

SIKKIM

GOVERNMENT

GAZETTE



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**Government of Sikkim
(Women and Child Development Division)
Social Justice, Empowerment and Welfare Department
Gangtok**

No.55/2008-09/SJE&WD

Date:-30/07/2008

NOTIFICATION

In exercise of the powers conferred by **Section 36** of the Commission for Protection of Child Rights Act, 2005 (No. 4 of 2006), the Sikkim State Government hereby makes the following Rules, namely:-

1. Short title and Commencement

- (1) These rules may be called the Sikkim Commission for Protection of Child Rights Rules, 2007.
- (2) They shall come into force on the date on which the Commission for Protection of Child Rights Act, 2005(No. 4 of 2006) shall come into force.

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" means the Sikkim Commission for Protection of Child Rights constituted under Section 17;
- (c) "Chairperson" means the 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.

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3. Eligibility for appointment as Chairperson and other Members

No person having any past record of violation of human rights or child rights shall be eligible for appointment as Chairperson or other Members of the Commission.

4. Secretary

(1) The Secretary appointed by the State Government shall have a minimum tenure of three years.

5. Powers and duties of the Secretary

(1) The Secretary shall-

(i) have powers to execute all decisions taken by the Commission in order to carry out the powers and functions of the Commission as provided in **sections 13 and 14**;

(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 mentioned in **section 11**;

(iii) convene the meetings of the Commission in consultation with its Chairperson and serve notices of the meetings to all concerned;

(iv) take steps to ensure that the quorum required for convening a meeting of the Commission is secured;

(v) 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;

(vi) make available specific files 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 shall execute the decisions of the Commission taken in the meeting and shall also ensure placing of the Action Taken Note of the decisions of the Commission before the Commission in its subsequent meetings;

(ix) ensure that the procedure of the Commission is followed by it in transaction of its business;

(x) take up all such matters with the State Government for release of grants, creation of posts, revision of scales, procurement of vehicles, appointment of staff, laying of annual and audit report in the Legislative 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) be the appointing and disciplinary authority in respect of officers and other employees of the Commission.

