

Tamil Nadu Khadi and Village Industries Board Rules, 1960

TAMILNADU

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Rule

TAMIL-NADU-KHADI-AND-VILLAGE-INDUSTRIES-BOARD-RULES-1960 of 1960

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Tamil Nadu Khadi and Village Industries Board Rules, 1960Published vide Notification No. G. O. MS. No. 2782, Food & Agriculture, dated 11th August 1960G. O. MS. No. 2782, Food & Agriculture, dated 11th August 1960. - In exercise of the powers conferred by sub-sections (1) and (2) of section 29 read with sections 8 and 9 of the Tamil Nadu Khadi and Village Industries Board Act, 1959 (Tamil Nadu Act 18 of 1959), the Governor of Tamil Nadu hereby make the following rules.

1. Short title.

- These rules maybe called the Tamil Nadu Khadi and Village Industries Board Rules 1960.

2. Definitions.

- In these rules, unless the context otherwise requires "Act" means the Tamil Nadu Khadi and Village Industries Board Act 1959 (Tamil Nadu Act 18 of 1959).

3. Term of office.

(1)Save as hereinafter provided, a member shall hold office for three years from the date of publication of the notification of his appointment in the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.](2)The Secretary shall hold office for such period as may be decided by the Board, subject to the approval of the Government.(3)A Vice-President shall hold office for a period of one year from the date of his election or till the date of expiry of his term of membership, whichever is earlier.(4)The Secretary and any member are eligible for re-appointment.

4. Disqualification for membership.

(1) A person shall be disqualified for appointment as a member, if on the date of appointment, such person, - (a) is less than twenty-one years of age; or (b) is of unsound mind; or (c) has applied to be or has been, or is adjudicated an insolvent; or (d) has been sentenced by a Criminal Court for an offence involving moral delinquency, such sentence not having been reversed; or (e) has, on any previous occasion, been removed from the office of member or has been removed by order of a competent Court from any position of trust either for mismanagement or corruption; or (f) has any financial interest in any subsisting contract with, or in any work being done for, the Board except as a shareholder (other than a Director or Managing Agent) in a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956), provided that where he is a share holder, he will disclose to the Government, the nature and extent of shares held by him in such a company. (2) A member shall cease to hold his office, if he - (a) is sentenced by a Criminal Court for an offence involving moral delinquency, such sentence not having been reversed; or (b) becomes of unsound mind; or (c) has applied to be or has been or is adjudicated an insolvent; or (d) has failed without excuse sufficient in the opinion of the Board to attend three consecutive meetings of the Board.

5. Removal from Board.

(1) The Government, by notification in the [Fort St. George Gazette] [Now the Tamil Nadu Government Gazette.], remove from office any member including the Secretary if he also is a member, who - (a) has become disqualified for appointment as a member of the Board under sub-rule (1) of rule 4 or has ceased to hold office as member of the Board under sub rule (2) of rule 4; or (b) has become incapable of acting as a member or has so abused his position as member as to render his continuance as such detrimental to the public interest. (2) There a person, who has ceased to be a member by reason of his failure to attend three consecutive meetings of the Board applies to the Government within one month from the date of the order of removal, for restoration to office, the Government may, on the recommendation of the Board, restore him by notification in the [Fort St. George Gazette] [Now the Tamil Nadu Government Gazette.] to his office as member: Provided that a member shall not be so restored more than twice during his term of office. (3) Before action is taken under sub-rule (1) the Government shall give the member an opportunity to show cause why action as proposed should not be taken by the Government.

6. Disqualification for appointment as Secretary.

- When a person who is neither a member nor an officer of the Government is appointed as Secretary, the disqualifications specified in rule 4(2) and rule 5(1), (a) and (b) and the procedure prescribed in rule 5(3) shall mutatis mutandis apply to such a person.

7. Filling up of casual vacancies.

- When a member dies or resigns or is removed from office the Government, may by notification in the [Fort St. George Gazette] [Now the Tamil Nadu Government Gazette.], Appoint another person

to fill the vacancy.(2)A member appointed under sub-rule (1) shall hold office only for the remaining part of the term of the member in whose vacancy he has been appointed.

8. Payment of allowances.

(1)For purposes of travelling and other allowances of the members, the Board shall be deemed to be a First Class Committee constituted by the Government and the members shall be paid the allowances out of the funds of the Board.(2)Where a person, who is not an officer of the Government, is appointed as Secretary of the Board, he shall be entitled to draw such pay and allowances from out of the funds of the Board, as the Government may by order, determine.

9. Powers and duties of the Secretary of the Board.

(1)The Secretary shall work under the general control of the President who may delegate to him such powers and duties as he may consider necessary, including the following:-(i)convening of the meetings of the Board under the direction of the President;(ii)drawing up the agenda for each meeting under the President's directions and communicating it to each member with the notice of the meeting;(iii)attending the meetings of the Board and participating in all discussions;(iv)recording, maintaining and compiling the decisions of the meetings of the Board in an appropriate manner, subject to the approval of the President, communicating the minutes to the members of the Board and placing them before the Board at its subsequent meeting for confirmation;(v)furnishing to the Government all reports including annual reports and returns and necessary documents required under the Act or these rules;(vi)preparation of the annual budget of the Board in consultation with the Standing Finance Committee;(vii)to sue and to be sued in the name of the Board;(viii)maintenance of the minutes of the meeting of the Board.(2)The Secretary shall keep a record of the members of the Board and their address. If a member changes his address, he shall notify his new address at the earliest opportunity to the Secretary, who shall, thereupon, enter his new address in the record. The Secretary shall make available, if required, papers connected with the items on the agenda during the meetings of the Board and shall also make available, if required, information relating to the affairs of the Board to any of the members, provided that the Secretary shall bring this to the notice of the President.(3)Subject to such delegation as may be made, from time to time, under the Act or under these rules, the Secretary shall,-(a)cause all important papers and matters to be presented to the Board as early as practicable;(b)issue direction as to the method of carrying out the decisions of the Board;(c)draw from its funds the pay and allowances of the staff of the office of the Board and the travelling allowance of the members of the Board;(d)maintain or cause to be maintained an account of the receipts and expenditure of the Board; and(e)present a draft annual report of the working of the Board for its approval and submit the report as approved by it to the Government.(4)The Secretary shall exercise administrative control over all departments and officers of the Board, subject to such restrictions as may be imposed from time to time, by the President.(5)Subject to such monetary limits as may be prescribed by the Standing Finance Committee, the Secretary may sanction expenditure on contingencies, supplies and services required for the working of the office of the Board.

10. Reports.

- The annual report specified in section 24(2) should be submitted by the Board to the Government not later than the 15th May of the following year and it shall be in such form as the Government may, from time to time, direct and contain particulars, (amongst others, in respect of the following namely):- (i) budget estimates and the actual of expenditure, (ii) production and sale of Khadi-both traditional and Ambar, (iii) production and sale of products of Village Industries, (iv) production of charkhas and other implements, (v) employment statistics for each industry; and (vi) training of personnel.