

Suo Moto Disclosure of Information u/s 4(1) (b) of the RTI Act, 2005

The relevant information under Section 4(1) (b) in respect of the West Bengal Commission for Backward Classes is given below:-

Particulars of the organization, functions and duties of the Commission:

Name of the Public Authority . West Bengal Commission for Backward Classes.

Address: Tantuja Bhawan 7th floor, DD-18/4, Sector-I, Salt Lake City, Kolkata - 700064.

Website: www.wcbcb.gov.in

Email: mwbcbcb@yahoo.co.in

Contact No. Tele: (033)2334-3838/2337-9634

Formation: 'The West Bengal Commission for Backward Classes' was constituted vide Notification No. 427-L dated 15.03.1993 by enacting the West Bengal Commission for Backward Classes Act, 1993 published in the Calcutta Gazette on 15th March, 1993. This Act was as per advice of Government of India following the judgment delivered by the Hon'ble Supreme Court in the case of *Indra Sawhny etc. Vs. Union of India and Others*. The powers for enactment of such Act were derived from Article 340 of the Constitution of India. The powers and functions of the Commission have been vested as per the provisions of the West Bengal Commission for Backward Classes Act, 1993 as amended from time to time.

Constitution: In terms of Section 3(2) under CHAPTER II of the Act the Commission consist of five members; the Chairperson, who is or has been a Judge of the High Court; a Social Scientist; two persons who have special knowledge in matters relating to backward classes and a Member Secretary nominated by the Government of West Bengal. In terms of Section 2(1) (a) of the West Bengal Commission for Backward Classes (Amendment) Act, 2005 (Amendment of Section 4 of the Act of 1993) every Member other than the Member Secretary holds office for a term of three years from the date he assumes office. In terms of Section 2(b) of the West Bengal Commission for Backward Classes (Amendment) Act, 2015 (Amendment of Section 4 of the Act of 1993), the Member Secretary holds office for a term of five years from the date he assumes office or until he attains the age of sixty-five years, whichever is earlier.

Jurisdiction: The jurisdiction of the Commission extends to the whole of West Bengal.

Functions of the Commission: In terms of Section 9(1) (a) of the West Bengal Commission for Backward Classes (Amendment) Act, 2010 (Substitution for Section 9 under Chapter III of the Act of 1993) the Commission examines requests in prescribed proforma for inclusion of any class of citizens in the List of 'Other Backward Classes' of West Bengal and hear complaints of over-inclusion or under-inclusion of any backward class in such list and tender advice to the State Government as deemed appropriate.

In terms of Section 9(2) of the West Bengal Commission for Backward Classes (Amendment) Act, 2010 the Commission considers any reference from the State Government regarding inclusion of any class of citizens as a backward class in the list or deletion of any backward class therefrom.

The Commission on request from State Government also examines the social and educational conditions and problems incidental thereto of any class of citizens belonging to the backward classes within the territory of West Bengal and, in terms of Section 9(3) of the said Amendment Act of 2010 and advises the State Government. The advice of the Commission is ordinarily binding upon the State Government. Generally one/two meetings of the Commission are held in a month and hearings are held as and when required. *In situ* hearings are also held as considered necessary by the Commission.

Powers of the Commission: In terms of Sec.10 of the Act the Commission with the powers of a civil court trying a suit summon and enforce the attendance of any person from any part of India and examine him on oath, require the discovery and production of any document, receive evidence on affidavits, requisition any public record or copy thereof from any court or office, issue commissions for the examination of witness and documents and any other matter which may be prescribed.

Former Chairpersons of the Commission since inception:

1. Justice (Retd.) A. N. Sen Former Judge, Supreme Court of India.
(From 24.12.1993 to 23.12.1999)
2. Justice (Retd.) G. N. Roy Former Judge, High Court, Calcutta.
(From 20.01.2000 to 19.01.2003)
3. Justice (Retd.) Malay Sengupta Former Judge, High Court, Calcutta.
(From 29.09.2003 to 08.07.2013) and
(From 25.09.2014 to 24.09.2017)

Present composition of the Commission:

1. Justice (Retd.) Ashim Kumar Banerjee, Former Judge, Calcutta High Court — Chairman.
(Assumed Charge on 03.11.2017- Present)
2. Shri Malay Krishna De - Member (Assumed charge on 03.11.2017- Present)
3. Shri Anindya Kr. Kar, WBCS (Exe) - Member Secretary (Addl. Charge)
(took charge on 18.04.2022- Present)
4. Smt. Asima Patra, M.L.A. Member (Assumed charge on 30.03.2022- Present)
5. Shri Paresh Murmu, M.L.A. Member (Assumed charge on 30.03.2022- Present)

Procedure for getting identified as OBC: Any class of citizen who wants to be recognized by the Government of West Bengal as a 'Backward Class' needs to apply to the Commission in the prescribed proforma detailing out the socio economic and educational features of that class for consideration by the Commission. The prescribed proforma is available in the *website* of the Backward Classes Welfare Department (www.anagrasarkalyan.gov.in) and the *website* of the Commission (www.wbcbc.gov.in). The Commission studies the features of the classes, gets their social, educational and economic status studied by the Cultural Research Institute, Govt. of West Bengal and holds hearings before taking a decision as to whether the class can be recommended/ recognized as a Backward Class for the State of West Bengal. In the process, if found eligible the Commission recommends to the State Govt. in B.C.W. Department for inclusion of a particular class in the list of O.B.C. of West Bengal. Thereafter, the Govt. of West

Bengal in BCW Department declares the said class as OBC of West Bengal following the procedures viz., policy of the State Govt. and Cabinet decision on the issue.

The Present Strength against the sanctioned posts of this Commission is as follows:

Sl. No	Name of Post	Number of Posts Sanctioned	Number of Posts filled	Remarks
1.	Member Secretary	1	1	Special Secretary, BCW Department in Additional Charge
2	Assistant Secretary	1	1	
3.	Officer on Special Duty	1	1	
4.	P.A.	3	2 (1 vacant)	
5.	U.D. Assistant	2	2	
6.	L.D. Assistant	2	NIL	
7.	Data Entry Operator	1	1	
8.	Group-D	4	2 (2 vacant)	

Powers and Duties of the officers and employees of this Commission:

Sl. No.	Designation	Powers and Duties
1.	Member Secretary	Overall supervision of all administrative work, maintaining liaison with State Government.
2.	Assistant Secretary	Administrative works under supervision of the Member Secretary and the works of First Appellate Authority i.r.o. RTI Act.
3.	Officer on Special Duty & D.D.O	To supervised staff and establishment related matters, the works of D.D.O and SPIO.
4.	P.A.	Usual works as and when directed by Chairman and Member Secretary
5.	U.D. Assistant	Dealing all works of establishment as assigned by the Commission
6.	L.D. Assistant	Dealing all works of establishment as assigned by the Commission
7.	Data Entry Operator	Data base entry and typing
8.	Group -D	Usual works of Group D employees

Directory of the Chairman , Member Secretary and the Officers and employees of West Bengal Commission for Backward Classes is given below:

Sl. No.	Name & Designation	Telephone No.	Email ID
1.	Justice (Retd.) Shri Ashim Kumar Bannerjee, Chairman	(033) 2334 3872	mwbcbc@yahoo.co.in
2.	Shri Anindya Kumar Kar, WBCS(Exe.), Member Secretary	(033) 2334 3838	mwbcbc@yahoo.co.in
3.	Office of WBCBC	(033) 2337 9634 / (033) 2337 9635	mwbcbc@yahoo.co.in

Details of Remuneration of officers and employees:**The Scale of pay of the officers and employees of WBCBC are as under:**

Sl. No.	Designation of the posts	Pay Scale of the post
1.	Member Secretary	Does not draw salary from WBCBC
2.	Assistant Secretary	Pay Matrix level 17 under ROPA, 2019
3.	Officer on Special Duty	Pay Matrix level 16 under ROPA, 2019
4.	P.A.	Consolidated remuneration
5.	P.A. to the Chairman	Does not draw salary from WBCBC
6.	U.D. Assistant	Pay Matrix level 9 under ROPA, 2019 (Presently vacant)
7.	L.D. Assistant	Pay Matrix level 6 under ROPA, 2019 (Presently vacant)
8.	Data Entry Operator	Consolidated remuneration
9.	Group D	Pay Matrix level 4 And level 1 under ROPA, 2019

Net Grant Statements of this Commission for the F.Y. 2021-22 and 2022-23 are as under:**Net Grant Statement for the F.Y. 2021-22:**

Sl. No.	Head of Account	Original Grant in Budget (T)	Supplementary	Allotment Received during April '21 to March'22 of 2021-2022 (T)	Actual Expenses during April'21 to March'22 of 2021-22 (T)
	i	ii	iii	iv	v
1.	07-2225-80-800-007-36-00-V	44,06,834		44,06,834	50,58,934
2.	07-2225-80-800-007-31-02-V	32,90,584		32,90,584	15,23,746

Net Grant Statement for the F.Y. 2022-23:

Sl. No.	Head of Account	Original Grant in Budget (T)	Supplementary	Allotment Received during April '22 to March'23 of 2022-2023 (T)	Actual Expenses during April'22 to March'23 of 2022-23 (T)
	i	ii	iii	iv	v
1.	07-2225-80-800-007-36-00-V	42,77,000		44,15,262	48,32,997
2.	07-2225-80-800-007-31-02-V	57,89,000		25,90,540	31,92,750

Budget Provision for the financial Year 2023-24:

Sl. No.	Head of Account	Budget Provision (T)
	i	ii
1.	07-2225-80-800-007-36-00-V	48,01,115
2.	07-2225-80-800-007-31-02-V	32,07,640