

**Constitution of State Commission for
Unreserved Classes.**

Notification
Government of Gujarat
Social Justice and Empowerment Department
Sachivalay, Gandhinagar
Dt. 05/10/2017

Notification No.:GHM/2017/13/SSP/122017/575949/A

Recently there had been agitation by Non Scheduled Castes- Scheduled Tribes - Socially and Educationally Backward Classes people, such as Patidar and other such castes & communities, which are not covered for reservation in educational institutes and posts under State Government. To satisfy the demands of these unreserved classes, Gujarat State Government, in addition to 49% reservation for Scheduled Castes- Scheduled Tribes - Socially and Educationally Backward Classes, introduced 10% reservation for unreserved classes, but the same was quashed by Gujarat High Court declaring it to be unconstitutional and illegal. The State Government challenged this decision of High Court in the Supreme Court, which is now sub-judice in the Supreme Court.

And whereas, Gujarat State Government discussed other grievances of these unreserved classes' with their leaders and organizations and after careful consideration the State Government has resolved to constitute a permanent commission to address the issues, problems and grievances of these Unreserved Classes and to find out their solutions and to take necessary steps as resolved below.

1. (1) This commission shall be called as "Gujarat State Commission for Unreserved Classes".
(2) The jurisdiction of this commission shall extend to the whole of Gujarat state.
(3) It shall come into force on the date of the issue of this notification.
(4) The head quarter of this commission shall remain at Gandhinagar.
2. (1) This commission shall be constituted by the State Government and it shall exercise the powers conferred on it and to perform the functions assigned to it as provided in this notification.

(2) This commission shall consist of the following office bearers and members nominated by the State Government.

(a) An eminent person having knowledge of the problems and issues of these classes shall be the Chairperson.

(b) A person having special knowledge in the matters relating the unreserved classes of the society shall be Vice Chairperson.

(c) Three persons having special knowledge relating to issues pertaining to unreserved classes and field experience shall be members.

(d) A social scientist, having knowledge of these castes & communities shall be member.

(e) A member-secretary who is or has been not below the rank of joint secretary of the State State Government shall be appointed by the State Government.

(f) State Government shall, as far as possible, ensure to nominate members covering maximum castes/communities from the unreserved classes.

3. Term of office and condition of services of Chairperson, Vice Chairperson and other Members:

(1) Every member including Chairperson and Vice Chairperson shall hold the office for a term of three years from the date he assumes office or upto the pleasure of the State Government, whichever is earlier.

(2) A member including Chairperson and Vice Chairperson may by writing under his hand addressed to the State Government resign from the office held by him.

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

(a) Becomes an undischarged insolvent;

(b) Is convicted and sentenced to imprisonment of 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 that person's continuance in office detrimental to the interest of unreserved classes or the public interest;

Provided that no person shall be removed from the commission until that person has been given an opportunity of being heard in the matter.

- (4) The salaries and allowances payable to and the terms and conditions of service of the Chairperson and Vice Chairperson and members shall be such as may be prescribed.

4. Officers and other employees of the commission-

- (1) 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.
- (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.

5. Salaries and allowances to be paid out of grants- The salaries and allowances payable to the Chairperson, Vice chairperson and Members and the administrative expenses, including salaries, allowances and pensions payable to the officers and other employees of the commission shall be paid from the grants given by the State Government.

6. Vacancies, etc., not to invalidate proceedings of the Commission—No act or proceedings of the Commission shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

7. 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 Member-Secretary or any other officer of the Commission duly authorised by the Member-Secretary in this behalf.

8. Objectives, functions and power of the commission:

- (1) The commission shall examine the grievances, problems and issues of the Unreserved classes of the Gujarat state and recommend the solutions of such grievances, problems and issues of these sections of the society.
- (2) The commission shall study and survey the socio-economic condition of the marginalized and poor persons and families of the unreserved classes of society and formulate welfare schemes for their advancement and recommend to the Government for its implementation.
- (3) It shall study the existing welfare schemes of the Gujarat State Government and recommend how to implement them in the interest of the unreserved classes of state.
- (4) The commission shall study welfare policies of other states and union territories also and shall recommend to State Government if any policy is adoptable or not.
- (5) The commission shall act as a body to recommend the implementation of the safeguards and protections provided for unreserved classes in the directive principles and other parts of constitution.
- (6) The commission shall have power to call necessary information from any government department, government or semi govt. bodies, public sector undertakings and autonomous bodies and to travel in the entire state, whenever it is required for the purpose of this commission and in the interest of the targeted unreserved classes.
- (7) The commission shall do any other specific function or duty given by the State Government.

9. Grants by the State Government—

- (1) The State Government shall, after due appropriation made by 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 utilised for the purposes of this commission.

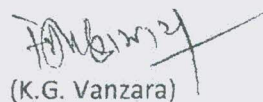
- (2) The Commission may spend such sums as it thinks fit for performing the functions assigned to it, and such sums shall be treated as expenditure payable out of the grants given by the state government.

10. 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 in consultation with the Comptroller and Auditor-General of India.
- (2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General or other competent authority 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 Comptroller and Auditor-General.
- (3) The Comptroller and Auditor General and any person appointed by him in connection with the audit of the accounts of the Commission shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor General 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.

- 11. Annual report—**The Commission shall prepare, in such form and at such time, 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.

By order and in the name of the Governor of Gujarat,



(K.G. Vanzara)

Additional Secretary to Government
Social Justice and Empowerment Department

Copy to:

- ❖ Principal Secretary to Hon. the Governor
- ❖ The commission

- ❖ Principal Secretary to Hon. C.M.
- ❖ Personal Secretary to Hon. Minister(SJED)
- ❖ Personal Secretary to Hon. M.O.S. (SEBC)
- ❖ Personal Secretary to All Minister.
- ❖ Personal Secretary to All Minister of State.
- ❖ Personal Secretary to All Parliamentary Secretary.
- ❖ Personal Secretary to Chief Secretary.
- ❖ Director, Developing Caste Welfare
- ❖ Registrar, Gujarat High court Ahmedabad
- ❖ Secretary, Gujarat Public Service Commission
- ❖ The Accountant General, Rajkot/Ahmedabad
- ❖ Pay & Accounts officer, Gandhinagar
- ❖ Dy.S.O. select file
- ❖ Br. Select File