

Consumer Protection (Second Amendment) Rules, 2006

Section 12A - Procedure for selection of members. "

(1) Save as otherwise provided in sub-rule (2), the process of appointment of a member shall be initiated at least three months before the vacancy arises.(2) 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 its created, as the case may be.(3) An advertisement of a vacancy inviting applications from eligible candidates may be published in leading newspapers in India or by vacancy circulars or both, as may be decided by the Central Government.(4) After scrutiny of the applications received till the last date specified for receipt of applications, a list of eligible candidates alongwith their applications shall be placed before the Selection Committee constituted under the third proviso to sub-section (1) of section 20.(5) The Selection Committee shall consider all the applications of eligible applicants referred to it.(6) The Selection Committee shall, subject to the provisions of sub-rule (6A), assess the suitability of the candidates for the post of Member.Provided that the Selection Committee may, if it considers necessary, depending on the number of candidates, short list them on the basis of comparative merit and experience of such candidates for selection.(6A) The Selection Committee shall assess the suitability of the candidates and where short listing is done, from among the short-listed candidates, for the post of Member in the Following manner, namely:- (a) in the case of candidates having judicial background, by assessing them on the basis of the judgments and other judicial orders passed by such candidates;(b) in the case of candidates having experience of working under the Central Government or any State Government or an undertaking under the Central Government or a State Government, by assessing such candidates on the basis of their Annual Confidential Reports and their experience relevant to the post applied for;(c) in other cases, the suitability of the short listed candidates shall be assessed by the Selection Committee on the basis of personal interview conducted by it:PROVIDED that notwithstanding anything contained in this sub-rule, the Selection Committee may, for assessing the suitability of a class or category of candidates, if it considers necessary, call such class or category of candidates for interview for assessing their suitability for the post of Member.(7) The Selection Committee may, on the basis of its assessment made by it, recommend a panel of names of candidates for appointment as members from amongst the applicants referred to in sub-rule (5) in order of merit for the consideration of the Central Government.(8) The Central Government shall, before seeking approval of the Appointments Committee of the Cabinet, verify or cause to be verified the credentials and antecedents of the candidates selected by the Central Government from the panel recommended by the Selection Committee and satisfy the suitability of such candidates for appointment as members.(9) Every appointment of a member shall be subject to his medical fitness.