

THE WEST BENGAL COMMISSION FOR BACKWARD CLASSES RULES, 1993

GOVERNMENT OF WEST BENGAL Scheduled Castes & Tribes Welfare Department

No. 604-TW/EC

Calcutta, the 25th November, 1993.

NOTIFICATION

In exercise of the power conferred by section 17 of the West Bengal Commission for Backward Classes Act, 1993 (West Ben. Act I of 1993), the Governor is pleased hereby to make the following rules:--

RULES

1. Short title and commencement

- (1) These Rules may be called the West Bengal Commission for Backward Classes Rules, 1993.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions

In these rules, unless the context otherwise requires,--

- (a) the "Act" means the West Bengal Commission for Backward Classes Act, 1993 (West Ben. Act I of 1993);
- (b) "Chairperson" means the Chairperson of the Commission;
- (c) "Commission" means the West Bengal Commission for Backward Classes constituted under section 3;
- (d) "establishment" means any office of the State Government or local or statutory authority constituted under any State Act for the time being in force and includes a University or College or other educational institution owned or aided by the State Government;
- (e) "Member" means a member of the Commission, and includes the Member-Secretary;
- (f) "section" means a section of the Act.

3. Salary and allowances of Chairperson and other members.

- (1) The chairperson shall be paid the same pay and allowances as are drawn by a sitting Judge of the High Court. In the case of appointment of a retired Judge of the High Court or the Supreme Court, he shall be paid the same pay and allowances as are drawn by a sitting Judge of the High Court or the Supreme Court, as the case may be, less pension, if any, drawn by him.
- (2) The Member-Secretary shall draw pay and allowances in the scale admissible to an officer of the State Government in the corresponding level. If he is a retired member of any service, he shall draw the pay last drawn by him, less pension, and the allowances admissible to him.

(3) A Member other than the Chairperson and the Member-Secretary, shall be a part-time Member, and shall be paid salary and allowances at par with those of a Member of the West Bengal Legislative Assembly. He shall also be paid daily allowance for the day on which he is required to attend the meeting of the Commission at such rate at which a Member of the West Bengal Legislative Assembly is allowed such allowance.

4. Travelling allowance.

(1) The Chairperson shall be entitled to draw travelling allowance and daily allowance for journey performed by him in the discharge of the functions of the Commission at the rates applicable to the Judges of the High Court or the Supreme Court, as the case may be.

(2) A member shall be entitled to such traveling allowance for attending the office of the Commission as is admissible to a Member of the West Bengal Legislative Assembly. He shall also be entitled to such travelling allowance for journeys undertaken by him in the discharge of functions of the Commission as is admissible to a Member of the West Bengal Legislative Assembly:

Provided that in the case of a Member, who is in service or is holding any post in any establishment, he shall be governed by the rules regarding travelling allowance and daily allowance applicable to him in such establishment.

(3) The Chairperson shall be his own controlling officer in respect of all the allowances as aforesaid. He shall also be the controlling officer in respect of the daily allowance and travelling allowance admissible to a Member under these rules.

5. Facility for medical treatment

The Chairperson shall be entitled to medical treatment and hospital facilities as admissible to a sitting Judge of the High Court or the Supreme Court, as the case may be.

6. Salaries and allowances of officers and staff

The salaries and allowances and travelling allowances payable to and the other terms and conditions of service of, the Member-Secretary and the officers and other employees of the Commission shall be such as are admissible to the officers and employees of the State Government in the corresponding level.

7. Maintenance of accounts and records

The accounts and records of the Commission shall be maintained in the following forms:

- (i) Cash book;
- (ii) Bill Register;
- (iii) Bill Transit Register duly authenticated by the Treasury/Calcutta Pay and Accounts Office;
- (iv) Subsidiary Cash Book;
- (v) Cash Book showing transaction of permanent advance, where necessary;
- (vi) Expenditure Register (T.R. Form No.32 of the Treasury Rules, West Bengal);
- (vii) Subsidiary Cash Book showing transactions of personal Ledger Account;

- (viii) Subsidiary Cash Book showing accounts of cheques received from Treasury/Calcutta Pay and Accounts Office;
- (ix) Group 'D' staff General Provident Fund Account Ledger and Broad Sheet;
- (x) Group Insurance Register of Members;
- (xi) Register of Security Deposits;
- (xii) Service Postage Stamp Register(rule 81 of the West Bengal Financial Rules, Volume I);
- (xiii) Register showing accounts of charges for electric current for lights and fans (rule 79 of the West Bengal Financial Rules, Volume I);
- (xiv) Stock of various purchases made (rule 103 of the West Bengal Financial Rules, Volume I);
- (xv) Stock Accounts of Receipt Book;
- (xvi) Stock Book of stationery articles including forms;
- (xvii) Register of Advances made and recoveries thereof from Government employees;
- (xviii) Register of Advances drawn and adjustments thereof;
- (xix) Pay Bill Register.

8. Annual Statement of Accounts

The Commission shall prepare an annual statement of accounts in T. R. Form No. 32 of the Treasury Rules, West Bengal, as reproduced in Appendix I.

9. Annual Report

The Commission shall prepare an annual report giving a full account of its activities within three months from the end of the respective financial year and shall forward a copy thereof to the State Government in the form in Appendix II.

APPENDIX I
(See Rule 8)
T. R. Form No. 32
(See S. R. 238)

Expenditure register of the officeplace.....
For the year.....

Date	To whom paid	Salaries		Travel Expenses	Wages	Office Expenses	Payment for professional and special services	Rent, Rates and Taxes/Royalty	Publication	Materials and Supplies	Advertising, Sales and publicity expenses.	Hospitality expenses/sumptuary allowances	Major works, Minor works.
		Permanent Establishment	Temporary Establishment										
		Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.
	Allotment												

APPENDIX II
(See Rule 9)
Form of Annual Report

Annual Report of the West Bengal Backward Classes Commission for the financial year.....

- Total number of applications received for Inclusion of any class of Citizens as a backward class
- Number of such applications entertained by the Commission
- Total number of complaints on over-inclusion and under-inclusion of any backward class received by the Commission
- Number of such complaints entertained by the Commission

5. Number of sittings held by the Commission during the year
6. Total number of applications for inclusion disposed of by the Commission during the year
7. Total number of complaints for over inclusion and under inclusion disposed of by the Commission during the year.
8. Whether the Commission has advised the State Government to include any class of citizens as backward class and, if so, particulars of the class or classes concerned.
9. Whether the Commission has advised the State Government to exclude any class of citizens from the list of backward classes and if so, particulars of the class or classes concerned.
10. Particulars of any other recommendations made by the Commission to the State Government.

By order of the Governor,

V. Subramanian
Secy. to the Govt. of West Bengal

NOTIFICATIONS CONSTITUTING THE COMMISSION SINCE ITS INCEPTION

1.

GOVERNMENT OF WEST BENGAL Scheduled Castes and Tribes Welfare Department

NOTIFICATION*

No. 153-TW/EC

Calcutta, the 15th March, 1993

In exercise of the power conferred by section 3 of the West Bengal Commission for Backward Classes ACT, 1993 (West Ben. Act I of 1993), the Governor is pleased hereby to constitute, with effect from the 15th day of March, 1993, a body to be known as the West Bengal Commission for Backward Classes to exercise the powers conferred on, and to perform the functions assigned to it, under the said Act.

2. The Commission shall consist of the following members nominated by the State Government :--

- | | | |
|-----|--|----------------------|
| (1) | Justice A. N. Sen,
Retired Judge,
Supreme Court Of India. |Chairperson; |
| (2) | Dr. Ramen Poddar,
Retired Vice-Chancellor,
Calcutta University. |Member; |
| (3) | Dr. Bela Bhattachacharjee,
Head of the Department,
Anthropology,
Vidyasagar University,
Midnapore. |Member; |
| (4) | Shri Amal Kumar Das
Ex-Director,
Cultural Research Institute,
Government of West Bengal. |Member; and |
| (5) | Sri P. Vanamali,
Special Secretary,
Home Department,
Government of West Bengal. |Member-Secretary |

3. Every member shall hold office for a term of three years from the date he assumes office as provided for in sub-section (1) of section 4 of the said Act.

By order of the Governor,
K. K. NASKAR,
Secretary to the Govt. of West Bengal

* Published in Calcutta Gazette Extraordinary, dated the 15th March, 1993

GOVERNMENT OF WEST BENGAL
Scheduled Castes and Tribes Welfare Department

No. 595-TW/EC.—17th November, 1993.—In exercise of the power conferred by section 3 of the West Bengal Commission for Backward Classes Act, 1993 (West Ben. Act I of 1993), the Governor is pleased hereby to make the following amendment in this Department's notification No. 153-TW/EC, dated the 15th March, 1993 (hereinafter referred to as the said Notification):--

In the said Notification, in paragraph 2, for item (5) and the entries relating thereto, substitute the following items and entries :--

By order of the Governor,
V. SUBRAMANIAN,
Secretary to the Govt. of West Bengal

GOVERNMENT OF WEST BENGAL
Scheduled Castes and Tribes Welfare Department
Writers' Buildings, Calcutta

Calcutta, the 23rd December,

In exercise of the powers conferred by sub-section (2) of section 3 of the West Bengal Commission for Backward Classes Act, 1993 (West Bengal Act I, 1993), the Governor is pleased to re-nominate the following members of the West Bengal Commission for Backward Classes on expiry of their term, as members of the said Commission for a further term of three years with effect from the date of their assuming office.

¹ Published in Calcutta Gazette, Extraordinary, dated the 21st January, 1994

² Published in Calcutta Gazette, Extraordinary, dated the 23rd December, 1996.

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|----|---|------|-------------------------|
| 2. | Dr. Ramen Poddar, Vice- Chancellor
Calcutta University. | | <i>Member</i> |
| 3. | Dr. Bela Bhattacharjee, Reader,
the Deptt. of Anthropology,
Vidyasagar University, Midnapore. | | <i>Member</i> |
| 4. | Sri Amal Kr. Das, Ex-Director, C.R.I.
Govt. of West Bengal | | <i>Member</i> |
| 5. | Shri J. Misra I. A. S. (Retd.) | | <i>Member-Secretary</i> |

By order of the Governor,
U. K. RAY
Secy. to the Govt. of West Bengal

4.

GOVERNMENT OF WEST BENGAL Backward Classes Welfare department

NOTIFICATION*

No. 145-BCW/MR—279/99

Calcutta, the 10th January, 2000

In exercise of the power conferred by section 3 of the West Bengal Commission for Backward Classes Act, 1993 (West Ben. Act I of 1993), the Governor is pleased hereby to reconstitute, with immediate effect, the West Bengal Commission for Backward Classes consisting of the following members to exercise the powers conferred on, and to perform the functions assigned to, it under the said Act:--

- | | | | |
|-----|--|----|---------------------|
| (1) | Justice Ganendra Nath Roy,
BE-265, Salt Lake, Sector-I,
Calcutta-700064 | .. | <i>Chairperson;</i> |
| (2) | Dr. Buddhadeb Chaudhury,
Department of Anthropology,
University of Calcutta,
Ballygunge Circular Road,
Calcutta—700019 | .. | <i>Member;</i> |
| (3) | Dr. Ramendra Nath Poddar,
CF-62, Salt lake City,
Calcutta-700064 | .. | <i>Member;</i> |

* Published in the Calcutta Gazette, Extraordinary dated 10th January, 2000

- (4) Dr. Bharati Mukherjee, .. *Member;*
Department of Political Science,
University of Calcutta
(5) Shri Syed Zakir Hussain, IAS .. *Member-Secretary*

2. Every Member of the Commission shall hold office for a term of three years from the date he/she assumes office as provided in sub-section (1) of section 4 of the said Act.

By order of the Governor,
SMT. K. JHALA
*Principal Secy. and Secy. Backward Classes
Welfare Department, Govt. of West Bengal*

5.

GOVERNMENT OF WEST BENGAL
Backward Classes Welfare Department
Writers' Buildings

No. 2247-BCW

Calcutta, the 18th May, 2000

NOTIFICATION*

Corrigendum

In this department notification No. 145-BCW/MR—279/99, dated the 10th January, 2000, published in part I of the *Calcutta Gazette, Extraordinary*, dated the 10th January, 2000, in the column on the left side.—

- (1) In entry against serial (1), for the words “Justice Ganendra Nath Roy,” *read* the words “Justice Ganendra Narayan Roy”, and
- (2) In the entry against serial (3), for the letters and words “Dr. Ramendra Nath Poddar”, *read* the letters and words “Dr. Ramen Poddar”.

By order of the Governor,
Smt. K. JHALA
*Principal Secy. to the Govt. and
Secy., Backward Classes Welfare Department,
Govt. of West Bengal*

* Published in the Calcutta Gazette, Extraordinary, dated the 18th May, 2000