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GOVERNMENT OF SIKKIM  
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT  
GANGTOK

No. 27/2013-14/W & C A A

Dated: 12.05.2013

**NOTIFICATION**

**RULES GOVERNING COMPOSITION AND FUNCTIONS OF THE STATE SOCIAL WELFARE ADVISORY BOARDS**

**1. Short Title**

These Rules may be called the 'Rules of the State Social Welfare Boards'.

**2. Definitions**

- i. "Board" means the "State Social Welfare Board".
- ii. "State Board" means the "State Social Welfare Board".
- iii. "Chairperson" means the "Chairperson of the State Social Welfare Board".
- iv. "Government" means the "State Government/Union Territory".
- v. "Member" means a "Member of the Board including the Chairperson".
- vi. "Secretary" means the "Secretary of the State Social Welfare Board".

**3. Composition of the State Board**

- i. The Board shall consist of such members as may be decided by State Social Welfare Board.
- ii. The Chairperson of the Board shall be an eminent women social worker. Elected representative and person holding office of profit will be eligible for the post of the Chairperson.
- iii. There shall normally be one (1) social worker as member to represent each major district in the State. In addition, a representative of the University, Deptt. or school of Social Work, officials representing Departments dealing with Health, Social Welfare/Women's Welfare, Education, Community Development etc. and one woman representative from State Legislature, shall be nominated by the State Government. The upper limit of the total number of non-official members shall be fixed by State Social Welfare Board.
- iv. The notification for the constitution of the State Board shall be issued by the concerned State Government in consultation with State Social Welfare Board.

v. a. The Chairperson of the State Board will be selected by the Chairperson of Central Social Welfare Board in consultation with the concerned State Government.

b. Before the expiry of the tenure of an incumbent Chairperson of the State Board, the State Government should send a panel of 3 names, along with bio-data of the individuals to the Central Board for the latter's concurrence for appointment of the Chairperson. If no nomination for appointment/proposal for extension of tenure is received from the State Government till the date of expiry of the term of the Chairperson of the State Board, the Central Social Welfare Board shall take a decision for extending the tenure or making a fresh appointment. State Government/Union Territory will not make an interim administrative arrangement unilaterally.

In case there is no response from the State Government, the Chairperson, Central Social Welfare Board shall suo-moto appoint a Chairperson/Officer-in-Charge.

c. A State Board Chairperson shall not hold office for more than 2 consecutive terms, each of 3 years duration. The members of the State Board shall also not hold office for more than 2 consecutive terms.

d. In case the Board is not reconstituted after expiry of its term due to one reason or other, Central Social Welfare Board will appoint an Officer-in-charge through an Administrative Order as a stop-gap arrangement to discharge the duties of the Chairperson till a regular Chairperson is appointed.

vi. Half of the non-official members excluding the Chairperson shall be nominated by the Central Welfare Board and the other half by the State Government.

vii. a. Normally the full Board should be constituted before expiry of the term of previous Board. If full State Board is not constituted, along with the appointment of the Chairperson of State Board, the Board will function along with the ex-officio member as mentioned in clause 3(iii). Selection and notification of the non-official members should be completed within a period of three months from the expiry of the term of the previous Board.

b. In case of undue delay in the selection of non-official nominees of the State Government, State Government shall issue notification of Central Board nominees. If State Government fails to do so, Central Board will issue an administrative order for appointment of Central Board nominees on the reconstituted State Board.

viii. The State Board can be dissolved/superseded or the Chairperson or any member can be removed from her Office for specified reasons with the

mutual consent of the Central Board, and the State Government concerned. The term of the Chairperson, State Social Welfare Board, should not be terminated except for the following reasons:-

If she is:-

- 1) Of unsound mind
- 2) Convicted or sentenced to imprisonment for an offence which involves moral turpitude
- 3) Declared Insolvent
- 4) Person who refuses to discharge her duties or becomes incapable of discharging her duties
- 5) Absent from three consecutive meetings of the Board and
- 6) Having such conduct due to which continuance in office becomes detrimental in public interest.

Xi. In case the Chairperson of the State Board is consenting any election (Assembly or Loksabha), she will have to resign from the post of the Chairperson in administrative grounds.

4. **Office-Bearers of the Board**

The Office-bearers of the State Board shall be the Chairperson & Member Secretary, who will be the Secretary of the State Board. They shall reside in the headquarter of the State Board.

5. **Membership Roll**

The Board shall keep a roll of the members and every member of the Board shall sign the roll stating therein his/her occupation and address. If a member changes his/her address, he/she shall notify the new address to the Secretary of the Board who shall there upon enter the new address in the roll of members but if he/she fails to notify the new address, the address in roll of members to be deemed to be his/her address.

6. **Duration of membership**

- 1). All members shall hold office for the period for which the Board is constituted.
- 2). When a person is nominated as a member by virtue of his/her office, his/her membership of the Board shall be terminated when he/she ceases to hold that office of appointment.
- 3). A member shall cease to hold office if he/she resigns or is of unsound mind, insolvent or convicted of a criminal offence involving moral turpitude.
- 4). A member who does not attend three (3) consecutive meetings of the Board without any valid reason shall cease to be a member of the Board.
- 5). Any member may resign his/her membership and such resignation of membership shall be addressed to the Chairperson of

