

THE PUNJAB COMMISSION ON THE STATUS OF WOMEN ACT 2014
(Act I of 2014)

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[1] THE PUNJAB COMMISSION ON THE
STATUS OF WOMEN ACT 2014

(Act I of 2014)

[24 February 2014]

*An Act to provide for the establishment of
Punjab Commission on the Status of Women.*

Preamble.— Whereas it is expedient to establish Punjab Commission on the Status of Women for the empowerment of women, expansion of opportunities for socio-economic development of women and elimination of all forms of discrimination against women and for ancillary matters;

It is enacted as follows:-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.– (1) This Act may be cited as the Punjab Commission on the Status of Women Act 2014.

(2) It shall extend to the whole of the Punjab.

(3) It shall come into force at once.

2. Definitions.– In this Act–

(a) “Chairperson” means Chairperson of the Commission and includes acting Chairperson;

(b) “Commission” means Punjab Commission on the Status of Women established under the Act;

(c) “Executive Committee” means the Executive Committee of the Commission;

(d) “Fund” means the Punjab Commission on the Status of Women Fund established under the Act;

(e) “girl” means a female human being who has not attained the age of eighteen years;

(f) “Government” means Government of the Punjab;

(g) “member” means a member of the Commission;

(h) “prescribed” means prescribed by rules;

(i) “Secretary” means Secretary of the Commission; and

(j) “woman” means a female human being of eighteen years of age or above.

CHAPTER II

THE COMMISSION

3. Establishment of the Commission.– (1) The Government shall constitute a Commission to be known as ‘Punjab Commission on the Status of Women’.

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

(3) The Commission shall consist of–

(a) the Chairperson, who shall be a woman having experience for more than fifteen years of working on issues relating to women and their rights;

(b) one member from each Division of the Punjab, preferably women, but at least fifty percent members shall be women;

(c) one woman member who is a non-Muslim;

(d) Secretaries to the Government, Law and Parliamentary Affairs, Finance, Planning and Development, Home, and Women Development Departments or their representatives not below the rank of Additional Secretaries;

(e) President, Women Chamber of Commerce and Industries, Central and North Punjab for the first term of three years, followed by President, Women Chamber of Commerce and Industries, South Punjab for the second term of three years, and thereafter, in like order and for like term; and

(f) Secretary of the Commission.

4. Appointment of Chairperson.– (1) The Government shall appoint the Chairperson on the recommendations of a search committee headed by Chief Secretary of the Government and consisting of the following:-

(a) two female members of the Provincial Assembly of the Punjab, one each nominated by the Government and the Leader of Opposition in the Provincial Assembly; and

(b) Secretaries to the Government, Law and Parliamentary Affairs, Finance, Human Rights and Women Development Departments.

(2) The Chairperson shall be appointed on such terms and conditions as may be prescribed and, until prescribed, as the Government may determine.

^[2][(3) The Chairperson shall be a full-time officer of the Commission entitled to remuneration in management position scale-I (MP-I).]

(4) If the office of the Chairperson falls vacant owing to death, illness, resignation or otherwise, the Government shall appoint a woman member of the Commission to act as Chairperson for a period not exceeding three months or until the appointment of a new Chairperson, whichever is earlier.

^[3]**5. Appointment of members.**– (1) The Government shall, in consultation with the Chairperson, appoint members mentioned in clauses (b) and (c) of subsection (3) of section 3 in such manner and on such terms and conditions as may be prescribed and until so prescribed, as the Government may determine.

(2) A member appointed under subsection (1) shall not be less than thirty years of age and more than sixty five years of age, and shall have experience of working on issues relating to women rights.

(3) The Government shall, in consultation with the Chairperson, within thirty days of occurrence of a vacancy, appoint a member for the residual term of the outgoing member.]

6. Term of office.— (1) Subject to section 7, a person appointed as the Chairperson or a member, other than *ex officio* member, shall hold office for a term of three years from the date he enters upon the office but the Chairperson or a member shall not hold office for more than two terms.

(2) The Chairperson or a member, other than *ex officio* member, may resign by submitting the resignation to the Government.

7. Removal of Chairperson and members.— The Government may remove the Chairperson or a member, other than *ex officio* member, from the office if—

- (a) after proper inquiry, the Chairperson or the member is found guilty of misconduct; or
- (b) the Chairperson or the member is adjudged as an un-discharged insolvent;
- (c) the Chairperson or the member is unfit to continue in office by reason of being mentally or physically challenged and stands so declared by a medical board constituted by the Government; or
- (d) the Chairperson or the member has been sentenced to imprisonment for an offence involving moral turpitude.

8. Secretariat of the Commission.— (1) There shall be a Secretariat of the Commission headed by the Chairperson and consisting of the Secretary and such officers and support staff as may be prescribed and, until prescribed, as the Government may determine.

(2) The terms and conditions of appointment of employees of the Commission shall be such as may be prescribed and, until prescribed, as the Government may determine

(3) 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, and for the purpose, the administrative and financial authority of the Commission shall vest in the Chairperson.

(4) The Secretary shall be appointed in such manner as may be prescribed and until prescribed as the Government may determine.

(5) The Secretary shall perform such functions as may be prescribed or as may be assigned by the Commission or the Chairperson.

(6) The Secretary, under instructions of the Commission, shall prepare a draft three years' strategic plan, the annual work plan and budget of the Commission for approval of the Commission.

CHAPTER III FUNCTIONS OF THE COMMISSION

9. Functions of the Commission.— (1) The Commission shall—

- (a) examine the policy, programs and other measures taken by the Government to materialize gender equality, empowerment of women and their representation and political participation, assess implementation and make suitable recommendations to the concerned authorities;
- (b) review the Punjab laws, rules and regulations affecting the status and rights of women and suggest repeal, amendment or new legislation essential to eliminate discrimination, safeguard and promote the interest of women and achieve gender equality in accordance with the Constitution and obligations under national and international covenants and commitments;
- (c) sponsor, steer and encourage research to generate information, analysis and studies and maintain a database relating to women and gender issues to provide knowledge and awareness for provincial policy and strategic action for women empowerment;
- (d) 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 territories for collaboration and action to achieve gender equality at the provincial, national, regional and international level;
- (e) mobilize grants from provincial, national and international agency, including multi and bilateral agencies, approved by the Government, for meeting any of its obligations or performing its functions;
- (f) consider, approve and monitor implementation of the strategic plan, annual work plan and the annual budget;
- (g) facilitate and monitor implementation of instruments and obligations affecting women and girls to which Pakistan is a signatory, and advise the Government before ratification or accession to any such proposed international instrument, covenant, protocol or treaty; and

- (h) perform such other functions as are ancillary to the above functions or as the Government may assign or as may be prescribed.
- (2) The Commission may—
 - (a) seek and receive information, data and documents from any source or entity in the course of performance of its functions;
 - (b) inquire into any complaint of violation of women's rights and make appropriate recommendation for remedial action to the concerned agency or authority;
 - (c) call for information or report from any agency or authority of the Government, civil society organization or any autonomous body;
 - (d) exercise the powers vested in a civil court under the Code of Civil Procedure, 1908 (V of 1908) for enforcing the attendance of any person and compelling the production of documents;
 - (e) inspect any jail, sub-jail or other places of custody, where women and girls are kept, in accordance with relevant laws and rules and after prior permission of the Government and to make appropriate recommendations to the concerned authority or agency;
 - (f) act for advocacy, lobbying, coalition building, networking and as a catalyst for promotion of cause of women to facilitate their participation in all spheres of life including legal, economic, social and political empowerment;
 - (g) on the recommendation of the executive committee, fix an honorarium or remuneration of advisors, consultants and experts;
 - (h) monitor the mechanism and institutional procedure for redressal of violation of women's rights; and
 - (i) exercise any power ancillary to above powers or as may be prescribed.

10. Meetings of the Commission.— (1) The Commission shall hold at least four meetings in a year, not less than one in every quarter, on such dates and at such times as the Chairperson may determine.

(2) The Secretary, on the directions of the Chairperson, shall call a meeting of the Commission and shall maintain the minutes of each meeting in the manner prescribed.

(3) The Chairperson, or in case of absence of the Chairperson, a member elected by the members present in the meeting, shall chair a meeting of the Commission.

(4) The quorum for the meeting of the Commission shall be one-half of the total membership of the Commission.

(5) The decisions of the Commission shall be taken by the majority of the members present and voting but, in case of a tie, the Chairperson or the person presiding the meeting shall have a second vote.

(6) A decision of the Commission shall not be invalid merely for the reason of any vacancy or defect in the constitution of the Commission.

(7) All decisions of the Commission shall be authenticated by the signature of the Chairperson or the person who presided the meeting.

11. Committees.— (1) The Commission shall appoint an Executive Committee consisting of the Chairperson and three other members, of whom at least two shall be women.

(2) The Executive Committee shall be responsible to oversee the implementation of the decisions and recommendations of the Commission.

(3) The Commission may constitute such other committees from amongst its members as it deems fit and may refer to any such committee any matter for consideration and report.

(4) The Commission may, if it considers necessary, co-opt in a committee any person possessing special knowledge and expertise in the relevant subject.

(5) All committees of the Commission, except the Executive Committee, shall be constituted for a specified period.

CHAPTER IV FINANCIAL PROVISIONS

12. Fund.— (1) There shall be a Fund to be known as Punjab Commission on the Status of Women Fund, which shall vest in the Commission.

(2) The Fund shall consist of—

- (a) the grants-in-aid made by the Government;
- (b) donation made by any person, and any provincial, national and international agency;
- (c) income from investment by the Commission; and

(d) all other sums or properties which may in any manner become payable to or vest in the Commission.

(3) The Fund shall be spent for purposes of performance of duties and discharge of functions by the Commission, including expenses on the Secretariat.

(4) The Commission may invest its Fund or a part of it in the prescribed manner or in accordance with the instructions of the Government.

(5) The Chairperson shall be the principal accounting officer of the Commission.

13. Accounts and audit.— (1) The Commission shall maintain proper accounts and other relevant record and prepare an annual statement of accounts in such manner and form as may be prescribed.

(2) The accounts of the Commission shall be annually audited by the Auditor General of Pakistan.

(3) The Government may conduct or cause to be conducted a special audit of the accounts of the Commission.

(4) The Government shall lay the annual or special audit report of the Commission in the Provincial Assembly of the Punjab and shall comply with the directions of the Provincial Assembly on an audit report of the Commission.

CHAPTER V MISCELLANEOUS

14. Annual report of the Commission.— (1) In January each year, the Commission shall submit an annual report on performance of each one of its functions to the Government.

(2) The Government shall, at the earliest possible opportunity, lay the annual report of the Commission in Provincial Assembly of the Punjab.

15. Assistance to the Commission.— All Provincial executive authorities shall assist the Commission in the performance of its functions.

16. Indemnity.— No suit, prosecution or legal proceedings shall lie against the Commission, the Chairperson or any member, officer, employee, advisor or consultant of the Commission in respect of anything done in good faith under this Act or the rules or for any order made, publication of report by or under the authority of the Commission.

17. Members and officers to be public servants.— The Chairperson, a member and every officer or employee appointed under this Act or the rules shall be deemed to be a public servant within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

18. Delegation of powers.— The Commission may, subject to such conditions as it may specify, delegate any of its powers or functions to the Executive Committee or to any other committee or to the Chairperson, the Secretary or an officer of the Commission, except the functions of—

- (a) appointment of the Executive Committee or constitution of any other committee;
- (b) the approval of strategic plan, annual work plan, annual performance report and annual budget; and
- (c) recommendations relating to laws, rules, regulations or policies.

19. Powers to make rules.— The Government may, in consultation with the Commission and by notification in the official Gazette, make rules for purposes of giving effect to the provisions of this Act.

[1] This Act was passed by the Punjab Assembly on 12 February 2014; assented to by the Governor of the Punjab on 19 February 2014; and, was published in the Punjab Gazette (Extraordinary), dated 24 February 2014, pages 2641-45.

[2] Substituted by the Punjab Commission on the Status of Women (Amendment) Act 2016 (XXXI of 2016) for the following:
“(3) The Chairperson shall be a full-time officer of the Commission and shall have the status equivalent to BS-21 officer of the Government.”

[3] Substituted by the Punjab Commission on the Status of Women (Amendment) Act 2016 (XXXI of 2016) for the following:
“**5. Appointment of members.**— (1) The Government shall appoint members mentioned in clauses (b) and (c) of subsection (3) of section 3 in such manner and on such terms and conditions as may be prescribed and until so prescribed, as the Government may determine.
(2) A member appointed under subsection (1) shall not be less than thirty years of age or more than sixty-five years of age and shall have experience of working on issues relating to women and their rights.
(3) The Government shall, within thirty days of occurrence of a vacancy, appoint a member for the residual term of the outgoing member.”