

State Commission for Backward Classes Act, 1995

Chapter 2 - Constitution of the Karnataka State Commission for Backward Classes

(1) The Government shall constitute a body to be known as the Karnataka State Commission for Backward Classes to exercise the powers conferred on and to perform the functions assigned to it under this Act with its headquarters at Bangalore.

(2) The Commission shall consist of the following members:-

(a) a Chairman, who is or has been a Judge of the High Court¹[or who is eligible to be appointed as a Judge of the High Court or a social scientist];

²[(b) x x x]

³(c) five persons who have special Knowledge in matters relating to backward classes of whom one shall be a social scientist;]

(d) the Director, Backward Classes and Minorities Department, shall be the Member Secretary of the Commission.

1. Inserted by Act 24 of 1997 w.e.f. 29.9.1997

2. Omitted by Act, 24 of 1997 w.e.f. 29.9.1997.

3. Substituted by Act 24 of 1997 w.e.f. 29.9.1997.

Section 4 - Term of office and conditions of service of Chairman and Members

(1) Subject to the pleasure of the State Government the Chairman and every member shall hold office for the term of three years from the date he assumes office¹[x x x].

(2) The Chairman or a member may in writing under his hand addressed to the State Government, resign from the office of the Chairman or of member, as the case may be at any time.

(3) The State Government shall remove a person from the office of the Chairman or of a 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 a competent court;

(d) refuses to act or becomes incapable of acting;

(e) is, without obtaining leave of absence from the Commission, absents from three consecutive meetings of the Commission; or

(f) has, in the opinion of the Government so abused the position of Chairman or member as to render that person's continuance in office is detrimental to the interests of backward classes or the public interest:

Provided that no person shall be removed under this clause until that person 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.

(5) The salaries and allowances payable to and the other terms and conditions of service of the Chairman and Members shall be such, as may be prescribed.

1 . Omitted by Act, 24 of 1997 w.e.f. 29.9.1997.

Section 5 - 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 purposes of the Commission shall be such, as may be prescribed.

Section 6 - Salaries and allowances to be paid out of grants

The salaries and allowances payable to the Chairman and members of the administrative expenses including salaries, allowances and pension payable to the officers and other employees referred to in section 5, shall be paid out of the grants referred to in sub-section (1) of section 12.

Section 7 - Vacancies etc., not to invalidate proceedings of the Commission

No act or proceedings of the Commission shall be invalid merely on the ground of the existence of any vacancy or defect in the Constitution of the Commission.

Section 8 - Procedure to be regulated by the Commission

(1) The Commission shall meet as and when necessary, ordinarily at Bangalore and at such other places 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.