MADHYA PRADESH RAJYA PICHHADA VARG AYOG ADHINIYAM, 1995 Preamble - THE MADHYA PRADESH RAJYA PICHHADA VARG AYOG ADHINIYAM, 1995

THE MADHYA PRADESH RAJYA PICHHADA VARG AYOG ADHINIYAM, 1995[1]
[Act No. 26 of 1995]

[24th May, 1995] PREAMBLE

An Act to constitute a State Commission for Backward Classes other than the Scheduled Castes and the Scheduled Tribes and to provide for matters connected therewith or incidental thereto.

Be is enacted by the Madhya Pradesh State Legislature in the Forty-sixth year of the Republic of India as follows :--

---

1. Received the assent of the Governor on the 24th May, 1995; assent first published in the Madhya Pradesh Gazette (Extra-ordinary), dated the 29th June, 1995.

Section 1 - Short title, extent and commencement

(1) This Act be called the Madhya Pradesh Rajya Pichhada Varg Ayog Adhiniyam, 1995. (2) It extends to the whole of the State of Madhya Pradesh.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Section 2 - Definitions

In this Act, unless the context otherwise requires--

(a) "Backward Classes" means such backward classes of citizens other than the Scheduled Castes and Scheduled Tribes as are specified by the State Government vide Notification No. F. 85-XXV-4-84, dated the 26th December, 1984 as amended from time to time.

(b) "Commission" means the Madhya Pradesh Rajya Pichhada Varg Ayog constituted under Section 3;

https://www.manupatrafast.com/ba/fulldisp.aspx?iactid=7838

9/13/2019 MADHYA PRADESH RAJYA PICHHADA VARG AYOG ADHINIYAM, 1995

(c) "List" means list of backward classes as prepared by the State Government vide Notification No. F. 85-XXV-4-84, dated the 26th December, 1984 as amended from time to time.

(d) "Member" means a Member of the Commission and includes the Corporation.

Section 3 - Constitution of State Commission for Backward Classes

(1) The State Government shall constitute a body to be known as the Madhya Pradesh Rajya Pichhada Varg Ayog to exercise the power conferred on and to perform the functions assigned to it under this Act.

(2) The Commission shall consist of the following members,--

(a) three non-official members who have special knowledge in the matters relating to backward classes of whom one shall be the Chairperson, to be appointed by the State Government : Provided that atleast one of the members shall be from amongst Backward Classes.

(b) Director, Backward Classes Welfare, Madhya Pradesh.

Section 4 - Term of office and conditions of service of Chairperson or Members

(1) Every non-official member of the Commission shall hold office for a term of three years from the date he assumes charge of his office.

(2) A member may, by writing under his hand addressed to the State Government, resign from the office of Chairperson or as the case may be, of member at any time.

(3) The State Government shall remove a person from the office of member if that person--

(a) " becomes an undischarged insolvent;

(b) is convicted and sentenced to imprisonment for an offence which, in the opinion of the State Government, involves moral turpitude;

(c) becomes of unsound mind and stands so declared by a competent Court;

(d) refuses to act or becomes incapable of acting;

(e) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or
(f) has in the opinion of the State Government, so abused the position of Chairperson or Member as to render his continuance in office detrimental to the interest of backward classes or the public interest :

Provided that no person shall be removed under this clause unless he has been given an opportunity of being heard in the matter.

(4) A vacancy caused under sub-section (2) or otherwise shall be filed by fresh nomination and the person so nominated shall hold office for the remainder terms of his predecessor.

(5) The salaries and allowances payable to, and the other terms and conditions of service of the Chairperson and the Members shall be such as may be prescribed.

Section 5 - Officers and other employees of the Commission

(1) The State Government shall appoint a Secretary to the Commission and provided the Commission with such other officers and employees as may be necessary for the efficient performance of the functions of the Commission.

(2) The salaries and allowances payable to and the other terms and conditions of service of the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

Section 6 - Salaries and allowance to be paid out of grants

The salaries and allowances payable to the Chairperson and members and the administrative expenses, including salaries, allowances and pensions payable to the Secretary, officers and others employees referred to in Section 5, shall be paid out of the grants referred to in sub-section (1) of the Section 12.

Section 7 - Vacancies etc, not to invalidate proceedings of the Commission

No act or proceeding of the Commission shall be invalid on the ground merely of the existence of the vacancy or defect in the constitution of the Commission.

Section 8 - Procedure to be regulated by the Commission

(1) The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit.

(2) The Commission shall regulate its own procedure.

(3) All orders and decisions of the Commission shall be authenticated by the Secretary or any other officer of the Commission duly authorised by the Secretary in this behalf.

Section 9 - Functions of the Commission

(1) It shall be the function of the Commission--

(a) to act as watch dog commission for the protection afforded to the members of the backward classes under the Commission and under any other law for the time being in force; (b) to watch the proper and timely implementation of programmes meant for the welfare of backward classes and to suggest improvement in such programmes of the State Government or any other body or authority responsible for implementation of such programmes;
(c) tender advice regarding reservation for backwards classes in public services and for admission in educational institutions;
(d) to examine requests for inclusion of any of the citizens as backward classes in the list prepared by State Government from time to time for purpose of making provisos for the reservation in appointments in the posts and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the State Government as it deems appropriate;
(e) ascertain the category of person or groups falling under the creamy layer within the backward classes;
(f) to perform such other functions as may be assigned to it by the State Government.

(2) The advice of the Commission shall, ordinarily be binding upon the State Government; where, however, the Government does not accept the advice, it shall record its reasons therefor.

Section 10 - Powers of the Commission

The Commission shall, while performing its functions under sub-section (1) of Section 9, have all the powers of a Civil Court trying a suit and in particular, in respect of the following matters, namely :-- (a) summoning and enforcing the attendance of any person from any part of the State and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any Court or office;

(e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which may be prescribed.

Section 11 - Periodic revision of lists by the State Government

(1) The State Government may at any time, and shall, at the expiration of ten years from the coming into force of this Act and every succeeding period of ten years thereafter, undertake revision of the

lists of Backward Classes with a view to excluding from such list those classes who have ceased to be backward classes or for including in such list new backwards classes.

(2) The State Government shall, while undertaking any revision referred to in sub-section (1), consult the Commission.

Section 12 - Grants by the State Government

(1) The State Government shall, after due appropriation made by Legislative Assembly by law in this behalf, pay to the Commission by way of grants such sums of money as the State Government may think fit for being utilized for the purposes of this Act.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

Section 13 - Accounts and Audit

(1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the State Government.

(2) The Accounts of the Commission shall be audited by the Accountant-General of Madhya Pradesh at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Accountant General.

Section 14 - Annual Report

The Commission shall prepare, in such form and at such for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the State Government.

Section 15 - Annual report and audit report to be laid before the Legislative Assembly

The State Government shall cause the annual report together with a memorandum of action taken on the advice tendered by the Commission under Sections 9 and 11 and the reasons for the non-acceptance, if any, of any such advice and the audit report to be laid as soon as may be after they are received before the Legislative Assembly.

Section 16 - Chairperson, Members and employees of the Commission to be public servants

The Chairperson, Members, Officer and employees of the Commission shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code, 1860 (45 of 1860).

Section 17 - Protection of action taken in good faith

No suit, prosecution of other legal proceeding shall lie against any member, officer or employee of the Commission for anything which is in good faith done or intended to be done under this Act.

Section 18 - Power to make rules

(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provided for all or any of the following matters, namely :--

(a) salaries and allowances payable to and the other terms and conditions of service of, the Chairperson and Members under sub-section (5) of Section 4 and the Secretary, Officers and other employees under sub-section (2) of Section 5;

(b) the form in which the annual statement of accounts shall be prepared under sub-section (1) of Section 13;

(c) the form in, and the time at, which the annual report shall be prepared under Section 14;

(d) any other matter which is required to be, or may be, prescribed.

(3) Every rules made under this Act shall be laid as soon as may be after it is made on the table of the Legislative Assembly.

Section 19 - Power to remove difficulties

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient, for removing the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall as soon as my be after it is made, be laid on the table of the Legislative Assembly.

Section 20 - Dissolution and Saving

(1) The Madhya Pradesh Backward Classes Commission constituted vide Notification No. F. 12-21 -XXV-4-92, dated 13th March, 1993 shall stand dissolved on the constitution of the Commission under Section 3.

(2) Notwithstanding such dissolution, anything done or any action taken by the said Commission or by the State Government in pursuance of its recommendation shall be deemed to have been done or taken under the corresponding provisions of this Act.

Disclaimer: This document is being furnished to you for your information and research. The contents of this document have been obtained from sources we believe to be trustworthy. The Content provided herein is on an “As Is” basis. The information has been compiled on “best effort” and “as available basis”. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. Manupatra makes no representation or warranty as to the accuracy, completeness or correctness of the content. Manupatra expressly disclaims all responsibility for any loss, injury, liability or damage of any kind resulting from and arising out of, or any way related to the above Content. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification.

https://www.manupatrafast.com/ba/fulldisp.aspx?iactid=7838

. 2.

fof/k vkSj fo/kk;h dk;Z foHkkx

ea=ky;] egkunh Hkou] uok jk;iqj vVy uxj

vVy uxj] fnukad 13 vDVwcj 2020

Øekad 7709@Mh- 152@21&v@izk:-@N-x-@20- — NRrhlx<+ fo/kku lHkk dk fuEufyf[kr vf/kfu;e ftl ij fnuk¡d 30&09&2020 dks jkT;iky dh vuqefr izkIr gks pqdh gS] ,rn~}kjk loZlk/kkj.k dh tkudkjh ds fy, izdkf'kr fd;k tkrk gSA

NRrhlx<+ ds jkT;iky ds uke ls rFkk
vkns'kkuqlkj]
euh"k dqekj Bkdqj] vfrfjDr lfpo-

NRrhlx<+ vf/kfu;e

¼Øekad 19 lu~
2020½

NRrhlx<+ jkT; fiNM+k oxZ vk;ksx ¼la'kks/ku½ vf/kfu;e] 2020

NRrhlx<+ jkT; fiNM+k oxZ vk;ksx vf/kfu;e] 1995 ¼Ø- 26 lu~ 1995½ esa vkSj la'kks/ku djus gsrq vf/kfu;eA

Hkkjr x.kjkT; ds bdgRrjosa o"kZ esa NRrhlx<+ fo/kku e.My }kjk fuEufyf[kr :Ik esa ;g vf/kfu;fer gks %&

1- ¼1½ ;g vf/kfu;e NRrhlx<+ jkT; fiNM+k oxZ vk;ksx vf/kfu;e] 2020 dgyk;sxkA **laf{kIr uke] foLrkj rFkk izkjaHk-**

¼2½ bldk foLrkj lEiw.kZ NRrhlx<+ jkT; ij gksxkA

¼3½ ;g jkti= esa blds izdk'ku dh rkjh[k ls izo`Rr gksxkA

2- NRrhlx<+ jkT; fiNMk oxZ vk;ksx vf/kfu;e] 1995 ¼Ø- 26 lu~ /kkjk 4 dh mi&/kkjk ¼1½ ds LFkku ij] fuEufyf[kr izfrLFkkfir fd;k tk;s] vFkkZr~ %& **/kkjk 4 dk la'kks/ku-**

^^¼1½ v/;{k rFkk izR;sd lnL;] ml rkjh[k ls] ftl ij og viuk in xzg.k djrk gS] jkT; ljdkj ds izlkn i;ZUr in /kkj.k djsxkA^^

vVy uxj] fnukad 13 vDVwcj 2020

Øekad 7709@Mh- 152@21&v@izk:-@N-x-@20- — Hkkjr ds lafo/kku ds vuqPNsn 348 ds [k.M ¼3½ ds vuqlj.k esa bl foHkkx dh lela[;d vf/kfu;e fnukad 13&10&2020 dk vaxzsth vuqokn jkT;iky ds izkf/kdkj ls ,rn~}kjk izdkf'kr fd;k tkrk gSA

NRrhlx<+ ds jkT;iky ds uke ls rFkk
vkns'kkuqlkj]
euh"k dqekj Bkdqj] vfrfjDr lfpo-

THE CHHATTISGARH RAJYA PICHHADA VARG AYOG (SANSHODHAN) ADHINIYAM, 2020.

An Act further to amend the Chhattisgarh Rajya Pichhada Varg Ayog Adhiniyam, 1995 (No. 26 of 1995)

Be it enacted by the Chhattisgarh Legislature in the Seventy-First Year of the Republic of India, as follows :-

1. (1) This Act may be called the Chhattisgarh Rajya Pichhada Varg Ayog (Sanshodhan) Adhiniyam, 2020. **Short title, extent and commencement.**

(2) It shall extend to the whole State of Chhattisgarh.

(3) It shall come into force from the date of its publication in the

2. For sub-section (1) of Section 4 of the Chhattisgarh Rajya Pichhada Varg Ayog Adhiniyam, 1995 (No. 26 of 1995), the following shall be substituted, namely :- **Amendment of Section 4.**

"(1) The Chairperson and every member shall hold office, from the date on which he assumes the office, during the pleasure of the State Government."

---

fof/k vkSj fo/kk;h dk;Z foHkkx

ea=ky;] egkunh Hkou] uok jk;iqj vVy uxj

vVy uxj] fnukad 22 tuojh 2022

Ø- 707@Mh- 02@21&v@izk:-@N-x-@22- — NRrhlx<+ fo/kku lHkk dk fuEufyf[kr vf/kfu;e ftl ij fnukad 06&01&2022 dks jkT;iky dh vuqefr izkIr gks pqdh gS] ,rn~}kjk loZlk/kkj.k dh tkudkjh ds fy, izdkf'kr fd;k tkrk gS-

NÙkhlx<+ ds jkT;iky ds uke ls rFkk
vkns'kkuqlkj]
mes'k dqekj dkfV;k] vfrfjDr lfpo-

NRrhlx<+ vf/kfu;e

¼Ø- 1 lu~ 2022½

NRrhlx<+ jkT; fiNM+k oxZ vk;ksx ¼la'kks/ku½ vf/kfu;e] 2021

NRrhlx<+ jkT; fiNM+k oxZ vk;ksx vf/kfu;e] 1995 ¼Ø- 26 lu~ 1995½ dks vkSj la'kksf/kr djus gsrq vf/kfu;e-

Hkkjr x.kjkT; ds cgRrjosa o"kZ esa NRrhlx<+ fo/kkue.My }kjk fuEufyf[kr :Ik esa ;g vf/kfu;fer gks %&

laf{kIr uke ,oa 1- ¼1½ ;g vf/kfu;e NRrhlx<+ jkT; fiNM+k oxZ vk;ksx ¼la'kks/ku½ dgyk;sxk-

¼2½ ;g jkti= esa blds izdk'ku dh rkjh[k ls izo`Rr gksxk-

/kkjk 2 dk 2- NRrhlx<+ jkT; fiNM+k oxZ vk;ksx vf/kfu;e] 1995 ¼Ø- 26 lu~

blds Ik'pkr~ ewy vf/kfu;e ds :Ik esa fufnZ"V gS½ dh /kkjk 2 ds [k.M ¼?k½ ds LFkku ij] fuEufyf[kr izfrLFkkfir fd;k tk;s] vFkkZRk~ %&

^^¼?k½ ^^lnL;^^ ls vfHkizsr gS vk;ksx dk dksbZ lnL; rFkk blesa v/;{k vkSj mik/;{k lfEefyr gS-^^

/kkjk 3 dk 3- ewy vf/kfu;e dh /kkjk 3 dh mi&/kkjk ¼2½ ds [k.M ¼d½ esa] 'kCn ¼ps;jilZu½ gksxk^^ ds Ik'pkr~] 'kCn ^^rFkk ,d mik/;{k gksxk^^ var%LFkkfir fd;k tk;s-

/kkjk 4 dk 4 ewy vf/kfu;e dh /kkjk 4 esa] 'kCn ^^v/;{k^^ tgka dgha Hkh vk;k gks ^^mik/;{k^^ var%LFkkfir fd;k tk;s-

/kkjk 6 dk 5 ewy vf/kfu;e dh /kkjk 6 esa] 'kCn ^^v/;{k^^ ds Ik'pkr~] 'kCn fd;k tk;s-

/kkjk 16 dk 6 ewy vf/kfu;e dh /kkjk 16 esa] 'kCn ^^v/;{k]^^ ds Ik'pkr~] 'kCn fd;k tk;s-

vVy uxj] fnukad 22 tuojh 2022

Ø- 707@Mh- 02@21&v@izk:-@N-x-@22- — Hkkjr ds lafo/kku ds vuqPNsn 348 ds [k.M ¼3½ ds vuqlj.k esa NRrhlx<+ jkT; fiNM+k oxZ vk;ksx ¼la'kks/ku½ vf/kfu;e] 2021 ¼Øekad 1 lu~ 2022½ dk vaxzsth vuqokn jkT;iky ds izkf/kdkj ls ,rn~}kjk izdkf'kr fd;k tkrk gS-

NÙkhlx<+ ds jkT;iky ds uke ls rFkk
vkns'kkuqlkj]
mes'k dqekj dkfV;k] vfrfjDr lfpo-

CHHATTISGARH ACT
(No. 1 of 2022)

THE CHHATTISGARH RAJYA PICHHADA VARG AYOG (SANSHODHAN) ADHINIYAM, 2021

An Act further to amend the Chhattisgarh Rajya Pichhada Varg Ayog Adhiniyam, 1995 (No. 26 of 1995).

Be it enacted by the Chhattisgarh Legislature in the Seventy Second Year of the Republic of India, as follows :-

1. (1) This Act may be called the Chhattisgarh Rajya Pichhada Varg Ayog (Sanshodhan) Adhiniyam, 2021. **Short title and commencement.**

2. For clause (d) of Section 2 of the Chhattisgarh Rajya Pichhada Varg Ayog Adhiniyam, 1995 (No. 26 of 1995), (hereinafter referred to as the Principal Act), the following shall be substituted, namely :- **Amendment of Section 2.**

"(d) "Member" means a Member of the Commission and includes the Chairperson and Vice-Chairperson."

3. In clause (a) of sub-section (2) of Section 3 of the Principal Act, after the words "the Chairperson", the words "and one shall be Vice-Chairperson" shall be inserted. **Amendment of Section 3.**

4. In Section 4 of the Principal Act, after the words "the Chairperson", wherever they occur, the words ",Vice-Chairperson" shall be inserted. **Amendment of Section 4.**

5. In Section 6 of the Principal Act, after the words "the Chairperson", the words ",Vice-Chairperson" shall be inserted. **Amendment of Section 6.**

6. In Section 16 of the Principal Act, after the words "the Chairperson, ",the words **Amendment of**