SUGGESTIONS FOR THE STATE RULES UNDER THE COMMISSION FOR PROTECTION OF CHILD RIGHTS ACT, 2005

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Work done under CCL project on
JUSTICE TO CHILDREN THROUGH INDEPENDENT HUMAN RIGHTS INSTITUTIONS

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INTRODUCTION

The Centre for Child and the Law of the National Law School of India is a specialized research centre working in the area of child rights for the past fifteen years. The main thrust of the Centre is on Juvenile Justice, Universalisation of Quality Equitable School Education and Child Labour. The Centre engages in direct field intervention, research as well as teaching in order to impact policy, law and practice on issues concerning children. The mission of the Centre is to institutionalize a culture of respect for child rights in India.

The Centre has recently started a new project on Justice to Children through Independent Human Rights Institutions in partnership with the UNICEF India Country Office. This two year project aims to work closely with the National Commission for Protection of Child Rights, the Commissions on Protection of Children’s Rights, various Independent Human Rights Institutions, the central and state Governments, judicial and quasi-judicial bodies and non-governmental organizations. With the Right of Children to Free and Compulsory Education Act, 2009 coming into force from 1 April 2010, the work with the Children’s Commissions have assumed greater significance.

The project specifically aims to ensure that Commissions function effectively at the national and state level, enables an effective interface between various human rights institutions, judiciary, quasi-judicial and statutory bodies for children, build knowledge and skills among stakeholders, i.e. NGOs, networks and children so that they can access these institutions in case of child rights violations.

The specific activities under this project are to;

- Undertake research on the Commission for Protection of Child Rights Act, 2005, delegated legislation and international standards so as to suggest provisions for the state rules;
- Support the state Governments to formulate rules and establish Commissions in a transparent and democratic manner;
- Research on Children’s Courts i.e. Courts to try offences committed against children, as prescribed under the Commission for Protection of Child Rights Act, 2005 and suggest measures to be undertaken in this regard;
- Conduct a National Judicial Colloquium to discuss steps needed to establish children’s courts in the country;
- Conduct administrative law research and research on role and functioning of various human rights institutions with regards to protection and promotion of children’s rights;
- Undertake research on monitoring of the Right of Children to Free and Compulsory Education Act, 2009;
- Publication of manuals and handbooks
• Provide online socio-legal technical research support to the Commissions on handling child rights violations so that they can effectively fulfill their mandate and
• Establish an e-group for NGOs who are engaging with these institutions on behalf of children.

This document offers suggestions on the Rules to be prepared by the State Governments under the Commission for Protection of Child Rights Act, 2005, henceforth referred to as the Act. Under section 36, of the Act the State Government may, by notification, make rules to carry out the provisions of the Act and in particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

a) the terms and conditions of service of the Chairperson and Members of the Commission and their salaries and allowances under section 20;
b) the procedures to be followed by the Commission in the transaction of its business at a meeting under sub-section (4) of section 10 read with section 24;
c) the powers and duties which may be exercised and performed by the Secretary of the Commission under sub-section (2) of section 21;
d) the salary and allowances and other terms and conditions of service of officers and other employees of the Commission under sub section (3) of section 21; and

e) form of the statement of accounts and other records to be prepared by the Commission under sub-section (1) of section 30

This is based on extensive research undertaken at the Centre. This includes comparative analysis of existing state rules (Bihar, Chhattisgarh, Delhi, Goa, Karnataka, Maharashtra, Madhya Pradesh, Orissa, Rajasthan and Sikkim), international standards and other legislations on human rights institutions, the Commission for Protection of Child Rights Act, 2005 and the National Commission for Protection of Child Rights Rules, 2006. This document has also drawn from the discussions and feedback received during consultations with state governments and civil society organizations in Assam, Tripura, Kerala, Madhya Pradesh, Andhra Pradesh and Gujarat, besides our discussions with the Ministry of Women and Child Development, Government of India. We hope that this document feeds into the State rule making process so as to ensure that the rules are consistent with the above mentioned legislation and that they help to build an effective Commission that would promote and protect children’s rights. We urge the State Government to provide for a participatory and transparent process of formulating Rules.

Please find below a copy of the suggested rules. The explanation and rationale for each rule is available as a separate document which can be made available on request. For further clarifications, please contact Centre for Child and the Law, National Law School of India University, Bangalore.
SUGGESTED STATE RULES UNDER

THE COMMISSIONS FOR PROTECTION OF CHILD RIGHTS ACT, 2005

In exercise of the powers conferred by Section 36 of the Commissions for the Protection of Child Rights Act, 2005 (4 of 2006), the State Government hereby makes the following rules, namely.

1. **Short title and commencement** - (1) These rules may be called the… (Name of the State) State Commission for Protection of Child Rights Rules, 20…

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions** - In these rules, unless the context otherwise requires,-

a. “Act” means the Commission for Protection of Child Rights Act, 2005 (4 of 2006);

b. “Commission” for the purposes of these Rules means ‘State Commission for Protection of Child Rights’ constituted under Section 17 of the Commission for Protection of Child Rights Act, 2005;

c. “Chairperson” means Chairperson of the Commission;

d. “Member” means the Member of the Commission;

e. “Secretary” means the Secretary of the Commission;

f. “Section” means a section of the Act;

g. Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. **Eligibility for Appointment as Chairperson and Members**:

(1) Any person who has at least ten years experience in the areas stated in clause (b) of sub-section (2) of section 17 of the Act may be appointed as Chairperson or Member of the Commission.

(2) No person having any past record of violation of human rights or child rights shall be eligible for appointment as Chairperson or Member of the Commission.

(3) No person having been convicted and sentenced for imprisonment of an offence which in the opinion of the State Government involves moral turpitude, shall be eligible for appointment as Chairperson or Member of the Commission.

(4) No person having been removed or dismissed from service of the Central Government or State Government or a body or corporation owned or controlled
by the Central Government or a State Government shall be eligible for appointment as Chairperson or Member of the Commission.

(5) The Chairperson or Member shall not be a Member of Parliament or be a Member of Legislature of any State and shall not hold any office of trust or profit (other than his office as Chairperson or Member) or be connected with any political party or carry on any business or practice any profession and accordingly, before he enters upon his office, a person appointed as the Chairperson or Member shall-

a. if he is a Member of the Parliament or of the Legislature of any State, resign such membership; or
b. if he holds any office of trust or profit, resign from such office; or
c. if he is connected with any political party, sever his connection with it; or
d. if he is carrying on any business, sever his connection (short of divesting himself of ownership) with the conduct and management of such business; or
e. if he is practicing any profession, suspend practice of such profession.

(6) A person who has held an office of Chairperson or Member for two terms, in any capacity shall not be eligible for re-appointment as Chairperson or, as the case may be, as Member.

4. Selection Committee

(1) The Chairperson and the Members of the Commission shall be appointed on the recommendation of a three Member Selection Committee constituted by the State Government under the Chairmanship of the Minister in charge of Women and Child, nominee of the Chief Justice of the High Court of the State, and the nominee of the Governor of the State from amongst persons having special knowledge or practical experience in child rights, social service, science, or from an academic background.

(2) For the purposes of selection of the Chairperson and Members of the Commission for Protection of Child Rights, the State Government shall invite applications from qualified candidates from the public through an advertisement in at least two leading national and vernacular dailies and shall prepare a short list from the applications so received on the basis of the eligibility criteria stated in sub-clause (b) of sub-section (2) of section 17 of the Act and Rule 3. The short listed candidates shall be selected on merit through an interview by the Selection Committee. Such selected candidates shall be recommended by the Selection Committee to the State Government for appointment.

(3) The selection procedure shall be fair and transparent.
(4) The Selection Committee shall also prepare a wait list of two persons for each of the posts. The wait list shall be valid for three months.

5. Terms and Conditions of Service of Chairperson and Members-

(1) The State Commission for Protection of Child Rights shall function full time as an independent and autonomous body.

(2) The Chairperson shall, unless removed from office under section 7, hold office for a period of three years, or till the age of sixty-five years, whichever is earlier.

(3) Every Member shall, unless removed from office under section 7, hold office for a period of three years, or till the age of sixty years, whichever is earlier.

(4) Notwithstanding anything contained in sub-rule (2) or sub-rule (3),-

   (a) a person who has held the office of Chairperson shall be eligible to re-apply, and

   (b) a person who has held the office of a Member shall be eligible to re-apply as a Member or as a Chairperson;

(5) If the Chairperson is unable to discharge his functions owing to illness or other incapacity, the State Government shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the Chairperson resumes office or till the remainder of his term.

(6) The Chairperson or a Member may, by writing under his hand addressed to the State Government, resign his office at any time.

(7) A vacancy caused by death, resignation or any other reason shall be filled-up within ninety days from the date of occurrence of such vacancy.

6. Removal from office

(1) The Chairperson and Members shall be removed from office in accordance with section 7 of the Act on the basis of a report by an Inquiry Committee.

(2) The State Government shall constitute a three member Inquiry Committee comprising of the Secretary, Department of Women and Child Development, nominee of the Chief Justice of the High Court and nominee of the Governor of the State for this purpose.

7. Secretary
(1) The Secretary shall be appointed by the State Government in accordance with sub-section (1) of Section 21 of the Act.

(2) The Secretary shall hold office full time for tenure of three years.

8. Terms and Conditions of Service of Officers and Other Employees of the Commission

(1) The State Government in consultation with the Chairperson and Members of the Commission shall appoint such officers and employees as may be necessary for the efficient performance of the Commission.

(2) The terms and conditions of service of officers and employees shall be as prescribed in the State or Administrative Civil Services Rules as may be applicable.

(3) The officers and employees of the Commission shall perform duties as per the directions of the Commission.

9. Powers and Duties of the Secretary – The Secretary shall-

i. Have power to execute all decisions taken by the Commission in order to carry out the powers and functions of the Commission as provided in the sections 13 and 14 of the Act;

ii. Exercise and discharge such powers and perform such duties as are required for the proper administration of the affairs of the Commission and its day to day management as specified in section 21;

iii. Convene the meetings of the Commission in consultation with the Chairperson and serve notices of the meetings to all concerned;

iv. Take steps to ensure that the quorum required for convening a meeting of Commission is secured;

v. Prepare, in consultation with the Chairperson, the agenda for each meeting of the Commission and have notes prepared by the Secretariat and such notes shall, as far as possible, be self-contained;

vi. Make available specific records covering the agenda items to the Commission for reference;

vii. Ensure that the agenda papers are circulated to the Members at least two clear working days in advance of the meeting, except in cases when urgent attention is required;
viii. Prepare the minutes of the meetings of the Commission and execute the decisions of the Commission taken in the meeting and shall also ensure placing the Action Taken Note of the decisions of the Commission before the Commission in its subsequent meetings;

ix. Ensure that procedure of the Commission is followed by it in transactions of its business;

x. Take up all such matters in consultation with the Commission with the Department of Women and Child Development for release of grants, creation of posts, revision of scales, procurement of vehicles, appointment of staff, laying of annual and audit report in Assembly, re-appropriation of funds, residential accommodation, permitting any officer of the Commission for deputation abroad and any other matter requiring the approval of the State Government;

xi. Exercise such financial powers as are delegated to him by the Chairperson on behalf of the Commission, provided that no expenditure on an item exceeding one lakh rupees shall be incurred without the sanction of the Chairperson;

xii. To be the appointing and disciplinary authority in respect of officers and other employees of the Commission.

xiii. Interact and liaison with concerned departments including Department of Social Welfare, Department of Education, Department of Health and Family Welfare, Department of Local Self Government, Department of Home and other departments of the government in consultation with the Commission.

10. **Salaries and Allowances.**-

   (1) Save as otherwise provided in section 20, the Chairperson shall be paid salary equivalent to the salary of the Chief Secretary to the State Government and every other Member shall be paid salary equivalent to that of a Secretary to the State Government

   Provided that where the Chairperson or any other Member is a retired Government servant, Semi-Government body, public sector undertaking or recognized research institution, the salary payable together with the pension or pensionary value of the terminal benefits, or both, received by him shall not exceed to the last pay drawn.

   (2) The salary and allowances payable to, and the other terms and conditions of service of the Secretary and the other officers and other employees appointed for the purpose of the Commission shall be such as may be determined by the State Government from time to time.
11. **Dearness allowance** - The Chairperson and every other Member shall receive dearness allowance appropriate to their pay at the rates admissible to officers of the equivalent level of the State Government.

12. **Compensatory (City) Allowance.** - The Chairperson and every other Member shall receive Compensatory (City) allowance appropriate to their pay at the rates admissible to officers of the State Government of the equivalent level.

13. **Leave** - The Chairperson and every other Member shall be entitled to leave as follows:-

   a. Earned leave, half pay leave and commuted leave as admissible to State Government servants in accordance with the State Civil Services (Leave) Rules, as amended from time to time.

   b. Extraordinary leave as admissible to the temporary State Government servants under the State Civil Services (Leave) Rules, as amended from time to time.

14. **Leave Sanctioning Authority**

   (1) The State Government shall be the authority competent to sanction leave to the Chairperson.

   (2) The Chairperson shall be the authority competent to sanction leave to every Member and the Secretary

   (3) The Secretary shall be the authority competent to sanction leave to any officer or other employee of the Commission.

15. **Traveling allowance**

   (1) The Chairperson and every other Member shall be entitled to draw traveling allowances and daily allowances at the rates appropriate to their pay admissible to equivalent post of the State Government.

   (2) The Chairperson and every other Member shall be his own controlling officer in respect of his bills relating to traveling allowances and daily allowances.

16. **Residential accommodation**

   (1) The Chairperson and every other Member shall be entitled to the use of an official residence as may be determined by the Government of State.

   (2) If the Chairperson or a Member is not provided with or does not avail himself of the accommodation provided under sub-rule (1), he shall be paid every month house rent allowance at the rates admissible to officers of an equivalent rank in the State Government.
17. **Facility for conveyance** - The Chairperson and every other Member shall be entitled to the facilities of staff car for journeys for official and private purpose in accordance with the staff car rules of the State Government, as amended from time to time.

18. **Facility for medical treatment.** - The Chairperson and every other Member shall be entitled to the medical treatment and hospital facilities as applicable to State Government servants of equivalent rank as provided in the State Government Contributory Health Scheme Rules, or as may be determined by the State Government.

19. **Residuary Provisions** - The condition of service of Chairperson and the other Members of which no express provision has been made in these rules shall be such as may be determined by the State Government.

20. **Functions of the Commission** - The Commission shall, in addition to the functions assigned to it under clauses (a) to (j) of sub-section (1) of section 13, perform the following functions, namely:-

   a. analyze existing law, policy and practice to assess compliance with Convention on the Rights of the Child, undertake inquiries and produce reports on any aspect of policy and practice affecting children and comment on proposed new legislation from a child rights perspective;
   b. study state policies that impact children and ensure that they comply with international child rights standards.
   c. present to the State Government, National Commission for the Protection of Child Rights and other State Commissions annually and such other intervals as the Commission may deem fit, reports upon the working of those safeguards;
   d. undertake formal investigations where concern has been expressed either by children themselves or by concerned person on their behalf;
   e. ensure that the work of the Commission is directly informed by the views of children in order to reflect their priorities and perspectives;
   f. promote, respect and give serious consideration of the views of children in its work and in that of all Government Departments and Organizations dealing with child;
   g. produce and disseminate information about child rights;
   h. compile and analyze data on children;
   i. promote the incorporation of child rights into the school curriculum, teachers training and training of personnel dealing with children.
   j. refer cases and issues of national and inter-state importance to the National Commission for the Protection of Child Rights as and when required;
   k. make visits to districts and hold public meetings at least once every year at the district level in the State.
   l. Call for Action Taken Reports on the recommendations made to various departments and authorities.
m. Review the plans and programmes of the relevant government departments from the child rights perspective and make appropriate recommendations.

21. Procedure for transaction of business

(1) The Commission shall meet regularly at such time as the Chairperson thinks fit, but three months shall not intervene between its last meeting and next meeting.

(2) The Commission may hold Camp Sittings at District Headquarters and at such other places in the State taking into consideration the exigencies of individual cases and in the interest of the general public.

(3) The Chairperson may, of his own accord or as required by any member of the Commission, order special meetings of the Commission to be convened at any convenient place, to consider any specific matter of urgency.

(4) Notwithstanding anything contained in sub-rules (1), (2) and (3), Secretary shall convene an extraordinary meeting of the Commission on the requisition made to the Secretary in writing for the purpose by majority of the Members of the Commission.

(5) The Commission shall meet at regular intervals for the purposes of disposing complaints.

(6) The Commission or some Members may transact business at places outside its headquarters as and when previously approved by the Chairperson, provided that if parties are to be heard in connection with any inquiry under the Act, at least two Members shall function as a bench of the Commission for such purpose.

(7) Periodicity of Sittings: The Commission shall normally have its regular sittings on all working days of every month, excepting Saturdays and holidays. The Chairperson may, however either suo-motu or at the request of one or more members, direct a special sitting to be convened to consider any matter of urgency.

(8) Secretariat assistance (i) The Secretary, along with such officers as the Chairperson may direct, shall attend the meetings of the Commission;

(ii) The Secretary shall, in consultation with the Chairperson, prepare the agenda for each meeting of the Commission and shall have notes prepared by the Secretariat and such notes shall, as far as possible, be self-contained;

(iii) The records covering the agenda items shall be made readily available to the Commission for its reference;

(iv) The agenda papers shall ordinarily be circulated to Members at least two clear working days in advance of the meeting, except in cases where urgent attention is required;
(9) Four Members including Chairperson shall form the quorum at every meeting of the Commission;

(10) All decisions of the Commission at its meeting shall be taken by majority.

Provided that in the case of equality of votes, the Chairperson, or in his absence, the person presiding shall have and exercise a second or a casting vote;

(11) The Commission may invite, if it is considered necessary, for such purposes and on such conditions as may be prescribed, any person with expert knowledge in a particular subject to be present at the meeting to assist the Commission in arriving at a decision but such person shall not be entitled to vote.

(12) Every expert, if he is not in service of the Central or State Government or in an institution funded by the Central or State Government, shall be paid a sitting fee Rs. 500 (Rupees five hundred only) for attendance of each day of the meeting of the Commission subject to a maximum of Rs.1500 (Rupees one thousand five hundred only) per month.

(13) Every expert, if he is not in service of the Central or State Government or in an institution funded by the Central or State Government, attending a meeting of the Commission shall be paid, in addition to the sitting fee payable under sub-rule (12) travel allowance and daily allowance at the rates admissible to the First Grade Officer under the rules and orders made by the State Government from time to time.

(14) If, for any reason, the Chairperson is unable to attend the meeting of the Commission, any Member chosen by the Members present from amongst themselves at the meeting shall preside.

(15) The principles of independence, accessibility, co-operation, operational efficiency, and accountability shall guide the functioning of the Commission.

22. **Officers to attend the meetings**- The Secretary and other officer/officers of the Commission, if so, required by the Chairperson shall attend the meetings of the Commission.

23. **Office Hours**- The working hours of the office shall be from 10.00 a.m. to 1.00 p.m. in the forenoon session and from 2.00 p.m. to 5.00 p.m. in the afternoon session or such other hours as notified by the Commission from time to time.

24. **Notice of meetings**

(1) At least seven clear days notice of all meetings of the Commission shall be given to each Member, but an extraordinary meeting may be called for on a twenty-four hour notice.

(2) The notice shall state the venue, date, time and the agenda for the meeting.
25. Minutes of the meeting –

(1) The minutes of each meeting of the Commission shall be recorded during the meeting itself or immediately thereafter by the Secretary or by any other officer of the Commission as directed.

(2) The minutes of the meeting of the Commission shall be submitted to the Chairperson for approval, and upon approval, be circulated to all Members of the Commission at the earliest; but in any case within a period of seven days from the date of the meeting.

(3) The conclusions of the Commission in every matter undertaken by it shall be recorded in the form of an opinion and dissenting opinions, if given, shall also form part of and be kept on record. Action shall be taken on the basis of majority opinion where there is any difference of opinion.

(4) All orders and decisions of the Commission shall be authenticated by the Secretary or any other officer of the Commission duly authorized by the Secretary with the prior approval of the Chairperson in this behalf.

(5) Unless specially authorized, no action shall be taken by the Secretariat of the Commission on the minutes of the meetings until the Chairperson confirms the same.

(6) A master copy of the record of all meetings and opinions of the Commission shall be maintained duly authenticated by the Secretary.

(7) A copy of the minutes pertaining to each item shall be kept in the respective files for appropriate action. Opinions shall be kept in respective records and for convenience, copies thereof with appropriate indexing shall be kept in guard files.

26. Report of Action Taken

Report of the follow up action shall be submitted by the Secretary to the Commission at every subsequent meeting indicating therein the present stage of action taken on each item, on which the Commission had taken any decision in any of its earlier meetings, excepting the items on which no further action is called for.

27. Panel of consultants

(1) The Commission may constitute a panel of consultants for assisting the Commission in wide range of tasks including such as investigation, inquiry, to serve on task forces or Committees, for study, research and analysis.

(2) The Commission may draw on experts from academic, research, administrative, investigative, legal or civil society groups to form the panel.
(3) The Commission may devise a transparent process of empanelling these consultants so that they are available for quick delegation of tasks.

28. Procedure for Complaints:

(1) Complaint may be made to the Commission in the official state language, Hindi, English or in any of the languages included in the Eighth Schedule of the Constitution of India. However, when complaints are made in any language other than in official state language, a translated version of the complaints either in (the state language) or in English shall also be furnished.

(2) No fee shall be chargeable on complaints.

(3) Every complaint should disclose a complete picture of the matter complained of and disclose the name and address of the respondent. The Commission may, if it considers necessary, -
   (a) call for further relevant information from the complainant;
   (b) direct the complainant to file affidavit/s in support of the complaint;
   (c) obtain sworn statements of the complainant; and
   (d) take statement of the complainant by issuing Commission for that purpose or by any other means considered necessary.

29. Complaints not ordinarily maintainable

The Commission may dismiss in limine complaints of the following nature:
(a) Illegible;
(b) vague or anonymous or pseudonymous;
(c) trivial or frivolous;
(d) issue raised relates to civil disputes, service matters, labour or industrial disputes;
(e) allegations do not raise any violation of child rights;
(f) matter is sub judice before a Court or Tribunal;
(g) matter is covered by a judicial verdict or decision of the National or State Commission;
(h) where complaint is only a copy of the petition addressed to some other authority;
(i) where the petition has not signed or where the original petition is not sent to the Commission;
(j) where matter is outside the purview of the Commission or on any other ground.

30. Annual Report:

(1) The Commission shall prepare and publish an annual report prior to the 31 December every year for submission to the State Government.

(2) The Commission shall also prepare special reports on specific issues as and when necessary under direction of the Chairperson.
(3) The State Government concerned shall cause the annual and special reports of the Commission to be laid as per sub-section 2 of Section 23 of the Act within a period of one year from the date of receipt of such report.

(4) The Central Government and the State Government concerned, as the case may be, shall cause the annual and special reports of the Commission to be laid before the State Legislature, as the case may be, along with a memorandum of action taken or proposed to be taken on the recommendations of the Commission and the reasons for non-acceptance of the recommendations, if any, within a period of one year from the date of receipt of such report.

(5) The annual report shall include information on administrative and financial matters, complaints investigated / inquired into; action taken on cases; details of research; reviews; education and promotion efforts; consultations; details and specific recommendations of the Commission on any matter, besides any other matter that the Commission may consider warranting inclusion in the report.

(6) In case the Commission considers that there could be a time lag for the preparation of the annual report, it may prepare and submit a special report to the State Government. The annual report shall be submitted within three months of submitting the special report.

(7) The Commission shall place the annual report on the Commission’s website.

(8) The forms in which the budget may be prepared and provided and forwarded to the State Government shall be as provided in forms I, II, III, and IV of Schedule I and Schedule II.

(9) The estimated receipts and expenditure shall be accompanied by the revised budget estimates for the relevant financial year.

(10) The budget shall, as far as may be, be based on the account heads specified in Schedule II.

(11) The office of the Commission shall be responsible for the printing of the annual report with utmost expedition and in any case not later than one month of the finalisation of the report. The annual report should be placed in the public domain within a month of it being tabled in the Legislative Assembly.

31. Financial Powers

(1) The Commission shall spend the sums of money received by it for the purposes of the Act.
(2) The Chairperson shall have all powers relating to financial transaction of the Commission, except in cases, which require prior approval of the State Government.

(3) The Chairperson shall obtain prior approval of the State Government in matters of creation of posts, revision of pay scales, procurement of vehicles, re-appropriation of funds from one head to another, permitting any officer of the Commission to participate in Seminars, conferences or training programmes abroad and such other matters determined by the State Government, by order.

(4) The Chairperson shall, subject to such conditions and limitations and control and supervision, have powers to delegate his financial powers to any Member or the Secretary, provided that no such powers shall be delegated in respect of incurring an expenditure on an item exceeding one lakh rupees without the prior approval of the Chairperson.

(5) The Chairperson shall have powers to engage any person or persons as consultant or consultants for a specific purpose and for a specific period on the terms and conditions agreed in advance relating to honorarium, traveling allowance, dearness allowance.

(6) The Secretary shall have powers to execute all decisions taken by the Chairperson or any other Member on his behalf relating to financial matters.

(7) All financial powers of the Commission shall be governed by the General Financial Rules, delegation of financial powers Rules and economy instructions issued by the Department of Finance of the State Government from time to time.

32. **Mode of communication**- Unless otherwise directed, all communications from the Commission shall be sent by registered post.

33. **Preparation of statements**- (1) The Secretary shall cause to prepare such weekly, monthly, quarterly, half-yearly or yearly statements/returns/reports in such form as may be prescribed by the Commission from time to time.

(2) The Secretary shall review periodically the allocation of work in the different divisions to ensure equitable distribution of work in each division of the Commission.