

Advisory Council for the Welfare of the Other Backward Classes in Assam Rules, 1959

ASSAM

India

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Rule

ADVISORY-COUNCIL-FOR-THE-WELFARE-OF-THE-OTHER-BACKWARD CLASSES IN ASSAM RULES, 1959

- Published on 15 August 1962
- Commenced on 15 August 1962
- [This is the version of this document from 15 August 1962.]
- [Note: The original publication document is not available and this content could not be verified.]

Advisory Council for the Welfare of the Other Backward Classes in Assam Rules, 1959Published vide Notification No. TAD/BC/17/58, dated 15th August, 1962 in Assam Gazetted, Part-2A, dated 26th September, 1962, page 3556-3558Last Updated 10th February, 2020Notification No.

TAD/BC/17/58, dated the 15th August, 1962. - In exercise of the powers conferred by Rule 6 of "The Advisory Council for the Welfare of the Other Backward Classes in Assam Rules, 1959" published with Notification No. TAD/BC/17/58/13, dated the 28th August, 1958, the Governor of Assam is pleased to reconstitute the Advisory Council for the Welfare of Other Backward Classes in Assam with the Rule enclosed below-

1.

These rules shall be called "The Advisory Council for the Welfare of the Other Backward Classes in Assam, Rules, 1959".

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 a "Member of the Advisory Council".(e)"Secretary" means the "Secretary of the Advisory Council".(f)"State" means the "State of Assam".(g)"Tribal Areas and Welfare of Backward Classes Department" means "Tribal Areas and Welfare of Backward Classes Department of the Government of Assam."

4.

(1)There shall be an Advisory Council consisting of the following Members-(i)(ii)(iii)(iv)(v)(vi)(vii)(viii)(ix)(x)(xi)(xii)The Commissioner of Agricultural Production, Assam, Ex-officio.(xiii)The Commissioner, Plains Division, Ex-officio.(xiv)The Secretary of the Government of Assam, Tribal Areas and Welfare or Backward Classes Department, Ex-officio.(xv)The Assistant Commissioner of Scheduled Castes and Scheduled Tribes, Ex-officio.(2)The Council shall have a Chairman and Vice-Chairman. The Minister in charge, Tribal Areas and Welfare of Backward Classes Department shall be the Chairman. The Vice-Chairman shall be elected by the Council from amongst its members who are members of the Legislative Assembly of Assam.

5.

The headquarters of the Vice-Chairman for the purpose of calculating his Travelling Allowances or daily allowance as provided in Rule 22 below shall be his normal place of residence as member of the Legislative Assembly.

6.

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

7.

The Council shall have a 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 will be located at Shillong (now Guwahati) and will form part of the Tribal Areas and Welfare of Backward Classes Department.The Secretary of the Councils, attached to the Tribal Areas and Welfare of Backward Classes Department will act as 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 Governor of Assam, generally, on all matters pertaining to the welfare of the other Backward Classes in Assam as may be referred to it by the Governor. (2) The Council will generally advise the Government on all matters pertaining to the welfare of the other Backward Classes and shall in particular, assess their social, educational, economic and cultural requirements with a view to suggesting recommendations to the Government on the facilities that may be extended for their all round progress and development.

10.

(1) The Council shall meet not less than twice a year at such a place and on such date or dates as the Secretary may appoint with the 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 amongst themselves, shall preside over a meeting of the Council. (3) The Governor, whenever considered necessary may direct that the Council may have a joint meeting at Shillong (now Guwahati) with the Council for the Welfare of the Scheduled Tribes in the Autonomous Districts of the State and/or with the Advisory Council for the Welfare of the Scheduled Tribes living in the Plains Districts of Assam and Advisory Council for the Welfare of the Scheduled Castes.

11.

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

12.

(1) Members 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 facts and any other papers that may be necessary for consideration of each case, points for consideration of each case include in the agenda.

16.

The Chairman may invite a Minister, Minister of State, a Deputy Commissioner or a Parliamentary Secretary of the State to attend any meeting and to take part in the discussion of the Council.

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 recommendation of the meetings and shall circulate a 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 determined 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 members 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 309(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 a first grade officer as admissible under the Rules whenever he attends the Council's meetings in Shillong or comes to Shillong 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.