

The Assam Handicraft Artisans Welfare Fund Rules, 2000

ASSAM

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Rule

THE-ASSAM-HANDICRAFT-ARTISANS-WELFARE-FUND-RULES-2000 of 2000

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The Assam Handicraft Artisans Welfare Fund Rules, 2000Published vide Notification No. MI160/99/63Last Updated 12th February, 2020Notification No. MI160/99/63. - In exercise of the power conferred by Section 29 of the Assam Handicraft Artisans Welfare Fund Act 1998 (Assam Act No. VII of 1999), the Governor of Assam is hereby pleased to make the following Rules, namely :

1. Short title and commitment.

(1)This Rules may be called the "The Assam Handicraft Artisans Welfare Fund Rules, 2000."(2)It extends to the whole of the State of Assam.(3)They shall come into force on such date as the Government may, by notification in the Gazette appoint, and different dates may be appointed for different provisions of the Rules.Provided that the provisions relating to payment of pension shall be deemed to have come into force on such date as may be appointed by the Government by Notification in the official Gazette for brining into force of the Act under section 1 (3) of the Assam Handicraft Artisans Welfare Fund Act, 1998.

2. Definitions.

(1)In these Rules, unless the context otherwise requires -(a)"Act" means "the Assam Handicraft Artisans Welfare Fund Act 1998" (VII of 1999) ;(b)"Government" means the Government of Assam(c)"Rules" means the assam handicraft Artisans Welfare Fund Rules, 2000 ;(d)"Scheme" means The Assam Handicraft Artisans Welfare Fund Scheme, 2000 ;(e)"Section" means the section of the Act;(f)"Year" means the financial year starting with 1st April and ending with 31st March.(2)All other words and expressions used herein and not defined but defined in the Act and the Schedule shall have the meaning respectively assigned to them under the Act and the Scheme.

3. Constitution of the Board.

(1)The Fund shall be administered by a Board consisting of the following members, namely :
(a)Seven persons appointed by the Government from amongst the Handicraft Artisans having at least 15 years experience as such artisans and he should be literate enough to carry on his job as a Director. The Director of Industries and Commerce, Assam shall collect the names of qualified Handicraft Artisans and forward the same to the Government for the purpose of constituting the Board.
(b)Four persons representing Co-Operative Society and Non-Governmental Organisation acting in the field of Handicraft Artisan Welfare to be chosen by the Government on the recommendation of the Director of Industries and Commerce, Assam.
(c)Four official appointed by the Government shall be the Officer not below the rank of Joint Director, or equivalent as specified under Section 6(4)(c) of the Act to be nominated by the Department of Industries and Commerce, Assam.
(d)Four official appointed by the Government shall be Officer not below the rank of Joint Director, or equivalent as specified under Section 6(4)(c) of the Act to be nominated by the Department of Industries and Commerce, Assam. Provided that no person shall be eligible for appointment to the Board, if he :
(i)was removed from the Managing Committee or Board of Management of a Co-Operative Society or any other Statutory Corporation or Company or Public Sector Undertaking on the charge of misappropriation of funds, or moral turpitude, or
(ii)is an un-discharged insolvent, or
(iii)is of an unsound mind.
(2)The Government shall appoint one of the Director of the Board its Chairman.
(3)Any member of Board may resign from his office in accordance with section 7(3) of the Act, by giving notice in writing, addressed to the Secretary to the Government of Assam, Industries and Commerce Department, with a copy to the Chairman and his office shall fall vacant from the date of which his resignation is accepted by the Government.
(4)The Government may appoint a new member of the Board in the vacancy caused by the resignation or removal of a member and the member so appointed to fill the vacancy shall hold office for the remaining period of the term of office of the member in whose place he is appointed.

4. Function and power of the Board.

(1)Subject to the provisions of the Act, the Rules and the Scheme, the Board shall administer the fund and implement the scheme :
(2)In particular and without prejudice to generality of the Act, the Rules and the Scheme the Board be responsible for :
(a)the expeditious recovery of the contribution and other dues to the Fund ;
(b)the speedy implementation of the welfare measures, and sanction of assistance under the scheme ;
(c)the speedy disposal of petitions and appeals.
(d)the annual rendering of accounts to the Government.
(3)The Government may call for such reports and returns as they think fit from the Board and it shall be duty of the Board to furnish such reports and returns in time.
(4)The Board may, from time to time, with the prior approval of the Government subject to such terms and conditions as may be specified by the Government, borrow money for the purpose of the Scheme.
(5)No act or proceedings of the Board shall be deemed to be invalid by reason merely of any vacancy in or any defect in constitution of the Board.
(6)The Board shall have overall control over the administration, maintenance and management of the Fund and officers and staffs appointed, under the Board subject to the provisions of the Act, Rules and the Scheme.

5. Meetings.

(1)The Board shall ordinarily meet once in 3 months.Provided that within 15 days of receipt of requisition in writing from not less than 1/3th of the directors/Member of the Board the Chairman shall call a meeting thereof at any time even before or after the expiry of the normal period of 3 months fixed for the purpose of ordinary meeting :Provided further that the Chief Executive Officer in consultation of the Chairman may convene a meeting of the Board at any time if the situation so demands.(2)Notice intimating the date, time and venue of every meeting together with the list of business to be transacted at the meeting shall be dispatched by the registered post or under certificate of posting or by special messenger to each member of the Board, as least 7 days before the meeting :Provided that the Chief Executive Officer may convene a meeting for consideration of any matter which in his opinion is urgent by giving notice of not less than 3 days.(3)The Chairman shall preside over every meeting of the Board in which he is present and if the Chairman is absent at any time, the Directors/Members present shall elect one of them, to preside over the meeting and he/she shall exercise the powers of the Chairman in conducting the meeting.

6. Quorum.

(1)No business shall be transacted at a meeting a the Board unless at least 5 (five) members are present.(2)If at any meeting the member or members present is less than the required quorum, the Chairman shall adjourn the meeting to a date not later than 15 days from the date of the original meeting, informing the members present, the date, time and place of adjourned meeting, and it shall be lawful to dispose of the business of such adjourned meeting irrespective of whether there is quorum or not.(3)A notice in writing intimating the date, time and venue of the adjourned meeting shall be dispatched by registered post or under certificate of posting or by special messenger at least 5 days before the adjourned meeting, to the members who were not present at the first meeting.

7. Transaction of business.

- Every question considered at a meeting of the Board shall be decided by a majority of the votes of the Directors present and in the equal votes the Chairman shall have the power to exercise a casting vote.

8. Minutes of the meeting.

- Every decision taken at a meeting of the Board shall be recorded by the Chief Executive Officer in a minutes book and signed by the Chairman. The minute book shall be permanent record.

9. Fees and Allowances.

(1)The Chairman shall be entitled to such travelling allowance and daily allowance as may be applicable to the Grade-I Officer of the State Government for attending the meeting of the Board.(2)Travelling Allowance and daily allowance of official Directors of the Board shall be

governed by the rules applicable to them for journey performed for official duties.(3)Non-official Directors will be paid travelling allowance at rates applicable to Grade-I Officers of the Government for attending the meetings of the Board.Provided that travelling allowances for journey performed shall be limited to journey performed from the place of residence with in the State.

10. Appointment of sub-committee.

- The Board may appoint, with the prior approval of the Government, such sub-committees as may deem fit for the proper discharge of its duties and the members of such sub-committee shall be allowed to travelling allowance and daily allowance at the rates and subject to the conditions specified under rule 9.

11. Delegation of Powers.

- The Board may, with the prior approval of the Government, delegate to the Chairman, Sub-committee of the Board Chief Executive Officer or any other officers, such of its powers and sub-functions for the efficient administration of the Fund subject to such restrictions and conditions as the Board may specify.

12. Duties and Functions of the Chairman.

- The Chairman shall-(i)preside over all meetings of the Board ;(ii)supervise the functioning of the Board and proper implementation of the Act, Rules and the Scheme ;(iii)shall be the supervising authority over the Chief Executive Officer.

13. Secretary to the Board.

- The Chief Executive Officer shall be the Secretary of the Board. The Secretary of the Board shall, with the approval of the Chairman, issue notice to convene meetings of the Board, Sub-committees and shall keep the records of the minutes of such meetings and take necessary steps for carrying out the functions of the Board.

14. Appointment, Duties and Functions of the Chief Executive Officer.

(1)The Government may appoint under section 9(1) of the Act an officer not below the rank of a Deputy Director of the Industries & Commerce Department as the Chief Executive Officer of the Board on a deputation on usual terms and conditions applicable to the Government Servants for deputation.(2)The Chief Executive Officer shall be the chief executive authority of the Board and shall be responsible for carrying out its decisions.(3)The Chief Executive Officer shall represent the Board all suits and proceeding for and against the Board.(4)The Chief Executive Office shall operate the Bank Account of the Board.(5)The Chief Executive Officer convene all meetings of the Board and records its minutes.(6)The Chief Executive Officer attend the meetings of the Board with all necessary records and information.(7)The Chief Executive Officer shall maintain accounts of the

Fund and the Board, prepare annual Statement of Accounts, get its audited and place the same before the Board in every financial year.(8)The Chief Executive Officer shall be the drawing and disbursing officer of the Board subject to the provisions of the Rules and the Scheme.(9)The Chief Executive Officer shall be the Controlling Officer of all the staff working under him and exercise disciplinary powers over them and responsible for granting of all kinds of the leave excluding study leave, granting of increment etc. and transfer and posting of staff under him.(10)The Chief Executive Officer may, without reference to the Board, sanction expenditure on salaries and wages of the staff, rent, rates and taxes, contingencies, supplies and services and purchase of article required for administering the Fund, subject to such limits up to which he may be authorised to sanction expenditure on any single item from time to time by Board.(11)The Chief Executive Officer may also exercise such administrative and financial powers as may be delegated to him from time to time by the Board.(12)The Chief Executive Officer may delegate, from time to time, his administrative and financial powers to any officer under his control and superintendence, to the extent authorised by the Board.(13)A statement of any delegation under sub-rule (5) shall be placed before the Board at its next meeting for information.(14)The Chief Executive Officer shall perform the duties and discharge the function assigned to him under the Scheme and the Rules.(15)The Chief Executive Office shall do such other things as may be directed by the Board for carrying out the purposes of the Act, the Rules and the Scheme.

15.

(1)Appointment of District Officer(s).- The Government shall designate an officer from the District Industries and Commerce Centre not below the rank of Assistant Manager a the District Officer for the purposes of the Scheme.(2)Duties and Function of the District Officers. - (a) Subject to the provisions in the Act, the Rules and the Scheme, the District Officer shall have such functions and powers, in respect of the concerned district as any be specified in the Scheme.(b)The District Officer shall carry out the direction given by the Board and/or the Chief Executive Officer, from time to time, for smooth functioning of the Board and proper implementation of the Act, the Rules and the Scheme.

16. Appointment of officers and staff.

(1)The Government may appoint such number of officers and staff as they may consider necessary to assist the Board in the discharge of its functions and duties :Provided that the Government delegate such of their powers under this sub-rule, as they deem fit to the Board or to the Chief Executive Officer.(2)In the case of the posts in the Service under the Board to which appointment is made by direct recruitment:-(a)50% shall be reserved for appointment from candidates belonging to the families of Handicraft Artisan, and(b)50% shall be filled in accordance with the procedure laid down the rules as may be prescribed.(c)Provided that candidates belonging to families of Handicraft Artisans and self employed persons can also apply for and be considered for appointment to posts not reserved exclusively for them.(3)Subject to sub-rule (2) the method of appointment, salary and allowances, discipline and other conditions of service of officers and staff other than those appointed on deputation from Government Service shall be fixed by the Board by order with the prior approval of the Government.

17. Opening of regional and local offices.

- The Board may, with the prior approval of the Government, open Regional Offices or Local Offices as are necessary or desirable for the proper implementation of the scheme and may define the functions and duties of such regional or local offices.