

Rajasthan River Basin and Water Resources Planning Rules, 2015

RAJASTHAN

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Rule

RAJASTHAN-RIVER-BASIN-AND-WATER-RESOURCES-PLANNING-RULES, 2015

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Rajasthan River Basin and Water Resources Planning Rules, 2015 Published vide Notification No. G.S.R. 122, dated 3.12.2015 G.S.R. 122. - In exercise of the powers conferred by Section 21 of the Rajasthan River Basin and Water Resources Planning Act, 2015 (Act No. 15 of 2015), the State Government hereby makes the following rules, namely: -

1. Short title and commencement.

(1) These rules may be called the Rajasthan River Basin and Water Resources Planning Rules, 2015. (2) It shall come into force with immediate effect

2. Definitions.

(1) In the Rules, unless the context otherwise requires, - (a) "Act" means the Rajasthan River Basin and Water Resources Planning Act, 2015 (Act No. 15 of 2015); (b) "Authority" means the Rajasthan River Basin and Water Resources Planning Authority constituted under sub-Section (1) of Section 5 of the Act; (c) "Chairperson" means the Chairperson of the Authority nominated under sub-Section (4) of Section 5 of the Act; (d) "Commissioner" means the Commissioner of the Authority appointed under sub-Section (1) of Section 7 of the Act; (e) "Council" means the State Water Resources Advisory Council constituted under sub-Section (1) of Section 3 of the Act; and (f) "Section" means section of the Act. (2) The words and expressions used but not defined in these rules have the same meaning as are respectively assigned to them in the Act.

3. Disqualification for the Chairperson and the Members.

- A person shall be disqualified for being chosen as, and for being, the Chairperson of the Authority, or the nominated Member of the Council or the Authority, as the case maybe, if he, -(i)has been adjudged insolvent,(ii)has been convicted of an offence which, in the opinion of the Government involves moral turpitude,(iii)has become physically or mentally incapable of acting as Chairperson or Member,(iv)has acquired such financial or other interest as is likely to affect pre-judicially his function as the Member of the Council, or the Chairperson or Member of the Authority, or(v)has so abused his position as to render his continuance in office prejudicial to the public interest.

4. Declaration before Assumption of office by Chairperson of the Authority or the nominated Member of the Council or the Authority.

- The Chairperson of the Authority, or the nominated Member of the Council or the Authority, as the case may be, before assumption of office, shall submit the following declaration, -(i)that he is not disqualified for appointment;(ii)that he has no potential conflict of interest, and acceptance of the same by the Government;(iii)that he has no affiliation with any firm, interest group, association, or organization seeking to defend and/or advance water usage claims and rights of any area, region, or industry.

5. Demitting of Office.

(1)The Chairperson of the Authority, or the nominated Member of the Council or the Authority, as the case may be, shall be deemed to have demitting office upon completion of the term from the date on which they enter upon their office or during the pleasure of the State Government, or from the date he resigns, whichever is earlier.(2)The outgoing Chairperson and Member may at his discretion, leave note(s) on general or specific aspect of work, for the benefit of his successor in office, before demitting the office.(3)The outgoing Chairperson or a Member may at his discretion, within a period of one month from the date of demitting office, provide supplemental note(s) on any specific matter for information of his successor.

6. Travelling Allowance, Daily Allowance and other facilities to the nominated Members of the Council.

- The Members specified at clause (xiii) of sub-Section (2) of Section 3 of the Act shall be allowed Travelling Allowance, Daily Allowance and other facilities specified below -

(i) Travelling Allowance & Daily Allowance	as per status of Chief Engineer of WaterResources Department of Rajasthan
(ii) Accommodation	Circuit House as per status of Chief Engineer of Water Resources Department of Rajasthan
(iii) Local Transport	Rs. 500 per day

(iv) Honorarium/ sitting fee Rs. 200 per day

Note. - 1. The Authority shall provide the local transport, and in absence of this only, the amount of Rs. 500 per day shall be reimbursed.

2. In case of air journey, the same shall be in economy class.

7. Terms and Conditions of Service and Remuneration of Chairperson and nominated Members of the Authority.

- The terms and conditions of the service, including remuneration and allowances, of the Chairperson and Nominated Members of the Authority specified at clause (xiii) and (xiv) of sub-Section (3) of Section 5 of the Act shall be such as may be decided by State Government, from time to time.

8. Discontinuance of previous employment.

- The Members nominated under clause (xiii) of sub-Section (2) of Section 3 and the member nominated under clause (xiii) and (xiv) of sub-Section (3) of Section 5 of the Act shall before assumption of office, resign or take voluntary retirement, in case if he holds any post with the Central or any State Government or any public sector Corporation or any Government body and shall quit any financial or other interest which is likely to affect pre-judicially his functions as the Member of the Council or the Authority.

9. Meetings of the Council.

(1) Notice of meeting shall be signed by the Commissioner on behalf of the Chief Secretary, Member-Secretary of the Council, and be ordinarily given to every Member at least seven clear days before the meeting. (2) The agenda notes of the meeting shall be circulated to the Members at least seven clear days before the meeting is held. (3) The minutes of the Council shall be recorded by the Commissioner under his signature in a book kept for the purpose.

10. Meetings of the Authority.

(1) Notice of Meeting shall be signed by the Commissioner and be ordinarily given to every Member at least seven clear days before the meeting. The notice shall contain the date, time and place at which the meeting shall be held. Special meeting may be called at 48 hours' notice. (2) Any inadvertent omission to give notice of the meeting, its non receipt by any of the Member or late receipt of the notice shall not invalidate the proceedings of the meeting. (3) The agenda notes of the meeting shall be circulated to the Members at least seven clear days before the meeting held. (4) The minutes of the Authority shall be recorded by the Commissioner under his signature and signature of the Chairperson / Presiding Member in a book kept for the purpose. (5) The minutes of the previous meeting shall be placed before the Authority in the next meeting for confirmation. (6) The Commissioner shall arrange to keep in proper order in a 'minute book' all minutes of the Authority

meetings duly signed by the Chairperson.(7)If any Member who was present in the previous meeting draw the attention of the Chairperson to any portion of the minutes of the proceedings of the previous meeting as erroneously entered in the minute book, such amendment as the Chairperson deems proper shall be made.(8)All questions at any meeting shall be decided by the majority of the Members present and in case of equality of votes, the person presiding shall have a second or casting vote.(9)The quorum for the meeting of the Authority shall be five Members of the Authority appointed under Section 5 of the Act.

11. Custody of the proceedings and records of the Authority.

- The Commissioner shall have the custody of the proceedings and records of the Authority.

12. Budget.

- The budget estimates shall be prepared in such form and at such time as may be specified by the State Government from time to time.

13. Accounts and Audit.

(1)The Authority shall keep accounts in such form and in such manner as may be prescribed by the finance department.(2)The Commissioner shall keep ready and make available all accounts and records to the Director, Local Fund Audit Department for audit as per the request of the auditor.(3)The Authority shall pay from the Fund of the Authority such charges for the audit of the accounts of the Authority, as may be specified by the State Government in the Finance Department under the provisions of the Rajasthan Local Fund Audit Act, 1954 (Act No.28 of 1954).(4)The audit report of Director, Local Fund Audit Department shall be placed before the Authority by the Commissioner with comments and action required to be taken for compliance.

14. Travelling Allowance and Daily Allowance and other facilities to Non-official Members of various committees of the Authority.

- The Non-official Members of any committee constituted by the Authority under Section 6 of the Act shall be allowed following facilities, namely: -

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| (i) Travelling Allowance & Daily Allowance | as per status of Chief Engineer of WaterResources Department of Rajasthan |
| (ii) Accommodation | Circuit House as per status of Chief Engineer of Water Resources Department of Rajasthan |
| (iii) Local Transport | Rs. 500 per day |
| (iv) Honorarium/ sitting fee | Rs. 200 per day |

Note. - 1. The Authority shall provide the local transport, and in absence of this only, the amount of Rs. 500 per day shall be reimbursed.

2. In case of air journey, the same shall be in economy class.