

The Central Consumer Protection Authority (Annual Report) Rules, 2021¹

In exercise of the powers conferred by sub-section (1) of Section 27 read with clause (m) 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 Central Consumer Protection Authority (Annual Report) Rules, 2021.

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

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

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

(b) “Annual Report” means the annual report prepared by the Central Authority under sub-section (1) Section 27 of the Act;

(c) “Central Authority” means the Central Consumer Protection Authority established under Section 10 of the Act;

(d) “Year” means the financial year commencing from the 1st day of April and ending on the 31st day of March of the year immediately following

(2) Words and expressions used herein and not defined but defined in the Act shall have the same meanings assigned to them in the Act.

3. Preparation and furnishing of annual report.—(1) The Central Authority shall prepare once in every year an Annual Report in the Form annexed to these rules, giving a true and full account of its activities performed in the year.

(2) The Central Authority may, with the prior permission of the Central Government, also include any other item in the annual report.

(3) The Central Authority shall forward the annual report to the Central Government within a period of one hundred and eighty days immediately following the close of the year for which it has been prepared.

FORM

Annual Report

[See Rule 3(1)]

A. Introduction

- (i) Chief Commissioner’s statement;
- (ii) Objective;
- (iii) Important achievements;
- (iv) The year in review;

1. Ministry of Consumer Affairs, Food and Public Distribution (Deptt. of Consumer Affairs), Noti. No. G.S.R. 665(E), dated September 27, 2021, published in the Gazette of India, Extra., Part II, Section 3(i), dated 27th September, 2021, pp. 5-8, No. 548

- (v) Legislative work;
- (vi) Sectors-wise cases instituted;
- (vii) Outreach programme;
- (viii) Steps taken to monitor misleading advertisements and unfair trade practises;
- (ix) International Engagement
- (x) Impact on consumers

B. Investigations and inquiries ordered or undertaken by the Central Authority or the Director General or District Collector:

A brief narrative of investigations and inquiries undertaken by the Central Authority or the Director General or District Collector.

C. Orders passed by the Central Authority:

A brief narrative of the orders passed by the Central Authority separately for which no prima facie case is made out, and consumer violation is proved, category-wise for each category of orders passed alongwith a tabular statement indicating the section under which the order was passed and brief particulars of the orders.

D. Powers and duties of the Central Authority under Section 18:

A narrative of activities undertaken by the Central Authority by filing of Complaints or intervention before District Commission or State Commission or National Commission, research in the field of consumer rights and consumer awareness, safety notices to alert consumers, advisories issued to Ministries and Departments of Central Government and State Governments on consumer welfare measures, guidelines issued to prevent unfair trade practices and to protect consumer interests including mandate of use of unique and universal goods identifiers, recommendation for adoption of international conventions and best international practices on consumer rights, co-operation with consumer organisations and any other relevant information.

E. Execution of the orders of the Central Authority and imposition of penalties:

- (i) Monetary penalties.—Details of recovery of penalty imposed, details of penalty imposed but not recovered, total number of matters and total amount of monetary penalty levied and total amount realized.
- (ii) Matters referred to Court under Section 92.—Total number of matters referred to the court during the year, total number of matters disposed of by the court during the year, total number of matters pending with the court at the end of the year.
- (iii) Corrective Advertisement.—Number of matters in which corrective advertisement has been ordered during the year:
- (iv) Compounding of offences, applications made for compounding, application disposed of, total amount of monetary penalty levied and total amount realised.

F. Appeals:

- (i) number of appeals filed against the orders of the Central Authority in the year;
- (ii) number of appeals pending at the beginning of the year;
- (iii) appeals filed during the year;
- (iv) number of appeals allowed by the National Commission during the year;
- (v) number of appeals disallowed by the National Commission during the year;
- (vi) brief write up on the appeals allowed by the National Commission;
- (vi) brief write up of appeals/cases filed before any other Court and Tribunal;

G. Communications or References:

- (i) A brief narrative on the references received and reference made to the Government, Ministries, statutory and regulatory bodies, government body or any other institution or organization, including number of references received during the year, number of

references sent during the year, number of references disposed of during the year, number of references pending at the end of the year.

- (ii) Directions received from the Central Government.—A brief narrative on the directions received from the Central Government including number of directions received during the year, number of directions of during the year, number of directions pending at the end of the year, inquiry or investigation made into violations of consumer rights on the directions from the Central Government.

H. Administration and establishment matters

- (i) Composition of the Central Authority;
- (ii) Details of Chief Commissioner or Commissioner appointed in the year and Commissioner who demitted office;
- (iii) Details of Director General appointed in the year and those who demitted office;
- (iv) Organizational structure;
- (v) a tabular statement containing information on Personnel in Central Authority, category-wise, sanctioned posts, posts filled up, vacancies, appointments made in the year and such other matters;
- (vi) experts and consultants engaged: details of number of experts and consultants appointed in the year and of those who demitted office, or any other officials or person called by the Central Authority;
- (vii) employee welfare measures, if any, beyond the regular terms and conditions of employment, undertaken by the Authority;
- (viii) details of delegation of power made in the year by Chief Commissioner to any other Commissioner or the officer of the Central Authority under Section 14 of the Act.

I. International co-operation

A brief narrative of international co-operation, if any, undertaken by the Central Authority.

J. Consumer Awareness

A brief narrative of activities undertaken under sub-section (2) of Section 18:

- (i) Workshops, seminars and other interactions with public or experts or policy makers or regulatory bodies on Consumer law and for creating awareness of consumer issues;
- (ii) Papers and studies published for consumer advocacy and for creating awareness of consumer issues;
- (iii) Capacity building of stakeholders to participate in consumer regulatory process;
- (iv) Consumer related Sectorial/Regulatory impact assessment; market studies and research projects carried out by the Central Authority;
- (v) other activities.

K. Budget and accounts

- (1) Budget estimates and revised estimates, under broad categories;
- (2) receipts, under broad categories, under sections 25 and 26 of the Act;
- (3) actual expenditures under broad categories;
- (4) balance available in the account maintained under the under sections 25 and 26 of the Act;
- (5) any other information.

L. On-going programmes.—A brief narrative of on-going programmes.

M. Capacity Building.—A brief narrative of capacity building initiatives undertaken including:

- (i) number of employees (category-wise and grade-wise) trained in house with details of such programmes like content, duration and faculty;
- (ii) number of employees (category-wise and grade-wise) trained by outside institutions (separately within India and outside India) with details of names of institutions and

duration also to specify whether training was under internship, exchange programmes, fellowships, study leave, special arrangements with foreign universities/institutions;

(iii) expenditure on capacity building initiatives.

N. Right to Information Act, 2005 (22 of 2005):

- (a) number of applications received by Central Public Information Officer or Assistant Central Public Information Officer seeking information under the said Act;
- (b) number of applications for which information has been provided by Central Public Information Officer;
- (c) number of applications pending with Central Public Information Officer;
- (d) number of appeals filed before First Appellate Authority against the order of Central Public Information Officer;
- (e) number of appeals which have been disposed of by First Appellate Authority;
- (f) number of appeals pending with First Appellate Authority;
- (g) number of applications or appeals not disposed of in the stipulated time frame.

O. Prevention of Sexual Harassment of Women at Workplace:

- (a) Number of complaints;
 - (b) action taken thereon.
-