

**THE MADHYA PRADESH RAJYA ALPSANKHYAK AYO
G ADHINIYAM, 1996**

[No. XV of 1996]

(As amended by M.P. Act 11 of 2001)

[26th Sept., 1996]

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THE MADHYA PRADESH RAJYA ALPSANKHYAK AYO G ADHINIYAM, 1996

[No. XV of 1996]

[26th Sept., 1996]

AMENDING ACT

Act No. 11 of 2001

An Act to constitute a State Commission for Minorities and to provide for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh State Legislature in the Forty-seventh Year of the Republic of India as follows:

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called **The Madhya Pradesh Rajya Alpsankhyak Ayog Adhiniyam, 1996.**

(2) It extends to the whole of Madhya Pradesh.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires:

(a) “*Commission*” means the Madhya Pradesh State Commission for Minorities constituted under Section 3;

(b) “*Member*” means a Member of the Commission;

(c) “*Minority*” for the purpose of this Act means,—

(i) a Community notified as such by the Central Government for the purpose of National Commission for Minorities Act, 1992 (No. 19 of 1992), or

(ii) a Community notified as such by the State Government.

CHAPTER II

THE MADHYA PRADESH STATE COMMISSION FOR MINORITIES

3. Constitution of the Madhya Pradesh State Commission for Minorities.—(1) The State Government shall constitute a body to be known as the Madhya Pradesh State Commission for Minorities to exercise the powers conferred on, and to perform the functions assigned to it under this Act.

(2) The Commission shall consist of a Chairperson and two members to be nominated by the State Government from amongst persons of eminence, ability and integrity Provided that the Chairperson and one member shall be from amongst the minority communities.

4. Terms of office and conditions of service of Chair-person and Members.—(1) The Chairperson and every member shall hold office for a term of three years from the date he assumes charge.

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

(3) The State Government shall remove a person from the office of Chairperson or a Member referred to in sub-section (2) 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, involve 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 interests of minorities or the public interest:

Provided that no person shall be removed under this clause until he has been given a reasonable 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 Chairperson and Members shall be such as may be prescribed.

5. Officers and other employees of the Commission.—The State Government shall provide the Commission with a secretary and such other officers and employees as may be necessary for the efficient performance of the functions of the Commission under this Act.

6. Salaries and allowances to be paid out of grants.—The salaries and allowances payable to the Chairperson and Members and the Administrative expenses, including salaries and allowances payable to the officers and other employees shall be paid out of the grants referred to in sub-section (1) of Section 10.

7. Vacancies, etc. not to invalidate proceedings of the Commission.—No act or proceedings of the Commission shall be questioned or shall be invalid

merely on the ground of the existence of any vacancy or defect in the Constitution of the Commission.

8. Procedure to be regulated by the Commission.—(1) The headquarters of the Commission shall be at Bhopal.

(2) The Commission shall regulate its own procedure.

(3) All orders and decisions of the Commission shall be authenticated by the Secretary or any other officer of the Commission duly authorised by the Secretary in this behalf.

CHAPTER III

FUNCTIONS OF THE COMMISSION

9. Functions of the Commission.—(1) The Commission shall perform all or any of the following functions, namely—

- (a) Evaluate the progress of the development of minorities under the State;
- (b) monitor the working of the safeguards provided in the Constitution and in laws enacted by the Parliament and the State Legislature;
- (c) make recommendations for the effective implementation of safeguards for the protection of the interests of minorities by the State Government;
- (d) look into specific complaints regarding deprivation of rights and safeguards of the minorities and take up such matters with appropriate authorities under the control of the State Government;
- (e) cause studies to be undertaken into problems arising out of any discrimination against minorities and recommend measures for their removal;
- (f) conduct studies, research and analysis on the issue relating to socio-economic and educational development of minorities;
- (g) suggest appropriate measures in respect of any minority to be undertaken by the State Government;
- (h) make periodical or special reports to the State Government on any matter pertaining to minorities and in particular difficulties faced by them; and
- (i) any other matter which may be referred to it by the State Government:

Provided that if any recommendation made by the Commission is repugnant to the recommendation made by the National Commission for Minorities on any matter relating to the State of Madhya Pradesh then the recommendation made by the State Commission shall prevail.

(2) The Commission shall, while performing any of the functions mentioned in sub-clauses (a), and (d) of sub-section (1) have all the powers of a

Civil Court trying a suit and in particular, in respect of the following matters, namely—

- (a) summoning and any enforcing the attendance of any person from any part of the State and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any office;
- (e) issuing commissions for examination of witnesses and documents;
and
- (f) any other matter which may be prescribed.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

10. Grants by the State Government.—(1) The State Government, shall after due appropriation made by the State Legislature by law in this behalf, pay to the Commission by way of grants such sums of money as State Government may think fit for being utilised for the purposes of this Act.

(2) The Commission may spend such sums as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

11. Accounts and Audit.—(1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of account in such form as may be prescribed by the State Government in consultation with the Accountant General, Madhya Pradesh.

(2) The Accounts of the Commission shall be audited by the Accountant General at such intervals as may be specified by him and any expenditure in connection with such audit shall be payable by the Commission to the Accountant General.

(3) The Accountant General 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 authority in connection with such audit as the Accountant General generally has 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.

12. Annual Report.—The Commission shall prepare, in such form and by such date 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.

13. Annual Report to be laid before the Assembly.—The State 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 such recommendations and the audit report to be laid as soon as may be after the report is received, before the Legislative Assembly.

CHAPTER V

MISCELLANEOUS

14. Chairperson, Members and Staff of the Commission to be public servants.—The Chairperson, Members and employees of the Commission shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

15. Power to make rules.—(1) The State Government may, by notification in the official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) salaries and allowances payable to; and the other terms and conditions of service of, the Chairperson and Members under subsection (5) of Section 4;

(b) any other matter under clause (f) of sub-section (2) of Section 9,

(c) the form in which the account shall be maintained and the annual statement of accounts shall be prepared under sub-section (1) of Section 11;

(d) the form in, and the date by which the annual report shall be prepared under Section 12;

(e) any other matter which is required to be or may be prescribed.

(3) Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly.

16. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty.

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2012-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 358]

रायपुर, मंगलवार, दिनांक 13 अगस्त 2013—श्रावण 22, शक 1935

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नया रायपुर

रायपुर, दिनांक 13 अगस्त 2013

क्रमांक 7017/डी. 247/21-अ/प्रारू./छ. ग./13.—छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 31-07-2013 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुधमा सावंत, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम

(क्रमांक 31 सन् 2013)

छत्तीसगढ़ राज्य अल्पसंख्यक आयोग (संशोधन) अधिनियम, 2013

छत्तीसगढ़ राज्य अल्पसंख्यक आयोग अधिनियम, 1996 (क्रमांक 15 सन् 1996) को संशोधित करने हेतु अधिनियम.

भारत गणराज्य के चौंसठवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

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|----------------------------|----|-----|--|
| संक्षिप्त नाम तथा प्रारंभ. | 1. | (1) | यह अधिनियम छत्तीसगढ़ राज्य अल्पसंख्यक आयोग (संशोधन) अधिनियम, 2013 कहलायेगा. |
| | | (2) | यह ऐसी तारीख से प्रवृत्त होगा जैसा कि राज्य सरकार राजपत्र में अधिसूचना द्वारा इस निमित्त नियत करे. |
| धारा 2 का संशोधन. | 2. | | छत्तीसगढ़ राज्य अल्पसंख्यक आयोग अधिनियम, 1996 (क्र. 15 सन् 1996) की धारा 2 के खण्ड (ग) के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाए, अर्थात् :-
“(ग) इस अधिनियम के प्रयोजन के लिए “अल्पसंख्यक” से अभिप्रेत है.—
(एक) केन्द्रीय सरकार द्वारा राष्ट्रीय अल्पसंख्यक आयोग अधिनियम, 1992 (1992 का 19) के प्रयोजन के लिए इस रूप में अधिसूचित किया गया कोई समुदाय, या
(दो) राज्य सरकार द्वारा इस रूप में अधिसूचित किया गया कोई समुदाय.” |

रायपुर, दिनांक 13 अगस्त 2013

क्रमांक 7017/डी. 247/21-अ/प्रा.रू./छ. ग./13.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में छत्तीसगढ़ राज्य अल्पसंख्यक आयोग (संशोधन) अधिनियम, 2013 (क्रमांक 31 सन् 2013) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
सुधमा सावंत, अतिरिक्त सचिव.

CHHATTISGARH ACT
(No. 3) of 2013)

THE CHHATTISGARH RAJYA ALPSANKHYAK AYO (SANSKODHAN)
ADHINIYAM, 2013

An Act to amend the Chhattisgarh Rajya Alpsankhyak Ayog Adhiniyam, 1996 (No. 15 of 1996).

Be it enacted by the Chhattisgarh Legislature in the Sixty-fourth Year of the Republic of India, as follows :—

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| 1. | (1) | This Act may be called the Chhattisgarh Rajya Alpsankhyak Ayog (Sanskodhan) Adhiniyam, 2013. | Short title and commencement. |
| | (2) | It shall come into force on such date as the State Government may appoint in this behalf by notification in Official Gazette. | |
| 2. | | For clause (c) of Section 2 of the Chhattisgarh Rajya Alpsankhyak Ayog Adhiniyam, 1996 (No. 15 of 1996), the following shall be substituted, namely :—
“(c) “Minority” for the purpose of this Act means,—
(i) A community notified as such by the Central Government for the purpose of the National Commission for Minorities Act, 1992 (No. 19 of 1992), or
(ii) A community notified as such by the State Government.” | Amendment of Section 2. |

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 501]

रायपुर, बुधवार, दिनांक 14 अक्टूबर 2020 — आश्विन 22, शक 1942

विधि और विधायी कार्य विभाग
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

अटल नगर, दिनांक 14 अक्टूबर 2020

क्रमांक 7823/डी. 153/21-अ/प्रारू./छ.ग./20. — छत्तीसगढ़ विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 30-09-2020 को राज्यपाल की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिए प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
मनीष कुमार ठाकुर, अतिरिक्त सचिव.

छत्तीसगढ़ अधिनियम (क्रमांक 20 सन् 2020)

छत्तीसगढ़ राज्य अल्पसंख्यक आयोग (संशोधन) अधिनियम, 2020

छत्तीसगढ़ राज्य अल्पसंख्यक आयोग अधिनियम, 1996 (क्र. 15 सन् 1996) में और संशोधन करने हेतु अधिनियम।

भारत गणराज्य के इकहत्तरवें वर्ष में छत्तीसगढ़ विधान मण्डल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

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| संक्षिप्त नाम, विस्तार तथा प्रारंभ. | 1. | (1) यह अधिनियम छत्तीसगढ़ राज्य अल्पसंख्यक आयोग (संशोधन) अधिनियम, 2020 कहलायेगा।

(2) इसका विस्तार सम्पूर्ण छत्तीसगढ़ राज्य पर होगा।

(3) यह राजपत्र में इसके प्रकाशन की तारीख से प्रवृत्त होगा। |
| धारा 3 का संशोधन. | 2. | छत्तीसगढ़ राज्य अल्पसंख्यक आयोग अधिनियम, 1996 (क्र. 15 सन् 1996), (जो इसमें इसके पश्चात् मूल अधिनियम के रूप में निर्दिष्ट है), की धारा 3 की उपधारा (2) के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाये, अर्थात् :-

“(2) आयोग एक अध्यक्ष (चेयरपर्सन), एक उपाध्यक्ष (वाईस चेयरपर्सन) और चार सदस्यों से मिलकर बनेगा जिन्हें राज्य सरकार द्वारा विख्यात, योग्य और सत्यनिष्ठ व्यक्तियों में से नामनिर्दिष्ट किया जाएगा: |

परंतु अध्यक्ष, उपाध्यक्ष तथा चार सदस्य अल्पसंख्यक समुदायों में से होंगे।”

3. मूल अधिनियम की धारा-4 की उप-धारा (1) के स्थान पर, निम्नलिखित प्रतिस्थापित किया जाये, अर्थात्:- धारा 4 का संशोधन.

“(1) अध्यक्ष, उपाध्यक्ष तथा प्रत्येक सदस्य, उस तारीख से, जिस पर वह अपना पद ग्रहण करता है, राज्य सरकार के प्रसाद पर्यन्त पद धारण करेगा।”

अटल नगर, दिनांक 14 अक्टूबर 2020

क्रमांक 7823/डी. 153/21-अ/प्रारू./छ.ग./20. — भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में इस विभाग का समसंख्यक अधिनियम दिनांक 14-10-2020 का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है।

छत्तीसगढ़ के राज्यपाल के नाम से तथा आदेशानुसार,
मनीष कुमार ठाकुर, अतिरिक्त सचिव.

CHHATTISGARH ACT
(No. 20 of 2020)

**THE CHHATTISGARH RAJYA ALPSANKHYAK AYO
(SANSHODHAN) ADHINIYAM, 2020**

An Act further to amend the Chhattisgarh Rajya Alpsankhyak Ayog Adhiniyam, 1996 (No. 15 of 1996).

Be it enacted by the Chhattisgarh Legislature in the Seventy-First Year of the Republic of India, as follows:-

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| Short title,
extent and
commencement. | 1. | (1) This Act may be called the Chhattisgarh Rajya Alpsankhyak Ayog (Sanshodhan) Adhiniyam, 2020. |
| | | (2) It shall extend to the whole State of Chhattisgarh. |
| | | (3) It shall come into force from the date of its publication in the Official Gazette. |
| Amendment of
Section 3. | 2. | For sub-subsection (2) of Section 3 of the Chhattisgarh Rajya Alpsankhyak Ayog Adhiniyam, 1996 (No. 15 of 1996), (hereinafter referred to as the Principal Act), the following shall be substituted, namely :- |
| | | “(2) The Commission shall consist of a chairperson, vice chairperson and four members to be nominated by the State Government from amongst persons of |

eminence, ability and integrity:

Provided that the chairperson, vice chairperson and four members shall be from amongst the minority communities.”

3. For sub-section (1) of Section 4 of the Principal Act, the following shall be substituted, namely :-

**Amendment of
Section 4.**

“(1) The chairperson, vice chairperson and every member shall hold office, from the date on which he assumes the office, during the pleasure of the State Government.”