

Supreme Court eases norm for appointment of consumer court presidents, members

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In news– Recently, Supreme Court of India has used its extraordinary powers under Article 142 to ease norm for selection of consumer court presidents, members.

What are the eased norms?

- To attract younger talent to preside over consumer courts, **the court has reduced the mandatory professional experience from 20 to 10 years.**
- The apex court said the Central government and the state governments concerned have to come with an amendment in the Consumer Protection (Qualification for appointment, method of recruitment, procedure of appointment, term of office, resignation and removal of President and Members of State Commission and District Commission) Rules, 2020 to provide for 10 years' experience to become eligible for appointment as President and member of the state commission and district forums instead of 20 years and 15 years respectively.
- However, it did not want to wait for the law. Rather, the court said its judgment would fill the vacuum until the amendments were made in the 2020 Rules.
- It has directed that **in future and hereinafter, a person having bachelor's degree from a recognised university** and who is a person of ability, integrity and standing, and **having special knowledge and professional experience of not less than 10 years in consumer affairs, law, public affairs,** administration, economics, commerce, industry, finance, management, engineering, technology, public health or medicine, **shall be treated as qualified**

for appointment of president and members of the State Commission.

- The the judgment noted that **appointments to the district consumer commissions would also be made on the same criteria.**
- It also introduced written exams and viva voce to check the candidates' performance.
- The written test would have two papers on subjects like current affairs, the Constitution, consumer laws, drafting, etc.

Note: Under Rule 6(9), the Selection Committee is empowered with the uncontrolled discretionary power to determine its procedure to recommend candidates to be appointed as President and Members of the State and District Commission. The transparency and selection criteria are absent under Rule 6(9).

Further reading:
<https://journalsofindia.com/new-features-of-the-consumer-protection-act-2019/>