

The Advisory Council for the Welfare of the Tea Garden/Ex. Tea Garden Communities in Assam Rules, 1984

ASSAM

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Rule

THE-ADVISORY-COUNCIL-FOR-THE-WELFARE-OF-THE-TEA-GARDEN of 1984

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The Advisory Council for the Welfare of the Tea Garden/Ex. Tea Garden Communities in Assam Rules, 1984Published vide Notification No. TAD/TGT/178/83/12, dated 15th March, 1985Last Updated 10th February, 2020Notification No. TAD/TGT/178/83/12, dated the 15th March, 1985. - The Governor of Assam is pleased to publish the following rules for the constitution of the Advisory Council for the Welfare of the Tea Garden/Ex. Tea Garden Communities.

1.

These Rules may be called "The Advisory Council for the Welfare of the Tea Garden/Ex. Tea Garden Communities in Assam Rules, 1984".

2.

These Rules shall come into force at once.

3.

In these Rules unless the context otherwise requires-(a)"Council" means the 'Advisory Council' constituted in accordance with these Rules;(b)"Assembly" means the Legislative Assembly of Assam;(c)"Governor" means the 'Governor of Assam';(d)"Member" means the 'member of the

Advisory Council';(e)"Secretary" means the 'Secretary to the Advisory Council';(f)"State" means the State of Assam;(g)"Welfare of Plains Tribes and Backward Classes Department" means the Welfare of Plains Tribes and Backward Classes Department of the Government of Assam.

4.

(1)There shall be an Advisory Council consisting of the following members-(a)All members of the Assembly belonging to Tea Garden/Ex. Tea Garden Communities-nominated.(b)The Development Commissioner, Hills, Assam-Ex-officio.(c)The Commissioner of plains Division-Ex-officio.(d)Tire Commissioner for Agriculture Production, Assam-Ex-officio.(e)The Secretary to the Government of Assam W.P.T. & B.C. Department-Ex-officio.(f)Any other member or members as may be nominated by Government.(2)The Council shall have a Chairman and a Vice-Chairman, the Minister-in-charge, Welfare of Tea Garden and Ex-Tea Garden Tribes Department shall be the Chairman, the Vice-Chairman shall be appointed by the Government from amongst the non-official members of the Council.

5.

The headquarters of the Vice-Chairman for the purposes of calculating his Travelling Allowance or daily allowance as provided in Rule 22 below shall be his normal place of residence.

6.

The Vice-Chairman shall discharge all the normal functions of the Council as may be delegated to him from time to time by the Chairman.

7.

(1)The Council shall have Secretariat staff consisting of a Secretary and such other officers and staff as the Governor may consider necessary to appoint.The office of the Council shall be located at Dispute and shall work under the Welfare of Plains Tribes and Backward Classes Deptt.(2)The Secretary of other Advisory Councils attached to the W.P.T. and B.C. Department will act as a Secretary to this Council also.

8.

The Council unless sooner dissolved by the Governor, shall continue until the dissolution of the existing Assembly and shall be reconstituted as soon as possible after the General elections to the Assembly.

9.

(1) It shall be the duty of the Council to advise the Government of Assam, generally on all matters pertaining to the Welfare of the Tea/Ex-Tea Garden Communities in Assam as may be referred to it by the Governor. (2) In particular and without prejudice to the generality of sub-rule (1), the Council shall—(a) assess the requirement of the Tea/Ex-tea Garden Communities regarding their social, educational, economic and cultural requirements; (b) recommend to the Government on the facilities that may be extended for their all round progress and development.

10.

(1) The Council shall meet at least once a year at such place and on such date or dates as the Secretary may appoint with approval of the Chairman. (2) The Chairman, or, in his absence, the Vice-Chairman, or in the absence of both the Chairman and the Vice-Chairman, any other member chosen by the members present from among themselves, shall preside over a meeting of the Council. (3) The Governor, whenever considered necessary, may direct that the Council have a joint meeting at Dispur with the Advisory Council for the welfare of the Scheduled Tribes in the Autonomous Districts of the State and/or with the Advisory councils for the welfare of the Scheduled Castes/Scheduled Tribes living in the Plains Districts of Assam/Other Backward Classes.

11.

The quorum will be five or one-third of the total number of members of the Council, whichever is less.

12.

(1) Matters shall be brought before a meeting of the Council for discussion by direction of the Governor. (2) A member who wishes to bring any matter for consideration at a meeting shall specify it in a memorandum indicating the salient facts and the points for consideration and send the memorandum to the Secretary who shall obtain the Chairman's direction thereon. The direction of the Chairman as to whether the matter referred by the member falls within the purview of the Council or not, shall be final.

13.

The agenda of a meeting of the Council shall be prepared by the Secretary with the approval of the Chairman.

14.

The Secretary shall ordinarily give at least one month's notice for any meeting of the Council, but in case of emergency, the meeting of the Council may be called at short notice as the Chairman may

deem sufficient.

15.

The Secretary shall inform every member of the Council the place, date and time fixed for the meeting and shall also send a copy of the agenda for the meeting together with a memorandum indicating the salient fact of each case points for consideration and any other papers that may be necessary for consideration of each case included in the agenda.

16.

The Chairman may invite and Minister, Minister of State, a Deputy Minister or a Parliamentary Secretary of the State to attend any meeting and to take part in the discussion of the Councils as may be found necessary.

17.

Any Officer of the State other than the Ex-officio members whose presence is considered necessary by the Chairman for consideration of any matter before the Council shall attend a meeting of the Council as and when required to do so.

18.

(1)The Secretary shall keep a record of the discussion and recommendations of the meeting and shall circulate the copy of the proceedings of the meeting of the Council to every member.(2)The recommendations of the Council shall as far as possible be unanimous, but if at any time no unanimous recommendation can be arrived at, in respect of any particular matter before it, the Chairman shall ascertain the recommendations of the majority by taking the vote of the members present by show of hand, and recommendation of the majority so determined shall be deemed to be the recommendation of the Council:Provided that the views of the dissenting members present and voting shall be recorded by the Secretary to form a record of the proceedings:Provided further that Ex-officio member shall not be eligible to vote.

19.

The proceedings of the meeting of the Council shall form part of the records of the Council.

20.

The Council may from time to time, by a resolution passed at a meeting appoint a Committee or Committees of its members to examine and report on any particular matter specified in the resolution. The Council may co-opt on the Committee non-officials who are not its members and may also associate with any such committees such officers of the State as may be nominated in that

behalf by the Council.

21.

For attending a meeting of the Advisory Council the members shall be entitled to draw travelling allowance as follows-(a)Official members shall draw such travelling allowance as may be admissible under the rules applicable to them;(b)Non-Official members shall draw travelling allowance and a daily allowance as admissible under subsidiary Rule 390 (a) as amended, read with Government Letter No. FM. 35/48/2, dated 7th December, 1948 if and when they attend the meeting of the Council.

22.

The Vice-Chairman shall be entitled to travelling allowance and daily allowance of first grade officer as admissible under the rules whenever he attends the Council's meetings in dispur or comes to Dispur in connection with the work of the Council or when on tour in connection with the affairs of the Council.

23.

The Governor may, from time to time, amend these rules.