



**Union Territory of Jammu and Kashmir
Social Welfare Department
Civil Secretariat, J&K**

Subject: Constitution of the Jammu and Kashmir Commission for Women.

Government Order No: **17**-JK(SWD) OF 2022

Dated: **08** .02.2022

Sanction is hereby accorded to the constitution of a Commission to be called as "the Jammu and Kashmir Commission for Women". The Composition, terms of office, conditions of service of Chairperson and functions of the Commission etc shall be as follows:

1. **Composition.**—The Commission shall consist of :

- (a) a Chairperson to be appointed by Government from amongst Women committed to the cause of Women; and
- (b) five members to be nominated by the Government from and amongst the persons having not less than 10 years experience in the field of women welfare, administration, economic development, health, education or social welfare:

Provided that at least one member shall be from amongst persons belonging to the Scheduled Castes or Scheduled Tribes:

- (c) a member Secretary to be nominated by the Government, who shall be:
 - i. an officer who is a member of a civil service of the Union or of an All India Service or holds a civil post under the Union / Union territory of Jammu and Kashmir who is holding the rank of Special Secretary to the Government; or
 - ii. an expert in the field of management, organizational structure or sociological movement.

2 Terms of office and conditions of service of Chairperson and Members.—

- (a) The Chairperson and every Member shall hold office for such period, not exceeding three years or as may be specified by the Government in this behalf.
- (b) The Chairperson or a Member (other than the member Secretary who is a member of civil service of the Union or All India Civil Service or holds a civil post under the Union or Union territory of Jammu and Kashmir) may, by writing and addressed to the Government, resign from the office of Chairperson or the Member, as the case may be.
- (c) The Government shall remove a person from the office of Chairperson or a Member, if he/she:-
- (i) becomes an undischarged insolvent;
 - (ii) gets convicted and sentenced to imprisonment for an offence which in the opinion of the Government involves moral turpitude;
 - (iii) becomes of unsound mind and stands so declared by a competent court;
 - (iv) refuses to act or becomes incapable of acting ;
 - (v) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission; or
 - (vi) in the opinion of the Government has so abused the position of Chairperson or Member as to render that person's continuance in office detrimental to the public interest:
- Provided that no person shall be removed under this clause until that person has been given a reasonable opportunity of being heard in the matter.
- (d) A vacancy caused under sub-clause (b) or otherwise shall be filled by fresh nomination.
- (e) The salaries and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed.

Manab

3. Officers and other employees of the Commission.—

- (a) The Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions of the Commission under this order.
- (b) The salaries and allowances payable to, and the other terms and conditions of services of, the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

4. Committees of the Commission.—

- (a) The Commission may appoint such committees as may be necessary for dealing with such special issues as may be taken up by the Commission from time to time.
- (b) The Commission shall have the power to co-opt as members of any committees appointed under sub-clause (a) such number of persons, who are not members of the Commission, as it may think fit and the persons so co-opted shall have the right to attend the meetings of the committees and take part in its proceedings but shall not have the right to vote.
- (c) The persons so co-opted shall be entitled to receive such allowances for attending the meetings of the committee as may be prescribed.

5. Procedure to be regulated by the Commission—

- (a) The Commission or a committee thereof shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit.
- (b) The Commission shall regulate its own procedure and the procedure of the committees thereof.
- (c) 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.

6. Functions of the Commission.—The Commission shall perform all or any of the following functions, namely:

- (a) investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws ;

Handwritten signature

- (b) present to the Government, annually and at such other time as the Commission may deem fit, reports upon the working of those safeguards;
- (c) make in such reports, recommendations for the effective implementation of those safeguards for improving the condition of women in the Union territory of Jammu and Kashmir;
- (d) review, from time to time, the existing provisions of the Constitution and other laws affecting women and recommending amendments thereto so as to suggest remedial legislative measures to meet any lacunae, inadequacies or shortcomings in such legislation;
- (e) take up the cases of violation of the provisions of the Constitution and of the other laws relating to women with the appropriate authorities ;
- (f) looking into complaints and take suo-moto notice of matters relating to—
 - (i) deprivation of women's rights;
 - (ii) non-implementation of laws enacted to provide protection to women and also to achieve the objective of equality and development;
 - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships and ensuring welfare and providing relief to women; and take up the issues arising out of such matters with appropriate authorities ;
- (g) call for special studies or investigations into specific problems or situations arising out of discrimination and atrocities against women and identify the constraints so as to recommend strategies for their removal ;
- (h) undertake promotional and education research so as to suggest ways of ensuring due representation of women in all spheres and identify factors responsible for impeding their advancement, such as, lack of access to housing and basic services, inadequate support services and technologies for reducing drudgery and occupational health hazards and for increasing their productivity;

Handwritten signature

- (i) participate and advise on the planning process of socio- economic development of women;
- (j) evaluate the process of the development of women in the Union territory of Jammu and Kashmir;
- (k) inspect or cause to be inspected a jail, remand home, women's institution or other place of custody where women are kept as prisoners or otherwise and take up with the concerned authorities for remedial action, if found necessary;
- (l) fund litigation involving issues affecting a large body of women;
- (m) making periodical reports to the Government on any matter pertaining to women and in particular various difficulties under which women toil;
- (n) any other matter which may be referred to it by the
- (o) The Comptroller and Auditor General and any person appointed by him in connection with the audit of the accounts of the Commission under this order 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 the Government accounts and, in particular, shall have the right to demand the production Government.

7. Accounts and Audit.—

- (a) 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 Government.
- (b) The accounts of the Commission shall be audited by the Comptroller and Auditor General 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.
- (c) The Comptroller and Auditor General and any person appointed by him in connection with the audit of the accounts of the commission under this order shall have the same rights and privilege and the authority in connection with such audit as the Comptroller and Auditor General generally has in connection with the audit of the 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.
- (d) The accounts of the Commission, as certified by the Comptroller and Auditor General or any other person appointed by him in this behalf, together, with the audit report thereon shall be forwarded annually to the Government by the Commission.

Handwritten signature

8. **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 Government.

9. **Annual report and audit report to be laid before the Lieutenant Governor.** The Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein and the reasons for the non- acceptance, if any, of any of such recommendations before the Lieutenant Governor.

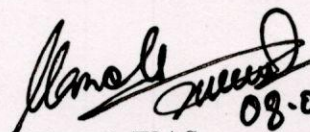
By Order of the Lieutenant Governor.

Sd/-
(Sheetal Nanda), IAS
Secretary to Government
Dated: 08-02-2022

No. SWD-Gen/10/2021

Copy to the:-

1. Learned Advocate General, J&K
2. Financial Commissioner (Additional Chief Secretary), Finance Department.
3. Financial Commissioner (Additional Chief Secretary), Health & Medical Education Department.
4. Director General of Police, J&K.
5. All Principal Secretaries to the Government.
6. Principal Resident Commissioner, J&K Government, New Delhi.
7. Principal Secretary to the Lieutenant Governor, J&K.
8. All Commissioners/Secretaries to the Government.
9. Chief Electoral Officer, J&K.
10. Director General, J&K Institute of Management Public Administration and Rural Development.
11. Joint Secretary (Jammu Kashmir & Ladakh), Ministry of Home Affairs, Government of India.
12. Divisional Commissioner, Kashmir/Jammu.
13. Chairperson J&K, Special Tribunal.
14. Director General, Women & Child Development.
15. Director Information, J&K.
16. All Deputy Commissioners.
17. All Heads of Departments/Managing Directors/Secretary, Advisory Boards.
18. Director, Archives, Archaeology and Museums, J&K.
19. All Senior Superintendent of Police, J&K
20. Secretary, J&K PSC/BOPEE/Service Selection Board.
21. General Manager, Government Press, Jammu/Srinagar.
22. Private Secretary to Advisor (F), to Lieutenant Governor.
23. Private Secretary to the Chief Secretary.
24. Private Secretary to Secretary, Social Welfare Department.
25. I/C Website, Social Welfare Department
26. Government Order file/Stock file.


(Manoj Kumar) JKAS
Under Secretary to Government
Social Welfare Department
08-02-2022