

GOVERNMENT OF PUNJAB
DEPARTMENT OF WELFARE OF SCHEDULED CASTES AND BACKWARD
CLASSES
(RESERVATION CELL)
ORDER

The Chandigarh 4th June 1993

No: 1/19/93-RCI/4260- Whereas in the case of Indra Sawhney and Others Vs. Union of India and Other (Writ Petition No. 930 of 1990 and other connection Writ petitions) the Supreme Court of India has given direction to the Government of India, each of the State Governments and the Administrations of Union Territories to constitute a permanent body for entertaining, examining and recommending upon requests for inclusion and complaints of over inclusion and under inclusion in the lists of other Backward Classes of citizens

Now, therefore, the Governor of Punjab is pleased to set up a Commission known as the Punjab State Backward Classes Commission (hereinafter referred to as the Commission) for the State of Punjab as under

I. Constitution - The Commission shall consist of following members nominated by the State Government namely:-

- a) A Chairperson who is or has been a Judge of the High Court or a senior IAS Officers,
- b) A Social Scientist,
- c) A representative of backward classes having expertise on the issue to be dealt with,
- d) A Member Secretary who is or has been an Officer of the Government of Punjab not below the rank of Joint Secretary to Government Punjab.

Terms of Office and conditions of service of Chairperson and members:

- (i) The Chairperson and every other member shall hold office for such period as decided by the government from time to time.
- (ii) The Chairman or any other member may, by writing under his hand addressed to the State Government, resign from his office at any time;
- (iii) The State Government shall remove a person from the office of the Chairperson or 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 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 that person's continuance in office detrimental to the interest of backward classes or the public interest;

Provided that no person shall be removed under this sub-para until that person has been given an opportunity of being heard in the matter

- (iv) A vacancy caused under sub-para (ii) or otherwise shall be filled by fresh nomination

(1) Terms of Reference of the Commission shall be as follows:-

- (i) to entertain, examine and recommend upon requests for inclusion and complaints of over inclusion and under inclusion in list of other Backward Classes of citizens.
- (ii) to undertake periodic revision of lists of Backward Classes as and when so decided by State Government

Officers and other employees of the Commission:-

- (i) The State Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission
- (ii) The salaries and allowances payable to, and other terms and conditions of service of the officers and other employees appointed for purpose of the Commission shall be such as may be determined from time to time by the State Government.

