

CENTRAL CONSUMER PROTECTION AUTHORITY

Indian Institute of Public Administration Building
IP Estate, Ring Road, New Delhi-110002

No. J-25/6/2020-CCPA(Pt-1)

The 22nd March, 2022

“Engagement of Expert and Professional by the Central Consumer Protection Authority for assisting the Central Authority for works related to Regulatory Compliance”

1. Background

The Consumer Protection Act, 2019, paved way for creation of Central Consumer Protection Authority to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interest of public and consumers and to promote and enforce the rights of consumers as a class. The CCPA or the Central Authority has since been established with effect from 24th July, 2020.

2.1 The statutory functions of CCPA envisaged under Section 18 of the Consumer Protection Act, 2019 are to

- (a) inquire or cause an inquiry or investigation to be made into violations of consumer rights or unfair trade practices, either suo motu or on a complaint received or on the directions from the Central Government;
- (b) file complaints before the District Commission, the State Commission or the National Commission, as the case may be, under this Act;
- (c) intervene in any proceedings before the District Commission or the State Commission or the National Commission, as the case may be, in respect of any allegation of violation of consumer rights or unfair trade practices;
- (d) review the matters relating to, and the factors inhibiting enjoyment of, consumer rights, including safeguards provided for the protection of consumers under any other law for the time being in force and recommend appropriate remedial measures for their effective implementation;
- (e) recommend adoption of international covenants and best international practices on consumer rights to ensure effective enforcement of consumer rights;
- (f) undertake and promote research in the field of consumer rights;
- (g) spread and promote awareness on consumer rights;

(h) encourage non-Governmental organizations and other institutions working in the field of consumer rights to co-operate and work with consumer protection agencies;

(i) mandate the use of unique and universal goods identifiers in such goods, as may be necessary, to prevent unfair trade practices and to protect consumers' interest; Power of District Collector. Complaints to authorities. Powers and functions of Central Authority;

(j) issue safety notices to alert consumers against dangerous or hazardous or unsafe goods or services;

(k) advise the Ministries and Departments of the Central and State Governments on consumer welfare measures;

(l) issue necessary guidelines to prevent unfair trade practices and protect consumers' interest.

2.2. Under section 19, the Central Authority may, based on complaint, information or directions from the central government or on its own motion, where there seems to be a prima facie case of violation of Consumer rights or any unfair trade practice or any false or misleading advertisement which is prejudicial to the public interest or to the interests of consumers, cause investigation to be made. After preliminary inquiry, if the Central Authority is of the opinion that the matter is to be dealt with by the Regulator established under any other law, it may refer such matters to the Regulator concerned.

2.3. Under section 20, where on the basis of investigation, the Central Authority is satisfied that there is sufficient evidence to show violation of Consumer rights and unfair trade practise by a person, the Central Authority may pass orders as may be necessary, including:

(a) recalling of goods or withdrawal of services which are dangerous, hazardous or unsafe;

(b) reimbursement of the prices of goods or services so recalled to purchasers of such goods or services; and

(c) discontinuation of practices which are unfair and prejudicial to consumers' interest.

2.4. Under section 21, the Central Authority may, in case of false or misleading advertisements or which is prejudicial to the interest of the consumer or is in contravention of Consumer Rights pass directions to the manufacturer or endorser to discontinue or modify the same along with the imposition of fines.

2.5 Under section 22, for conducting the investigation, after the preliminary enquiry, the Central Authority may also conduct search and seizure operations. (The

provisions Cr. PC relating to search and seizure shall apply to search and seizure under this Act).

3. For fulfilment of its mandate under the Consumer Protection Act, 2019, the CCPA proposes to engage **the expert(s) and Professional(s) in Law discipline (One at Level-I and One at Level-II)** to assist the Authority in order to ensure Regulatory Compliances.

4. **Scope of work proposed for the professional Expert:-**

The experts and professionals engaged by the Central Authority shall discharge such functions as may be assigned to them by the Chief Commissioner for assisting the Central Authority.

5.1 **Qualifications, experience and classification of experts and professionals and payment terms etc.:-**

The category of expert(s) and Professional(s), qualifications, experience etc. are indicated in the Schedule I. Depending upon the experience in the respective discipline, a person may be engaged as an expert and professional in one of the two levels given in Schedule II and lump sum monthly remuneration will be paid accordingly.

5.2 **Duration of assignment and evaluation of performance:** The experts and professionals shall ordinarily be engaged on contractual basis for not less than six months and not more than three years. Their performance shall be reviewed every six months by the Central Authority to decide on their continuance or otherwise.

5.3 **Other terms and conditions:**

- i. The expert and professional who have accepted the offer of engagement, before being assigned any work, shall enter into a contract and such contract shall contain a confidentiality clause and the details of the terms and conditions of engagement.
- ii. The terms and conditions of engagement may be modified, in a specific case, if the Central Authority deems it necessary.
- iii. The engagement may be terminated earlier either by the Expert and Professional or Central Consumer Protection Authority by giving one month's notice.
- iv. Without prejudice to the legal remedies available to the Central Authority, any breach of the terms and conditions of the contract executed shall be considered a sufficient ground for termination of the engagement made under the said contract and may further debar such expert or professional from future engagement by the Central Authority.

- v. The engagement shall be on purely contract basis only. Such engagement shall not vest any right to claim for regular appointment or continued contractual engagement in CCPA.

6.1 Interested and eligible persons may submit online application on <https://jagograhakjago.gov.in/ccpa>. The last date of receipt of online application is 12th April, 2022 (6:00 PM). Applications complete in all aspects would only be accepted. Applications received without relevant enclosures or received after the last date will be summarily rejected.

6.2 Only short-listed eligible candidates shall be called for interview with the Selection Board. No TA and DA shall be paid for the interview.


(Anupam Mishra)
Commissioner
Central Consumer Protection Authority (CCPA)
Tel: 23386666

आयुक्त
Commissioner
केन्द्रीय उपभोक्ता संरक्षण प्राधिकरण
Central Consumer Protection Authority
नई दिल्ली / New Delhi

1. Name of the Candidate:

2. Date of Birth:

3. Father's Name:

4. Present Address:

5. Permanent Address:

6. Correspondence address:

Tel No.

Mobile No.

Email id:

Passport size
photograph

7. (a) Qualifications:-

S.No.	Degree	University/Institute	Field/Specialization	Year of Passing

(self-attested photocopies of all certificate(s) must be attached)

(b) Experience (self-attested photocopies of work experience certificate(s) issued by the employer must be attached):-

Details of employment, in the reverse chronological order:

S.No.	Office/Institute/ Organization	Post held	Period		Nature of duties in brief
			From	To	

(c) Additional information, if any, (which you would like to mention in support of your suitability for the engagement as an expert and professional. Enclose a separate sheet, if the space below is insufficient. Enclose copies of research publications or published writings, if any. Also enclose letters of recommendation, if any).

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Undertaking

I hereby undertake that all the information furnished above by me is correct to the best of my knowledge.

Date:

Place:

Signature of the Candidate

Schedule I

Discipline	Qualification	Experience
Law	<p>Essential–</p> <p>(i) Degree of LL.B or equivalent from a recognized University or Institute in India or abroad, recognized by the Bar Council of India.</p> <p>(ii) Qualified to be registered as an advocate in any State Bar Council of India in terms of Advocate's Act, 1961.</p> <p>Desirable –</p> <p>Any higher qualification with having with the subject of consumer law or regulatory law.</p>	<p>i. Experience in judicial or legal work in Supreme Court, High Court or any other court or in Government or Regulatory Authority or in Tribunal or any other similar forum, or</p> <p>ii. Professor/Reader/Lecturer of Law of any recognized University or professional Institute of India or abroad with specialization in teaching consumer law, or</p> <p>iii. Legal Manager or senior position in the Corporate sector having experience of handling consumer complaints, product liability actions, class actions, etc. under consumer law.</p>

Schedule II

Level of experts and professionals	Preferred experience in years	Lump sum monthly remuneration
(1)	(2)	(3)
Level I	Up to three years	₹50,000 with 10 per-cents increase on completion of each year.
Level II	Three to five years	₹70,000 with 10 per-cents increase on completion of each year.