

NATIONAL COMMISSION FOR WOMEN

Establishment of the Commission

The Committee on Status of Women in India (set-up by the Government of India) in 1974 recommended the constitution of a National Commission for Women to fulfill the surveillance functions and to facilitate redressal of grievances and to accelerate the socio-economic development of women. Again, the successive women-related committees, commissions and plans including the National Perspective Plan for Women (1988) have also recommended the constitution of such an apex body for women. Accordingly, the National Commission for Women was constituted in 1992 for protecting, promoting and safeguarding the interests and rights of women.

The Commission is an autonomous statutory (and not a constitutional) body. It was established under a legislation enacted by the Parliament, namely, the National Commission for Women Act, 1990. The Ministry of Women and Child Development of the Government of India is the nodal ministry for the Commission.

The Commission has a wide mandate covering almost all aspects of women's development and empowerment. Its specific objectives are:

- (i) To review the constitutional and legal safeguards for women
- (ii) To recommend remedial legislative measures
- (iii) To facilitate redressal of grievances
- (iv) To advise the government on all policy matters affecting women

Composition of the Commission

The Commission is a multi-member body consisting of a chairperson, five members and a member-secretary. The chairperson should be someone who is committed to the cause of women. The five members should be from amongst persons of ability, integrity and standing who have had experience in law or legislation, trade unionism, management of an industry or organisation committed to increasing the employment potential of women, women's voluntary organisations (including women activists), administration, economic development, health, education or social welfare. However, at least one member each should belong to the Scheduled Castes and Scheduled Tribes respectively.

The member-secretary should be (i) an expert in the field of management, organisational structure or sociological movement, or (ii) an officer who is a member of a Civil Service of the Union or an all-India service or holds a civil post under the Union.

The chairperson, members and member-secretary are all nominated by the Central Government (Ministry of Women and Child Development). Their salaries, allowances and other service conditions are also prescribed by the Central Government.

Tenure of the Members

The chairperson and members hold office for a period of three years. However, they can relinquish their office at any time by addressing their resignation to the Central Government.

Further, the Central Government can also remove the chairperson or a member from the office (before the expiry of his term) under the following circumstances:

- (a) If he becomes an undischarged insolvent
- (b) If he gets convicted and sentenced to imprisonment for an offence which (in the opinion of the Central Government) involves moral turpitude
- (c) If he is declared of unsound mind by a competent court
- (d) If he refuses to act or becomes incapable of acting
- (e) If he absents himself from three consecutive meetings of the Commission, or
- (f) If he has so abused his official position which (in the opinion of the Central Government) renders his continuance in the office as detrimental to the public interest.

However, the chairperson or a member cannot be removed until he is given a reasonable opportunity of being heard in the matter.

Functions of the Commission

The Commission is provided with a fourteen-point mandate.

1. To investigate and examine all matters relating to the safeguards provided for women under the Constitution and other laws
2. To present to the Central Government annually and at such other times as it may deem fit, reports upon the working of those safeguards
3. To make recommendations for the effective implementation of those safeguards for improving the conditions of women by the Union or any state
4. To review the existing provisions of the Constitution and other laws affecting women and recommend amendments to meet any inadequacies in such laws
5. To take up the cases of violation of the provisions of the Constitution and other laws relating to women with the appropriate authorities
6. To look 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 and
 - (iii) non-compliance of policy decisions or instructions aimed at mitigating hardships and ensuring welfare and providing relief to women.
7. To call for special studies or investigations into specific problems or situations arising out of discrimination and atrocities against women and to identify the constraints so as to recommend strategies for their removal
8. To undertake promotional and educational research so as to suggest ways of ensuring due

representation of women in all spheres and to 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

9. To participate and advice on the planning process of socio-economic development of women
10. To evaluate the progress of the development of women under the Union and any state
11. To inspect any 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
12. To fund litigation involving issues affecting a large body of women
13. To make periodical reports to the government on any matter pertaining to women and in particular various difficulties under which women toil
14. To look into any other matter referred to it by the Central Government

Report of the Commission

The Commission presents an annual report to the Central Government. It can also submit a report as and when it thinks necessary.

The Central Government places all such reports before each House of Parliament, along with a memorandum explaining the action taken on the recommendations made by the Commission. The memorandum should also contain the reasons for the non-acceptance of any of such recommendations.

If any such report is related to any matter with which any state government is concerned, the Commission forwards a copy of such report to such state government. The state government places it before the state legislature, along with a memorandum explaining the action taken on the recommendations of the commission. The memorandum should also contain the reasons for the non-acceptance of any of such recommendations.

Powers of the Commission

The Commission can appoint the committees necessary for dealing with the special issues taken up by it from time to time. It is also empowered to co-opt as members of any such committee the persons from outside the Commission (i.e., those who are not members of the Commission). The co-opted persons can attend the meetings of the committee and take part in its proceedings but without the right to vote.

The Commission shall regulate its own procedure and also the procedure of its committees.

The Commission, while investigating any matter or inquiring into any complaint, has all the powers of a civil court trying a suit and in particular in respect of the following matters:

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

The Central Government should consult the Commission on all major policy matters affecting women.

Working of the Commission

The Commission processes the complaints received verbally or in writing. It also takes into account *suo moto* notice of cases related to women.

The complaints received relate to various categories of crimes against women such as domestic violence, harassment, dowry, torture, murder, kidnapping/abduction, complaints against NRI marriages, desertion, bigamy, rape, police harassment/brutality, cruelty by husband, deprivation of rights, gender discrimination, sexual harassment at workplace and so on.

The complaints are acted upon in the following manner:

1. Specific cases of police apathy are sent to the police authorities for investigation and cases are monitored.
2. Family disputes are resolved or compromises struck through counseling.
3. Disaggregated data are made available to various state authorities to facilitate action.
4. In sexual harassment complaints, the concerned organisations are urged to expedite cases and the disposal is monitored.
5. For serious crimes, the Commission constitutes an Inquiry Committee to provide immediate relief and justice to the victims of violence and atrocities.

Strategies of the Commission

In keeping with its mandate, the Commission evolved the following strategies to improve upon the status of women and women's development:

1. Economic empowerment through building up skills and securing access to gainful employment
2. Political empowerment through awareness, training and mobilisation for equitable representation in all fora
3. Prevention of violence and discrimination against women inside and outside the home through legal reform and sensitive enforcement
4. Amelioration of conditions of disadvantaged women, such as
 - (i) Physically challenged women including those who are visually disabled or mentally affected.
 - (ii) Socially challenged women including Muslim women, women from Scheduled Caste and Scheduled Tribes, widows and prostitutes.
5. Prevention of indecent representation of women in the media through legal and social sanctions.

Parivarik Mahila Lok Adalat

The Commission has evolved an innovative concept of Parivarik Mahila Lok Adalat (PMLA), which in turn supplements the efforts of the District Legal Service Authority (DLSA) for redressal and speedy disposal of the matters related to marriage and family affairs pending in various courts.

The Parivarik Mahila Lok Adalat functions on the model of the Lok Adalat. The Commission

provides financial assistance to NGOs or State Women Commissions or State Legal Service Authority to organise the Parivarik Mahila Lok Adalat.

The objectives of Parivarik Mahila Lok Adalat are as follows:

1. To provide speedy and cost free dispensation of justice to women.
2. To generate awareness among the public regarding conciliatory mode of dispute settlement.
3. To gear up the process of organising the Lok Adalats and to encourage the public to settle their disputes outside the formal set-up.
4. To empower public especially women to participate in justice delivery mechanism.

NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

Establishment of the Commission

The National Commission for Protection of Child Rights is a statutory (and not a constitutional) body. It was set up in 2007 under a legislation enacted by the Parliament, namely, the Commissions for Protection of Child Rights Act, 2005. This Act was amended in 2006.

The Commission has to protect, promote and defend child rights in the country. Under the Act, the “child rights” includes the children’s rights adopted in the United Nations Convention on the Rights of the Child on 20th November, 1989 and ratified by the Government of India on 11th December, 1992. Under this Convention, a child has been defined as a human being below the age of eighteen years.

The Commission would deal with the effective implementation of laws and programmes relating to children.

Composition of the Commission

The Commission is a multi-member body consisting of a Chairperson and six members. Out of the six members, at least two should be women.

The Chairperson should be a person of eminence who has done outstanding work for promoting the welfare of children. The six members should be from amongst persons of eminence, ability, integrity, standing and experience in the following fields:

- (i) education
- (ii) child health, care, welfare or child development
- (iii) juvenile justice or case of neglected or marginalised children or children with disabilities
- (iv) elimination of child labour or children in distress
- (v) child psychology or sociology and
- (vi) laws relating to children.

The Chairperson and other members are appointed by the Central Government. However, the Chairperson is appointed on the recommendation of a three-member selection committee constituted by the Central Government under the Chairmanship of the minister-in-charge of the Ministry or the Department of Women and Child Development.

The salaries, allowances and other service conditions of the Chairperson and members are also

prescribed by the Central Government. However, they cannot be varied to their disadvantage after their appointment.

Term and Removal of Members

The Chairperson and members hold office for a term of three years. They are not eligible for appointment for more than two terms. Further, the upper age limit for holding the office is as follows:

- (a) in the case of the chairperson, it is 65 years and
- (b) in the case of the members, it is 60 years.

The Chairman or a member can relinquish his office at any time by addressing his resignation to the Central Government.

The Central Government can remove the Chairperson from his office on the ground of proved misbehaviour or incapacity. Further, it can also remove the Chairperson or any member from his office under the following circumstances:

- (i) If he is adjudged an insolvent or
- (ii) If he engages, during his term of office, in any paid employment outside the duties of his office or
- (iii) If he refuses to act or becomes incapable of acting or
- (iv) If he is declared of unsound mind by a competent court or
- (v) If he has so abused his office which renders his continuance in the office as detrimental to the public interest or
- (vi) If he is convicted and sentenced to imprisonment for an offence which (in the opinion of the Central Government) involves moral turpitude or
- (vii) If he absents himself from three consecutive meetings of the Commission.

However, the Chairperson or a member can not be removed until he is given an opportunity of being heard in the matter.

Functions of the Commission

The functions of the Commission are as follows:

1. To examine and review the safeguards provided by the laws for the protection of child rights and recommend measures for their effective implementation
2. To present to the Central Government, annually and at such other intervals as it may deem fit, reports upon the working of those safeguards
3. To inquire into violation of child rights and recommend initiation of proceedings in such cases
4. To examine all factors that inhibits the enjoyment of rights of children affected by terrorism, communal riots, natural disaster, domestic violence, HIV/AIDS, trafficking, exploitation and prostitution and recommend remedial measures
5. To look into matters relating to children in need of special care including children in distress, marginalised children, children in conflict with law, juveniles, children without family and children of prisoners and recommend remedial measures
6. To study treaties and other international instruments and undertake periodical review of

existing policies, programmes and other activities on child rights and make recommendations for their effective implementation

7. To undertake and promote research in the field of child rights
8. To spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights
9. To inspect any juvenile custodial home or any other place of residence or institution (under the control of the Central Government or any state government or any other authority, including any institution run by a social organisation) where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action
10. To inquire into complaints and take *suo moto* notice of matters relating to:
 - (i) deprivation and violation of child rights
 - (ii) non-implementation of laws providing for protection and development of children and
 - (iii) non-compliance of policy decisions or instructions aimed at mitigating hardships and ensuring welfare and providing relief to children.
11. To perform such other functions as it may consider necessary for the promotion of child rights.

It must be noted here that the Commission is prohibited from inquiring into any matter which is pending before a State Commission for Protection of Child Rights or any other Statutory Commission.

Additional Functions of the Commission

In addition to the above functions, the Commission has been assigned the following functions under the Right of Children to Free and Compulsory Education (RTE) Act, 2009:

- (a) to examine and review the safeguards for rights provided by or under this Act and recommend measures for their effective implementation;
- (b) to inquire into complaints relating to the child's right to free and compulsory education; and
- (c) to take necessary steps after completion of an inquiry.

Similarly, the Commission has also been assigned the following additional functions under the *Protection of Children from Sexual Offences (POCSO) Act, 2012* and POCSO Rules 2012 :

- (a) to monitor the implementation of the provisions of the POCSO Act in the manner as prescribed under POCSO Rules, 2012;
- (b) to monitor the designation of Special Courts by state governments;
- (c) to monitor the appointment of Public Prosecutors by state governments;
- (d) to monitor the formulation of the guidelines described in the Act by the state governments, for the use of non-governmental organisations, professionals and experts or persons having knowledge of psychology, social work, physical health, mental health and child development to be associated with the pre-trial and trial stage to assist the child, and to monitor the application of these guidelines;
- (e) to monitor the designing and implementation of modules for training police personnel and other concerned persons, including officers of the Central and state governments, for the effective discharge of their functions under the Act; and
- (f) to monitor and support the Central Government and state governments for the dissemination of information relating to the provisions of the Act through media including the television, radio

and print media at regular intervals, so as to make the general public, children as well as their parents and guardians aware of the provisions of the Act.

Powers of the Commission

The Commission, while inquiring into any matter, has all the powers of a civil court trying a suit and in particular in respect of the following matters:

- (a) summoning and enforcing the attendance of any person and examining him on oath
- (b) requiring the discovery and production of any document
- (c) receiving evidence on affidavits
- (d) requisitioning any public record from any court or office and
- (e) issuing summons for the examination of witnesses or documents.

Working of the Commission

The Commission may take any of the following steps upon the completion of an inquiry:

- (i) It may recommend to the concerned government or authority the initiation of proceedings for prosecution or such other suitable action against the concerned person.
- (ii) It may approach the Supreme Court or the High Court concerned for the necessary directions, orders or writs.
- (iii) It may recommend to the concerned government or authority for the grant of necessary interim relief to the victim.

The Commission submits its annual or special reports to the Central Government and to the state government concerned. These reports are laid before the respective legislatures, along with a memorandum of action taken on the recommendations of the Commission and the reasons for non-acceptance of any of such recommendations within one year.

NATIONAL COMMISSION FOR BACKWARD CLASSES

Establishment of the Commission

In the Mandal case judgement (1992), the Supreme Court directed the Central Government to constitute a permanent statutory body to examine the complaints of under-inclusion, over-inclusion or non-inclusion of any class of citizens in the list of backward classes.

Accordingly, the National Commission for Backward Classes Act, 1993 was enacted by the Parliament and the National Commission for Backward Classes was set up by the Government of India in 1993. The Commission is a quasi-judicial body.

The term “backward classes” means such backward classes of citizens, other than the Scheduled Castes and the Scheduled Tribes, as may be specified by the Central Government in the lists.

The term “lists” refers to lists prepared by the Central Government for providing reservations in appointments to backward classes of citizens.

With the enactment of the Central Educational Institutions (Reservation in Admission) Act, 2006,

the listing of backward classes by the Central Government has become relevant for admissions in central educational institutions also.

Composition of the Commission

The Commission is a multi-member body. It consists of the following five members:

- (a) a Chairperson, who is or has been a Supreme Court or High Court judge
- (b) a social scientist
- (c) two persons having special knowledge in matters relating to backward classes and
- (d) a member-secretary who is or has been an officer of the Central Government in the rank of a secretary to the Government of India.

The above members of the Commission are nominated by the Central Government. Their salaries, allowances and other service conditions are also prescribed by the Central Government.

Tenure of the Members

The members of the Commission hold office for a term of three years. However, they can relinquish their office at any time by addressing their resignation to the Central Government. Notably, members include the Chairperson.

Further, the Central Government can also remove a member from the office (before the expiry of his term) under the following circumstances:

- (i) If he becomes an undischarged insolvent
- (ii) If he gets convicted and sentenced to imprisonment for an offence which (in the opinion of the Central Government) involves moral turpitude
- (iii) If he is declared of unsound mind by a competent court
- (iv) If he refuses to act or becomes incapable of acting
- (v) If he absents himself from three consecutive meetings of the Commission or
- (vi) If he has so abused his official position which (in the opinion of the Central Government) renders his continuance in the office as detrimental to the interests of backward classes or the public interest.

However, a member can not be removed until he is given an opportunity of being heard in the matter.

Functions of the Commission

The functions of the Commission are as follows:

1. The Commission shall examine requests for inclusion of any class of citizens as a backward class in the Central Lists of Backward Classes and hear complaints of over-inclusion or under-inclusion of any backward class in the lists and tender appropriate advice to the Central Government
2. The advice of the Commission shall ordinarily be binding upon the Central Government
3. For every ten years, the Central Government shall undertake revision of the lists with a view to excluding from such lists those classes who have ceased to be backward classes or for

including in such lists new backward classes. The Central Government shall consult the Commission while undertaking such revision.

Powers of the Commission

The Commission is vested with the power to regulate its own procedure.

The Commission, while performing its functions relating to inclusion or over-inclusion or under-inclusion of any class of citizens in the list of backward classes, has all the powers of a civil court trying a suit and in particular in respect of the following matters:

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

Report of the Commission

The Commission presents an annual report to the Central Government. The report contains the full account of its activities during the previous year.

The Central Government places the report before each House of Parliament, along with a memorandum explaining the action taken on the advice tendered by the Commission. The memorandum should also contain the reasons for the non-acceptance of any such advice.

NATIONAL COMMISSION FOR MINORITIES

Establishment of the Commission

In 1978, the Government of India *vide* an executive resolution, set up a Minorities Commission to safeguard the interests of the minorities. The resolution explained the reasons for the establishment of the Minorities Commission in the following way:

“Despite the safeguards provided in the Constitution and the laws in force, there persists among the Minorities a feeling of inequality and discrimination. In order to preserve secular traditions and to promote National Integration, the Government of India attaches the highest importance to the enforcement of the safeguards provided for the Minorities and is of firm view that effective institutional arrangements are urgently required for the enforcement and implementation of all the safeguards provided for the Minorities in the Constitution, in the Central and State Laws and in the Government policies and administrative schemes enunciated from time to time.”

Later, it was felt that the Minorities Commission be given statutory status so that it may infuse confidence among the minorities about the working and the effectiveness of the Commission. It would then also carry more weight with the State Governments/Union Territory Administrations and the Ministries / Departments and the other organisations of the Central Government.

With the enactment of the National Commission for Minorities Act (1992), the Minorities Commission became a statutory body and was renamed the National Commission for Minorities. The first statutory Commission was constituted in 1993.

The Act does not define the term “minority”, but enables the Central Government to notify “minorities” for the purposes of the Act. Accordingly, the Centre in 1993 notified five religious communities viz., Muslims, Christians, Sikhs, Buddhists and Zoroastrians (Parsis) as minority communities. In January 2014, the Jain community was added to this list

Composition of the Commission

The Commission is a multi-member body consisting of a Chairperson, a Vice-Chairperson and five members. They are nominated by the Central Government from amongst persons of eminence, ability and integrity. However, five members including the Chairperson should be from amongst the minority communities.

The salaries, allowances and other service conditions of the Chairman and members are also prescribed by the Central Government (Ministry of Minority Affairs). Notably, members include the Vice-Chairperson.

The chairperson and members hold office for a period of three years. However, they can relinquish their office at any time by addressing their resignation to the Central Government.

Removal of the Members

Further, the Central Government can also remove the Chairperson or a member from the office (before the expiry of his term) under the following circumstances:

- (a) If he becomes an undischarged insolvent
- (b) If he gets convicted and sentenced to imprisonment for an offence which (in the opinion of the Central Government) involves moral turpitude
- (c) If he is declared of unsound mind by a competent court
- (d) If he refuses to act or becomes incapable of acting
- (e) If he absents himself from three consecutive meetings of the Commission or
- (f) If he has so abused his official position that (in the opinion of the Central Government) renders his continuance in the office as detrimental to the interests of minorities or the public interest.

However, the Chairperson or a member can not be removed until he is given a reasonable opportunity of being heard in the matter.

Functions of the Commission

The Commission is provided with a nine-point mandate:

1. To evaluate the progress of the development of minorities under the Union and States
2. To monitor the working of the safeguards for minorities provided in the Constitution and in laws enacted by Parliament and the state legislatures
3. To make recommendations for the effective implementation of safeguards for the protection of

- the interests of minorities by the Central Government or the state governments
4. To look into specific complaints regarding deprivation of rights and safeguards of minorities and take up such matters with the appropriate authorities
 5. To cause studies to be undertaken into the problems arising out of any discrimination against minorities and recommend measures for their removal
 6. To conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities
 7. To suggest appropriate measures in respect of any minority to be undertaken by the Central Government or the state governments
 8. To make periodical or special reports to the Central Government on any matter pertaining to minorities and in particular the difficulties confronted by them
 9. To look into any other matter referred to it by the Central Government.

Powers of the Commission

The Commission, while evaluating/monitoring any matter or inquiring into any complaint, has all the powers of a civil court trying a suit and in particular in respect of the following matters:

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

Report of the Commission

The Commission presents an annual report to the Central Government. It can also submit a report as and when it thinks necessary.

The Central Government places all such reports before each House of Parliament, along with a memorandum explaining the action taken on the recommendations made by the Commission. The memorandum should also contain the reasons for the non-acceptance of any of such recommendations.

If any such report is related to any matter with which any state government is concerned, then the Commission forwards a copy of such report to such state government. The state government places it before the state legislature, along with a memorandum explaining the action taken on the recommendations of the Commission. The memorandum should also contain the reasons for the non-acceptance of any of such recommendations.

CENTRAL COMMISSIONER FOR DISABLED PERSONS

Statutory Status

The office of the Central Commissioner for Disabled Persons (or officially, the Chief Commissioner

for Persons with Disabilities) has been set up under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and has been mandated to take steps to safeguard the rights of persons with disabilities.

The Persons with Disabilities Act basically enlists facilities that persons with different types of disabilities would be entitled to and the responsibilities and obligations which are placed on the Government of India, state governments, local bodies and establishments in this behalf. It broadly includes measures for prevention and early detection of disabilities, education, employment, social security, research and manpower development, barrier-free access and preferences and facilities that are available to such persons and the actions which need to be taken to avoid any discrimination against persons with disabilities.

It has been provided in the Act that there shall be a Chief Commissioner at the Government of India level and a Commissioner in each state.

Appointment

- (1) The Central Government may, by notification, appoint a Chief Commissioner for persons with disabilities for the purposes of the Act.
- (2) A person shall not be qualified for appointment as the Chief Commissioner unless he has special knowledge or practical experience with respect to matters relating to rehabilitation.
- (3) The salary, allowances, and other conditions of service (including pension, gratuity and other retirement benefits) of the Chief Commissioner shall be prescribed by the Central Government.
- (4) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.
- (5) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence of the Chief Commissioner.
- (6) The salaries, allowances and other conditions of service of officers and employees provided to the Chief Commissioner shall be prescribed by the Central Government.

Functions

The Chief Commissioner shall:

- (a) co-ordinate the work of the State Commissioners
- (b) monitor the utilisation of funds disbursed by the Central Government
- (c) take steps to safeguard the rights and facilities made available to persons with disabilities and
- (d) submit reports to the Central Government on the implementation of the Act at such intervals as that government may prescribe.

Further, the Chief Commissioner may on his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to:

- (a) deprivation of rights of persons with disabilities and
- (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the governments and the local authorities for the welfare and protection of rights of persons with disabilities.

Powers

The Chief Commissioner shall, for the purpose of discharging his functions under the Act, has the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:

- (a) summoning and enforcing the attendance of witnesses
- (b) requiring the discovery and production of any document
- (c) requisitioning any public record from any court or office
- (d) receiving evidence on affidavits and
- (e) issuing commissions for the examination of witnesses or documents.

Every proceeding before the Chief Commissioner shall be a judicial proceeding within the meaning of the Indian Penal Code (1860). Also, the Chief Commissioner shall be deemed to be a Civil Court for the purposes of the Code of Criminal Procedure, 1973.

Annual Report

The Chief Commissioner shall submit to the Central Government an annual report giving a complete account of his activities during the previous year.

In particular, the annual report shall contain information in respect of the following matters, namely:

- (a) Names of officers, staff of the office and a chart showing the organisational set-up
- (b) The functions which the Chief Commissioner has been performed under the Act and the highlights of the performance in this regard
- (c) The main recommendations made by the Chief Commissioner
- (d) Progress made in the implementation of the Act statewise and
- (e) Any other matter deemed appropriate for inclusion by the Chief Commissioner or specified by the Central Government from time to time.

The Central Government places the report before each House of Parliament, along with a memorandum explaining the action taken on the recommendations made by the Chief Commissioner. The memorandum should also contain the reasons for the non-acceptance of any of such recommendations.