

REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, WEDNESDAY, SEPTEMBER 7, 2022

PART I

Acts, Ordinances, President's Orders and Regulations

LAW AND PROSECUTION DEPARTMENT
GILGIT-BALTISTAN SECRETARIAT

Gilgit, the 15th August, 2022

The Gilgit-Baltistan Commission on the Status of Women Act, 2022

(ACT NO. III OF GBA 2022)

AN

ACT

*To provide for the constitution of the Commission on the Status of Women in
Gilgit-Baltistan*

No. ALA-1(1)/2022-GBA.—WHEREAS it is expedient to set up the Commission on the Status of Women in Gilgit-Baltistan for the promotion of social, political, economic, and legal rights of women, as provided in the Gilgit-Baltistan Order, 2018, and to give it an autonomous status for effective performance, efficiency, and responsive to provide effective services for promoting women rights and eliminate all forms of discrimination against women for matters connected therewith and ancillary thereto;

(1083)

Price: Rs. 40.00

[9288(2022)/Ex. Gaz.].

CHAPTER-I

PRELIMINARY

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**— (i) This Act may be called the Gilgit-Baltistan Commission on the Status of Women Act, 2022.

(ii) It shall extend to the whole of Gilgit-Baltistan.

(iii) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

- (a) “**Chairperson**” means Chairperson of the Commission as appointed under section 5;
- (b) “**Commission**” means the Gilgit-Baltistan Commission on the Status of Women established under section 3;
- (c) “**Executive Committee**” means an executive committee shall be established under section 11;
- (d) “**Fund**” means the commission fund under section 12;
- (e) “**girl**” means a girl who is below eighteen years of age;
- (f) “**Government**” means the Government of Gilgit-Baltistan;
- (g) “**Member**” means the member of the Commission under section 4;
- (h) “**prescribed**” means prescribed by rules and regulations under this Act;
- (i) “**regulations**” means regulations made under section 21;
- (j) “**rules**” means rules made under this Act under section 20;
- (k) “**Secretary**” means Secretary of the Commission as appointed under section 7;
- (l) “**Selection Committee**” means a selection Committee established under section 5;
- (m) “**Woman**” means a female of eighteen years or above;

CHAPTER-II

THE COMMISSION

3. **Constitution of the Commission.**—(i) As soon as after the commencement of this Act, Government shall, by notification in the Official Gazette constitute a Commission shall be known as “The Gilgit-Baltistan Commission on the Status of Women”.

(ii) The Commission shall have a permanent Secretariat in Gilgit.

(iii) Commission shall exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

(iv) The Commission shall be a body corporate having perpetual succession and a common seal with powers, among others to acquire, hold and dispose of any property and shall sue and be sued by the said name.

4. **Composition of the Commission.**—The Members of the Commission shall include—

- (a) Secretaries to the Government, Social Welfare, Home, Law, Finance Health, Education Planning and Development Department.
- (b) The Speaker of the Assembly shall nominate three female members of Gilgit-Baltistan Assembly preferably one from each Division;
- (c) Deputy Director/ Director General/ Director, Women Development Department;
- (d) a representative from Human Rights Commission of Pakistan;
- (e) two representatives from NGO, working on the empowerment and welfare of women; and who shall be appointed by the Government; and
- (f) two members with expertise in gender and development, law and social sector and academia from the civil society and at least one shall be female, having experience of more than twelve years in social services, and with at least M.phil degree and who shall be appointed by the government.
- (g) Four Members from the civil society shall be appointed by the Government and at least two shall be females;

- (h) One representative from persons with disabilities, working on empowerment and welfare of women; who shall be appointed by the Government.

5. Appointment of the Chairperson.—(i) The Government shall appoint the Chairperson who shall be a woman on the recommendation of a Selection Committee headed by the Chief Secretary of the Government and consisting of the following:

- (a) two female members of the Gilgit-Baltistan Assembly, each nominated by the Government and the Leader of the Opposition of the Assembly;
- (b) Secretaries to the Government; Social Welfare, Home, Law, Finance, Planning and Development Department or their representatives not below the rank of BPS-19.

(ii) The Chairperson shall have a status equal to BPS-20 officer of the Government;

(iii) The Chairperson shall be a full-time officer of the Commission.

(iv) The Chairperson of the Commission shall give policy vision to the Commission for achieving the purposes of the Commission and shall have executive authority over the management of the affairs of the Commission;

(v) The Chairperson shall be the chief executive of the Commission and shall be responsible for the effective conduct of the business and discharge of functions of the Commission.

6. Terms and conditions as applicable to the Chairperson and members.—(i) The salary and other allowances payable to and terms and conditions of service of members and Chairperson, shall be such as prescribed by the Government:

(ii) The membership of the Members and the Chairperson in case of the resignation, death, or disqualification or fails to attend three consecutive meetings without sufficient cause or any other reasons shall cease or fall vacant. Any such vacancy shall be filled in within one month and the new member shall hold office for the remainder of the term of his/her predecessor;

(iii) The term of the office of the Members including the Chairperson shall be of three years which may be extended for a further period of three years unless she/ he resigns earlier or based on disqualification under this Act;

(iv) The Chairperson and members of the Commission should know laws especially related to women and capable to apprehend social, economic, and

legal problems faced by women and may have such other qualifications as Government may be prescribed;

(v) No person shall be appointed or remain as a member of the Commission if she /he;

- (a) is of unsound mind;
- (b) has applied to be adjudicated as an insolvent and incase her/his application is pending;
- (c) has been convicted by a Court of law for an offense;
- (d) has been debarred from holding any office under any provision of law for the time being in force; and
- (e) has a conflict of interest with such position:

Provided that no person shall be removed from the office under this clause until he/ she has been given a reasonable opportunity of being heard.

Explanation.— For the purpose of this clause, conflict of interest means the financial benefit or a liability accruing to the public office holder or his family due to his official position.

7. Secretary of the Commission.—(i) There shall be a Secretariat of the Commission headed by the Secretary with complement officers and supporting staff as may be prescribed by the government;

(ii) The Secretary of the Commission shall be a government officer of rank BPS- 19 from OMS/DMS/LAS.

(iii) The Secretary on the instructions of the Commission shall prepare a draft three years strategic plan, the Annual Work Plan, and Budget;

(iv) The Secretary shall perform such functions and exercise such powers as may be prescribed by regulation or delegated to him by the Commission and shall;

- (a) Act as the Principal Accounting Officer of the Commission;
- (b) Delegate all or any of his powers under this Act or rules made thereunder to any officer of the Commission for a specific purpose.

The Secretary while acting with reference to conducting meetings of the Commission shall be responsible for:

- (a) Convening of meetings of the Commission with the approval of the Chairperson;
- (b) The preparation of the agenda, working paper, and its distribution among the members of the Commission;
- (c) Recording the minutes of each meeting of the Commission and its prompt dispatch to the concerned quarters;
- (d) Implement decisions of the Commission; and
- (e) Proper follow-up of all matters connected with or arising out of a meeting of the Commission.

(v) Without prejudice to the generality of the foregoing, the Secretary shall function under the supervision and control of the Commission and shall undertake responsibilities and duties as are entrusted to him by the Commission for purposes of this Act.

CHAPTER-III

POWERS AND FUNCTIONS OF THE COMMISSION

8. Functions of the Commission.— (i) The Commission shall,-

- (a) examine the policy, programs, projects, and other measures taken or to be taken by Government, for gender equality and empowerment to assess implementation and make suitable recommendations to the concerned authorities, where considered necessary for effective impact;
- (b) review laws, rules, and regulations affecting the status and rights of women and suggest repeal, amendments, or new legislations essential to eliminate discrimination, safeguard and promote the interests of women and achieve gender equality in accordance with the Government of Gilgit-Baltistan Order, 2018 and obligations under the International covenants and commitments;
- (c) monitor the mechanism and institutional procedures for redressal of violation of women's rights, individual grievances, and facilities for social care, and undertake initiative for better management and efficient provision of justice and social services through the concerned forums and authorities;

- (d) examine and review policies and plans of each department to ensure that they address gender concerns adequately;
 - (e) sponsor, steer, encourage research to generate information, analysis, and studies and maintain a database relating to women and gender issues to provide knowledge and awareness for government policy and strategic action for women empowerment;
 - (f) develop and maintain interaction and dialogue with non-governmental organizations, experts, and individuals in society and an active association with similar commissions and institutions in other provinces for collaboration and action to achieve gender equality in Gilgit-Baltistan.
- (ii) The Commission may;
- (a) inspect jail, sub-jail, or other places of custody where women and girls are kept and to make appropriate recommendations to the authorities concerned;
 - (b) act for advocacy, lobbying, coalition building, networking and as a catalyst for the promotion of the cause of women to facilitate their participation in all spheres of life including legal, social, and political empowerment;
 - (c) coordinate with the National Commission on the Status of Women and other Provincial Commissions or any other relevant body;
 - (d) monitor mechanisms and institutional procedure for the redressal of violation of the women's rights;
 - (e) approve regulations required to be made under this Act;
 - (f) delegate such of their powers and functions to the officers of the Commission, as it may consider necessary for the efficient implementation of this Act;
 - (g) constitute sub-committees consisting of such of its members as it may deem fit and may refer to them any matter for consideration and report; and
 - (h) Perform any other function which may be assigned by the Government.

9. Meetings of the Commission.— (i) Meetings of the Commission shall be regulated in accordance with the procedure as may be prescribed by regulations;

(ii) Meetings of the Commission shall be held in each quarter of the year, at such time and place as the Chairperson may decide. The Chairperson may call additional meetings as and when required;

(iii) All meetings shall be chaired by the Chairperson or in her/his absence the members present shall elect from amongst themselves a member to preside the meeting;

(iv) The quorum for the meeting of the Commission shall not be less than two-third of the total strength of the Commission;

(v) The decision of the Commission shall be taken by the majority of the members present and, in case of a tie, the person presiding over the meeting shall have a casting vote. All orders, determinations and decisions of the Commission shall be reduced to writing together with a record of the discussions held in the meeting;

(vi) The Commission may Co-opt members belonging to the relevant expertise in relation to any matter under consideration of the Commission, who may take part in the discussion, but shall not be entitled to vote for or against the matter under discussion;

(vii) The Commission may invite a representative of any Government department, as it deems necessary to a meeting of the Commission provided that such a participant shall not have any right to vote; and

(viii) No Act or proceedings of the Commission shall be invalid merely by reason of any vacancy in or defect in the constitution of the Commission.

10. Executive Committee.—There shall be an executive committee of the Commission consisting of the Chairperson, Secretary and at least three other members at least two shall be female to be elected by the Commission, who shall be responsible for overseeing the implementation of the decisions and recommendations of the Commission.

11. Appointment of officers and other employees.—(i) The Commission may, appoint such officers, advisors, experts, consultants and employees, as it considers necessary for the efficient performance of its functions on such terms and conditions as may be prescribed by regulations;

(ii) The Commission may associate with it, in such a manner, on such terms and such purpose as it may deem fit, any person whose assistance or advice it may require in carrying out its functions under this Act;

CHAPTER-IV

FINANCIAL PROVISIONS

12. Fund.— (i) Government shall establish a Fund known as “Commission Fund”, which shall consist of:

- (a) grants paid by the Government for running the affairs of the Commission;
- (b) All grants, if any, made by the Federal Government, Provincial Governments or local bodies for the Commission; and
- (c) donations, if any, made by private individuals, national and international agencies for Commission.

(ii) Subject to the general supervision of the Government, the Commission Fund shall be administered by the Commission, which shall make such allocation for specific activities as it thinks necessary;

(iii) The Commission Fund shall be utilized for—

- (a) Performing functions of the Commission;
- (b) The establishment charges; and
- (c) The welfare and empowerment of women.

13. Custody and investment of funds.—The Commission may keep money in any treasury or a bank as per the Government of Gilgit-Baltistan laws/rules.

14. Budget and Accounts.—(i) The Secretary shall, in respect of each fiscal year, submit for approval of the Commission, by such date and in such manner as may be prescribed, a statement showing the estimated receipts, the current and developmental expenditures and the sum required, as grant-in-aid from the Federal Government and shall be submitted to Government by prescribed date; Provided that the Government may modify the said estimates to the extent of any Government fund or grant as it may consider necessary;

(ii) Accounts of the receipts and expenditure of the Commission shall be kept in such form as may be prescribed by the Government;

(iii) The Commission shall, on the close of each financial year, place before Government the annual statement of accounts and audited balance sheet, profit, loss account and the auditor's report, for the preceding financial year.

15. Audit of accounts.— (i) The accounts of the Commission shall be audited annually by the Auditor General of Gilgit-Baltistan.

(ii) the Government may prescribe a specific audit on the accounts of the commission.

CHAPTER-V

MISCELLANEOUS

16. **Annual report.**—The Commission shall prepare its Annual Report as may be prescribed by the rules in September, which shall be presented through the Women Development, Social Welfare Department to the Chief Minister. The annual report of the Commission shall include accounts, its performance, and utilization of funds.

17. **Assistance to the Commission.**—All Government executive authorities shall assist the Commission in the performance of its functions.

18. **Removal of difficulties.**—If any difficulty arises in giving effect to any provision of this Act, the Government may issue orders, not inconsistent with the provisions of this Act, or the rules made there under, for the removal of the difficulty.

19. **Indemnity.**—No suit, prosecution or legal proceeding shall lie against the Commission, the Chairperson or any other Member, Officer, Employees, Advisors, or Consultants of the Commission in respect of anything done in good faith or intended to be done under this Act or the Rules made there under or order made, or publication by or the authority of Government, Commission or any report, paper or proceedings.

20. **Power to make Rules.**—Government may by notification in the official Gazette, make rules for carrying out the purposes of this Act.

21. **Power to make Regulations.**—Government may by notification in the official Gazette, make regulations for carrying out the purposes of this Act.