

The M.P. Khadi Tatha Gramodyog Rules, 1980

MADHYA PRADESH

India

The M.P. Khadi Tatha Gramodyog Rules, 1980

Rule THE-M-P-KHADI-TATHA-GRAMODYOG-RULES-1980 of 1980

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The M.P. Khadi Tatha Gramodyog Rules, 1980 Published vide Notification No. 1 (A) 1-80-11-A, dated 13-5-1980, M.P. Rajpatra Part 4(ga), dated 25-7-1980 at pp. 324-327 In exercise of the powers conferred by Section 28 of the Madhya Pradesh Khadi Tatha Gramodyog Adhiniyam, 1978 (No. 16 of 1978), the State Government hereby makes the following rules, namely :

1.

These rules may be called the Madhya Pradesh Khadi Tatha Gramodyog Rules, 1980.

2.

In these rules, unless the context otherwise requires : (a) "Act" means the Madhya Pradesh Khadi Tatha Gramodyog Adhiniyam, 1978 (No. 16 of 1978); (b) "Financial Adviser" means the Financial Adviser appointed under sub-section (1) of Section 23 of the Act; (c) "Form" means a Form appended to these rules; (d) "Managing Director" means the Managing Director appointed under sub-section (1) of Section 7 of the Act; (e) "Member" means a member of the Board appointed by the State Government.

3.

(1) The term of office of the members shall be three years from the date of their appointment. (2) Notwithstanding the expiration of the term specified in sub-rule (1), the outgoing member shall continue in office till the appointment of his successor. (3) In the event of a casual vacancy occurring in the office of a member by reason of death, resignation or for any other reason whatsoever, such vacancy shall be filled as soon as may be for the unexpired term of his predecessor.

4.

On receipt of a resolution of the Board, the State Government may remove from office any member who in its opinion : (a) is unable or refuses to perform the functions of a member under the Act; or (b) is physically or mentally incapacitated; or (c) has so abused his position as a member as to render his continuance as member detrimental to the interest of the Board; or (d) remains absent without information to the Chairman from three consecutive meetings of the Board; or (e) ceases to reside in the Madhya Pradesh; or (f) has acted prejudicially to the interest of the development of Khadi and Village Industries in Madhya Pradesh; or (g) is causing financial loss to the Board by his acts of commission.

5.

A member shall participate in the meeting of the Board and such of the Committees as are appointed under Section 8 of which he is a member.

6.

(1) The Board shall meet at least once in three months. Place, date and time of meeting shall be fixed by the Chairman. If the Chairman is not available and three months from the date of last meeting have elapsed, the meeting shall be called by the Managing Director. The Chairman may also call a special meeting if he so desired or on request of at least four members of the Board. (2) The agenda for the meeting shall be finalized by the Managing Director with the approval of the Chairman. Seven days' clear notice of the meeting shall be given to the members. In case, any member desires to include any item in the agenda, he shall make a request to that effect in writing to the Managing Director, a day ahead of the date of meeting and such subject shall be included in the agenda for the meeting. (3) (a) The Chairman shall preside over the meeting. In his absence members shall choose one amongst themselves to preside over the meeting. (b) No business shall be transacted at a meeting unless a quorum of four members be present throughout the meeting. If there be no quorum present at a meeting any time the presiding authority shall after waiting for not less than fifteen minutes and not more than thirty minutes adjourn the meeting to such hour of the next day as it may deem reasonably fit. (c) No quorum shall be necessary for the meeting held after adjournment under clause (b) and only such business fixed for the meeting shall be discussed at such meeting. (4) Decision of the Board shall be by vote of majority. In case of equal number of votes, the Chairman shall have casting vote. (5) The decision of the Board shall be recorded by the Managing Director in the register of proceedings and authenticated by the Chairman. The proceedings shall be placed before the Board in its next meeting for ratification. (6) In case it is in the interest of the Board to have an urgent decision in any matter and the power to take decision rests with the Board, and the Board is not due to meet in time, the Chairman may take decision in the matter and place it before the next meeting of the Board for ratification.

7.

A District Committee shall consist of

- | | |
|--|-------------------|
| (a) Collector of the District concerned..... | Chairman. |
| (b) General Manager of the District Industries..... | Member. |
| (c) Deputy Registrar of Co-operative Societies or Assistant Registrar of Co-operative Societies. | Member. |
| (d) Manager of Gramodyog..... | Member. |
| (e) District Inspector appointed by the Board.... | Member Secretary. |

8.

A member shall inspect Khadi Tatha Village Industries set up with the assistance of the Board if so directed by the Board and shall submit his report to the Board through the Chairman thereof.

9.

(1)The Managing Director shall on behalf of the Board execute every contract the value of which does not exceed Rs. 10,000 :Provided that no contract shall be made by the Managing Director except with the sanction of the Board, if the value of such contract exceeds Rs. 10,000.(2)Every contract signed by the Managing Director shall be sealed with the common seal of the Board.(3)The Common seal of the Board shall be in the custody of the Managing Director.

10.

The Managing Director, with the concurrence of the Chairman may acquire, hold, lease out, sell or otherwise transfer on suitable terms movable and immovable property in the interest of the Board :Provided that the cases of immovable property exceeding Rs. 10,000 in value shall be put up before the Board for ratification.

11.

The Managing Director shall ensure that the provisions of the Act and the rules and regulations made thereunder are duly carried out and for that purpose he shall have power to issue such orders, not inconsistent with the provisions of the Act and the rules and regulations made thereunder as he deems fit, including an order implementing the decision taken by the Board.

12.

Attendance Register of the members of the Board together with files of notes to be placed at the time of meeting of the Board and of its subcommittees shall be maintained besides register of

proceedings as laid down in Rule 6.

13.

(1)The Financial Adviser shall hold office for a term of two years from the date on which he enters upon his office and shall be eligible for re-appointment.(2)The Financial Adviser shall :-(i)advise the Board on all matters relating to receipts and expenditure;(ii)have right to attend every meeting of the Board and to take part in its deliberations but shall not have the right to vote thereat and he shall also have the right to refer to the Board any matter having financial implication which, in his opinion, ought to be brought to its notice;(iii)scrutinize and supervise the preparation of the budget of the Board, the completion of the annual and other financial statements and the manner in which the accounts of the Board are maintained and make available to audit;(iv)have right to record his views on every proposal involving expenditure from the funds of the Board prior to the consideration and approval of such proposal by the Board;(v)have authority to advise the Board that a particular decision affecting the general financial policy of the Board should be referred to the State Government.

14.

Subject to conditions imposed in the sanction of the State Government/Khadi and Village Industries Commission, the Chairman may make re-appropriations from the Village Industry to another. Such re-appropriations shall be placed in the next meeting of the Board for ratification.

15. [[Substituted by Notification No. 1-9-1982-XI-A, dated 5-10-1982.]

The Board shall prepare supplementary Budget, if necessary in Forms I and I-A and submit it to the State Government for sanction not later than the 15th of December falling within the financial year concerned.]

16.

The Board may decide to undertake programme of Khadi and Village Industries with its own funds and resources. It shall also harness finances available through the Banks in respect of the schemes approved by it and in such cases, the execution of sanctions shall be done by the Managing Director.

17.

The annual report specifying the steps taken to strengthen and improve the administrative set up the sanctions accorded by the State Government, Financing Bank and Khadi and Village Industries Commission and progress of their execution mentioning physical and financial figures under sub-section (1) of Section 18 shall be prepared by the Managing Director and laid before the Board. After it is approved copies of the report and statement shall be submitted to the State Government before the expiry of the period specified in the said sub-section.

18. [[Substituted by Notification No. F-3-14-LII-2-2000, dated 3-4-2001. Prior to substitution it read as under :

'18. Every application to the Collector under Section 24 shall be made in Form it and shall be signed and verified by the Managing Director.']]Every application to the Collector under Section 24 of the Act shall be in Form II and shall be verified and signed by the Chief Executive Officer of Zila Panchayat of the district.]

19.

The M.P. Khadi and Village Industries Rules, 1960 are hereby repealed :Provided that anything done or any action taken under the rules so repealed shall, unless such thing or action is inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.[Form I] [Substituted by Notification No. 1-19-82-XI-A, dated 5-10-1982.](See Rule 15)Budget Proforma No. One

Budget Head..... Name.....

Sl. No.	Figures of actual expenditure of last three years		
	Head	198	198
198	198	198	
1	2	3	4 5
1. Chairman Budget-A. Honorariaof Chairman and Vice-Chairman.B. VehicleExpenditure.C.T.A./Contingent expenditure.2. Establishment Budget-A. Pay ofOfficer.B. Pay ofOfficials.3. Allowance and Honoraria-A. DearnessAllowance.B. AdditionalDearness Allowance.C. InterimRelief.D. Otherallowance.E. GeneralProvident Fund contribution.F. Leave andPension contribution.G. Travellingexpenses.H. Medicalexpenses.4. Contingent Expenditure-A. Stationeryand Printing expenses.B. Telegram,postage expenses.C. Audit fees.D.Electricity/Water charges.E. Liveries.F. Publicityand propaganda.G. Buildingrepair and additions and alterations and rent.H. Vehiclesrepairs and purchase.M.Miscellaneous expenditure.J. Minor work.Z.Grant-in-aid/contribution/subsidies.Y. GuestHospitality expenditure.R. Professional special serviceexpenditure.			
Sanctioned Budget for the year 19..	Actuals of 12 months		Total
Actuals of last 7 months of last year 19..	Figures of 5 months of current year 19..		
6	7	8	9
Revised supplementary Budget for 19....	Budget estimates for the year 19....	Remarks	

Proposed by the Officer preparing Budget	Sanctioned by Government	Proposed by the Officer preparing Budget	Sanctioned by Government	
10	11	12	13	14

Form I-A(See Rule 15)Budget Proforma No. Two(Expenditure Budget estimates under plan)

Sl. No.	Budget Head	Name of the Plan Head	Proposed Amount	Name of Controlling Officer	Name of Administrative Deptt.
1	2	3	4	5	6

[Form II] [Substituted by Notification No. F-3-14-LII-2-2000, dated 3-4-2001.](See Rule 18)Application for recovery of arrearsThe Collector of the District of.....

Name of the person or the Institution on whichthe amount is due	Arrears of the defaulter	Sum due to the Board for which this applicationis made	Nature of the sum for which this application ismade
(1)	(2)	(3)	(4)

I request you to kindly recover the above mentioned sum of Rs..... which I am satisfied after enquiry, is due from the said defaulter in respect of....Verified by me on the day of.....Chief Executive Officer,Zila Panchayat, District.....