

# Gangtok Municipal Account Rules, 1978

SIKKIM

India

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### Rule GANGTOK-MUNICIPAL-ACCOUNT-RULES-1978 of 1978

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Gangtok Municipal Account Rules, 1978Published vide Notification No. 12/L.S.G., dated 1.12.1978Last Updated 13th March, 2020In exercise of the powers vested under section 27 of the Gangtok Municipal Corporation Act, 1975 (Act No. IV of 1975), the State Government hereby makes the following rules regulating the application of Municipal fund, periodical audit of accounts and preparation and submission of budget estimates and returns, statements and reports of the Gangtok Municipal Corporation.

#### 1. Short title and Commencement.

- (i) These rules may be called the Gangtok Municipal Account rules, 1978.(ii)The shall come into force at once.

#### 2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(a)"Act" means the Gangtok Municipal Corporation Act,1975(Act No IV of 1975)(b)"Accounts Officer" means the officer or official of the Corporation responsible for the proper maintenance of its accounts;(c)"Corporation" means the Gangtok Municipal Corporation ;(d)"Form" means a form appended to these rules;(e)"Section" means a section of the Act.(f)"State Government" means the Government of the State of Sikkim;

#### 3. Application of Funds.

- All moneys from time to time credited to the Municipal fund shall be applied in the following order of preference; -(a)in making due provision for the repayment of all loans, if any, payable by the Corporation;(b)in the discharge of all liabilities imposed on the Corporation under any of the provisions of the Act or rules made thereunder, and for other payments duly sanctioned by the State Government;(c)the salaries, allowances and contribution to pensions and leave salaries of all

officers whose services may, at the request of the Corporation, be placed by the Government at the disposal of the Corporation.(d)the salaries and allowances of Corporation Officers and servants and all pension, gratuities, bonuses and other allowances payable to them under the provisions of the act; and(e)the cost of auditing the Corporation accounts and the expenses of the elections held under the provisions of the Act.

**4.**

The account forms prescribed in these rules shall not be altered and no new form used without the sanction of the State Government.Provided that the Corporation may use the Bank's forms for the transactions with the bank.

**5.**

Books of accounts and registers shall be substantially bound and paged before being brought into use and no accounts shall be kept on loose sheets of paper or in loosely bound volumes.

**6.**

corrections and alterations in accounts shall be made neatly in red ink, initial-ed and dated authenticated by the drawing officer. Erasures are strictly prohibited.

**7.**

All moneys received or spent by or on behalf of the Corporation shall be immediately and with out any reservation brought to account in the General Cash Book in form No.1 under the direct supervision of the Executive Officer and in his absence, of the accounts Officer.

**8.**

When money is paid into the Corporation office by tax payers or others and there is no objection to its acceptance, a receipt in form No.2 shall be given to the person making the payment and the amount brought to account without delay in the general cash book and in the demand and collection register in form No. 3.

**9.**

The duties of the cashier shall not be performed by the officials keeping the accounts or those in charge of the demand and collection register except under orders in writing of the Executive Officer which shall be given only in unavoidable circumstances.

**10.**

Money received in the Corporation office shall be remitted to the Bank on the same day or, if this is not possible for any reason, on the next working day. Every such remittance shall be entered in the general cash book without delay.

**11.**

Blank cheque books shall be kept under lock and key in the personal custody of the Executive Officer. When the drawing officer receives a cheque book he shall cause the cheques to be counted and a note to be recorded under his signature on the back of each cheque book as below: - "This cheque book contains                      cheques from Serial No                      to Serial No                      "

**12.**

When a cheque is being prepared for signature, the amount of the next round figure in excess of the sum for which the cheque is drawn, shall be written in words across it and its counterfoil as a protection against fraud as follows: - "Under Rupees                      " Example. - A cross cheque drawn for Rs. 100/- will be written "Under Rupees One hundred and one only".

**13.**

If a cheque is lost or destroyed, an intimation of the fact shall at once be given to the Bank and its payment stopped. After verifying from the Bank statement and on enquiry from the Bank that it has not been cashed, the loss of the cheque shall be noted on the counterfoil. If a new cheque is issued its number and date shall be quoted against the original entry in the cash book with the remark that the original cheque has been lost, and the following note shall be made on the counterfoil of the cheque "Issued in lieu of cheque No                      .dated                      .lost or destroyed".

**14.**

Cancelled cheques shall be carefully retained until the accounts for the relevant period have been audited when they shall be destroyed by or in the presence of the Audit officer who shall certify upon the counterfoil that the cheque has been destroyed.

**15.**

All loans received by the Corporation shall be recorded in a register of loans in form No.4 each instalment of the loan as it is taken being recorded in column 4 thereof. Each entry in the register shall be attested by the Accounts Officer. A separate page shall be opened for each loan. Loans from Government shall be kept distinct from loans received from other sources.

**16.**

A register to show expenditure out of the various loans separately shall be maintained in form No 5.

**17.**

The Corporation shall maintain in form No.6 for all grants received by it for specified purposes from the Government. Not less than one page shall be allotted in the register for every such grant. All the entries in the register shall be made under the initials of the Accounts Officer.

**18.**

All deposits made with the Corporation shall be recorded in a deposit register in form No.7. Entries of all deposits which have not been forfeited, adjusted or returned shall be carried forward with full details when a new register is opened.

**19.**

The Corporation shall make its own arrangements for the printing of forms and registers used by it. In case of monetary forms, the Executive Officer shall take special precautions to safeguard against unauthorized printing. Monetary forms include all forms through which money is collected or transacted

**20.**

The audit of the accounts of the Corporation shall be conducted by such authority as may be appointed by the State Government.

**21.**

Irregularities noticed by the auditors in the course of audit shall be attended to promptly and replied under the signature of the Executive Officer.

**22.**

When the Audit Report is ready two copies shall be submitted by the auditors to the Executive Officer of the Corporation and one copy shall be sent directly to the State Government in the Department of Local Self Government.

**23.**

The Corporation shall consider the Audit Report at a meeting held not more than two months after the receipt of the report together with an explanation on the part of the staff concerned on each

point raised therein. The Corporation shall also pass a resolution expressing its opinion on each of the points.

**24.**

A copy of the replies of the Corporation to the points raised in the Audit Report shall be submitted by the Executive Officer to the State Government as soon as possible. The State Government may after examination of the replies communicate their observation to the Corporation.

**25.**

The State Government may at any time direct special examination and audit of the Corporation accounts for such period as they think fit and by such auditors as they may appoint for the purpose. A report of such examination and audit shall be submitted by the said auditors to the State Government.

**26.**

For the purpose of Examination and audit of accounts, under rules 20 to 25, the auditors shall have access to all the Corporation accounts and to all records and correspondence relating thereto and the Executive Officer shall furnish to the auditors any explanation which they may call for.

**27.**

All charges, fees and expenses necessary for the examination and audit of accounts shall be paid by the Corporation if so directed by the State Government.

**28.**

In case of any difference of opinion between the Auditors and the Corporation, the Executive Officer shall refer the matter to the State Government whose decision shall be final. Budget of the Corporation

**29.**

The budget of the Corporation for the next financial year shall be drawn up in form No '8'. It shall include all the anticipated income and expenditure and shall make provision for the due fulfillment of all the liabilities of the Corporation and shall also be accompanied by a Statement in form No.'9' showing separately new works which the Corporation proposes to execute during that year.

**30.**

A copy of the budget estimates shall be made available to all the councilors at least one week before the date fixed for the meeting to consider and pass the budget.

**31.**

The budget as passed by the Corporation shall be submitted to the State Government for their approval before February 15.

**32.**

(1) No expenditure shall be incurred by the Corporation except in accordance with the budget as approved by the State Government. (2) For incurring any expenditure (a) not included in the budget duly approved by the State Government, (b) on contributions to any public institution, and (c) for any purpose outside the boundaries of the Corporation not duly authorized by the Act, the Corporation shall obtain prior approval of the State Government.

**33.**

(1) The Corporation shall also draw up a revised budget for the current year before the end of December and shall follow the same procedure for its adoption and submission to Government as provided for in rule 29 to 32. (2) The revised budget shall also be prepared in form No. 8.

**34.**

The Corporation may at any time during the financial year - (a) reduce the amount of a budget grant, (b) sanction the transfer of any amount within the budget from one head to another subject to the conditions that, (i) the provision made against loans and grants obtained for specified purposes shall not be diverted for other objects, and (ii) the reduction and transfers shall be reported to the State Government and shall be given effect to only after Government approval is obtained.

**35.**

In framing the budget the Corporation shall provide for the maintenance of such minimum cash working and closing balances as the State Government may, by order, fix from time to time.

**36.**

(1) The Executive Officer shall, as soon as may be after the first day April in each year, have prepared a detailed report of the Corporation administration, during the previous year, together with a Statement showing the account of the receipts and disbursement credited and debited to the Corporation Fund during the said year and the balance at the credit of the Fund at the close of the

said year and place it before the Corporation.(2)The Corporation shall examine the report and the statement and thereafter forward them to the State Government by June 30,each year.

**37.**

At the close of each month a statement shall be prepared by the Accounts Officer and signed by the Executive Officer showing the progressive income and expenditure of the Corporation's copy of the statements shall be sent to the State Government by the 15th of each month.

**38.**

No money shall be paid from the fund of the Corporation except on a cheque signed by the Executive Officer and the Accounts Officer. Sums less than Rs 50/- may, however,be paid in cash payments to the Post and Telegraph Department may also be made in cash, if necessary.

**39.**

All the bills and other claims against the Corporation shall be first forwarded to the Accounts Officer and after being verified and passed by him, they shall be disposed of within a reasonable time.

**40.**

Payment orders shall on no account be made on the connected files but on the bills and vouchers. A reference to the file may,however,be given on the vouchers and vice versa.

**41.**

While payment is made on a duplicate bill or a duplicate receipt is attached to any paid bills, the Accounts Officer shall certify thereon that the original bill has not been used in support of any other bill as the case may be. Duplicate bills or receipt should be distinctly marked as such.

**42.**

To guard against the possibility of double payment as well as keep a watch on liabilities and their adjustment, the Corporation may if it deems necessary, keep a personal ledger in Form No.'10' for firms or persons with whom business is continuously carried on or a running account is kept.

**43.**

No advance or payment shall be made to the Chairman, Vice-Chairman or any Council or of the Corporation shall be given nor shall inspection of any such record or document be granted to any person with out the permission in writing of the Executive Officer.

**44.**

No copy of or extract from, any record or document belonging to or in the possession of, the Corporation shall be given nor shall inspection of any such record or document be granted to any person without the permission in writing of the Executive Officer.

**45.**

Except as aforesaid, any person wishing to inspect any such record or document or to obtain any copy thereof, or extract therefrom, shall apply in writing to the Executive Officer stating clearly the description of the record or document.

**46.**

No permission shall be given for the inspection of any correspondence between the Corporation and the State Government or any officer of the State Government, or in any case where the inspection is, in the opinion of the Executive Officer, detrimental to the interest of the Corporation or the State Government. Copies of extracts from such records shall also be disallowed.

**47.**

No extract from a document shall be given which read apart from the rest of the contents of that documents is capable of misrepresenting the final order passed by the Corporation, the Chairman or the Executive Officer.

**48.**

The following fees shall be charged by the Corporation: (i) For inspection of any document or record other than a minute book or assessment list .. Rs.2.00 (ii) For search of an index register for purpose of finding or tracing any document, for each years search .. Rs.2.00 (iii) (a) For copying or making extract from any office record .. Rs.0.05 Per full scape page or part of a page, subject to a minimum fee of Re.1.00 (b) If the original is in tabular form double the rates prescribed for (a) above (iv) For certified copy of birth or death .. Re.1.00

Gangtok Municipal Corporation Gangtok General Cash Book Form No. 1 (See Rule 7)

DR

Date Receipt No. Particular of Receipt Ledger Folio No. Amount Date

Cash Rs Bank Rs. Date

CR

Voucher No. Particular of Payment Cheque No. Ledger Folio No. Amount

Cash Rs. Bank Rs.

Form No.2

Form No.2



(See Rule 8)

Gangtok Municipal Corporation

Book No. Received from

Receipt No. Bill No.

(See Rule 8)

Gangtok Municipal Corporation

Book No. Rs. Received from

Receipt No.

For the period in full payment of demand/bill No..  
Dated

Total

Rupees.....(Total in words)

Date:

Date

Cashier

Executive Officer

Cashier Executive Officer

Note.- In case of licences, this receipt is not substitute for licence and does not prejudice the right of the Corporation to refuse the licence.

Accounts Officer? Revenue Superintendent.

Form No.3

(See Rule 8)

Gangtok Municipal Corporation

Register of Demand and Collection for.....

Clerk-in-charge of Demand and Collection Register.

Particulars of Demand .....

Period to which Demand relates.....

Demand & Collection

Sr No.	From whom due	Amount	Previous Balance	Total	April	May
		Rs	Rs	Rs	Rs	Rs

Demand & Collection

June	July	Aug	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	Total	Balance due if any
Rs	Rs	Rs	Rs	Rs	Rs	Rs	Rs	Rs	Rs		