

The Housing Board Haryana (Conduct of Meetings) Regulations, 1980

HARYANA

India

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Rule

THE-HOUSING-BOARD-HARYANA-CONDUCT-OF-MEETINGS-REGULATIONS of 1980

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The Housing Board Haryana (Conduct of Meetings) Regulations, 1980Published vide Haryana Government Notification No. 66/12/B dated 16.10.1981 - Haryana Government Gazette Part 3 Dated 3.11.1981.

1. Short Title.

- These regulations shall be called the "Housing Board Haryana (Conduct of Meetings) Regulations, 1980."

2. Definitions.

- (i) In the regulations, unless there is anything repugnant in the subject or context :-(a)"Act" means the Haryana Housing Board Act, 1971 (Act 20 of 1971) and shall include any statutory amendment or modification or re-enactment thereof.(b)"Adjournment" means the postponing or deferring of the proceedings of a meeting generally to another day or to another hour of the same day.(c)"Agenda" means the items of business proposed to be transacted at a meeting.(d)"Amendment" means an alteration or modification in the terms of a motion or a resolution.(e)"Board" means the Housing Board, Haryana constituted under section 3 of the Act.(f)"Chairman" means the Chairman of the Board.(g)"Chief Administrator" means the Chief Administrator of the Board.(h)"Member" means a member of the Board.(i)"Meeting" means a meeting of the Board whether ordinary or special held in accordance with the provisions of section 15 of the Act.(j)"Minutes" means the record of the proceeding of a meeting of the Board.(k)"Motion" means a proposal moved at a

meeting.(l)"Prescribed" means prescribed by the Act or by any rules framed by Government under the Act or by any regulations framed by the Board.(m)"Presiding Authority" means the Chairman, or in his absence, the Member chosen by the members present at the meeting.(n)"Quorum" means the minimum numbers of members of the Board, whose presence is essential for the proper or valid transaction of business at a meeting.(o)"Requisition" means a written demand made by the specified number of members for calling a meeting.(p)"Resolution" means a motion initiated by Chairman or any member of the Board which had been carried at a meeting or by circulation among the members without convening a meeting.(q)"Secretary" means Secretary of the Board appointed by Government under sub-section (i) of section 11 of the Act.(ii)Other expressions shall have the meanings, respectively assigned to them under the Haryana Housing Board Act, 1971, as amended from time to time and the rules, framed thereunder.

3.1 Holding of Meetings.- The Board may hold a meeting either ordinary or special for the transaction of business, adjourn and or otherwise regulate it and its proceedings, as deemed fit, provided, however, that an ordinary meeting shall be held once at least in three months.

3.2 Who may call a meeting of the Board.- The Chairman may at any time at his discretion and shall on receipt of a requisition of two-thirds of the members actually serving or when the Government so directs convene a meeting of the Board.

4. Date, Time and Place of meeting.

- The meetings of the Board shall normally be held at the Head Office of the Board during office hours. The exact date, time and place of each meeting shall be fixed by the Secretary, with the prior approval of the Chairman.

5.1 Quorum.- The Quorum for every meeting shall be one-third of the number of the members actually serving for the time being.

5.2 When a quorum not present meeting to be dissolved and when to be adjourned.- (i) If within fifteen minutes from the time appointed for the meeting, a quorum is not present, the meeting, if convened upon a requisition of members as laid down under regulation No. 3.2 shall be dissolved but in any other case shall stand adjourned to any future day or to any hour of the same day, as the Presiding Authority may determine and announce at the time of adjournment. If at such adjourned meeting, quorum is again not present within fifteen minutes from the time appointed, those members who are present, shall constitute a quorum provided their number is not less than four and may transact the business, for which the meeting was originally called.(ii)When a quorum has once been constituted and the business of the meeting properly started, it shall constitute unless some member objects and calls the attention of the Presiding Authority to the absence of a Quorum. In such circumstances, the Presiding Authority would make a count and if there is no quorum within the next fifteen minutes, he shall adjourn the meeting to any future day hour of the same day as he may determine. The procedure thereafter will be as prescribed in regulation No. 5.1(i).

5.3 Power to adjourn meeting.- The Presiding Authority may if he thinks it necessary or expedient, and shall, if so directed by the meeting adjourn the same from time to time and from place to place but no business shall be transferred at the adjourned meeting, other than the business left unfinished at the meeting which had adjourned. When an adjourned meeting is to be held within 48 hours, it shall not be necessary to give a fresh notice. A notice shall be sent to all members in case of a longer adjournment.

5.4 Power of a meeting in which quorum is present.- A meeting duly held under these regulations shall be competent to exercise all or any of the authorities powers and discretion's vested in or exercisable by the Board.

6.1 Who shall preside at the meetings of the Board.- The Chairman shall preside at every meeting, but in case he is unable to

attend any meeting, it shall be presided over by any member, chosen by the members present at the meeting for the occasion. Note. - If an occasion arises where any member is to be chosen as Presiding Authority, the members present shall do so even if there be not a quorum. 6.2 Presiding Authority's Duties for Conducting the meeting.- It shall be the duty of the Presiding Authority to conduct the meetings, in accordance with these regulations and in particular :-

- 1. to ensure that the meeting is properly convened and constituted, that is, a proper notice is served on the members and there is a quorum;**
- 2. to see that all the statutory requirements are duly observed at the meeting;**
- 3. to give due and sufficient opportunity to those members who wish to speak on the subject under debate or discussion;**
- 4. to allow no discussion unless there is some motion before the meeting and to present irrelevant discussions;**
- 5. to give his rulings on points of procedure and to decide all points of order and priority of speakers;**
- 6. to take the sense of the meeting by putting the motions and amendments to vote, where necessary; and**
- 7. generally to so conduct the meeting that the business thereof is facilitated and the result and decisions are well defined.**

7.1 Agenda for meetings.- The Agenda for each meeting of the Board shall be prepared by the Secretary on the basis of the proposals received from the Chairman and the members. Before any item is included in the agenda, the Secretary must ensure that the item has been scrutinised by the office of the Board and that it is complete in all respects. After this is done, a brief note on each item of the agenda will be prepared by the Secretary who will obtain the approval of the Chief Administrator to the proposed agenda. If approval of the Board is required on any item by circulation approval of the Chairman shall be obtained by the Chief Administrator before circulation of that item. The Secretary shall ensure that all cases approved by circulation are put before the Board in its next meeting. 7.2 Inclusion of Items in the Agenda.- Any member who desires to move his proposal shall send a notice of such proposal together with a brief explanatory note to the Secretary at least 7 days before the scheduled date of meeting so as to enable the Secretary to include that item in the agenda with the approval of the Chief Administrator. The Chief Administrator shall give the view of the Chairman due consideration and weightage while preparing the agenda items : Provided that the Chairman may in his discretion allow such proposals to be moved in the meetings despite non-receipt of timely notice of the proposal for inclusion in the agenda; Provided further that the Chairman may allow any item due to be taken up in the meeting

which was not previously included in the agenda :Provided further that a direction from State Government shall be considered even though it was not previously included in the agenda.7.3Order of transacting business.- The order in which items of business are to be transacted or taken up for consideration at any meeting will be in the order as set out in the Agenda papers as far as possible :Provided that directions from State Government whether included in the agenda or not shall be considered first.8.1Notice for the meeting.- At least seven days' notice in writing for a meeting shall be given to each member by the Secretary. A copy of the agenda for the meeting and brief note, if any, on each item of the agenda shall be sent to the members, either with the notice or as soon thereafter as possible, but atleast three days before the meeting, provided that -(i)the period of such notice may be reduced upto one day when a meeting is convened for transacting any emergent business;(ii)the day of meeting shall be counted in reckoning the period of notice, but not the day of issue of notice;(iii)if any member is out of India or is otherwise not in a position to attend the meeting the service of notice on such a member may be dispensed with by the Secretary with the prior approval of the Chief Administrator, provided further that if all the members are present a particular motion of resolution forthwith the wanted notice and agenda shall be excused and the proceedings of such meeting shall not be affected and be challenged on that ground.8.2Non-Delivery of notice for Agenda.- No proceedings of the Board shall be challenged by reason merely of a vacancy or vacancies existing in the Board or by reason of non-receipt of the Agenda, or the notice by any member or members.8.3(i)A notice shall be deemed to be duly served if it is sent within the prescribed time limit to the member personally by hand or by post at the registered address communicated by the member in writing to the Board.(ii)Where a notice is sent by post, service of the notice shall be deemed to have been effected by properly addressing, prepaying and posting a letter containing the notice. Such service shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of post.9.1Changes in the Time and date of meeting.- Any member may after receipt of a notice of a meeting under regulation No. 8 intimate to Secretary suggesting another date or time, therefor if the date and/or time fixed be not suitable to him but such intimation should reach the office of the Secretary at least four clear days before the date already fixed for the meeting.9.2The Secretary shall place such communication forthwith for the orders of the Chairman who may, in consultation with the other members, if possible, fix another suitable date and time for the meeting.

10. Constitution of Committees, etc.

- The Board may from time to time, appoint Committees or Sub-Committees consisting of such member/members as it thinks fit to advise the Board on such matters as may be prescribed or specified and subject to such directions as the Board may give.

11. Circulatory Resolution.

- A resolution shall be valid and effectual as if it had been passed at meeting of the Board duly called and constituted. If the motion is circulated in draft, together with the necessary papers, if any, to all the members then in India (not being less in number than the quorum fixed for a meeting) and has been approved by a majority of such members :Provided that such motions shall be circulated with the express approval of the Chairman.

12. Matters to be decided by the Board.

- The Board shall consider and decide :-(a)any matter required to be considered by the Board under any specific provision of the Act and the rules framed thereunder or under any other law or any general or special direction of Government or of the Board;(b)any matter required to be considered by the Board under service Regulations or other Regulations or subsidiary Regulations, where powers are not delegated; and(c)any other matter specially, required by the Chairman to be laid before the Board in view of its importance :Provided that items for which specific delegations have been given to the members/officers of the Board, while distributing duties, shall not be included in the Agenda, unless the member concerned if any, so desired.13.1Participation of non-members in the deliberations of the Board.- The Board shall have power to invite any person(s) whose assistance or advice is considered necessary for a specific purpose. Such person(s) shall have the right to attend the meeting(s) of the Board and to take part in the deliberations of the meeting. The person(s) invited may participate in the discussions on the item(s) concerning him but shall not have the right to vote.13.2The Secretary and any other officer of the Board permitted by the Chief Administrator/Chairman shall ordinarily attend all meetings and shall furnish any information which may be asked for by the Board. The Secretary will participate in discussion as and when required, but shall not vote.

14. Aggrieved persons to be heard in person.

- The Board may hear at its discretion representation or appeals from aggrieved persons or parties in person, provided such representations and appeals are made in accordance with the prescribed procedure of the Board. The persons and parties so called for hearing, may address and answer any question arising therefrom, but shall withdraw from the meeting as and when directed by the Presiding Authority.15.1Recording and confirmation of Minutes.- The Board shall cause minutes of the meeting of the Board and of the resolutions passed by circulation, to be entered in the book provided for the purpose, which shall be kept under the Superintendence of the Secretary, and in his absence by any other officer nominated by the Chief Administrator to deputize for him and every such minute/resolution shall be signed and entry from the minute books, shall be received as evidence in all Courts and before all Judges, Justice and other Authorities - Judicial, Quasi-Judicial or Executive, and such minutes/resolutions or entries therefrom shall be taken as conclusive proof of their having been duly passed by the Board and shall be proved either on the production of the original minute book or copy thereof duly attested by the Secretary of the Board.15.2The minutes shall be recorded either during the meeting or as soon thereafter as possible and shall contain.- (i) the names of all the members present at each meeting of the Board, including persons present by special invitation;(ii)names of the members voting for or against each resolution, where a division is called; and(iii)the minutes of the meeting, giving briefly the decision taken against each item of the agenda.15.3The minutes shall be so recorded as to leave no blank space between one recorded decision and the other, so that no space is left for any interpolation at later stage. The Presiding Authority shall sign the Minutes Book as soon as possible, after the meeting and attest the interpolations, erasion's and substitutions, if any.15.4The proceedings of each meeting shall be approved by the Presiding Authority. After approval and signatures of the Presiding Authority the proceedings shall be duly kept by the Secretary or any other officer authorised by the Board.15.5A

copy of the proceedings of each meeting shall be supplied to the Chairman and all the members whether present at the meeting or not and got confirmed in the next meeting. The minutes of the proceedings shall also be forwarded to the Government.15.6The Minutes Book shall be carefully indexed and, when not in actual use, shall be kept in fireproof safe.15.7All acts done by any member of the Board or by any person acting as a member shall, notwithstanding that it may be afterwards discovered that there was some defect in the appointment of any one or more members acting as aforesaid on that day or any of them were disqualified, be as valid as if every such member had been duly appointed and was qualified to be a member of the Board. Provided that nothing in the regulation shall be deemed to give validity to act done by a member acting as aforesaid after his appointment has been declared to be invalid.16.1Right of vote.- All members, including the Chairman, shall have a right to vote and decisions taken by the majority of the members present at the meeting shall be deemed to be the decisions of the Board, provided that in case of equality of votes, the Presiding Authority shall be in addition to his own vote as a member, have a second or casting vote.16.2Any proposal/resolution/amendment duly put up in the meeting and pressed to a division shall first be reduced to writing in the final form in which it is decided to put it for vote. It shall be recorded in full in the proceedings, together with number and names of the members voting for and against it as laid down under regulation 15.2.17.1Miscellaneous.- The business of the Board shall be transacted in English or such other language, or languages, as the Board may decide from time to time.[17.2. "The Chairman or the Chief Administrator shall bring to the notice of Government, in writing with adequate details, all cases in which the Chairman or the Chief Administrator have given an opinion which is contrary to the opinion of the majority of the Members of the Board. The opinion of the majority of the Board should not be given effect to until the Government give their decision which shall then be binding on the Board."] [Substituted vide Haryana Government Notification Dated 2.4.1984 (Haryana Gazette) Part I dated 10.4.1984.]17.3If any doubt arises as to the interpretation of these regulations, the decision of the Board thereon in consultation with Government, shall be final and binding on all concerned.By the order of the Board.

1. The above regulations will take effect from 29th July, 1980

2. Housing Board Haryana (Regulations of Business) published in the Haryana Government Gazette dated 5th July, 1977 and 2nd May, 1978, Housing Board Haryana (Conduct of Meetings) Regulations 1972 published in the Haryana Government Gazette dated 7th November, 1972 and Housing Board Haryana (Chairman's powers) Regulations, 1972 published in the Haryana Government Gazette dated 7th November, 1972 shall stand repealed with effect from 29th July, 1980 :

Provided that the repeal shall not affect the previous operation of any Regulations so repealed or anything duly done or suffered thereunder or any right, privilege, obligation or liability acquired, accrued or incurred under any regulations so repealed.