

# **Bihar State Child Labour Commission Rules, 2013**

BIHAR

India

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### **Rule BIHAR-STATE-CHILD-LABOUR-COMMISSION-RULES-2013 of 2013**

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1/CLC-106/2008L.R.-2972. - In exercise of the powers conferred by section 13 of the Bihar State Child Labour Commission Act, 1996 (Act-1, 1996), the Governor of Bihar is pleased to make the following rules:-

#### **1. Short title and extent Commencement.**

(1)These Rules may be called the Bihar State Child Labour Commission Rules, 2013(2)It shall extend to the whole State of Bihar.(3)It shall come into force from the date of its publication in the Official Gazette.

#### **2. Definitions.**

(1)In these rules, unless the context otherwise requires -(i)"Act" means the Bihar State Child Labour Commissions Act, 1996.(ii)"Administrative Department" means Labour Resource Department, Government of Bihar.(iii)"Chairman" means person appointed under sub- Section (3) (a) of the Section 4 of the Act.(iv)"Child Labour" means Child Labour as defined under section 2(c) of the Act.(v)"Commission" means the Commission constituted under Section 4 of the Act.(vi)"Competent Authority" defined in section 7 of the Act means Chairman or Vice- Chairman.(vii)"Government" means Government of Bihar.(viii)"Members" means the members of the Commission as defined under sub- Section (3) (b) of the Section 4 of the Act.(ix)"Rules" means the Bihar State Child Labour Commission Rules, 2013.(x)"Secretary" means person appointed under sub- section (1) of the section 11 of the Act.(xi)"Vice- Chairman" means person appointed under sub- Section (3) (a) of the Section 4 of the Act.(2)Words used but not defined shall have same meaning assigned to them they mean in the Act.

### **3. Status, Emoluments of the Chairman / Vice-Chairman and Members.**

(1) State Government will decide status, salary, allowances and other facilities available to the chairman and vice-chairman. (2) Except the members re-presenting the Bihar Chamber of Commerce and both houses of the State legislature, all other members nominated under sub-Section 3(b) of section 4 of the Act, shall be entitled to receive a daily allowance of Rs. 500 (Five hundred) only.

### **4. Report and Returns.**

- The Commission shall submit the following to the Administrative Department:-(i) Expenditure report. (ii) Its Annual Report of the previous year on or before 30th June of the succeeding year. (iii) Estimate of annual budget.

### **5. Power, Function and Duties of the Chairman.**

- (i) He shall preside over all meetings of the Commission and Executive Committee as constituted under section 6 of the Act. (ii) He shall be responsible for carrying out the function as prescribed under section 7 of the Act. In addition to that he shall submit the inspection report related to programmes run by State and Central Government in the State. (iii) The Secretary shall be responsible to submit annual report under the direction of executive committee. (iv) He shall submit special report to the Government in accordance with subsection- 2 of section-12 of the Act. (v) He shall have the power of superintendence and control over the officers and employees of the Commission appointed under Section-11 of the Act.

### **6. Power, Function and Duties of the Vice- Chairman.**

- (i) In the absence of Chairman, the Vice-Chairman shall be competent to perform all duties entrusted to the Chairman under these rules. (ii) In case the post of Chairman falls vacant due to any reason, the Vice-Chairman shall exercise the function and duties of the Chairman till the appointment of a new Chairman. (iii) The executive Committee of the Commission may delegate such power, function and responsibilities to the Vice- Chairman as deem necessary.

### **7. Tour of the Chairman / Vice- Chairman.**

(1) The Chairman shall obtain prior permission of the Minister of the Administrative Department for all official visits outside the State. After completion of the journey, he shall submit report of the duties performed to the Minister. (2) The Vice-Chairman shall obtain prior permission of the Minister of the Administrative Department for all official visits outside the State. After completion of the journey, he shall submit report of the duties performed to the Minister. (3) The Chairman shall give prior intimation of his official visits inside the State to the Minister of the Administrative Department. (4) The Vice-Chairman shall give prior intimation of his official visits inside the State to the Minister of the Administrative Department.

## **8. Power, Function and Duties of the Secretary.**

- (i) Secretary shall be the Chief Executive of the Commission.(ii)He shall be responsible for proper and efficient administration and conduct of affairs of the Commission and its officers and employees.(iii)He shall have the operational control over all officers & employees of the Commission.(iv)He shall convene the meeting of the Commission and executive Committee in accordance with the direction of Chairman or Vice- Chairman, as case may be.(v)He shall be the Drawing and Disbursing Officer of the moneys received from the Government and its proper expenditure in accordance with the rules and regulation of the Government.(vi)He shall assist the Chairman / Vice-Chairman as the case may be in discharging their duties prescribed under the Act and these Rules.(vii)He shall be responsible to prepare budget and its submission to the Administrative Department in time.(viii)Under overall Control of the Chairman/ Vice-Chairman, as the case may be, he shall be responsible for discharge of functions relating to accounts / audit as prescribed under section-12 of the Act.(ix)He shall be responsible for any other duties assigned to him by the Commission, and the Administrative Department and the Government from time to time

## **9. Quorum.**

(1)The quorum of the meeting of the Commission and executive committee shall be completed if more than half of the members of the such committees are present in the meeting(2)The decision of Commission / Committee shall be by consensus

## **10. Removal of the Chairman and Vice-Chairman.**

- Government may remove Chairman / Vice-Chairman on any of the following grounds:-(i)Misconduct(ii)Conviction by competent Court.(iii)Insolvency and unsound mind.(iv)Failure to discharge duties and function of the Commission without any valid reason.

## **11. Removal of the members.**

- Government may remove members on any of the following grounds:-(i)Any member nominated under sub-Section 3 (b) of Section 4 of the Act may be removed, if he / she fails to attend three consecutive meeting of the executive committee / Commission, as the case may be, without any valid reason.(ii)He/ she may be removed on grounds enumerated in Rule, 10 of these Rules.

## **12. Tour of the members.**

- (i) The members may be deputed by the Commission to visit places inside the State as the Commission may deem proper and necessary.(ii)The members may be deputed to visit places outside the State with the prior approval of the Chairman of the Commission for attending conference/ seminar / workshop, as the case may be.(iii)While visiting the place outside / inside the State, the members shall be entitled to T.A / D.A as admissible to the Class- I of the Government. However, this is not admissible to the members of the State legislature who may claim T.A / D.A as

per rules applicable to them.

### **13. Removal of difficulties.**

- If any difficulty arises in application of these Rules, the Administrative Department shall be competent to remove them.

### **14. Interpretation.**

- If any question arises as to the interpretation of any provision contained in these Rules, the Administrative Department shall be competent to interpret and their decision shall be final and binding on all the parties.