

The Maharashtra Khadi and Village Industries Rules, 1970

MAHARASHTRA

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Rule

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The Maharashtra Khadi and Village Industries Rules, 1970Published vide Notification No. G.N., I. & L.D., No. KVB. 4262-IND-2, dated 27th January, 1970 (M.G., Part 4B, p. 460)In exercise of the powers conferred by section 29 of the Bombay Khadi and Village Industries Act, 1960 (Bombay XIX of 1960), and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, namely :-

Chapter I

1. Short title.

- These rules may be called the Maharashtra Khadi and Village Industries Rules, [1970] [Substituted by G. N. of 24.3.1970.].

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Bombay Khadi and Village Industries Act, 1960;(b)"Chief Executive Officer" means the Chief Executive Officer appointed under section 7;(c)"Committee" means a Committee constituted under section 8;(d)"Financial Adviser" means the Financial Adviser appointed under section 7;(e)"Form" means a form appended to these rules;(f)"Section" means a section of the Act;(g)[Words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.] [Added by G. N. of 25.7.1974]

Chapter II

3. Term of office.

- Save as hereinafter provided, a member of the Board shall hold office for a period of three years from the date of the publication of his appointment in the Official Gazette and shall be eligible for re-appointment.

4. Disqualifications for membership of Board or Council.

- A person shall be disqualified for being appointed as, and for being, a member of the Board or Council, as the case may be, - (a) if he is found to be a lunatic or a person of unsound mind; or (b) if he has been adjudged insolvent; or (c) if he has been convicted of an offence involving moral turpitude; or (d) if he has directly or indirectly any financial interest in any subsisting contract with or in any work being done for the Board except as a share-holder (other than a Director or Managing Agent) in a company as defined in section 3 of the Companies Act, 1956, provided that where he is a share-holder, he will disclose to the State Government, the nature and extent of shares held by him in such a company; or (e) if he has any financial interest in any business undertaking dealing with Khadi or any other village industry.

5. Removal of member of Board or Council.

- The State Government may, by notification in the Official Gazette remove from office any member of the Board or Council who - (a) is or becomes subject to any of the disqualifications mentioned in rule 4; or (b) in the opinion of the State Government, has failed or is unable to carry out his duties, so as to render his removal necessary; or (c) absent himself from three consecutive meetings of the Board or Council without leave of the Board or Council, as the case may be: Provided that, before issuing such notification the State Government shall give an opportunity to the member concerned to show cause against such removal.

6. Casual vacancies.

(1) When a member of the Board or Council dies or resigns or is removed from office, the State Government may, by notification in the Official Gazette, appoint a person to fill the vacancy. (2) A member appointed to fill a casual vacancy shall hold office so long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

7. Salaries and allowances payable to Chairman, etc.

- [(1) Subject to the provisions of sub-section (3) of section 4-A, the Chairman, the Vice-Chairman, Member-Secretary, and other Members of the Board except those who are official members and those who are M.L.A.s and M.L.C.s shall be paid from the funds of the Board as follows :] [Inserted by G. N. of 25.8.1970.]

All Members including Chairman,
Member-Secretary, Vice-Chairman.

[Rs. 25] [Substituted by G. N. of 25.8.1970.] per day for attending the Meeting of the Board and Meeting of Committees and Sub-Committees appointed by the Board, [in addition to travelling and daily allowance admissible under rule 8.] [Substituted by G. N. of 25.7.1974.]

(2) [The Member-Secretary of the Board shall be paid a salary of rupees three hundred per month.] [Inserted by G. N. of 25.8.1970.] (3) [Notwithstanding anything contained in sub-rule (2), all members including the Chairman, Member-Secretary and Vice-Chairman shall be entitled to Rs. 25 per day for attending the Meeting of the Board and Meeting of Committees and Sub-Committees appointed by the Board, with effect from the 27th January, 1970, and the Member-Secretary shall be entitled to the salary of Rs. 300 p.m. also from that day.] [Added by G. N. of 17.2.1971]

8. Travelling and daily allowances to Chairman [Vice-Chairman] [Inserted by G. N. of 25.7.1974.] and members of Board and Council.

(1) Subject to the provisions of the rules, there shall be paid for a journey undertaken -(a) by any member of the Board [(including its Chairman and Vice-Chairman)] [Substituted by G. N. of 25.7.1974.] -(i) for attending a meeting of the Board; or (ii) for the purposes of discharging any functions of the Board (such journey being undertaken with the previous sanction of the Board or its Chairman); (b) by any member of a Council [(including its Chairman and Vice-Chairman)] [Inserted by G. N. of 25.8.1970.] -(i) for attending a meeting of the Council; (ii) for assisting the Board in discharging its functions (such journey being undertaken with the previous sanction of the Council or its Chairman); and (c) [* * *] [Deleted by G. N. of 25.7.1974.] (2) In the case of journey performed by rail, the Chairman of the Board or the Council as the case may be, [shall be entitled to accommodation] [Substituted by G. N. of 24.3.1970.] of the highest class including air-conditioned class provided on the railway by which he performs such journey, subject to the condition, that recovery at the rate of one paisa per kilometer, shall be made from his travelling allowance in respect of the distance covered by the journey undertaken in the air-conditioned accommodation; and the other members shall be entitled to travelling by first class. (3) The Chairman at his own discretion and the other members of the Board with the previous sanction of the Board may travel by air. (4) When the Chairman travels in the Board's car, he shall not be entitled to claim any mileage. When he travels in his own private car, between places connected by rail, he shall draw two-thirds of the full road mileage under B.C.S.R. 397(a) provided the conditions laid down in Instruction I below that rule are satisfied! When he travels in his own private car between places not connected by rail, he may draw full road mileage as admissible under B.C.S.R. 414-1.A Member-Secretary of the Board may also use his own car for a journey by road and in that case may draw road mileage as a Grade I Officer at two-thirds of the full road mileage under rule 397(a) of the B.C.S.Rs. between places connected by rail if the conditions laid down in Instruction I thereunder are satisfied or full road mileage between places not connected by rail under rule 414-1 of the B.C.S.Rs. (5) No bill for travelling or daily allowance payable under this rule shall be paid, unless it is signed by the Chairman in his own case, and in the case of any other member, it is countersigned by the Chairman or Member-Secretary of the Board. (6) If the Chairman of the Board is also the Chairman of the Maharashtra Legislative Council, his travelling allowance shall be regulated in

accordance with rules 1, 3 and 4 of the rules contained in section II of Appendix XLII-B in the Bombay Civil Services Rules, 1959, as amended from time to time.(7)The members of a District Committee shall be entitled for travelling allowance and daily allowance for journeys performed for attending the meeting of the Committee at the rates provided in scale-II in clause (b) of sub-rule (1) of rule 1 in section I of Appendix XLII-A in Bombay Civil Services Rules, 1959.

Chapter III

Powers of the Chairman, Vice-Chairman, Member-Secretary and Financial Adviser

9. Powers of Chairman.

(1)The Chairman shall be responsible for the proper functioning of the Board and the implementation of its decisions and discharge of its duties under the Act.(2)The Chairman shall -(a)cause the important papers and matters to be presented to the Board as early as practicable;(b)issue directions as to the method of carrying out the decisions of the Board;(c)maintain or cause to be maintained an account of the receipts and expenditure on the Board; and(d)present a draft annual report of the working of the Board to the Board for approval and submit the report as approved by the Board to the State Government. He shall also cause the report approved by the Board to be circulated to the members of the Board for their information.(3)The Chairman shall exercise administrative control over all Departments and Officers of the Board.(4)The Chairman may sanction expenditure on contingencies, supplies and services and purchase of articles required for the working of the office of the Board and for execution of measures in furtherance of the objects of the Act subject to the necessary provisions in the budget.

10. Duties and functions of Vice-Chairman.

- The Vice-Chairman shall assist the Chairman in the proper functioning of the Board, the implementation of the various decisions of the Board and generally in the discharge of its duties and functions under the Act. He shall also perform such other duties and carry out such other functions as may be assigned to him by the Board or the Chairman.

11. Powers of Member-Secretary.

(1)The Member-Secretary shall work under the general control of the Chairman who may delegate to him such powers and duties as the Chairman may consider necessary including the following powers and duties, namely :-(i)convening of meetings of the Board under the direction of the Chairman;(ii)drawing up agenda for each meeting under the Chairman's directions and supplying the same to each member of the Board along with the notice of the meeting;(iii)maintenance of the minutes of the meeting of the Board;(iv)furnishing to the State Government all reports including annual reports and returns and necessary documents required under the Act or the

rules;(v)preparation of the annual budget of the Board in consultation with the Financial Adviser.(2)The Member-Secretary shall keep a record of the members of the Board and their addresses. If a member changes his address, he shall notify his new address to the Member-Secretary who shall thereupon enter his new address in the record. But if the member fails to notify his new address, the address on the official record shall for all purposes be deemed to be the member's address.

12. The term of office, conditions of service and functions of Financial Adviser.

(1)The Financial Adviser shall advise the Board on all matters relating to receipts and expenditure.(2)The Financial Adviser shall have the right to attend every meeting of the Board and its financial committees but shall not have the right to vote thereat. He shall also have the right to refer to the Board any matter having financial implications which in his opinion ought to be brought to its notice.(3)The Financial Adviser shall scrutinise and supervise the preparation of the budget of the Board, the compilation of the annual and other financial statements and the manner in which the accounts of the Board are maintained and made available to audit.(4)The Financial Adviser shall have the 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 Member-Secretary, the Chairman, and District Committee, Division Committee or the Standing Finance Committee of the Board.(5)The Financial Adviser shall have authority to advise the Board, the Standing Finance Committee, the Chairman and the Member-Secretary that a particular decision affecting the general financial policy of the State Government or the Commission should be referred to the State Government or as the case may be, the Commission, for consideration.

13. Constitution of Committees.

(1)In particular, but without prejudice to the generality of the provisions of section 8, the Board shall constitute, by resolution, the following Committees, namely :-(i)Standing Finance Committee,(ii)Staff Committee,(iii)Divisional Committee for each Revenue Division, and(iv)District Committee for each district.(2)The Standing Finance Committee and the Staff Committee shall consist of not less than three members appointed from amongst the members of the Board.(3)Each of the above Committees may appoint one of the officers of the Board (other than the Chief Executive Officer) to be a Secretary of such Committee.(4)The Board shall appoint on each Divisional Committee -(a)the Chairman of the Board or other member of the Board residing in the Revenue Division as Chairman of the Committee;(b)other members of the Board and the members of the Council residing in the revenue division as members;(c)the Divisional Officer of the Board of the Division concerned as the Member-Secretary.(5)The Board shall appoint on each District Committee -(a)a member of the Council residing in the district as the Chairman of the Committee and such other persons as may be selected by the Board, as members of the Committee;(b)the District Organiser of the Board as the Member-Secretary.(6)The Board may also, from time to time constitute other Committees for any other purposes, as provided in section 8.

14. Chairman to enter into any contract or agreement.

(1)The Chairman of the Board may, on behalf of the Board enter into any contract or agreement in such manner and form as according to the law for the time being in force, would bind him if the contract or agreement were entered into on his own behalf, provided that the amount or value of such contract or agreement does not exceed five hundred rupees.(2)Any other contract or agreement on behalf of the Board shall be in writing and shall be signed and sealed with the common seal of the Board by the Chairman in the presence of any two other members of the Board, who shall affix their signatures to the contract or agreement in token that the same was signed and sealed in their presence. The signatures of such members shall be in addition to the signatures of any witnesses to the execution of such contract or agreement :Provided that, in case of any contract or agreement on behalf of the Board with the Commission such contract or agreement shall be signed and sealed by the Chairman only.(3)The common seal of the Board shall remain in the custody of the Chief Executive Officer.

15. Powers to sanction grants and subsidies.

(1)The Board shall disburse grants and subsidies in accordance with and at rates and on terms sanctioned by the State Government or the Commission in respect of each industry, from time to time, from the funds made available by the State Government or the Commission, as the case may be.(2)Grants and subsidies shall be paid only to -(a)a society registered or deemed to be registered under the Societies Registration Act, 1860 (21 of 1860);(b)a co-operative society registered or deemed to be registered under the Maharashtra Co-operative Societies Act, 1960 ([Maharashtra XXIV of 1961] [Substituted by G. N. of 24.3.1970.]);(c)(a)Zilla Parishad, Panchayat Samiti or Village Panchayat constituted under any law in force in the State;(d)an authority constituted under any law in force in the State in relation to Bhoodan or Gramdan',(e)a Trust created for public purposes of a charitable or religious nature;(f)any other individual, authority or body in accordance with the approved pattern and within the ceiling prescribed by the Commission or the Government.Explanation 1. - "Individual" means an artisan or any other worker undertaking activities falling under the purview of the Board and for which grants and subsidies are given.Explanation 2. - "Approved pattern" means the several patterns of assistance which the Patterns Committees appointed by the Khadi and Village Industries Commission had recommended and which the Commission had accepted and which are published in the book "Patterns of Assistance" by the Director of Publicity of the said Commission.

16. Preparation of Annual Programme.

- The programme under section 13 shall be prepared by the Board during every financial year for the next financial year in Form 1 containing particulars stated therein; and shall be forwarded to the State Government on such date as may be fixed by the State Government under that section.

17. Preparation of Supplementary Programme.

- A supplementary programme, if any, under section 15 shall be prepared by the Board in Form II and shall be forwarded to the State Government before 30th June, in the year in which it is prepared.

18. Powers of Chairman to sanction expenditure on research and experiments.

- The Chairman shall be competent to sanction grant upto five thousand rupees to an individual or an institution engaged in experiments and research in the technique for production of Khadi or in the development of any village industry.

19. Preparation of Budget.

- The budget under section 20 shall be prepared by the Board during every financial year for the next financial year in Form III and shall be submitted to the State Government before 1st October in the year in which it is prepared.

20. Preparation of Supplementary Budget.

- A supplementary budget, if any, under section 22 shall be prepared by the Board in Form IV and shall be submitted to the State Government before 1st January in the year in which it is prepared.

21. Report and Returns.

(1)The annual report under section 23 shall be prepared by the Chief executive Officer under the direction of the Chairman and laid before the Board. After the report is approved by the Board, copies of the report and statements shall be forwarded to the State Government before the expiry of the period specified in section 23.(2)A quarterly progress report shall be prepared by the Chief Executive Officer in Form V and copies thereof shall be submitted to the State Government from time to time.(d)undertaking Board's construction programme;(e)financing the benefit fund of the staff; [* * *] [Deleted by G. N. of 10.5.1978.];(ee)[giving loan to the employees of the Board for purchasing bicycles or motor-cycles; [Added by G. N. of 10.5.1978.](i)any co-operative housing society registered or deemed to have been registered under the Maharashtra Co-operative Societies Act, 1961; or(ii)the Maharashtra Housing and Area Development Authority constituted under the Maharashtra Housing and Area Development Act, 1976; and(eee)giving loan to the employees of the Board for constructing their own houses or for purchasing flats in premises belonging to,-(f)for such other purposes connected with the activities of the Board or for the benefits of the Board.]

22. Classification of Receipts and Expenditure.

- The receipt and expenditure of the Board shall be classified under such major, minor and subordinate heads of accounts as the State Government may, in consultation with the Board, direct and shall be shown under such further detailed heads of accounts as the Board may consider necessary for purposes of information and control.

23. Preparation of Annual Statement of Accounts.

- Within six months of the close of the financial year, the annual statement of accounts referred to in section 25 shall be prepared in Form VI showing the financial results of any schemes or works undertaken by the Board in that year.

24. [Repeal and Saving] [Substituted by G. N. of 24.3.1970.].

- On the commencement of these rules, the Bombay Village Industries Rules, 1954, shall stand repealed, except as respect things done or omitted to be done before such repeal.

Form I (See rule 16) Programme of work to be done in the year (i) Description of the work to be done. (ii) Area selected. (iii) Manner in which the scheme or the work is to be carried out. (iv) Whether the area selected is suitable for the work to be carried out. (v) Estimated expenditure. (vi) Estimated receipts.

Form II (See rule 17) Supplementary Programme (i) Description of the work to be done. (ii) Area selected. (iii) Manner in which the scheme or work is to be carried out. (iv) Whether the area selected is suitable for the work to be carried out. (v) Estimated expenditure. (vi) Estimated receipts. (vii) Reasons and full justifications for the supplementary programme.

Form III (See rule 20) Budget Estimates for the year (i) Description of the scheme. (ii) Area selected. (iii) Number of centres to be opened, if any. (iv) Number of persons to be trained, if any. (v) Progress of work done during the year - (a) Centres opened. (b) Persons trained. (c) Khadi woven in metres, Palmgur prepared in kilograms. (vi) The grants actually sanctioned during the current year. (vii) Actual expenditure incurred during the last three years. (Separate figures for each year should be given). (viii) Actual receipts accrued during the year. (ix) Estimated expenditure on account of the scheme. For office staff details of establishment as in the accompanying statement should be furnished. (Recurring and non-recurring figures to be shown separately). (x) Reasons, if any excess grant is to be asked for during the next financial year.

Details of Pay of Establishment (As in Appendix 'A')

Form IV (See rule 21) Supplementary Budget (i) Description of the scheme. (ii) Area selected. (iii) Number of centres to be opened, if any. (iv) Number of persons to be trained, if any. (v) Progress of work done during the year - (a) Centres opened. (b) Persons trained. (c) Khadi woven in metres, Palmgur prepared in kilograms. (vi) The grants actually sanctioned during the current year. (vii) Actual expenditure incurred during the last three years. (Separate figures for each year should be given). (viii) Actual receipts accrued during the year. (ix) Estimated expenditure on account of the scheme. For office staff details of establishment as in the accompanying statement should be furnished. (Recurring and non-recurring figures to be shown separately). (x) Reasons, if any excess grant is to be asked for during the next financial year. (xi) Reasons and full justifications for the supplementary grant with facts and figures, etc.

Form V [See rule 22(2)] Quarterly Progress Report

Sr. No.	Name of the Scheme	Brief description of the Scheme	Amount of grant sanctioned for the scheme with Government Resolution No. and date		Amounts drawn during the end of the previous quarter	
1	2	3	4		5	
Amount drawn quarter	Total amount drawn (Total of Column Nos. 5 and 6)	Balance of grant available for expenditure	Position of the schemes at the end of the previous quarter (into figures)	Progress made during the quarter (into figures)	Broad outline of the programme for the next quarter	
6	7	8	9	10	11	

Form VI(See rule 24)