

River Boards Rules, 1958

UNION OF INDIA

India

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Rule RIVER-BOARDS-RULES-1958 of 1958

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1583.

G.S.R. 813, dated the 27th August, 1958.- In exercise of the powers conferred by Section 28 of the River Boards Act, 1956 (49 of 1956), the Central Government hereby makes the following rules, namely :

Part I – Preliminary

1. Short title.-

These rules may be called the River Boards Rules, 1958.

2. Definitions.-

In these rules, unless the context otherwise requires,-(1)"the Act" means the River Boards Act, 1956 (49 of 1956);(2)"Government servant" means a person serving in connection with the affairs of the Union or of a State;(3)"section" means a section of the Act.

Part II – Salaries, Allowances And Conditions Of Service Of Members Of The Boards

3. Salaries.-

The Salaries of members shall be such as may be determined in each case by the Central Government.

4. Termination of services.-

The Central Government may, if it thinks fit, by order in writing, terminate the appointment of any members before the expiry of the term of his office: Provided that before issuing any such order, the Central Government shall, having regard to the circumstances of the case, give such notice not exceeding three months, to the person concerned, as it considers reasonable.

5. Leave and leave salaries.-

(1) Every whole-time member who is not a Government servant shall be entitled to leave and leave salary, on such terms and conditions as are admissible to temporary Central Government servants under the Revised Leave Rules, 1933. (2) The authority to grant leave to a member shall be the Central Government.

6. Travelling allowances.-

(1) Members shall be entitled to travelling allowances for journeys performed for the purposes of the Board, on the scale provided for under the Fundamental and Supplementary Rules applicable to the grade of officers to which the Central Government may declare them to correspond in status. (2) No journey shall be performed by a member for the purposes of the Board, outside the area of its operation, without its prior approval. (3) The Chairman shall be the controlling officer in respect of his own travelling allowance bills as well as those of other members.

7. Contributory Provident Fund.-

Whole-time members who are not- (i) Government servants ; or (ii) re-employed persons who are in receipt of any retirement benefit from Government in the form of pension or contributory provident fund, shall be entitled to the benefits of the contributory provident fund which may be established by the Board for its own officers : Provided that the Board's contribution to such fund shall not, at any time, exceed the rate at which the Central Government makes contribution to the contributory provident fund of its own employees.

8. Medical facilities.-

(1) Whole-time members shall be entitled to such medical facilities as are applicable to the grade of officers to which the Central Government may declare them to correspond in status. (2) The Chairman shall be the controlling officer in respect of his own medical bills as well as those of other members.

9. Conditions of service of members who are Government servants.-

The salaries, allowances and conditions of service of members who are Government servants shall, notwithstanding anything contained in rules 3 to 8 be such as may be determined in each case by the Central Government.

10. Salaries, allowances, etc. to be met from the Board's fund.-

The salaries, allowances and leave and other contributions of the members shall be met from the fund of the Board.

Part III – Matters In Respect Of Which The Board May Tender Advice To The Governments Interested

11. Matters on which Board may advise Government interested.-

The Board may tender advice to the Government interested in relation to the co-ordination of their activities with a view to achieving maximum results in respect of the measures undertaken by them in the inter-State river or river valley for the purpose of (a) promotion and operation of schemes for reclamation of land ; (b) operation and control of devices for distribution of river supplies according to the agreed share.

Part IV – Matters In Respect Of Which The Board May Require A Government Interested To Furnish Information

12. Power to call for information.-

For the purpose of efficiently performing its functions under the Act, within its area of operation, the Board may require any Government interested to furnish such information as the Board thinks fit in respect of the following matters, namely : (a) geological data in relation to the inter-State river or river valley within its area of operation; (b) the result of any research and investigations undertaken by the Governments interested or the Electricity Boards within the States concerned, with respect to the conservation, regulation or utilisation of water resources, such as water power generation, irrigation, navigation, flood control, soil conservation, geological examination, land use and connected structural and design features.

Part V – The Manner In Which The Central Government May Assist The Governments Interested To Execute Any Scheme Prepared By The Board.

13. Central Government's assistance to Governments interested.-

The Central Government may, on a request received in this behalf from any Government interested or otherwise, assist any Government interested in taking such steps as may be necessary for executing any scheme prepared by the Board, including the following steps, namely: (a) the grant of such financial assistance as the Central Government thinks fit; (b) the provision of experienced personnel; (c) the grant of facilities for carrying the research and investigations in regard to the various aspects of the conservation, regulation or utilization of water resources, such as water power generation, irrigation, navigation, flood control, soil conservation, land use and connected structural and design features; (d) endeavours to bring the parties together for joint consultation where there is a difference of opinion between the Government interested regarding the manner of execution of any scheme or schemes prepared by the Board.

Part VI – The Form In Which, And The Time Within Which The Budget And Annual Report Of The Board May Be Prepared And Forwarded To The Central Government And The Governments Interested

14. Form of budget.-

The Board shall prepare and submit to the Central Government and the Government interested, not later than the 1st day of October each year, a budget in the form specified in Annexure 'A' in respect of the financial year next ensuing, showing its estimated receipts and expenditure.

15. Supplementary budget.-

The Board shall also prepare and submit to the Central Government and the Governments interested, a supplementary budget, where necessary, in respect of the financial year to which it relates, in the form specified in Annexure 'A' before such date as may be specified by the Central Government.

16. Submission of annual report.-

(1) The Board shall, as soon as possible, after the end of the financial year but not later than the 30th day of September in the next year ensuing, prepare and submit to the Central Government and the Governments interested an annual report giving a true and faithful account of its activities during the said financial year. (2) In particular, the annual report referred to in sub-rule (1) shall contain information in respect of each of the following matters, namely: (a) the names of members and chief officers of the Board and a chart showing its organisational set-up; (b) the functions which the Board has been empowered by the Central Government to perform under Section 14, and the functions of each branch; (c) a map indicating the area of operation of the Board, and the places therein where the reservoirs, dams or other works relating to schemes prepared by it, are to be located; (d) a gist of the

advice tendered by the Board to the Government interested in respect of the measures, if any, undertaken by them, for the development of the inter-State river or river valley;(e)particulars of the schemes prepared or proposed to be prepared by the Board.(f)the extent to which the schemes prepared by the Board have been accepted by the Central Government and the Governments interested ;(g)the financial assistance received by the Board from the Central Government and the Governments interested;(h)the activities of every advisory committee appointed by the Board under Section 10;(i)the matters in dispute referred to arbitration under Section 22, and the decision, if any of the arbitrator in respect of each matter;(j)an annual statement of the accounts of the Board, as submitted to the Central Government and the Governments interested, in the form specified in Annexure 'B'.

Part VII – The Form And Manner In Which The Account Of The Board May Be Maintained, And The Manner In Which Such Accounts May Be Audited.

17. Annual statement of accounts.-

(1)The Board shall cause proper accounts and other records in relation thereto, to be maintained in such forms as may be specified by the Central Government in consultation with the Comptroller and Auditor-General of India.(2)The Board shall also prepare an annual statement of accounts in the form specified in Annexure 'B' and shall submit it to the Central Government and the Governments interested.(3)Such statement shall be published in the Official Gazette as soon as possible after submission under sub-rule (2).

18. Audit of accounts.-

(1)The accounts of the Board shall be audited by the Comptroller and Auditor-General of India or by such person as he may authorise in this behalf; and any expenditure incurred by him in connection with such audit shall be payable by the Board from its fund to the Comptroller and Auditor General of India.(2)The Comptroller and Auditor-General of India or any person authorised by him under this rule shall audit the accounts of the Board in the same manner as the Comptroller and Auditor-General of India does in connection with the audit of the Government accounts; and any books, documents, vouchers and papers which the person conducting the audit may require for this purpose shall be furnished to him by the Board.(3)The accounts of the Board as certified by the Comptroller and Auditor-General of India or any person authorised by him in this behalf, together with the audit report thereon, shall be forwarded annually the Central Government.

Part VIII – The Form And Manner In Which A Dispute May Be Referred To Arbitration Under The Act

19. Application.-

Where any Government interested desires to refer under sub-section (1) a Section 22 any matter in dispute between it and any other Government interested, to an arbitrator, it shall address a letter in writing, in triplicate, signed by its Secretary, to the Secretary to the Government of India, Ministry of Irrigation and Power, New Delhi; and such letter shall, unless delivered personally, be sent by registered post.(2)Such letter shall contain information on the following points, namely :-(a)the parties to the dispute or difference;(b)the specific matters in issue between them ; and(c)the efforts, if any, made by the parties themselves to settle the matter in dispute.

20. Arbitrator's appointment to be notified.-

Where an arbitrator is appointed under the Act, such appointment shall be notified by the Central Government in the Official Gazette.

Part IX – Procedure To Be Followed In Arbitration Proceedings

21. Notice to parties to nominate representatives.-

The arbitrator shall, for the purpose of the proceedings before him, require the parties to the dispute, in the form set out in Annexure 'C', to nominate, within a specified time, persons to present their case before him.

22. Procedure if representatives are not nominated.-

Where any party to the proceedings before an arbitrator fails to nominate any representative to present its case before the arbitrator or where the representative so nominated does not appear before the arbitrator, he may proceed as if such party had been represented.

23. Production of documents.-

An arbitrator may require any party to the dispute, in the form set out in Annexure 'D', to produce before him any books, papers or other documents or things in the possession of or under the control of the party in any way relating to the matter under arbitration, which the arbitrator thinks necessary for the purposes of living his decision.

24. Serving of notice or order.-

Any notice or order issued by the arbitrator may be served either personally or by registered post.

25. Procedure at commencement of proceedings.-

At the commencement of the proceedings before the arbitrator, each of the parties shall state its case in such order as the arbitrator thinks fit.

26. Examination by representatives.-

Any representative of a party appearing before the arbitrator may examine cross-examine and re-examine any person, other than a representative of a party, appearing before an arbitrator, and may address the arbitrator in regard to the matter in dispute in such order as the arbitrator thinks fit, after each party to the dispute has presented its case before him.

27. Assessors.-

Where the arbitrator appoints assessors to assist him in the proceedings before him, he shall obtain the advice of such assessors; but such advice shall not be binding on him.

28. Fees.-

Where the arbitrator as assessor is not a serving Judge of the Supreme Court or a High Court, or a salaried officer of the Government, he may be granted such fees as may be sanctioned by the Central Government, in consultation with the Chief Justice of India in the case of an arbitrator, and in consultation with the arbitrator in the case of an assessor.

29. Decisions to be made as early as possible.-

The arbitrator shall give his decision on the matters referred to him within as short a time as maybe practicable in the circumstances of the case.

Part X – The Manner Of Recruitment Of The Officer Of The Board And The Terms And Conditions Of Service Of Such Officers.

30. Appointing authority.-

All appointments to the posts of officers under the Board shall be made by it, whether by direct recruitment, promotion or otherwise :Provided that no appointment to any post, the maximum salary of which exceeds Rs. 500 a month, shall be made without the previous sanction of the Central Government.

31. Creation and abolition of posts.-

The Board may create and abolish (a) posts carrying a maximum salary not exceeding Rs. 500 a month ; and (b) all other posts with the previous sanction of the Central Government.

32. Direction by Central Government to Board.-

The Centred Government may from time to time issue directions to the Board as to the percentages of posts to be filled by direct recruitment and by promotion, and the Board shall comply with such directions while making appointments.

33. Filling of posts by direct recruitment.-

(1) Vacancies to be filled by direct recruitment shall, unless filled by officers, deputed by State Government or the Central Government, be advertised or notified to the Regional Employment Exchange concerned. (2) A statement showing all the nominations received from the Central and State Government, the applications received from candidates and the recommendations made by the Regional Employment Exchange, shall be placed before the Board for its consideration before any vacancy is filled.

34. Filling of posts of promotion.-

In respect of vacancies to be filled by promotion, the Board shall consider the cases of all eligible officers.

35. Postings and transfers.-

Postings and transfers of officers of the Board shall be made by the Chairman thereof, or by such officer of the Board as the Board may authorise in this behalf, subject to such conditions, if any, as it thinks fit.

36. Pay, leave and allowances.-

(1) The pay, leave and allowances of officers of the Board, including officers, on contract, shall, so far as possible, be regulated by such rules and orders as are applicable, from time to time, to the grade of temporary Central Government officers to which the Central Government may declare them to correspond in status. (2) The powers of a Head of Department under the Central Government in respect of the rules and orders applicable shall, in relation to the officers of the Board be exercised by the Chairman of the Board. (3) Officers of the Board shall be entitled to the benefits of the contributory provident fund which may be established by the Board : Provided that the Board's contribution shall not, at any time, exceed the rate at which the Central Government makes contribution to the contributory provident fund of its own employees : Provided further that the provisions of this sub-rule shall not apply to officers of the Board who are Government servants or

are in receipt of any retirement benefit from Government in the form of pension or contributory provident fund.(4)Notwithstanding anything contained in this rule the pay, leave and allowances of any Government servant who has been deputed to serve under the Board, shall be regulated by such orders as the Central Government may issue in that behalf.(5)The salary, allowances and leave and other contributions of the officers shall be met from the fund of the Board.

37. Penalties.-

The provisions of so much of the Central Civil Services(Classification, Control and Appeal) Rules, 1957, as apply to the imposition of penalties on Central Government servants, shall apply to the officers of the Board :Provided that the previous sanction of the Central Government shall be obtained by the Board for taking any action against an officer holding a post, the maximum salary of which exceeds Rs. 500 a month.ANNEXURE `A'.....River Board Annual Budget for 20....Supplementary(See Rule 14 and 15)Statement No. 1

	Actual	Budgeted	For the last	Actual for the	Total.	Revised	Budgeted	Explanations
		current	6 months	first 6 months		for the	next	for the
		year.	Oct.-March	April-September		current	year.	difference in
			of the	of the current		year.		the current
			previous	year.				year.
			year.					
1	2	3	4	5	6	7	8	
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.

A.RECEIPTS

1. Opening balance

2. Contribution
made by the
Central
Government

3. Contribution
made by the State
Government of(a)
.....(b)
.....

B.EXPENDITURE

1. Establishment-
(a) Salaries of the
members of the
Board.

(b) Salaries of
Officers

- (c) Salaries of establishment
- (d) T.A.of members, officers and establishment
- (e) Miscellaneous allowances
- (f) Medical reimbursement charges
- (g) Other charges
- 2. Services-
 - (a) Telephones, telegrams and postage
 - (b) Bank and other charges
 - (c) Heating and lighting
 - (d) Other services-legal expenses audit charges, etc.
- 3. Equipment-
 - (a) Office furniture and fixtures-repairs and maintenance
 - (b) Maintenance of office equipment (typewriters, calculating machines, drawing instruments, etc.)
 - (c) Stationary and forms
 - (d) Transportation equipment (repairs and maintenance)
 - (e) Laboratory and testing equipment

(f) General tools
and work
equipment

(g) Other
miscellaneous
equipment

4. Other
Expenditure.-

(a) Printing,
stenciling the litho

(b) Maps

(c) Books and
periodicals

(d) Subscriptions
to associations

(e) Rents

(f) Field survey
expenses

(g) Amounts paid
to other
organization for
work done by them
by behalf of the
Board.

STATEMENT No. 2

**of Members and Officers of the Board for the year
20.....20.....**

Name and the Designation	Date of appointment	Sanctioned pay of the post	Amount of provision required the financial year at the rate in col. 5		Allowance	Dearness Compensatory Total
			Minimum	Maximum		
					Actual rate of pay on first April next year	

1	2	3	4	5	6	7	8	9
Amount of provision	Increment during Date of year	Falling the rate due year	Amount of increment for the year	Total amount of provision	Remarks			
10	11	12	13	14	15			

ANNEXURE 'B'.....River BoardAnnual Statement Of Accounts Of Receipts And Payments For The Year Ending 31st March, 19.....(See rules 16 and 17)

Receipts	Rs. Payments	Rs.
1. Opening balance as on 1stApril.	1.Establishment(a) Salaries of the members of the Board(b) Salaries of officers.(c) Salaries of establishment.(d) T.A. of members, officers and establishment charges.(e)Miscellaneous allowances.(f) Medical reimbursement charges.(g) Other charges.	
2. Contributions made by the Central Government.	2.Service(a) Telephones, telegrams and postage.(b) Bank and other charges.(c) Heating and lighting(d) Other services-legal expenses, audit charges, etc.	
3. Contributions made by the State Government of (a).....(b).....	3.Equipment(a) Office furniture and fixtures-repairs and maintenance.(b) Maintenance of office equipment machines, drawing instruments, etc.(c) Stationery and forms.(d) Transportation equipment (repairs and maintenance)(e) Laboratory and testing equipment(f) General tool and work equipment(g) Other miscellaneous equipment	
4. Other receipts	4.Other Expenditure(a) Printing, stenciling and litho.(b) Maps.(c) Books and periodicals.(d) Subscription to associations.(e) Rents.(f) Field survey expenses.(g) Amounts paid to other organizations for work done by than behalf of the Board.	
5. Closing Balance as on 31stMarch		
TOTAL	TOTAL	

ANNEXURE 'C'(See rule 21)ToThe Secretary to the Government ofWHEREAS there is a matter in dispute.....between the Governments of..... and.....viz., (here enter the matter in dispute);And Whereas I have been appointed as arbitrator under sub-section (2) of Section 22 of the River Boards Act, 1956 (49 of 1956) in respect of the said matter;Now, THEREFORE you are here by required to intimate to me not later than the.....the name

(s) and address(es) of the person(s) whom the Government ofhave nominated as its representative(s) If so such intimation is received by me by the aforesaid date, the case, will be decided in the absence of any representative of the said Government. Dated Arbitrator appointed under sub-section (2) of Section 22 of the River Boards Act, 1956 ANNEXURE 'D' (See rule 23) To WHEREAS there is a matter in dispute between the Government of viz (here enter the matter in dispute) and that matter has been referred to the undersigned for arbitration under Section 22 of the River Act, 1956 (49 of 1956); NOW, THEREFORE, you are hereby required to appear before me in person on the day of at O'clock in the to answer all material questions relating to the said matter. You are also required to produce on that day all the books, papers and other documents and things in your possession or under control in any way relating to the said matter. Arbitrator appointed under the sub-section (2) of section 22 of the River Boards Act, 1956 Dated