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SERIES I No. 43

# OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

## NOTES

There are four Extraordinary issues to the Official Gazette, Series I No. 42 dated 14-1-2021, namely:—

(1) Extraordinary dated 14-1-2021 from pages 1785 to 1794 from Department of Finance (R&C), Notifications regarding weekly lottery scheme; and from Department of Transport, Notifications regarding rates of fare for tourist taxi, motor cabs and yellow black taxis.

(2) Extraordinary (No. 2) dated 15-1-2021 from pages 1795 to 1796 from Department of Finance (Debt Management Division), Notification No. 5-7-2020-Fin (DMU) regarding Market Borrowing Programme.

(3) Extraordinary (No. 3) dated 18-1-2021 from pages 1797 to 1799 from Department of Finance (R&C), Notifications regarding the Goa, Daman and Diu Excise Duty Rules, 1964.

(4) Extraordinary (No. 4) dated 20-1-2021 from pages 1801 to 1806 from Department of Finance (R&C), Notifications regarding weekly lottery schemes.

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1. Agriculture Dir. & ex officio Jt. Secy.	Not.- 3/3/Hort/47/GAPLMB/ smo/2020-21/D.Agri/568	Appointment of Director as State Marketing Officer.	1808
2. Civil Supplies & Consumer Affairs Dir. & ex officio Jt. Secy.	Not.- DCS/CC/CPA-Pub/69/ /2020-21/115	Re-publication of Central Notifications.	1808
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**GOVERNMENT OF GOA**

Department of Agriculture

Directorate of Agriculture

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**Notification**3/3/Hort/47/GAPLMB/smo/2020-21/  
/D.Agr/568

In pursuance of the provisions of clause (zr) of section 2 of the Goa Agricultural Produce and Livestock Marketing (Promotion and Facilitation) Act, 2007 (Goa Act 11 of 2007), and in supersession of the Government notification No. 118-02-20-MR/MKT/RCS/5898 dated 11-03-2020, published in the Official Gazette, Series I No. 51 dated 19-3-2020, the Government of Goa hereby appoints the Director, Directorate of Agriculture, Government of Goa, as the State Marketing Officer for the State of Goa.

This notification shall come into force on the date of its publication in the Official Gazette.

By order and in the name of the Governor of Goa.

*Nevil Alphonso*, Director (Agriculture) and ex officio Joint Secretary.

Tonca-Caranzalem, 13th January, 2021.

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Department of Civil Supplies and  
Consumer Affairs

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**Notification**

DCS/CC/CPA-Pub/69/2020-21/115

The following Notifications issued by Ministry of Consumer Affairs, Food and Public Distribution, New Delhi are hereby re-published for the general information of the public;

1. Notification No. G.S.R. 447(E) dated 15-07-2020.
2. Notification No. G.S.R. 449(E) dated 15-07-2020.

3. Notification No. G.S.R. 448(E) dated 15-07-2020.

4. Notification No. G.S.R. 450(E) dated 15-07-2020.

5. The Consumer Protection (Salary, allowances and conditions of service of President and Members of the State Commission and District Commission) Model Rules, 2020 (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (i), G.S.R. 451(E) dated 15-07-2020).

6. The Consumer Protection (Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of the President and Members of the State Commission and District Commission) Rules, 2020 (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (i), G.S.R. 452(E) dated 15-07-2020).

7. The Consumer Protection (E-Commerce) Rules, 2020 (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (i), G.S.R. 462(E) dated 23-07-2020).

8. Corrigendum to the Consumer Protection (E-Commerce) Rules, 2020 (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (i), dated 04-08-2020).

9. S.O. No. 2351(E) dated 15-07-2020, appointing 20-07-2020 as the date on which the provisions of the Consumer Protection Act, 2019 shall come into force (Issued by Ministry of Consumer

Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (ii), dated 15-07-2020).

10. S.O. No. 2421 (E) dated 23-07-2020, appointing 24-07-2020 as the date on which the provisions of the Consumer Protection Act, 2019 shall come into force (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (ii), dated 23-07-2020).

11. S.O. No. 2422 (E) dated 23-07-2020, establishing the Central Consumer Protection Authority with effect from 24-07-2020 (Issued by Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, in the Extraordinary Gazette of India Part-II, Section 3, Sub section (ii), dated 23-07-2020).

*Siddhivinayak S. Naik*, Director, Civil Supplies and Consumer Affairs & ex officio Joint Secretary.

Panaji, 12th January, 2021.

MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

**Notification**

New Delhi, the 15th July, 2020

*G.S.R. 447(E)*.— In exercise of the powers conferred by clauses (d), (e) and (zj) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement*.— (1) These rules may be called the Consumer

Protection (Central Consumer Protection Council) Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

2. *Definitions*.— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);

(b) “Central Council” means the Central Consumer Protection Council established under sub-section (1) of section 3 of the Act;

(c) “Chairperson” means the chairperson of the Central Council;

(d) “Schedule” means a Schedule appended to these rules;

(e) “State” include Union territory.

(2) The words and expressions used herein, but not defined, and defined in the Act shall have the meaning assigned to them in the Act.

3. *Composition of Central Council*.— The Central Government shall, by notification in the Official Gazette, establish the Central Council which shall consist of the following members, not exceeding thirty-six, namely:—

(a) the Minister in-charge of Consumer Affairs in the Central Government who shall be the Chairperson of the Central Council;

(b) the Minister of State (where he is not holding independent charge) or Deputy Minister in charge of Consumer Affairs in the Central Government who shall be the Vice-Chairperson of the Central Council;

(c) the Minister in-charge of Consumer Affairs of two of the States from each region as mentioned in Schedule I to be changed by rotation on expiration of the term of the Central Council on each occasion;

(d) an administrator (whether designated as administrator or Lieutenant Governor) of a Union territory, to represent that Union territory, as mentioned in Schedule II, to be changed by rotation on expiration of the term of the Central Council on each occasion;

(e) two Members of Parliament—one from the Lok Sabha and one from the Rajya Sabha;

(f) representatives of Departments of the Central Government, autonomous organisations or regulators concerned with consumer interests, not exceeding five to be nominated by the Central Government;

(g) the Chief Commissioner of the Central Consumer Protection Authority;

(h) the Registrar, National Consumer Disputes Redressal Commission, New Delhi;

(i) representatives of consumer organisations not exceeding five, to be nominated by the Central Government;

(j) representatives with proven expertise and experience who are capable of representing consumer interests, drawn from amongst consumer organisations, consumer activists, research and training organisations, academicians, farmers, trade or industry, not exceeding five, one from each of the regions specified in Schedule I, of whom at least one shall be a woman;

(k) the Secretaries in-charge of Consumer Affairs in the States, not exceeding three, to be nominated by the Central Government;

(l) the Secretary in-charge of Consumer Affairs in the Central Government shall be the Member-Secretary of the Central Council.

4. *Term of Central Council.*— The term of the Central Council shall be three years:

Provided that the Central 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 Central Council.*— Any member may, by notice in writing under his hand addressed to the Chairperson of the Central Council, resign from the Central Council.

6. *Vacancy caused by resignation.*— (1) A vacancy caused by the resignation of a member under rule 5 shall be filled by a fresh appointment from the same category of members by the Central 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 purposes of performing its functions under the Act, the Central Council may constitute from amongst its members, such working groups as it may deem necessary, and every working group so constituted shall perform such task as are assigned to it by the Central Council.

(2) The Central 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 groups shall report to the Chairperson of the Central Council.

(4) The findings of each working group shall be placed before the Central 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 Central Council for transaction of business.*— (1) The meetings of the Central Council shall ordinarily be held in the National Capital Territory of Delhi:

Provided that the Central Council may also hold its meetings at any other place in India,

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 Central Council.

(3) In the absence of both the Chairperson and the Vice-Chairperson, the meetings of the Central Council shall be presided over by a member of the Central Council elected for this purpose.

(4) A meeting of the Central 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 Central 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 Central Council except with the permission of the Chairperson, or the Vice-Chairperson, or the member presiding over the meeting, as the case may be.

(7) The draft minutes of each meeting of the Central 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 Central 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 Central Council as soon as possible for adoption at the next meeting.

(9) No proceedings of the Central Council shall be invalid merely by reasons of existence of any vacancy in or any defect in the constitution of the Central Council.

9. *Reimbursement of expenses and sitting fees.*— (1) Non-local non-official members of the Central Council shall be entitled to:—

(a) avail economy class airfare in connection with journeys undertaken to and from for the purpose of attending meetings of the Central Council or the working groups;

(b) a sum of rupees five thousand per each day of the meeting of the Central Council or its working groups as incidental charges to cover the expenditure towards their daily allowance, lodging, local conveyance from their place of residence to the station or airport and from the station or airport to the venue of meeting of the Central Council or its working groups, and vice-versa.

(2) Every claim made under sub-rule (1) shall be subject to the member of the Central Council certifying that he shall not claim any benefit from any other ministry, department or organisation of the Central Government during his visit for the purpose of attending the meeting of the Central Council or any of its working groups.

(3) Local non-official members residing at the place of the venue of the meeting of the Central Council or its working groups, shall be entitled to avail consolidated conveyance hire charges of up to rupees one thousand per each day of the meeting irrespective of the classification of the city.

(4) Members of Parliament attending meetings of the Central Council or its working groups shall be entitled to travelling and daily allowances at such rates as are admissible to such Members.

#### SCHEDULE I

[See rule 3 (3)]

(1) *Eastern Region*— to consist of the States of Bihar, Chattisgarh, Jharkhand, Odisha, and West Bengal.

(2) *Western Region*— to consist of the States of Goa, Gujarat, Maharashtra, Madhya Pradesh and Rajasthan.

(3) *Northern Region*— to consist of the States of Haryana, Himachal Pradesh, Punjab, Uttar Pradesh and Uttarakhand.

(4) *Southern Region*— to consist of the States of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Telangana.

(5) *North Eastern Region* – to consist of the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim.

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SCHEDULE II

[See rule 3 (4)]

The Union territories of the Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and Daman and Diu, Jammu and Kashmir, Ladakh, Lakshadweep, Puducherry, the National Capital Territory of Delhi.

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MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

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**Notification**

New Delhi, the 15 July, 2020

*G.S.R. 449(E)*.— In exercise of the powers conferred by sub-section (1) and clauses (b) and (c) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement*.— (1) These rules may be called the Consumer Protection (General) Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

2. *Definitions*.— In these rules, unless the context otherwise requires,—

(a) 'Act' means the Consumer Protection Act, 2019 (35 of 2019);

(b) 'public utility service' means any—

(i) transport service for the carriage of passengers or goods by air, road or water; or

(ii) postal, telegraph, telephone or broadband service; or

(iii) supply of power, light or water or fuel or natural gas to the public by any establishment; or

(iv) insurance service; and

(v) service in, or in connection with, the working of any major port or dock;

3. *Public utility services to be establishments*.— Public utility services shall be establishments for the purpose of Clause (19) of section 2.

4. *Certain activities to be exempt from unfair trade practice*.— Permitting of the following activities carried out for promoting directly or indirectly the sale, use or supply of any product or any business interest shall be exempt from the purview of unfair trade practices, namely:—

(a) lotteries allowed under the Lotteries (Regulation) Act, 1998 (17 of 1998); and

(b) games of chance or skill not prohibited under the Public Gambling Act, 1867 (3 of 1867), which are not gambling and wherein success depends on a substantial degree of skill and not chance.

5. *Manner of issuing invoice or bill or cash memo or receipt for goods sold or services rendered*.— (1) Every invoice, bill, cash memo or receipt for goods sold or services rendered, issued by a seller shall have the following minimum particulars, namely:—

(a) The name and address of the seller;

(b) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing letters or numerals or special characters (hyphen or dash, and slash, symbolised as "-" and "/" respectively) and any combination thereof, unique for a financial year;

(c) the date of its issue;

(d) the name of the consumer;

(e) the description of goods or services;

- (f) the quantity, in case of goods;
- (g) the shipping address, where applicable;
- (h) the taxable value and discounts;
- (i) the rate of tax;
- (j) the signature of the seller or his authorised representative;
- (k) the customer care number or e-mail ID, where available, and
- (l) the total price in single figure, along with the breakup price showing all the compulsory and voluntary charges, such as delivery charges, postage and handling charges, conveyance charges and the applicable tax:

Provided that where such invoice, bill, cash memo or receipt is issued by a seller in electronic form, the signature of the seller is not required.

(2) The serial number on the invoice, bill, cash memo or receipt to be issued by a seller shall not be altered, removed, replaced, or erased under any circumstances.

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 MINISTRY OF CONSUMER AFFAIRS, FOOD  
 AND PUBLIC DISTRIBUTION  
 (Department of Consumer Affairs)

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**Notification**

New Delhi, the 15 July, 2020

*G.S.R. 448(E)*.— In exercise of the powers conferred by sub-section (1) and clauses (a), (p), (q), (s), (u), (v), (y), (z), (zd), (ze), and (zj) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019) and in supersession of the Consumer Protection Rules, 1987 in so far as they relate to matters covered under these rules, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement*.— (1) These rules may be called the Consumer Protection (Consumer Disputes Redressal Commissions) Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

2. *Definitions*.— (1) In these rules, unless the context otherwise requires,—

(a) 'Act' means the Consumer Protection Act, 2019 (35 of 2019);

(b) 'appellant' means a person who makes an appeal against the order of the National Commission, the State Commission or the District Commission, as the case may be;

(c) 'authorised agent' means a person duly authorised by a party to present any complaint, appeal or reply on behalf of such party before the National Commission, the State Commission, or the District Commission, as the case may be;

(d) 'Commission' means the District Commission, the State Commission, or the National Commission, as the case may be;

(e) 'Consumer Welfare Fund' means the Consumer Welfare Fund established by a State Government or, as the case may be, by the Central Government under section 57 of the Central Goods and Services Tax Act, 2017 (12 of 2017);

(f) 'memorandum' means any memorandum of appeal filed by the appellant;

(g) 'nationalised bank' means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980);

(h) 'opposite party' means a person who answers a complaint under the Act;

(i) 'President' means the President of the National Commission, the State Commission or the District Commission, as the case may be;

(j) 'respondent' means the person who answers any memorandum of appeal;

(k) "section" means a section of the Act;

(l) 'State' includes a Union territory;

(2) The words and expressions used herein, but not defined and defined in the Act shall have the meaning assigned to them in the Act.

3. *Working days and office hours of National Commission.*— The working days and office hours of the National Commission shall be the same as that of the Central Government.

4. *Seal and emblem.*— The official seal and emblem of the National Commission shall be such as the Central Government may specify.

5. *Sitting of National Commission.*— The President of the National Commission shall convene sittings of the National Commission as and when it may be necessary, and such sittings shall be notified by the National Commission.

6. *Manner of authentication of goods by National Commission for analysis and testing.*— (1) The National Commission may direct the complainant to provide one or more than one sample of the goods in clean containers with stopper properly fixed on them for the purposes of testing or analysis.

(2) On receiving the samples of such goods, the National Commission shall seal it and fix labels on the containers carrying the following information, namely:—

(a) the name and address of the appropriate laboratory to whom sample shall be sent for analysis and test;

(b) the name and address of the National Commission;

(c) the case number; and

(d) the official seal of the National Commission.

(3) The sealed sample shall be sent to the recognised laboratory by the National Commission.

(4) The recognized laboratory shall, after receiving sealed sample and examining it, shall forward its report to the National Commission within forty-five days or within such extended time as may be granted by the National Commission, specifying the nature of the defect and date of submission of report.

7. *Fee for making complaints.*— (1) Every complaint filed under sub-section (1) of section 35 or under sub-clauses (i) and (ii) of clause (a) of sub-section (1) of section 47 or under sub-clauses (i) and (ii) of clause (a) of sub-section (1) of section 58 shall be accompanied by a fee, as specified in the table given below, in the form of crossed Demand Draft drawn on a nationalised bank or through a crossed Indian Postal Order in favour of the President of the District Commission or the Registrar of the State Commission or the Registrar of the National Commission, as the case may be, and payable at the respective place where the District Commission, State Commission or the National Commission is situated, or through electronic mode as per arrangement made by the Commission concerned.

(2) The District Commission or the State Commission, as the case may be, shall credit the amount of fee received by it under sub-rule (1) to the Consumer Welfare Fund of the State and where such Consumer Welfare Fund is not established, into the appropriate account of the State Government, and the National Commission shall credit such amount of fee received by it to the Consumer Welfare Fund of the Central Government.



Table

Sl. No.	Value of goods or services paid as consideration	Amount of fee payable
(1)	(2)	(3)
<b>District Commission</b>		
(1)	Upto rupees five lakh	Nil
(2)	Above rupees five lakh and upto rupees ten lakhs	Rs. 200
(3)	Above rupees ten lakh and upto rupees twenty lakhs	Rs. 400
(4)	Above rupees twenty lakh and upto rupees fifty lakh rupees	Rs. 1000
(5)	Above rupees fifty lakh and upto rupees one crore	Rs. 2000
<b>State Commission</b>		
(6)	Above rupees one crore and upto rupees two crore	Rs. 2500
(7)	Above rupees two crore and upto rupees four crore	Rs. 3000
(8)	Above rupees four crore and upto rupees six crore	Rs. 4000
(9)	Above rupees six crore and upto rupees eight crore	Rs. 5000
(10)	Above rupees eight crore and upto rupees ten crore	Rs. 6000
<b>National Commission</b>		
(11)	Above rupees ten crore	Rs. 7500

8. *Manner of filing complaints electronically.* —The electronic filing of complaints in National Commission, State Commission and District Commission shall be effective from such date and for such category of cases as may be notified by the President of the National Commission from time to time.

9. *Additional powers of National Commission, State Commission and District Commission.*—  
(1) The National Commission, the State Commission or the District Commission, as the case may be, shall have power to require any person, —

(a) to produce before it such book, account, document or commodity which is in the custody or under the control of such person, if it is required for the purposes of any proceedings before it, and allow the same to be examined and kept by such officer of the Commission as it may specify in this behalf;

(b) to furnish to the officer specified in clause (a), such information as may be required for the purposes of any proceedings before it.

(2) Where during any proceedings under this Act, the National Commission, the State Commission or the District Commission, as the case may be, has any ground to believe that any book, paper, commodity or document which may be required to be produced in such proceedings, are being or may be, destroyed, mutilated, altered, falsified or secreted, it may, by written order, authorise any officer to exercise the power of entry and search of any premises, and seizure of any book, paper, document or commodity as may be required for the purposes of such proceeding.

Provided that such seizure shall be communicated to the National Commission, the State Commission or the District Commission, as the case may be, as soon as it is made or within a period not exceeding seventy-two hours of making such seizure after specifying the reasons in writing for making such seizure.

(3) The National Commission, the State Commission or the District Commission, as the case may be, on examination of such seized documents or commodities may order the retention thereof or may return it to the party concerned.

10. *Credit of amount payable for loss or injury suffered by consumers who are not identifiable conveniently.*— (1) Where an order is passed under clause (k) of sub-section (1) of section 39 by the District Commission, or the State Commission, or the National Commission, in the exercise of its powers vested under sub-section (1) of section 49 respectively or sub-section (1) of section 59, directing the opposite party to pay such amount as may be determined by it on account of loss or injury suffered by a large number of consumers, who are not identifiable conveniently, such sum shall be credited by the District Commission and the State Commission in the Consumer Welfare Fund established by the State Government, and by the National Commission in the Consumer Welfare Fund established by the Central Government.

(2) The amount credited to the Consumer Welfare Fund of the Central Government under sub-rule (1) shall be utilised in accordance with rule 97 of the Central Goods and Services Tax Rules, 2017 and the amount credited to the Consumer Welfare Fund of the State Government under sub-rule (1) shall be utilised in accordance with the rules framed under the State Goods and Service Tax Act, 2017.

11. *Procedure for filing and hearing of appeal before State Commission.*— (1) A Memorandum shall be presented by the appellant or his authorized agent to the State Commission in person or sent by a registered post with acknowledgment due addressed to the State Commission.

(2) Every memorandum filed under sub-rule (1) shall preferably be typed, or be in legible handwriting, and shall set forth concisely under distinct heads, the grounds of appeal without any argument or narrative and such grounds shall be numbered consecutively.

(3) Each memorandum shall be accompanied by the certified copy of the order of the District Commission appealed against and such of the documents, as may be

required to support grounds of appeal mentioned in the memorandum.

(4) When the appeal is presented after the expiry of the period of limitation as specified in section 41, the memorandum shall be accompanied by an application supported by an affidavit setting forth the facts on which appellant relies upon to satisfy the State Commission that he has sufficient cause for not preferring the appeal within the period of limitation.

(5) The appellant shall submit four copies of the memorandum to the State Commission for official purposes.

(6) On the date of hearing or any other day to which hearing may be adjourned, the parties or their authorised agents shall appear before the State Commission, and where

(a) the appellant or his authorised agent fails to appear, State Commission may, in its discretion, either dismiss the appeal or decide it *ex-parte* on the merits of the case;

(b) the respondent or his authorised agent fails to appear, the State Commission shall proceed *ex-parte* and decide the appeal on the merits of the case.

(7) The appellant shall not, except by the leave of the State Commission, urge or be heard in support of any ground of appeal not set forth in the memorandum, but the State Commission in deciding the appeal, need not confine itself to the grounds of appeal set forth in the memorandum or taken by leave of the State Commission under this rule:

Provided that the State Commission shall not rest its decision on any other grounds unless the party who may be affected thereby, has been given, at least the opportunity of being heard by the State Commission.

(8) No adjournment shall ordinarily be granted at any stage by the State Commission, unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the State Commission:

Provided that the State Commission shall not ordinarily grant more than one adjournment and shall ensure, as far as possible, that the appeal is decided within ninety days from the date of admission:

Provided further that in the event of an appeal being disposed of after the period specified in the first proviso, the State Commission shall record in writing the reasons for the same at the time of disposal of the said appeal.

(9) The order of the State Commission on appeal shall be signed and dated by the members of the State Commission constituting the Bench and shall be communicated to the parties concerned free of cost.

12. *Procedure in respect of complaints before National Commission.*— (1) A complaint shall be presented to the National Commission by the complainant in person or by his agent, or be sent by a registered post, addressed to that Commission, containing the following particulars, namely:—

(a) the name, description and the address of the complainant;

(b) the name, description and address of the opposite party or parties, as the case may be, so far as they can be ascertained;

(c) the facts relating to the complaint and when and where it arose;

(d) the documents in support of the allegations contained in the complaint;

(e) the relief which the complainant claims.

(2) Every complaint under sub-rule (1) shall be accompanied by a fee as specified in rule 7.

(3) The National Commission shall, while disposing of any complaint before it, follow the procedure and conditions provided under sections 37 and 38, with such modifications as may be considered necessary by it.

(4) On the date of hearing or any other date to which hearing may be adjourned, the

parties or their authorised agents shall appear before the National Commission, and where-

(a) the appellant or his authorised agent fails to appear, the National Commission may, in its discretion, either dismiss the complaint for default or decide it on merits;

(b) the respondent or his authorised agent fails to appear, the National Commission may decide the complaint *ex-parte* on the merits of the case.

(5) The National Commission may, on such terms as it deems fit and at any stage of the proceedings, adjourn the hearing of the complaint, but the complaint shall be decided as far as possible within a period of-

(a) three months from the date of notice received by the opposite party where such complaint does not require any analysis or testing of commodities; and

(b) five months if such complaint requires analysis or testing.

(6) In the event of a complaint being disposed of after the period specified in sub-rule (5), the National Commission shall record in writing, the reasons for such delay.

(7) If after conducting the proceedings, the National Commission is satisfied with the allegations contained in the complaint, it shall issue order to the opposite party or parties, as the case may be, directing him or them to take one or more of the actions mentioned in sub-section (1) of section 39.

(8) The National Commission shall also have the power to direct that any order passed by it, where no appeal has been preferred under section 67 or where the order of the National Commission has been affirmed by the Supreme Court under that section, be published on its website or through any other media and no legal proceedings shall lie against the National Commission or any media for such publication.

(9) The State Commission and the District Commission shall follow the procedure

specified in this rule, with such modifications as may be necessary, in respect of the complaint before them.

13. *Appeals before National Commission.*— Where an appeal is filed under section 51, the amount to be deposited by the appellant as provided in the second proviso to the said section shall be remitted in the form of a crossed Demand Draft drawn on a nationalised bank in favour of the Registrar, National Commission, payable at New Delhi.

14. *Procedure for filing and hearing of appeal before National Commission.*— (1) A Memorandum shall be presented by the appellant or his authorised agent to the National Commission in person or sent by registered post addressed to the National Commission.

(2) Every memorandum filed under sub-rule (1) shall preferably be typed, or be in legible handwriting, and shall set forth concisely under distinct heads, the grounds of appeal without any argument or narrative and such grounds shall be numbered consecutively.

(3) The memorandum shall be accompanied by a crossed Demand Draft as specified in rule 16, a certified copy of the order of the State Commission appealed against and such of the documents as may be required to support grounds of appeal mentioned in the memorandum.

(4) When the appeal is presented after the expiry of the period of limitation as specified in section 51, the memorandum shall be accompanied by an application supported by an affidavit setting forth the facts on which the appellant relies upon to satisfy the National Commission that he has sufficient cause for not preferring the appeal within the period of limitation.

(5) The appellant shall submit four copies of the memorandum to the National Commission for official purposes.

(6) On the date of hearing or on any other day to which hearing may be adjourned, the

parties or their authorised agents shall appear before the National Commission, and where—

(a) the appellant or his authorised agent fails to appear, the National Commission may, in its discretion, either dismiss the appeal or decide it *ex-parte* on the merits of the case;

(b) the respondent or his authorised agent fails to appear, the National Commission shall proceed *ex-parte* and shall decide the appeal on the merits of the case.

(7) The appellant shall not, except by the leave of the National Commission, urge or be heard in support of any ground of appeal not set forth in the memorandum but the National Commission, in deciding the appeal, may not be confined to the grounds of appeal set forth in the memorandum or taken by leave of the National Commission under this rule:

Provided that the National Commission shall not rest its decision on any other grounds unless the party who may be affected thereby, has been given, at least the opportunity of being heard by the National Commission.

(8) No adjournment shall ordinarily be granted at any stage by the National Commission, unless sufficient cause is shown and the reasons for grant of adjournment have been recorded in writing by the National Commission:

Provided that the National Commission may also adjourn the hearing of the appeal *suo motu*, on such terms as it may think fit and at any stage of the proceedings for reasons to be recorded in writing, but shall ensure, as far as possible, that the appeal is decided within ninety days from the date of its admission:

Provided further that in the event of an appeal being disposed of after the period specified in the first proviso, the National Commission shall record in writing the reasons of the same at the time of disposal of the said appeal.

15. *Number of Members in National Commission.*— The National Commission shall consist of a President and not less than four members and not more than eleven members, of whom at least one member shall be a woman.

16. *Sitting of National Commission and signing of orders.*— (1) Every proceeding of the National Commission shall be conducted by members of a Bench constituted by the President of the National Commission with one or more members as he may deem fit.

(2) Every order made by the National Commission shall be signed by the members who conducted the proceeding and if there is any difference of opinion among the members of the Bench, the opinion of the majority shall be the order of the National Commission.

17. *Manner of depositing amount in appeals before Supreme Court.*— Where an appeal is filed before the Supreme Court under section 67, the amount to be deposited by the appellant as provided in the second proviso to that section shall be remitted in the form of a crossed Demand Draft drawn on a nationalised bank in favour of the Registrar, Supreme Court, payable at New Delhi.

18. *Furnishing of information by State Commission.*— The State Commissions shall furnish information to the Central Government on a quarterly basis in the form as specified in Schedule I to these rules.

## SCHEDULE-I

[Rule 18]

**Present position of Implementation**

(Quarterly Performance Report)

Working of Consumer Commissions/Consumer Protection Measures

Name of State:

1. Establishment of State Commissions and District Fora :				
I Total number of Districts in State/Union Territory				
II Number of District Commissions in the State				
(a) Total Setup :				
(b) Functional :				
(c) Non Functional :				
(d) Name of District where District Commission yet to be set up :				
(e) Number of District where District Commission yet to be set up				
(f) Number of District where more than one District Commission has been set up		District Name	No. of Districts	
III Whether State Commission functional		Yes	No	
IV Strength and vacancies		State Commission		District Commission
		Sanctioned strength	Vacancies	Sanctioned strength Vacancies
(a) President				
(b) Members				
(c) Reason for vacancies and action taken to fill up the same (to be enclosed separately)				

2. Performance of State Commission and District Commission			
(a) Total cases filed since inception	State Commission		District Commission
(b) Cases disposed of			
(c) Cases disposed of within prescribed time norms			
(d) Number of cases disposed of by Lok Adalat method			
II Detailed Break up of cases pending (give number of cases)	State Commission		District Commission
(a) Over 3 months up to 1 year			
(b) Over 1 year up to 2 years			
(c) Over 2 years up-to 5 years			
(d) Over 5 years			
III Cases disposed of within time norms (give number)	State Commission		District Commission
(a) Cases received after 15 March '02			
(b) Cases disposed of within time norms out of (a) above (Number and %)			
3. Implementation of Confonet Project			
I Computer Hardware/Software has	State Commission		District Commission (Numbers)
(a) been received	Yes	No	
(b) been installed	Yes	No	
(c) been functional	Yes	No	
II Activities being done through computers	State Commission		District Commission (Numbers)
(a) Is Case Monitoring System Installed & Operational;	Yes	No	
(b) Has the live case data been entered?	Yes	No	
(c) Whether Cause list and judgement being posted on the website	Yes	No	
4. Training			
(a) Training of Members/President in Indian Institute of Public Administration	To be trained in the year as per training plan	Trained so far	During the quarter
(b) Training of State/District level Officers in BIS Training Institute			
(c) Training under Confonet			
(a) President and Members			
(b) Other Staff			
(d) Any other Training			

MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION  
(Department of Consumer Affairs)

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**Notification**

New Delhi, the 15th July, 2020

*G.S.R. 450(E)*.— In exercise of the powers conferred by sub-section (1) and clauses (r) and (zf) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement*.— (1) These rules may be called the Consumer Protection (Mediation) Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

2. *Definitions*.— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);

(b) “Commission” means District Commission, State Commission or National Commission, as the case may be;

(c) “mediation cell” means a consumer mediation cell established in accordance with the provisions of section 74;

(d) “panel” means a panel of mediators prepared by the Commission under sub-section (1) of section 75;

(e) “Parties” means parties to a dispute;

(f) “Settlement” means a settlement arrived at in the course of mediation.

(2) All other words and expressions used in the rules and not defined but defined in the Consumer Protection Act, 2019 (35 of 2019) shall have the meanings respectively assigned to them in the Act.

3. *Mediation Cell*.— (1) Every Mediation Cell set up in a Commission, shall have a panel of mediators on the recommendation of a selection committee consisting of the President and a member of that Commission.

(2) The Mediation Cell shall have such support staff as may be decided by the President of that Commission in consultation with the concerned Government and that Government shall provide all administrative assistance and infrastructure facilities required by the Commission

4. *Matters not to be referred to mediation*.— The following matters shall not be referred to mediation, namely:—

(a) the matters relating to proceedings in respect of medical negligence resulting in grievous injury or death;

(b) matters which relate to defaults or offences for which applications for compounding of offences have been made by one or more parties;

(c) cases involving serious and specific allegations of fraud, fabrication of documents, forgery, impersonation, coercion;

(d) cases relating to prosecution for criminal and non-compoundable offences;

(e) cases which involve public interest or the interest of numerous persons who are not parties before the Commission:

Provided that, in any case other than those mentioned in this rule, the Commission before which the case is pending may choose not to refer it to mediation if it appears to the Commission that no elements of a settlement exist which may be acceptable to the parties or that mediation is otherwise not appropriate having regard to the circumstances of the case and the respective positions of the parties.

5. *Refund of fee*.— Where the Commission refers the parties to mediation, the complainant shall be entitled to receive full amount of application fee paid in respect of such complaint, if a settlement is reached between such parties.

6. *Resort to arbitral or judicial proceedings*.—The parties shall not initiate

any arbitral or judicial proceedings in respect of a matter which is the subject-matter of the mediation and also when such parties have expressly undertaken not to initiate any such proceeding.

7. *Settlement agreement not to be discharged by death of party thereto.*— (1) A settlement agreement shall not be discharged by the death of any party thereto and shall be enforceable by or against the legal representative of the deceased party.

(2) Nothing in this rule shall affect the operation of any law by virtue of which any right of action is extinguished by the death of a person.

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 MINISTRY OF CONSUMER AFFAIRS, FOOD  
 AND PUBLIC DISTRIBUTION  
 (Department of Consumer Affairs)

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**Notification**

New Delhi, the 15th July, 2020

*G.S.R. 451 (E).*— In exercise of the powers conferred under proviso to sub-section (1) of section 102 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Consumer Protection (Salary, allowances and conditions of service of President and Members of the State Commission and District Commission) Model Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

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;

(d) 'State Government' includes an administrator of a Union territory appointed under article 239 of the Constitution except in rule 13.

(2) The words and expressions used herein and not defined and 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 in the super time scale of pay.

(2) A Member shall receive a pay equal to the pay at the minimum of the scale of pay of a Deputy Secretary 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 an Additional Secretary 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. *Transport allowance.*— The President or member shall be entitled to transport 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, Leave Travel Concession, 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 and in the case of the Union Territories, from the Consolidated Fund of India.

14. The terms and conditions of the service of the President and the members of the District Commission and the State Commission shall not be varied to their disadvantage during their tenure of office.

Annexure  
[See Rule 12]  
FORM I

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

I, A. B., 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 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, A. B., 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.

( )

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION  
(Department of Consumer Affairs)

**Notification**

New Delhi, the 15th July, 2020

G.S.R. 452(E).—In exercise of the powers conferred by sections 29 and 43, read with clauses (n) and (w) of sub-section (2) of section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Consumer Protection (Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of the President and members of the State Commission and District Commission) Rules, 2020.

(2) They shall come into force on the 20th day of July, 2020.

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);

(b) “Selection Committee” means the Selection Committee referred to in sub-rule (1) of rule 6;

(2) The words and expressions used herein, but not defined and defined in the Act shall have the same meaning assigned to them in the Act.

2. *Qualifications for appointment of President and members of the State Commission.*— (1) A person shall not be qualified for appointment as President, unless he is, or has been, a Judge of the High Court;

(2) A person shall not be qualified for appointment as a member unless he is of not less than forty years of age and possesses—

(a) an experience of at least ten years as presiding officer of a district court or of any tribunal at equivalent level or combined service as such in the district court and tribunal:

Provided that not more than fifty percent of such members shall be appointed; or

(b) a bachelor's degree from a recognised university and is a person of ability, integrity and standing, and has special knowledge and professional experience of not less than twenty years in consumer affairs, law, public affairs, administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine:

(3) At least one member or the President of the State Commission shall be a woman.

5. *Qualifications for appointment of President and member of District Commission.*— (1) A person shall not be qualified for appointment as President, unless he is, or has been, or is qualified to be a District Judge.

(2) A person shall not be qualified for appointment as member unless he—

(a) is of not less than thirty-five years of age;

(b) possesses a bachelor's degree from a recognised University; and

(c) is a person of ability, integrity and standing, and having special knowledge and professional experience of not less than fifteen years in consumer affairs, law, public affairs, administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine.

(3) At least one member or the President of the District Commission shall be a woman.

5. *Disqualification for appointment of President or member of State Commission and District Commission.*— A person shall be disqualified for appointment as the President or a member of a State Commission or District Commission if he—

(1) has been convicted and sentenced to imprisonment for an offence which involves moral turpitude; or

(2) has been adjudged to be insolvent; or

(3) is of unsound mind and stands so declared by a competent court; or

(4) has been removed or dismissed from the service of the State Government or Central Government or a body corporate owned or controlled by such Government; or

(5) has, in the opinion of the State Government, such financial or other interest

as is likely to prejudicially affect his functions as the President or a member.

6. *Procedure of appointment.*— (1) The President and members of the State Commission and the District Commission shall be appointed by the State Government on the recommendation of a Selection Committee, consisting of the following persons, namely:—

(a) Chief Justice of the High Court or any Judge of the High Court nominated by him—Chairperson;

(b) Secretary in charge of Consumer Affairs of the State Government—Member;

(c) Nominee of the Chief Secretary of the State—Member.

(2) The Secretary in charge of Consumer Affairs of the State Government shall be the convener of the Selection Committee.

(3) No appointment of the President, or of a member shall be invalid merely by reason of any vacancy or absence in the Selection Committee other than a vacancy or absence of the Chairperson.

(4) The process of appointments shall be initiated by the State Government at least six months before the vacancy arises.

(5) If a post falls vacant due to resignation or death of a member or creation of a new post, the process for filling the post shall be initiated immediately after the post has fallen vacant or is created, as the case may be.

(6) The advertisement of a vacancy inviting applications for the posts from eligible candidates shall be published in leading newspapers and circulated in such other manner as the State Government may deem appropriate.

(7) After scrutiny of the applications received till the last date specified for receipt of such applications, a list of eligible candidates along with their applications shall be placed before the Selection Committee.

(8) The Selection Committee shall consider all the applications of eligible applicants

referred to it and if it considers necessary, it may shortlist the applicants in accordance with such criteria as it may decide.

(9) The Selection Committee shall determine its procedure for making its recommendation keeping in view the requirements of the State Commission or the District Commission and after taking into account the suitability, record of past performance, integrity and adjudicatory experience.

(10) The Selection committee shall recommend a panel of names of candidates for appointment in the order of merit for the consideration of the State Government.

(11) The State Government shall verify or cause to be verified the credentials and antecedents of the recommended candidates.

(12) Every appointment of a President or member shall be subject to submission of a certificate of physical fitness as indicated in the annexure appended to these rules, duly signed by a civil surgeon or District Medical Officer.

(13) Before appointment, the selected candidate shall furnish an undertaking that he does not and will not have any such financial or other interest as is likely to affect prejudicially his functions as a President or member.

*7. Resignation by President or Member of State Commission or District Commission.—* The President or any member may, by writing under his hand addressed to the State Government, resign his office at any time:

Provided that the President or member shall, unless he is permitted by the State Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

*8. Removal of President or Member of State Commission or District Commission from*

*office.—* (1) The State Government shall remove from office any President or member, who—

(a) has been adjudged as an insolvent; or

(b) has been convicted of an offence which involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or

(e) has so abused his position as to render his continuance in office prejudicial to public interest:

Provided that where a President or member is proposed to be removed on any ground specified in clauses (c) to (e), the President or member shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

*9. Procedure for inquiry of misbehavior or incapacity of President or Member of State Commission or District Commission.—* (1) If a written complaint is received by the State Government, alleging any definite charge of misbehavior or incapacity to perform the functions of the office in respect of the President or a Member of the State Commission or District Commission, the State Government shall make a preliminary scrutiny of such complaint.

(2) If on preliminary scrutiny, the State Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of the President or a Member of the State Commission or District Commission, it shall make a reference to the National Commission in the case of State Commission and to the State Commission in the case of District Commission to conduct the inquiry.

(3) The National Commission or the State Commission, as the case may be, shall complete the inquiry within three months or

such further time as may be specified by the National Commission.

(4) After the conclusion of the inquiry, the National Commission or the State Commission, as the case may be, shall submit its report to the State Government stating therein its findings and the reasons therefor on each of the charges separately with such observations on the whole case as it may think fit.

(5) The National Commission or the State Commission, as the case may be, shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

10. *Term of office of President or Member.*— The President and every member of the State Commission and the District Commission shall hold office for a term of four years or up to the age of sixty-five years, whichever is earlier and shall be eligible for reappointment for another term of four years subject to the age limit of sixty-five years, and such reappointment is made on the basis of the recommendation of the Selection Committee.

#### ANNEXURE

[See rule 6 (12)]

#### CERTIFICATE OF PHYSICAL FITNESS

I hereby certify that I have examined Shri/Smt./ Ms..... and that I have not discovered that he/she has any disease (communicable or otherwise), constitutional weakness or bodily infirmity, except ..... I do not consider this a disqualification for his/her for employment as member in the State/ District Consumer Disputes Redressal Commission for a period of four years or up to the age of sixty five years, whichever is earlier.

Date.....

Signature of candidate

Signature  
Designation  
(Civil Surgeon/District Medical Officer)

#### MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

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#### Notification

New Delhi, 23rd July, 2020

*G.S.R. 462(E).*— In exercise of the powers conferred by sub-clause (zg) of sub-section (1) of section 101 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Consumer Protection (E-Commerce) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Scope and Applicability.*— (1) Save as otherwise expressly provided by the Central Government by notification, these rules shall apply to:

(a) all goods and services bought or sold over digital or electronic network including digital products;

(b) all models of e-commerce, including marketplace and inventory models of e-commerce;

(c) all e-commerce retail, including multi-channel single brand retailers and single brand retailers in single or multiple formats; and

(d) all forms of unfair trade practices across all models of e-commerce:

Provided that these rules shall not apply to any activity of a natural person carried out in a personal capacity not being part of any professional or commercial activity undertaken on a regular or systematic basis.

(2) Notwithstanding anything contained in sub-rule (1), these rules shall apply to a e-commerce entity which is not established in India, but systematically offers goods or services to consumers in India.

3. *Definitions.*— (1) In these rules unless the context otherwise requires,—

(a) “Act” means the Consumer Protection Act, 2019 (35 of 2019);

(b) “e-commerce entity” means any person who owns, operates or manages digital or electronic facility or platform for electronic commerce, but does not include a seller offering his goods or services for sale on a marketplace e-commerce entity;

(c) “grievance” includes any complaints to an e-commerce entity regarding violations of the provisions of the Act and the rules made thereunder;

(d) “GSTIN” means the Goods and Services Tax Identification Number as under the Central Goods and Services Tax Act, 2017 (12 of 2017);

(e) “information” shall have the same meaning as to it clause (v) of sub-section (1) of section 2 of the Information Technology Act, 2000 (21 of 2000);

(f) “inventory e-commerce entity” means an e-commerce entity which owns the inventory of goods or services and sells such goods or services directly to the consumers and shall include single brand retailers and multi-channel single brand retailers;

(g) “marketplace e-commerce entity” means an e-commerce entity which provides an information technology platform on a digital or electronic network to facilitate transactions between buyers and sellers;

(h) “PAN” means Permanent Account Number as under section 139A of the Income Tax Act, 1961 (43 of 1961);

(i) “platform” means an online interface in the form of any software including a website or a part thereof and applications including mobile applications;

(j) “ranking” means the relative prominence or relevance given to the goods or services offered through a marketplace

e-commerce entity as presented, organised or communicated by such entity, irrespective of the technological means used for such presentation, organisation or communication;

(k) “seller” means the product seller as defined in clause (37) of section 2 of the Act and shall include any service provider;

(l) “user” means any person who accesses or avails any computer resource of an e-commerce entity.

(2) The words and expressions used herein and not defined, but defined in the Act or in the Information Technology Act, 2000 (21 of 2000) or the rules made thereunder shall have the same meaning as respectively assigned to them in those Acts or rules.

4. *Duties of e-commerce entities.*— (1) An e-commerce entity shall:

(a) be a company incorporated under the Companies Act, 1956 (1 of 1956) or the Companies Act, 2013 (18 of 2013) or a foreign company covered under clause (42) of section 2 of the Companies Act, 2013 (18 of 2013) or an office, branch or agency outside India owned or controlled by a person resident in India as provided in sub-clause (iii) of clause (v) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999); and

(a) appoint a nodal person of contact or an alternate senior designated functionary who is resident in India, to ensure compliance with the provisions of the Act or the rules made thereunder.

(2) Every e-commerce entity shall provide the following information in a clear and accessible manner on its platform, displayed prominently to its users, namely:—

(क) legal name of the e-commerce entity;

(ख) principal geographic address of its headquarters and all branches;

(ग) name and details of its website; and

(7) contact details like e-mail address, fax, landline and mobile numbers of customer care as well as of grievance officer.

(3) No e-commerce entity shall adopt any unfair trade practice, whether in the course of business on its platform or otherwise.

(4) Every e-commerce entity shall establish an adequate grievance redressal mechanism having regard to the number of grievances ordinarily received by such entity from India, and shall appoint a grievance officer for consumer grievance redressal, and shall display the name, contact details, and designation of such officer on its platform.

(5) Every e-commerce entity shall ensure that the grievance officer referred to in sub-rule (4) acknowledges the receipt of any consumer complaint within forty-eight hours and redresses the complaint within one month from the date of receipt of the complaint.

(6) Where an e-commerce entity offers imported goods or services for sale, it shall mention the name and details of any importer from whom it has purchased such goods or services, or who may be a seller on its platform.

(7) Every e-commerce entity shall endeavour on a best effort basis to become a partner in the convergence process of the National Consumer Helpline of the Central Government.

(8) No e-commerce entity shall impose cancellation charges on consumers cancelling after confirming purchase unless similar charges are also borne by the e-commerce entity, if they cancel the purchase order unilaterally for any reason.

(9) Every e-commerce entity shall only record the consent of a consumer for the purchase of any good or service offered on its platform where such consent is expressed through an explicit and affirmative action, and no such entity shall record such consent automatically, including in the form of pre-ticked checkboxes.

(10) Every e-commerce entity shall effect all payments towards accepted refund requests of the consumers as prescribed by the Reserve Bank of India or any other competent authority under any law for the time being in force, within a reasonable period of time, or as prescribed under applicable laws.

(11) No e-commerce entity shall— (a) manipulate the price of the goods or services offered on its platform in such a manner as to gain unreasonable profit by imposing on consumers any unjustified price having regard to the prevailing market conditions, the essential nature of the good or service, any extraordinary circumstances under which the good or service is offered, and any other relevant consideration in determining whether the price charged is justified;

(b) discriminate between consumers of the same class or make any arbitrary classification of consumers affecting their rights under the Act.

3. *Liabilities of marketplace e-commerce entities.*— (1) A marketplace e-commerce entity which seeks to avail the exemption from liability under sub-section (1) of section 79 of the Information Technology Act, 2000 (21 of 2000) shall comply with sub-sections (2) and (3) of that section, including the provisions of the Information Technology (Intermediary Guidelines) Rules, 2011.

(2) Every marketplace e-commerce entity shall require sellers through an undertaking to ensure that descriptions, images, and other content pertaining to goods or services on their platform is accurate and corresponds directly with the appearance, nature, quality, purpose and other general features of such good or service.

(3) Every marketplace e-commerce entity shall provide the following information in a clear and accessible manner, displayed prominently to its users at the appropriate place on its platform:

(a) details about the sellers offering goods and services, including the name of

their business, whether registered or not, their geographic address, customer care number, any rating or other aggregated feedback about such seller, and any other information necessary for enabling consumers to make informed decisions at the pre-purchase stage:

Provided that a marketplace e-commerce entity shall, on a request in writing made by a consumer after the purchase of any goods or services on its platform by such consumer, provide him with information regarding the seller from which such consumer has made such purchase, including the principal geographic address of its headquarters and all branches, name and details of its website, its email address and any other information necessary for communication with the seller for effective dispute resolution;

(b) a ticket number for each complaint lodged through which the consumer can track the status of the complaint;

(c) information relating to return, refund, exchange, warranty and guarantee, delivery and shipment, modes of payment, and grievance redressal mechanism, and any other similar information which may be required by consumers to make informed decisions;

(d) information on available payment methods, the security of those payment methods, any fees or charges payable by users, the procedure to cancel regular payments under those methods, charge-back options, if any, and the contact information of the relevant payment service provider;

(३) all information provided to it by sellers under sub-rule (5) of rule 6; and

(४) an explanation of the main parameters which, individually or collectively, are most significant in determining the ranking of goods or sellers on its platform and the relative importance of those main parameters

through an easily and publicly available description drafted in plain and intelligible language.

(4) Every marketplace e-commerce entity shall include in its terms and conditions generally governing its relationship with sellers on its platform, a description of any differentiated treatment which it gives or might give between goods or services or sellers of the same category.

(5) Every marketplace e-commerce entity shall take reasonable efforts to maintain a record of relevant information allowing for the identification of all sellers who have repeatedly offered goods or services that have previously been removed or access to which has previously been disabled under the Copyright Act, 1957 (14 of 1957), the Trade Marks Act, 1999 (47 of 1999) or the Information Technology Act, 2000 (21 of 2000):

Provided that no such e-commerce entity shall be required to terminate the access of such seller to its platform pursuant to this sub-rule but may do so on a voluntary basis.

4. *Duties of sellers on marketplace.*— (1) No seller offering goods or services through a marketplace e-commerce entity shall adopt any unfair trade practice whether in the course of the offer on the e-commerce entity's platform or otherwise.

(2) No such seller shall falsely represent itself as a consumer and post reviews about goods or services or misrepresent the quality or the features of any goods or services.

(3) No seller offering goods or services through a marketplace e-commerce entity shall refuse to take back goods, or withdraw or discontinue services purchased or agreed to be purchased, or refuse to refund consideration, if paid, if such goods or services are defective, deficient or spurious, or if the goods or services are not of the characteristics or features as advertised or as agreed to, or if such goods or services are delivered late from the stated delivery schedule:



Provided that in the case of late delivery, this sub-rule shall not be applied if such late delivery was due to force majeure.

(4) Any seller offering goods or services through a marketplace e-commerce entity shall:

(a) have a prior written contract with the respective e-commerce entity in order to undertake or solicit such sale or offer;

(b) appoint a grievance officer for consumer grievance redressal and ensure that the grievance officer acknowledges the receipt of any consumer complaint within forty-eight hours and redresses the complaint within one month from the date of receipt of the complaint;

(c) ensure that the advertisements for marketing of goods or services are consistent with the actual characteristics, access and usage conditions of such goods or services.

(d) provide to the e-commerce entity its legal name, principal geographic address of its headquarters and all branches, the name and details of its website, its e-mail address, customer care contact details such as fax, landline, and mobile numbers and where applicable, its GSTIN and PAN details.

(5) Any seller offering goods or services through a marketplace e-commerce entity shall provide the following information to the e-commerce entity to be displayed on its platform or website:

(a) all contractual information required to be disclosed by law;

(b) total price in single figure of any good or service, along with the breakup price for the good or service, showing all the compulsory and voluntary charges such as delivery charges, postage and handling charges, conveyance charges and the applicable tax, as applicable;

(c) all mandatory notices and information provided by applicable laws, and the expiry

date of the good being offered for sale, where applicable;

(d) all relevant details about the goods and services offered for sale by the seller including country of origin which are necessary for enabling the consumer to make an informed decision at the pre-purchase stage;

(e) the name and contact numbers, and designation of the grievance officer for consumer grievance redressal or for reporting any other matter;

(f) name and details of importer, and guarantees related to the authenticity or genuineness of the imported products;

(g) accurate information related to terms of exchange, returns, and refund including information related to costs of return shipping in a clear and accessible manner;

(h) relevant details related to delivery and shipment of such goods or services; and

(i) any relevant guarantees or warranties applicable to such goods or services.

7. *Duties and liabilities of inventory e-commerce entities:*— (1) Every inventory e-commerce entity shall provide the following information in a clear and accessible manner, displayed prominently to its users:

(a) accurate information related to return, refund, exchange, warranty and guarantee, delivery and shipment, cost of return shipping, mode of payments, grievance redressal mechanism, and any other similar information which may be required by consumers to make informed decisions;

(b) all mandatory notices and information required by applicable laws;

(c) information on available payment methods, the security of those payment methods, the procedure to cancel regular payments under those methods, any fees or charges payable by users, charge back options, if any, and the contact information of the relevant payment service provider;

(d) all contractual information required to be disclosed by law;

(e) total price in single figure of any good or service along with the breakup price for the good or service, showing all the compulsory and voluntary charges, such as delivery charges, postage and handling charges, conveyance charges and the applicable tax; and

(f) a ticket number for each complaint lodged, through which the consumer can track the status of their complaint.

(2) No inventory e-commerce entity shall falsely represent itself as a consumer and post reviews about goods and services or misrepresent the quality or the features of any goods or services.

(3) Every inventory e-commerce entity shall ensure that the advertisements for marketing of goods or services are consistent with the actual characteristics, access and usage conditions of such goods or services;

(4) No inventory e-commerce entity shall refuse to take back goods, or withdraw or discontinue services purchased or agreed to be purchased, or refuse to refund consideration, if paid, if such goods or services are defective, deficient spurious, or if the goods or services are not of the characteristics or features as advertised or as agreed to, or if such goods or services are delivered late from the stated delivery schedule:

Provided that in the case of late delivery, this sub-rule shall not apply if such late delivery was due to force majeure.

(5) Any inventory e-commerce entity which explicitly or implicitly vouches for the authenticity of the goods or services sold by it, or guarantees that such goods or services are authentic, shall bear appropriate liability in any action related to the authenticity of such good or service.

11. *Contravention of rules.*— The provisions of the Consumer Protection Act, 2019 (35 of

2019) shall apply for any violation of the provisions of these rules.

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MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

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**Corrigendum**

New Delhi, 4th August, 2020

*G.S.R. 488(E).*— In the notification of the Government of India, Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, number G.S.R. 462(E), dated the 23rd July, 2020, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated 23rd July 2020 (Issue No. 358),-

- (i) in page 8, in line 40, for “(क)”, read “(a)”,
- (ii) in page 8, in line 41, for “(ख)”, read “(b)”,
- (iii) in page 8, in line 42, for “(ग)”, read “(c)”,
- (i) In page 8, in line 43, for “(घ)”, read “(d)”,
- (ii) in page 9, in line 52, for “(ङ)”, read “(e)”,
- (iii) in page 10, in line 1, for “(च)”, read “(f)”,

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MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

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**Notification**

New Delhi, the 15th July, 2020

*S.O. 2351(E).*— In exercise of the powers conferred by sub-section (3) of section 1 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby appoints the 20th day of July, 2020 as the date on which the following provisions of the said Act shall come into force, namely:—

Chapter	Sections
I	Section 2 [Except clauses (4), (13), (14), (16), (40)]
II	Sections 3 to 9 (both inclusive);
IV	Sections 28 to 73 (both inclusive); [Except sub-clause (iv) of clause (a) of sub-section (1) of section 58.]
V	Sections 74 to 81 (both inclusive);
VI	Sections 82 to 87 (both inclusive);
VII	Sections 90 and 91; [Except sections 88,89,92 & 93]
VIII	-Sections 95, 98, 100,-Section 101 [Except clauses (f) to (m) and clauses (zg), (zh) and (zi) of sub-section 2]. -Sections 102, 103, 105, 106, 107 [Except sections 94, 96, 97, 99, 104]

MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION  
(Department of Consumer Affairs)

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**Notification**

New Delhi, the 23rd July, 2020

S.O. 2421(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Consumer Protection Act, 2019 (35 of 2019), the Central Government hereby appoints the 24th day of July, 2020 as the date on which the following provisions of the said Act shall come into force, namely:—

Chapter	Sections
I	Definition Section 2 [clauses (4), (13), (14), (16), (40)]
III	Central Consumer Protection Authority Sections 10 to 2 (both inclusive)
IV	Consumer Disputes Redressal Commission Sub-clause (iv) of clause (a) of sub-section (1) of section 58
VII	Offences and Penalties Sections 88, 89, 92 and 93.
VIII	Miscellaneous Sections 94, 96, 97 and 99.-Clauses (f) to (m) of sub-section 2 and clauses (zg), (zh) and (zi) of sub-section 2 of Section 101-Section 104

MINISTRY OF CONSUMER AFFAIRS, FOOD  
AND PUBLIC DISTRIBUTION  
(Department of Consumer Affairs)

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**Notification**

New Delhi, 23rd July, 2020

S.O. 2422(E).— In exercise of the powers conferred by section 10 of the Consumer Protection Act, 2019 (35 of 2019) and with effect from the 24th day of July, 2020, the Central Government hereby establishes the Central Consumer Protection Authority as a body corporate by the said name having perpetual succession and a common seal, with power, subject to the provisions of the Act and the rules and regulations made thereunder, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

2. The Central Authority shall have its headquarter at New Delhi.

◆◆◆  
Department of Finance  
Debt Management Division

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**Notification**

7/33/2020-Fin(DMU)/37

Government of Goa is pleased to frame the following scheme namely:—

“One Time House Building Advance Settlement Scheme” for erstwhile House Building Advance (HBA) Beneficiaries of State Government department and Grant-in-aid institutions

1. *Short title and commencement.*— (i) The scheme shall be called “One Time House Building Advance Settlement Scheme”.

(ii) The scheme shall come into force from the date of its publication of Notification in the Official Gazette and shall remain in force upto 28th February, 2021.

2. *Introduction.*— The scheme “One Time House Building Advance Settlement Scheme”

has been designed with an objective to assist the erstwhile employees who had availed benefits under House Building Advance Scheme of State Government. The Government vide Order No. 7/26/2020-Fin(DMU)/1127 dated 15-05-2020 withdrew the HBA Scheme w.e.f 15-5-2020. The scheme allows employees to avail one-time financial assistance from State Government to the extent of difference amount between the outstanding loan balance along with interest as per the records maintained by Directorate of Accounts and Bank as on 15-05-2020.

3. *Objectives of the Scheme.*— I. The scheme aims to provide assistance to the erstwhile HBA scheme beneficiaries of State Government as well as Grant-in-aid institutions.

II. The Government withdrew the HBA scheme allowing the beneficiaries to shift their existing loans to other financial institutions/banks.

III. The erstwhile HBA scheme was formulated in such a manner that as per the Government procedure, the loan would be recovered with full repayment of the principal amount in the beginning followed by repayment of interest component.

IV. However, as per the Bank's procedure, part repayment was collected towards principal and part repayment was towards interest component in the fixed EMIs. Thus, the amount to be paid to the bank was always on a higher side which used to be borne by the State Government.

V. And whereas, it was noticed that certain beneficiaries who have repaid the entire principal amount had to bear sudden escalation in the balance interest amount to be paid to bank due to discontinuation of HBA scheme w.e.f 15-05-2020.

VI. Therefore, the Government is pleased to formulate the "One Time House Building Advance Settlement Scheme" to assist the erstwhile employees who had availed benefits under House Building Advance scheme of State Government.

4. *Eligibility.*— All the erstwhile HBA beneficiaries who had their loan accounts operative with Bank of India/HDFC Bank as on 15th May, 2020 are eligible under the said scheme.

5. *Quantum of Financial Assistance.*— The financial assistance from State Government under the scheme will be limited only to the difference amount between the outstanding loan balance along with interest as per the records maintained by Directorate of Accounts and Bank as on 15-05-2020 i.e date of withdrawal of the scheme.

**For example.**— If an employee has an outstanding balance of Rs. 2,50,000/- as per the Bank and the total outstanding amount including interest as per Directorate of Accounts is Rs. 1,00,000/- as on 15th May 2020, then the State Government would bear the difference of Rs. 1,50,000/- payable to bank.

6. *Procedure for Sanction under the Scheme.*— (i) All the eligible beneficiaries who want to avail benefits under the said scheme shall apply in the prescribed proforma to the Head of Department.

(ii) The Head of Department on receipt of the application shall endorse the same to Directorate of Accounts after due recommendation for sanction and in case of grant-in-aid institutions, to the respective administrative Department.

(iii) In cases where the loan account has been shifted to other bank or the loan is closed post 15th May, 2020, the eligible beneficiaries shall submit a no dues certificate issued by the Bank and the loan statement to the Head of Department/Administrative Department alongwith the prescribed proforma.

(iv) In case the loan account is still operative, Directorate of Accounts/Administrative Department based on the recommendation shall release the payment to loan account in the Bank after verification. If the loan account has been shifted to other Bank or the loan is closed post 15th May,

2020, refund will be provided to the concerned employee.

(v) The expenditure would be debited to the Budget Head from where the regular HBA instalments used to be paid earlier.

7. *Framing of guidelines.*— For better implementation of this scheme the Government can frame the guidelines from time to time.

8. *Relaxation.*— The Government is empowered to relax any or all clauses or conditions of the scheme if found deemed fit, for reasons to be recorded.

9. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision about the interpretation shall lie with the Government, which shall be final and binding on all concerned.

10. *Redressal of grievances and dispute.*— Grievances if any, arising out of the implementation of this scheme, the Government shall decide such matters and the decision of the Government in this regard shall be final and binding on all concerned.

By order and in the name of the Governor of Goa.

*Pranab G. Bhat*, Under Secretary, Finance (Budget-II).

Porvorim, 11th January, 2021.

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PROFORMA

From:

Designation, Address and Mobile Number:

Date:

To,

The Director/Head of Department,

Name of Department and Address

Sir,

*Sub:* Application for availing benefit under "One Time House Building Advance Settlement Scheme"

I, the undersigned, \_\_\_\_\_ (Name of Employee) \_\_\_\_\_, working in your

department/institute under your department, had availed an amount of Rs. \_\_\_\_\_ (amount of loan) as House building advance on \_\_\_\_\_ (disbursement/sanction date).

The balance outstanding amount is Rs. \_\_ (A) as per the Bank and the total outstanding amount including interest as per Directorate of Accounts is Rs. \_\_\_\_\_ (B) as on 15th May, 2020. Therefore, I would request you to sanction me an amount of Rs. \_\_\_\_\_ (A-B) under the above scheme.

My loan account with Bank of India/HDFC Bank is still active and the details of which are as follows:

Name of Loan Account Holder:

Account Number:

OR

I have closed my loan account on \_\_\_\_\_ (closure date) and therefore, kindly refund me the said amount.

OR

I have shifted my loan to another bank on \_\_\_\_\_ (shifting date) and therefore, kindly refund me the said amount.

Yours faithfully,

(Name of the employee)

Designation

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**Notification**

7/32/2020-Fin(DMU)/38

Government of Goa is pleased to formulate a scheme titled "One Time Payment of Penal Interest of House Building Advance Scheme" for erstwhile HBA Beneficiaries of Government Departments/Grant-in-aid institutions. The scheme will come into force with immediate effect.

*Objective of the scheme.*— The Government vide Order dated 15-05-2020 had withdrawn the House Building Advance Scheme and the erstwhile beneficiaries had to bear the entire rate of interest at market rate. While the Government was putting in place a mechanism in order to effect payments to Bank after discontinuation of the scheme, there was certain delay in crediting the amount in the loan accounts of the employees, due to which, the Banks levied penal interest which was accrued in the loan account of the employees.

While there has been delay due to various procedural reasons, the penal interest had to be borne by the employees.

In view of same, Finance Department vide OM No. 7/26/2020-Fin (DMU)/1877 dated 13th December, 2020 has allowed direct payment to loan account of the Bank employees by the DDOs concerned as per procedure laid down in Circular No. 7/13/2011/Fin(Exp) dated 20-09-2018 in order to avoid delayed payments to the loan account.

Therefore, Government has now decided to pay this penal interest accrued from 15th May, 2020 till 31st December, 2020 as a one-time measure.

*Eligibility under the scheme.*— All the erstwhile HBA Beneficiaries of Government Departments/Grant-in-aid institutions are eligible under the scheme.

*Procedure for sanction under the scheme.*— Director (Accounts) shall obtain the amount accrued due to levy of this penal interest from 15th May, 2020 till 31st December, 2020 from Banks department-wise and circulate this list to all the Heads of Departments for information. The Directorate of Accounts/Administrative Department in respect of grant-in-aid institutions, after due verification, shall release the amount into the loan account of the concerned employees, if the loan account is still active. In case where the loan account has been shifted to other bank or the loan is closed post 15th May, 2020, a refund will be provided to the concerned employee.

The expenditure would be debited to the Budget Head from where the regular HBA Installments used to be paid earlier.

*Relaxation.*— The Government is empowered to relax any or all clauses or conditions of the scheme if found deemed fit, for reasons to be recorded.

*Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision about the interpretation shall lie with the Government, which shall be final and binding on all concerned.

*Redressal of grievances and dispute.*— Grievances if any, arising out of the implementation of this scheme, the Government shall decide such matters and the decision of the Government in this regard shall be final and binding on all concerned.

By order and in the name of the Governor of Goa.

*Pranab G. Bhat*, Under Secretary, Finance (Budget-II).

Porvorim, 11th January, 2021.



Department of Public Health

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### Notification

13-32-87-IV/PHD/97

Whereas, the draft Rules, namely the Goa Medical Council (Second Amendment) Rules, 2020 which the Government of Goa proposed to make in exercise of the powers conferred by sub-sections (1) and (2) of section 28 of the Goa Medical Council Act, 1991 (Goa Act 6 of 1991), so as to further amend the Goa Medical Council Rules, 1995, were pre-published as required by sub-section (1) of section 28 of the said Act vide the Government Notification No. 13-32-87-IV/PHD/3598 dated 27-08-2020, of the Department of Public Health, Government of Goa, in the Official Gazette, Series I No. 23, dated 03-09-2020, inviting objections and suggestions from all persons likely to be affected thereby, within a period of 30 days from the date of publication of the said Notification in the Official Gazette:

And whereas, the said Official Gazette was made available to the public on 03-09-2020;

And whereas, no objections and suggestions have been received from the public on the said draft Rules by the Government within the stipulated period;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 28 read with sections 16, 17, 19, 20 and 23 of the Goa Medical Council Act, 1991

(Goa Act 6 of 1991) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Medical Council (Second Amendment) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Substitution of rule 98.*— In the Goa Medical Council Rules, 1995, for rule 98, the following rule shall be substituted, namely:—

“98. *Charging of fees.*— Fees shall be levied by the Council as shown in Table below.

TABLE

Sr.	Purpose	Fees
1	2	3
(i)	For recording change of name in the register	500/-
(ii)	For entering each additional qualification specified in any of the Schedules to the Indian Medical Council Act, 1956 (Central Act 102 of 1956)	1000/-
(iii)	For Issue of duplicate certificate of registration.	2000/-
(iv)	For issue of a certified copy of an entry in the register	300/-
(v)	Provisional Registration for State Medical graduates	1000/-
(vi)	Provisional Registration for Foreign Medical graduates	3000/-
(vii)	Permanent Registration for State Medical Institution	3000/-
(viii)	Permanent Registration for Foreign Medical Institute Graduates	5000/-
(ix)	Continuation (Renewal) of Registration	1500/-
(x)	Late fee for renewal of Registration	200/- per month or part thereof.
(xi)	No Objection Certificate or Good Standing Certificate	2000/-
(xii)	Re-entering the name in the Register	4000/-”.

By order and in the name of the Governor of Goa.

*Trupti B. Manerkar*, Under Secretary (Health-I).

Porvorim, 14th January, 2021.



### Department of Sports and Youth Affairs

Directorate of Sports and Youth Affairs

#### Order

SAG/ADM-CO/Approval for the Post Creation/2015-16/2050

1. With the recommendation of the General Body of the Sports Authority of Goa and the concurrence of the Council of Ministers, the following posts hereby stand created in the Sports Authority of Goa:

Sr. No.	Designation of the Post	Pay Scale	No. of the Posts Created
1	2	3	4
<b>Ministerial Posts</b>			
1.	Executive Director	Level 13 ₹ 123100	1
2.	Director (Administration)	Level 11 ₹ 67700	1
3.	Joint Director (Accounts)	Level 11 ₹ 67700	1

1	2	3	4
4.	Assistant Director (Complex/ Programme/Stadium)	Level 8 ₹ 47600	3
5.	Senior Stenographer	Level 6 ₹ 35400	1
6.	Assistant Manager (Complex)	Level 6 ₹ 35400	1
7.	Accountant	Level 6 ₹ 35400	4
8.	Upper Division Clerk	Level 4 ₹ 25500	7
9.	Accounts Clerk	Level 4 ₹ 25500	2
10.	Lower Division Clerk	Level 2 ₹ 19900	73
11.	Driver	Level 2 ₹ 19900	10
12.	Supervisor	Level 2 ₹ 19900	30
13.	Security Supervisor	Level 2 ₹ 19900	4
14.	Multi-Tasking Staff	Level 1 ₹ 18000	377
<b>Non-Ministerial Posts</b>			
15.	Chief Engineer	Level 14 ₹ 144200	1
16.	Director (Coaching)	Level 11 ₹ 67700	1
17.	Coach (Grade-I)	Level 9 ₹ 53100	3
18.	Coach (Grade-II)	Level 8 ₹ 47600	12
19.	Assistant Engineer (Civil)	Level 7 ₹ 44900	2
20.	Project Officer	Level 7 ₹ 44900	1
21.	Coach (Grade-III)	Level 6 ₹ 35400	18
22.	Assistant Manager (Swimming Pool)	Level 6 ₹ 35400	3
23.	Assistant Project Officer (Athletics)	Level 6 ₹ 35400	1
24.	Physiotherapist	Level 6 ₹ 35400	1
25.	Dietician	Level 6 ₹ 35400	1
26.	Coach (Grade-IV)	Level 5 ₹ 29200	96
27.	Junior Engineer (Civil)	Level 5 ₹ 29200	3
28.	Junior Engineer (Electrical)	Level 5 ₹ 29200	1
29.	Foreman Electrician	Level 5 ₹ 29200	1
30.	Sound System Operator	Level 4 ₹ 25500	1
31.	Electrician	Level 4 ₹ 25500	4
32.	Senior Swimming Instructor	Level 4 ₹ 25500	1
33.	Draughtsman (Civil)	Level 3 ₹ 21700	1
34.	Swimming Instructor	Level 3 ₹ 21700	4
35.	Life Guard	Level 2 ₹ 19900	43
36.	Assistant Electrician	Level 2 ₹ 19900	4
37.	Gymnasium Instructor	Level 2 ₹ 19900	1
38.	Plant Operator	Level 2 ₹ 19900	19
39.	Plumber	Level 2 ₹ 19900	2
<b>Total:</b>			<b>740</b>

2. The expenditure on the creation of the above posts would be met from the following Budget Head:—

**Demand No: 42**

- 0204—Sports and Youth Services;
- 104—Sports and Grant;
- 13—Grant to Sports Authority of Goa;
- 31—Grant-in-Aid.



3. The following posts shall stand abolished upon superannuation/retirement of the incumbent or, upon the post falling vacant, whichever may be earlier:

Sr. No.	Name of the Post
1.	Asst. Project Officer (Athletics)
2.	Senior Stenographer
3.	Foreman Electrician

4. The existing strength of drivers shall be continued until, further assessment of the fleet of vehicles and requirement of the Sports Authority of Goa is ascertained. Any vacancies arising during the interim period shall not be filled up on regular basis.

5. No additional posts shall be created either on direct recruitment, on contract or on daily-rated basis, without the prior approval of the Finance (Expenditure) Department.

6. Prior approval of the Finance Department shall be obtained for filling of any vacancy that may arise against the above sanctioned posts, except the promotional and deputation posts, as per the Recruitment Rules.

By order and in the name of the Governor of Goa.

*Shashank Mani Tripathi*, IAS, Director of Sports & Youth Affairs & ex officio Jt. Secretary.  
Panaji, 11th January, 2021.



### Department of Water Resources

Office of the Chief Engineer

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#### Order

4-5-06/CE-WR/Adm.II/1008

Read: This office order No. 4-5-06/CE-WR/Adm.II/855 dated 30-11-2020.

Ex-facto Government approval is accorded for detaching and attaching of Sub-Division including posts filled and posts vacant in Water Resources Department, with effect from 01-12-2020 and the present & previous staff strength under Regular Establishment of Works Division II and Works Division XI is shown herewith below:—

Sr. No.	Designation	Present staff		Previous staff	
		Works Division II	Works Division XI	Works Division II	Works Division XI
1.	Executive Engineer	1	1	1	1
2.	Assistant Engineer	3	4	4	3
3.	Assistant Surveyor of Works	1	-	1	-
4.	Technical Assistant	3	4	4	3
5.	Junior Engineer	13	11	15	9
6.	Extension Officer	4	1	5	-
7.	Head Clerk	1	1	1	1
8.	Accountant	1	1	1	1
9.	Draughtsman Grade II	1	-	1	-
10.	Upper Division Clerk	4	4	4	4
11.	Junior Stenographer	1	1	1	1
12.	Draughtsman Grade III	4	3	5	2
13.	Lower Division Clerk	13	9	14	8
14.	Mechanic Grade II	1	1	2	-

15.	Canal Supervisor	6	-	6	-
16.	Daftary-cum-Bharkhandas	1	-	1	-
17.	Staff Holder	-	2	-	2
18.	Barkhandas	1	1	1	1
19.	Watchman	1	-	1	-
20.	Peon	9	6	9	6

The salaries and other allowances on account of re-distribution of sub-division offices along with budget head to which the salary to be charged on regular establishment is as below:—

1. Office of the Executive Engineer, Works Division II, Water Resources Department, Rawanfond, Margao-Goa.

B.H.: 1) 2702 — Minor Irrigation  
80 — General; 001— Direction and Administration;  
01 — Establishment (Non Plan); 01— Salaries;

B.H.: 2) 2702 — Minor Irrigation  
02 — Ground Water; 005—Investigation;  
02 — Survey for preparation of Master Plan etc. (Non Plan);  
01 — Salaries.

2. Office of the Executive Engineer, Works Division XI, Water Resources Department, Rawanfond, Margao-Goa.

B.H.: 1) 2701 — Major & Medium Irrigation (Non-Plan)  
04 — Medium Irrigation (Non-Commercial);  
001 — Direction & Administration;  
04 — Salaulim Irrigation Project;  
01 — Salaries.

B.H.: 2) 2701 — Major & Medium Irrigation (Non-Plan)  
04 — Medium Irrigation (Non-Commercial);  
001 — Direction & Administration;  
08 — Salaulim Irrigation Project;  
01 — Salaries.

No T.A./D.A. will be admissible to the above officers/officials/employees.

This issued with the approval of Government vide No. Secretary (WR) 1495/F dated 19-11-2020.

By order and in the name of the Governor of Goa.

S. D. Patil, Chief Engineer (WR) & ex officio Additional Secretary.

Porvorim, 8th January, 2021.

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