

**2. In this Act, unless the context otherwise requires—**(a) "Backward classes" means such backward classes of citizens other than the Scheduled Castes and the 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; (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 Chairperson.

**CHAYRER IL—THE STATE COMMISSION FOR BACKWARD CLASSES I** The State Government shall constitute a body to be known as the Madhya Pradesh Rajya Pichhada Varg Ayog.

**Constitution of State Commission** S82 (8) 29 1995 (2) A member may, by writing under his hand addressed to the State Government, resign from the office of Chairperson or 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 any offence by a court of law; (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; (f) has, in the opinion of the State Government, so abused the position of Chairperson or Member 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 filled by fresh nomination and the person so nominated shall hold office for the remainder terms of his predecessor. (5) The salaries and allowance payable to, and the other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed. (6) Clerks and other employees of the Commission. 5 (1) State Government shall appoint such other officers and employees as may be necessary for the efficient discharge of the functions of the Commission. (2) 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. 6. The salaries and allowances payable to the Chairperson and members and the administrative salaries and allowances to be expenses, including allowances and pensions payable to the Secretary, officers and other employees shall be paid out of the Consolidated Fund of the State.

of the grants referred to in sub-section (1) of Section 12, etc. not invalidate the proceedings of the Commission. Procedure to be regulated by the Commission. 12. 7.. No act or proceeding of the Commission shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission. 8. (1) \*The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit. (2) Commission shall regulate its own procedure. 3 All orders and decisions of the Commission shall be authenticated by the Secretary or any other Functions of the Commission. 0111cer 01 me commission CHAIRMAN AND FUNCTIONS AND POWERS OF THE COMMISSION 9. (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 Constitution and under any other law for the time being in force. namely:— (a) summoning 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. 11. (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 backward classes. Periodic revision of lists by the State Annual report and audit report to be laid before the Legislative Assembly. Chairperson, forward a copy thereof to the State Government

**15. 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.** CHAPTER V—MISCELLANEOUS 16. The Chairperson, Members, Officers and employees of the Commission shall be deemed to be officers within the meaning of section 21 of the Indian Penal Code, 1860 (45 of 1860). Commission to be public servants. Protection of action taken in good faith. Power to make rules

**17. No suit, prosecution or 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.** 18. (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 provide 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;