting of the Central Authority shall be published on the website of the Central Authority unless the Chief Commissioner determines otherwise on grounds of confidentiality.
6. **Decision by Circulation.---**
7. Any item of business or issue which requires decision of the Central Authority, if the Chief Commissioner so directs, may be referred to Commissioners by circulation of the matter as a resolution.
8. A resolution shall be deemed to have been passed by the Commissioners when such resolution circulated in the draft, together with necessary material, if any, to all Commissioners to their official email ids and the resolution is approved by the majority of the Commissioners entitled to vote thereon:

*Provided* that the replies of all Commissioners entitled to vote shall be obtained within a period not more than three clear days.

1. Any resolution circulated under sub-regulation (1), and approved by the majority of Commissioners entitled to vote thereon, shall have effect and be binding as if such resolution were decided by the majority of the Commissioners at a meeting.
2. Based upon the votes and comments received on the draft resolution circulated under sub-regulation (1), the Chief Commissioner may-
3. declare the decision adopted; or
4. declare the decision not adopted; or
5. in case of neutrality of votes, postpone draft resolution for the next meeting of the Central Authority.
6. Any resolution passed through circulation, shall be placed at the next meeting of the Central Authority for its ratification.
7. **Commissioner not to participate in meetings in certain cases.--** Every Commissioner, who is directly or indirectly concerned or interested in any business coming up for consideration at a meeting of the Central Authority, shall, as soon as possible, after the relevant circumstances have come to his knowledge, disclose the nature of his interest at such meeting and such disclosure shall be recorded in the proceedings of the Central Authority and the Commissioner shall not take part in any deliberation or decision of the Central Authority with respect to that business.

*Explanation****:*** The expression “directly or indirectly” referred to in this regulation shall include any concern or interest of a Commissioner either by himself or through his relatives within the meaning of definition of section 2(77) of the Companies Act, 2013 or by reason of being a partner or director of that concern.

1. **Minutes of meeting of the Central Authority.—**
2. The Chief Commissioner shall direct that the draft minutes of each meeting of the Central Authority be prepared by the Secretary as soon as possible and not later than one week from the conclusion of each meeting and the Secretary shall submit the same to the Chief Commissioner or the Commissioner who presided over the meeting for his approval.
3. The draft minutes of each meeting of the Central Authority approved by the Chief Commissioner or the other Commissioner who presided over this meeting shall be forwarded to each Commissioner as soon as possible and not later than one week from such approval, for adoption at the next meeting:

*Provided* that the decision of the Chief Commissioner on the changes to be made in the draft minutes, if any, as suggested by a Commissioner who attended such meeting, shall be final.

1. The minutes of each meeting of the Central Authority shall contain a fair and correct summary of the proceedings thereat and the names of Commissioners who did not participate in the discussion of, or vote on, any item of business transacted at the meeting.
2. The Chief Commissioner or Commissioner who presided over the meeting may decide the inclusion or non-inclusion of any matter in the minutes, if in his opinion, the same is not relevant or material to the proceedings or defamatory of any person.
3. At every meeting of the Central Authority, the draft minutes of the previous meeting approved by the Chief Commissioner or the other Commissioner who presided over the previous meeting shall be placed before the meeting for confirmation and adoption, with or without amendments or modifications, and upon confirmation and adoption in the meeting, be signed by the Chief Commissioner or other Commissioner presiding over the meeting, as confirmation of correctness of the record of the proceedings of the previous meeting and be kept as a record of the Central Authority.
4. The minutes of every meeting of the Central Authority shall be published on the Central Authority’s website unless the Chief Commissioner determines otherwise on grounds of confidentiality.
5. **Secretary.—**
6. The Chief Commissioner shall nominate a senior officer of the Central Authority as Secretary to the Central Authority to keep custody of common seal, register of attendance of the meetings, agenda, minutes book, and any other documents or records pertaining to the meetings of the Central Authority.
7. The Secretary shall arrange meetings, record minutes and generally ensure that these regulations are followed.
8. The Secretary shall communicate the relevant extracts of the decisions made in meetings of the Central Authority to all concerned for necessary follow-up action, and compliance of such follow-up action shall be monitored by evolving a suitable reporting system.
9. The Secretary shall submit periodic reports on follow-up action(s) referred to in sub-regulation (3) to the Central Authority for its information.
10. If for any reason, the Secretary is unable to attend a meeting of the Central Authority, the Chief Commissioner shall nominate another officer of the Central Authority to act as the Secretary for such meeting.
11. **Power of the Chief Commissioner to take urgent action.---** Nothing in these regulations shall affect the power of the Chief Commissioner to take such action (after consultation, if necessary, with experts in the matter) as may be necessary in case of an emergency situation warranting immediate action by the Central Authority and when it is not feasible to call a meeting of the Central Authority, for reasons be recorded in writing:

*Provided* that any such action shall be placed before the next meeting of the Central Authority for its ratification.

1. **Leave of Absence of Commissioners.---** The Central Authority may grant leave of absence to a Commissioner not present in the meeting and such leave of absence shall be recorded in the minutes of the meeting.
2. **Manner and form in which contracts may be executed.—**
3. Any contract on behalf of the Central Authority may be made in writing signed by a Commissioner, officer of the Central Authority or any other person acting under its authority, express or implied and may in the same manner be varied or discharged.
4. Any document connected with any contract may be signed and verified on behalf of the Central Authority by any officer authorised by the Chief Commissioner.
5. All contracts made according to the provisions of this regulation shall be valid and binding on the Central Authority.
6. **Affixation of Common Seal.--**The Common Seal of the Central Authority shall not be affixed to any instrument except in pursuance of a resolution of the Central Authority and in the presence of at least one Commissioner who shall sign on such instrument in token of his presence and such signing shall be independent of the signing of any person who may sign the instrument as the executor.
7. **Record of Business.—**
8. The Secretary shall attend the meetings of the Central Authority, and maintain the record of proceedings of all items of business transacted at such meetings.
9. Every decision and direction of the Central Authority shall be recorded in writing and be kept as a record.
10. **Residuary power for situations not provided.---** In a situation not provided for in these regulations, the Central Authority may, for reasons to be recorded in writing, determine the procedure in a particular case.
11. **Reimbursement.—** Persons who are not officers of the Central Authority and who have been invited to attend any meeting of the Central Authority under sub-clause (13) of regulation 6 may be entitled to reimbursement of actual travel and subsistence expenses at the discretion of the Central Authority.
12. **Meetings of Committees of the Central Authority.—**
13. Subject to sub-regulations (2), (3) and (4), these regulations shall apply mutatis mutandis to the meetings of committees of the Central Authority.
14. Fifty percent of Commissioners of the existing strength of a committee of the Central Authority shall constitute quorum for meetings of such committee, provided that:
15. in no case shall the quorum be less than two; and
16. the attendance of a Regional Commissioner who is part of such committee shall be counted for the purpose of determining whether the requirement of quorum has been satisfied.
17. A Regional Commissioner who is part of a committee of the Central Authority shall have the right to vote.
18. For the purpose of meetings of a committee of the Central Authority:
19. any function assigned to the Chief Commissioner under these regulations shall be discharged by the Commissioner selected by the Central Authority to preside over meetings of the committee; and
20. any function assigned to the Secretary to the Central Authority under these regulations shall be discharged by a senior officer nominated in this behalf by the Commissioner presiding.
21. **Effect of any irregularity of procedure.--** No act or decision of the Central Authority shall be invalid merely by reason of any irregularity in the procedure of the Central Authority not affecting the merits of the case.
22. **Removal of difficulties.--**In the matter of implementation of these regulations or matters relating to interpretation thereof, if any doubt or difficulty arises, the same shall be placed before the Central Authority and the decision of the Central Authority in such matter shall be final.

**SCHEDULE**

**(Regulation 5)**

**ITEMS OF BUSINESS**

1. Administration of any regional office
2. Advocacy and consumer rights awareness
3. Capacity building
4. Complaints filing, interventions and litigation
5. Complaints handling
6. Co-operation with other regulatory bodies
7. Development and issuance of consumer interest guidelines
8. Direction of investigations
9. Economic intelligence
10. Government advisory
11. International co-operation
12. Legal metrology
13. Monitoring of advertisements
14. Price monitoring
15. Research
16. Safety notices
17. Standardisation, identifiers and quality management