

Govt. of Jammu and Kashmir UT
DIRECTORATE OF FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS
KASHMIR

Srinagar ,
Dated. 15th of July 2022

Subject: Guidelines for prevention of unfair trade practices and protection of consumers interest with regard to levy of service charge in hotels and restaurants.

In order to ensure strict implementation of the guidelines issued on the subject by Central Consumer Protection Authority , Government of India, Ministry of Consumer Affairs, Food and Public Distribution , Department of Consumer Affairs , Krishi Bhawan, New Delhi on 04/07/2022 and in order to prevent unfair trade practices and protect consumer interest with regard to levying of service charges charged by hotels and restaurants in Kashmir Division, the following guidelines as issued by Central Consumer Protection Authority (CCPA) vide F.No. J-25/57/2022-CCPA, dated. 04/07/2022 are hereby notified for the information of general public:-

- i). That levying service charge charged by the restaurants and hotels across the Kashmir Division is totally voluntary and optional. No hotel or restaurant shall force a consumer to pay service charge in addition to the total price of the food items mentioned in the menu and applicable taxes or in the guise of some other fee or charge and shall clearly inform the consumer that the service charge is voluntary , optional and at consumer's discretion.
- ii). That no hotel or restaurant shall add service charge automatically or by default in the bill.
- iii). No restriction on entry or provision of services based on collection of service charge shall be imposed on consumers.
- iv). Service charge shall not be collected by adding it alongwith the food bill and levying GST on the total amount.

The aforementioned guidelines shall be in addition to and not in derogation of the guidelines dated. 21.04.2017 published by Department of Consumer Affairs.

If any consumer finds that a hotel or restaurant is levying service charge in violation to the above-mentioned guidelines , a consumer may:-

01. Make a request to the concerned hotel or restaurant to remove the service charge from the bill amount.
02. Lodge a complaint on National Consumer Helpline (NCH) by calling 1915 or through the NCH mobile app.
03. Submit a complaint against unfair trade practice with the consumer Commission. The complaint can also be filed electronically through e-daakhil portal www.edaakhil.nic.in for its speedy and effective redressal.

Continued on page No. 02....

04. Submit a complaint to the District Collector of the concerned District for investigation and subsequent proceeding by CCPA or can be sent to CCPA directly by e-mail at com-ccpa@nic.in.

The afore-mentioned guidelines are issued purely in public interest and shall have an immediate effect.


Director,
Food, Civil Supplies & Consumer Affairs,
Kashmir.

No. DFCS&CAK/PS/2022/2094.2103

Dated.15/07/2022.

Copy to the:-

01. Divisional Commissioner, Kashmir for information please.
02. Commissioner / Secretary to the Government, Department of Food, Civil Supplies & Consumer Affairs, J&K, Civil Secretariat, Srinagar for information please.
03. All Deputy Commissioners of Kashmir Division for information.
04. Joint Director (Adm.), Food, Civil Supplies & Consumer Affairs, Kashmir for information.
05. Joint Director Information & Public Relations Department, Kashmir for information with the request to publish the said guidelines in leading dailies of the valley for information of public.
06. Joint Controller- Legal Metrology Department, Kashmir for information.
07. Assistant Director Enforcement, FCS&CA Department Srinagar for information and n/a.
08. All Assistant Directors - Food, Civil Supplies and Consumer Affairs Department Kashmir for information and necessary action.
09. In-charge Departmental website for uploading of the same on the website for information of public.
10. Office record file.