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allowances and pensions payable to the officers and other employees section 5 shall be paid out of the grants referred to in sub-section (I) of section 12. Vacancies etc., not to invalidate proceedings 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. Procedure to be regulated by the Commission (a) (b) (c) The Commission shall meet as and when necessary at such time and place as the Chairperson may think fit; The Commission shall regulate its own procedure; All orders and decisions of the Commission shall be authenticated by the Member Secretary or any other officer of the Commission duly authorized by the Member Secretary in this behalf. CHAPTER FUNCTIONS AND POWERS OF THE Commission:- The Commission shall examine requests for inclusion of any class Backward Classes in the lists and hear complaints of over inclusion or under-inclusion or any such other backward classes in such list and tender such advice to the Government as it deems appropriate, The Commission shall examine and make recommendation to the Government about suitable percentages of different Other Backward Classes (or reservation of seats in admission to professional and technical courses such as Law Medical Engineering Agriculture, Veterinary, Nursing and Paramedical Courses etc. as well as reservation in appointments to the posts/services well as any other authority under the control of State Government or funded either wholly partly by the State Government. The Commission may suggest any other measures for upliftment socially economically and educationally backward sections among the Other Backward (4) (5) 10

11. Classes and make recommendations on any other matter relating to other backward classes that maybe referred to it by the Government from time to time. It shall be competent (or the Commission at the request of the Government to make an interim report in regard to any caste or classes in whose cases urgent under the Act is in the opinion of the Government necessary. Any action taken by the Government on the basis of such report shall be subject to review with prospective effect as and when the final report of the Commission is received. The Commission shall enquire into specific complaints with respect to the non-observance of the rule of reservation in the admissions into educational institutions and also reservation of appointments to posts/services under the Government; and other local authority or other authority in the State as applicable to the listed Other Backward Classes and furnish its report to the Government. Powers of the Commission:- The Commission shall while performing its functions under sub-section (1) section 9, shall have all the powers of a Civil Court trying a suit and in particular it shall have the following matters -namely (a) (b) (c) (d) (e) (f) summoning and enforcing the attendance of any person from any part of State and examining him on oath; requiring the discovery and production of any document; receiving the discovery and production of any document requisitioning any public record or copy thereof from any court or office issuing commissions for the examinations of witnesses and documents; and any other matter which may be prescribed. Periodic revision of lists by the Government:- (1) (2) The Government may at any time and at the expiration of years from the coming into force of this Act every ten years thereafter, undertake revision of the lists with view to removing from such lists those classes who have ceased to be backward classes or for including in such lists new backward classes. The Government shall, while undertaking any revision referred to, sub-section (1) consult the Commission. - 6- CHAPTER FINANCE. ACCOUNTS AND AUDIT 2. Grants by the Government:- (1) The Government shall after due appropriation made by the Legislative Assembly by law in this behalf, pay to the Commission by way of grants such sums of money as the Government may think fit for being utilized for the purpose of this Act. (2) The Commission may spend such sums as it thinks fit for performing the function under this Act and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1). 3. 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 Government in consultation with the Accountant General Manipur, (2) The Commission shall be audited by the Accountant Manipur 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, Manipur. (3) The Accountant General, Manipur and any person appointed by him in connection with the audit of the accounts of the Commission under this Act, shall have the same rights and privileges and the authority in connection with such audit as the Accountant General, Manipur generally has in connection with the audit of Government accounts and in particular shall have

the right to demand the production of books, accounts, connected vouchers and other documents and papers. and to inspect any of the offices of the Commission

14. Annual Report:- The Commission shall prepare in such form and at such financial year as may be prescribed its annual report giving a true account of its activities during the financial year and forward a copy thereof to the Government. -Annual Report and audit report to be laid before the Assembly:- The Government shall cause the annual report together with a memorandum of action taken on the advice tendered by the Commission under section 14 to be laid before the legislative Assembly CHAPTER—V MISCELLANEOUS 14. Chairperson, Members and employees of the Commission to be public servants:- The Chairperson and members and employees of the Commission shall be deemed to be public servants within the meaning of section 7 of the Public Servants Act, 1906. Powers to make rules:- (1) The Government may make rules for carrying out all or any of the provisions of this Act. (2) In rules made under sub-section (1) the Government may provide for all or any of the following matters:- (a) Salaries and allowances, payable to the Chairperson and Members under sub-section (5) of section 14 and to officers and other employees under sub-section (2) of section 5; (b) The form and time of which the annual report shall be prepared under section 14; (c) Any other matter which is required to be or may be prescribed. Every rule made under this Act, shall immediately after it is made, be laid before the Legislative Assembly of the State, if it is in session and if it is not in session, the immediately following for a total period of, fourteen days, which may be comprised in one session or in two successive sessions, and if, before the end of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modification in the rule the amendment of the rule, the rule shall, from the date on which the amendment is notified, have effect only in the modified form or be annulled, as the case may be; so, however, that any such modification shall be without prejudice to the validity of anything previously done under that rule. Removal of difficulties:- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the Official Gazette make such provisions as may appear to them to be necessary or expedient for removing the difficulty: Provided that no order shall be made under this section after the commencement of this Act. (2) Every order made under this section shall be laid before the Manipur Legislative Assembly. Commission to be deemed to have been constituted under this Act:- (1) The Manipur State Commission for Other Backward Classes constituted under this Act and its members appointed vide Notification No. 7th August and such other notifications issued in this regard by the Minorities and Other Backward Classes Department, Government of Manipur shall be deemed to have been constituted and appointed under this Act. (2) All actions and decisions taken or done by the State Government or the Manipur State Commission for Other Backward Classes constituted under such notification insofar as such actions and decisions are related to the functions of the Commission constituted under this Act not inconsistent with the provisions of this Act, shall be deemed to have been taken or done by the State Government or the Commission. (3) All proceedings pending before the said Commission insofar as such proceedings relate to the functions of the Commission shall be deemed to have been instituted after the commencement of this Act, to the Commission and shall be dealt with in accordance with the provisions of this Act. A-Sukumar Singh Secretary (Law) to the Government of Manipur Printed at the Directorate of Ptg. & Sty., Govt. of Manipur/310-C/13-6-2006.