

detrimental to the interests of backward classes or the public interest;

Provided that no person shall be removed unless and until that person has been given an opportunity of being heard in the matter.

- (d) A vacancy caused under clause (b) or otherwise shall be filled by fresh nomination.
- (e) The salaries and allowances payable to and the other terms and conditions of service of the Chairperson and other members shall be such as may be prescribed by the Administration.

4. Officers And Other Employees Of the Commission

- (a) The Administration shall provide the Commission with such officers and subordinate employees and assessors as may be necessary for the efficient performance of the functions of the Commission.
- (b) The salaries and allowances payable to and the other terms and conditions of service of the officers and subordinate employees and assessors appointed for the purpose of the Commission shall be such as may be prescribed by the Administration.

5. Salaries And Allowances To Be Paid Out Of Grants

The salaries and allowances payable to the Chairperson and Members and other administrative expenses, including salaries, allowances and pensions payable to the officers and other employees including assessors shall be paid out of the grants referred to in sub-clause (a) of clause 11 hereinafter.

6. Vacancies Etc. Not To Invalidate Proceedings Of The Commission

No act or proceeding of the Commission shall be invalid on the ground merely of the existence of any vacancy or defect in the constitution of the Commission.

7. Procedure To Be Regulated By The Commission

- (a) The Commission shall regulate its own procedure.
- (b) The Commission shall have its headquarters at Port Blair but may meet as and when necessary at such place (s) within the Union territory of Andaman and Nicobar Islands and time as the Chairperson may deem fit.
- (c) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Commission in this behalf.

8. Functions Of The Commission

(a) The Commission shall identify other backward classes in respect of the Union territory of Andaman & Nicobar Islands and examine requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the Administration as it deems appropriate.

(b) The advice of the Commission shall ordinarily be final and binding upon the Administration.

9. Powers Of The Commission

The Commission shall, while performing its functions under sub-clause (a) of clause (8) above, have all the powers of a civil court trying a suit and in particular, in respect of the following matters, namely;

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

10. Periodic Revision Of Lists By The Administration

(a) The Administration may, at any time, and shall, at the expiration of ten years from the date of publication of this Notification in the Official Gazette and every succeeding period of ten years thereafter, undertake revision of the lists with a view to excluding from such lists those classes which have ceased to be backward or for including in such lists any new backward classes they deem fit for inclusion.

(b) The Administration shall, while undertaking any revision referred to in sub-clause (a) above, consult the Commission.

11. Grants By The Administration

(a) The Administration shall pay to the Commission by way of grants, such sums of money as the Administration deem fit for being utilised for the purpose of this Commission.

(b) The Commission may spend such sum as it deems fit for performing its functions and such sums shall be treated as expenditure payable out of the grants referred to in sub-clause (a) above.