

Government of Himachal Pradesh
Department of Food Civil Supplies & Consumer Affairs.

No. FDS-(B)-CWF-2003-

August, 2017

NOTIFICATION

In pursuance of approval of Himachal Pradesh State Finance Department, as conveyed by Additional Chief Secretary (Food Civil Supplies & Consumer Affairs) to Government of Himachal Pradesh Shimla-02, vide letter no. FDS-(4)-1/1994-I dated 26-08-2015 and in compliance to his office letter of even no. dated 28-06-2017 and in order to strengthen and promote consumer awareness movement in this state, the guidelines for creating and operation of Himachal Pradesh State Consumer Welfare Fund are hereby notified as under:-

1. Corpus of Himachal Pradesh State Consumer Welfare Fund:-

Himachal Pradesh State Consumer Welfare Fund will be created by mobilizing the resources as under:-

- i. Grant/Financial assistance provided by the State Govt.
- ii. Grant/Financial assistance provided by Govt. of India.
- iii. Contributions, donations from the Public Sector Oil companies viz. Hindustan Petroleum Cooperation Ltd, Indian Oil Corporation Ltd, Bharat Petroleum Corporation Ltd. Indo Burman Petroleum Corporation Ltd.
- iv. Financial assistance from the Himachal Pradesh State Civil Supplies Corporation Ltd. and other PSUs.
- v. Donations from Flour mills, Brick kilns.
- vi. Donations from Private Institutions/Industries/Individuals.
- vii. Unclaimed refunds of security deposits with the department under various Departmental Control Orders.
- viii. Any other sources notified by the Himachal Pradesh State Government from time to time.
- ix. Court Fee will be charged from the applicants in the State Consumer Commission and District Forums for filing the cases.
- x. Any penalty ordered to be paid by the manufactures of consumer products or service providers.
- xi. Any small percentage of dividend of share investment of Department with HP State Civil Supplies Corporation and also a small % age of ration cards.

2. Objectives:-

The overall objectives of Himachal Pradesh State Consumer Welfare Fund is to provide financial assistance to promote & protect the welfare of consumers and strengthen the voluntary consumer movement in State particularly in rural areas.

3. Procedure for Applying for financial Assistance:-

The Applicant, who is desirous of seeking financial assistance from the State Consumer Welfare Fund, is required to apply on the prescribed format (FORM A-1) to the Director, Food, Civil Supplies & Consumer Affairs, HP Shimla-09.

The applicant should furnish Annual Reports and Audited Statements of Accounts for the last 3 years separately for each year, list of members and other information as required under these guidelines. The Audited Accounts Statements of the Organization must bear the registration number and official seal/stamp of the Chartered Accountant.

4. Eligibility for financial Assistance:-

Any Agency/Organization/Institution engaged in consumer welfare activities for a period of three years and registered under the Societies Registration Act, 1860 or under any other law for the time being in force or any officer of the State Consumer Affairs Department. Preference will be given to the organizations working in Rural Areas and having larger participation of women.

5. Extent of Assistance:-

The total quantum of assistance of an individual applicant will not exceed Rs. 2,000/- and will be maximum 30% of the approved cost of proposal. In case, the assistance is granted to any officer of the State Consumer Affairs Department it can be upto 100% of the cost, the quantum of assistance will be decided by the HP State Consumer Welfare Committee under para.

6. Purpose of Grant/Assistance:-

The financial assistance will be provided for any of the following purposes:-

- i. Production and distribution of literature and audio-visual material for spreading consumer literacy & awareness building programmers.
- ii. Setting up of facilities for training & research in Consumer Education & related matters.
- iii. Community based rural awareness projects.
- iv. Setting up of complaint handling/counseling/Consumer guiding mechanism.
- v. Assistance to Student Consumer Clubs.
- vi. Any other item as may be considered necessary by the Himachal Pradesh State Consumer Welfare Committee in the interest of consumer welfare.

7. Terms and Conditions:-

The assistance will be further subject to the following terms & conditions:-

- i. The fund should not be used for party or political purpose/propaganda.

- ii. Quarterly progress reports of the progress/implementation should be submitted to Director Food, Civil Supplies & Consumer Affairs, Himachal Pradesh regularly.
- iii. The organization shall maintain a proper record of all assets acquired wholly or substantially out of financial assistance given from Consumer Welfare Fund. Such assets shall not be disposed off. Encumbered or utilized for purpose other than that for which the grant was given. Should the organization cease to exist at any time such assets will revert to the Government of Himachal Pradesh.

8. Maintenance of Accounts and Records of the Fund:-

The fund shall be operated by the Director Food, Civil Supplies & Consumer Affairs HP.

The fund shall be utilized for extending financial assistance to promote the welfare of the Consumers, to protect the consumers from exploitation, unfair trade practices and to strengthen the consumer movement in the State. This fund will be outside the State Consolidated Fund and non-lapsable, the transaction of the Ledger Account will be booked under following head of account:-

- 8229 development and welfare fund
- 00-
- 123-Consumer Welfare Fund
- 01-Consumer Welfare Funds

A separate saving account will be opened on any Nationalized Bank/Post Office in the name of Director, Food, Civil Supplies & Consumer Affairs and separate record in relation to Consumer Welfare Fund shall be maintained by the Food Civil Supplies & Consumer Affairs Department under the supervision of the Deputy Controller (Finance & Accounts) and shall be subject to audit by Accountant General, Himachal Pradesh. After creation of the fund the Govt. of India will be requested to exempt the contributions made to the fund by the individuals/institutions/companies from the Income Tax under Section 80.

9. Constitution of the Himachal Pradesh Consumer Welfare Fund Committee:-

The Himachal Pradesh State Consumer Welfare Committee shall be a standing committee and shall consist of the following members:-

1.	Additional Chief Secretary/Principal Secretary/Secretary Food Civil Supplies & Consumer Affairs to the Government of HP, Shimla.	Chairman
2.	The Secretary/Special Secretary/Additional Secretary (Finance) to the Government of HP, Shimla.	Member
3.	Managing Director, HP State Civil Supplies Corporation, Shimla.	Member
4.	Registrar, Cooperative Societies, HP, Shimla.	Member
5.	Excise & Taxation Commissioner, HP, Shimla.	Member
6.	Director, Rural Development, HP, Shimla.	Member
7.	Director, Secondary Education, HP, Shimla.	Member
8.	Registrar, HP State Consumer Disputes Redressal Commission, Shimla.	Member
9.	Director, Bureau of Indian Standards, Nalagarh, District Solan.	Member

10.	Director, Food, Civil Supplies & Consumer Affairs, HP, Shimla.	Member Secretary
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Besides, the Chairman may invite representatives of other Departments/ Institutions, NGO's to the meeting as and when felt necessary.

10. Procedure for Conduct of Business by the Committee:-


- i. The committee shall meet as and when necessary but not more than 3 months shall intervene between any two meetings.
- ii. The Committee shall meet as such time and place as the Chairman may deem fit.
- iii. The Meeting of the Committee shall be presided over by the Chairman.
- iv. Each meeting of the Committee shall be called by giving notice in writing to every member of not less than 7 days.
- v. No proceeding of the committee shall be valid unless it is presided over by the Chairman and a minimum of four other members are present.

11. Procedure and Functions of the Committee:-

The committee shall have power as under:-

- a) To approve minimum financial assistance, by way of grant to an applicant, having regard to his financial status, and importance and utility of nature of activity under pursuit, after ensuring that the financial assistance provided shall not be mis-utilized. The committee shall not consider an application unless it has been inquired into, in material details and recommended for consideration accordingly, by the Member Secretary of the committee;
- b) To require any applicant to produce before it or a duly authorized officer of Himachal Pradesh State Government, such books, accounts, documents, instruments or commodities in custody and control of the applicant, as may be necessary for proper evaluation of the application;
- c) to require any applicant to allow entry and inspection of any premises from which activities claimed to be for welfare of consumers are stated to be carried on, to a duly authorized officer of Himachal Pradesh State Government.
- d) to get the accounts of the applicants audited for ensuring proper utilization of the grant;
- e) to require any applicant in case of any default or suppression of material information on this part, to refund in lump-sum, the sanctioned grant to the committee, and to be subject to any other legal action;
- f) to require any applicant or class of applicants to submit periodical reports indicating proper utilization of grant;
- g) to reject an application placed before it on the basis of involvement of factual inconsistency in material particulars;
- h) to identify beneficial & safe sectors, where investments out of Consumer Welfare fund may be made and grant approval accordingly;

- i) to recover any sum due from any applicant as arrears of land revenue;



Director, Food Civil Supplies
and Consumer Affairs, (H.P.)
Dated: Shimla 23-8-2017

Endst. No:-

15078-15114

A copy is forwarded to:-

1. The Additional Chief Secretary, Food Civil Supplies and Consumer Affairs, to Government of Himachal Pradesh Shimla-2.
2. The Finance Secretary, to Government of Himachal Pradesh Shimla-2.
3. The Managing Director, Himachal Pradesh State Civil Supplies Corporation, Shimla-9.
4. The Excise & Taxation Commissioner, Himachal Pradesh, Shimla-9.
5. The Registrar, Cooperative Societies, Himachal Pradesh, Shimla-9.
6. The Director, Rural Development, Himachal Pradesh, Shimla-9.
7. The Registrar, Himachal Pradesh State Consumer Disputes Redressal Commission, Shimla-9.
8. The Director, Bureau of Indian Standards, Nalagarh, District Solan.
9. The Controller, Printing and Stationary Himachal Pradesh Shimla-5 for printing in Government Gazette.
10. The Controller, Legal Metrology (Weights & Measures Origination) Himachal Pradesh Shimla-9.
11. The Deputy Controller, (Finance & Accounts) Directorate of Food, Civil Supplies and Consumer Affairs Himachal Pradesh Shimla-9.
12. All the District Controllers, Food, Civil Supplies & Consumer Affairs, in Himachal Pradesh.
13. The State Co-ordinator cum Senior Divisional Manager, Indian Oil Corporation, S.D.A. Complex, Kasumpti Shimla-9.
14. All Officers in Directorate Food, Civil Supplies and Consumer Affairs Himachal Pradesh Shimla-9.
- ✓ 15. The Statistical Assistant, for uploading the notification on departmental website.


Director, Food Civil Supplies
and Consumer Affairs, (H.P.)

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