## The National Capital Region Planning Board Rules, 1985

UNION OF INDIA India

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### Rule

## THE-NATIONAL-CAPITAL-REGION-PLANNING-BOARD-RULES-1985 of 1985

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### 1801.

[22nd May, 1985]In exercise of the powers conferred by section 36 of the National Capital Region Planning Board Act, 1985 (2 of 1985), the Central Government hereby makes the following rules, namely:-

## Chapter I

#### 1. Title.

- These rules may be called the National Capital Region Planning Board Rules, 1985.

#### 2. Definitions.

- In these rules, unless the context otherwise requires :-(1)"Act" means the National Capital Region Planning Board Act, 1985;(2)"Form" means a form set forth in these rules;(3)"Fund" means the National Capital Region Planning Board Fund constituted under section 22 of the Act;(4)"Government" means the Central Government;(5)"Schedule" means a schedule appended to these rules;(6)Words and expressions used in the rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

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## Chapter II

### Constitution of the Board and the Committee

### 3. Constitution of the Board.

- The Board shall consist of the following 21 members:-(a)the Union Minister of Works and Housing who shall be the Chairman of the Board;(b)the Chief Minister of Haryana;(c)the Chief Minister of Rajasthan;(d)the Chief Minister of Uttar Pradesh;(e)the Administrator of the Union Territory of Delhi;(f)(i)two members (to be nominated by the Government on the recommendation of the State of Haryana);(ii)two members (to be nominated by the Government on the recommendation of State of Rajasthan);(iii)two members (to be nominated by the Government on the recommendation of the State of Uttar Pradesh);(iv)two members (to be nominated by the Government on the recommendation of the Administrator of the Union Territory);(g)(i)Secretary to the Government of India in the Ministry of Works and Housing;(ii)Secretary to the Government of India, Department of Expenditure, Ministry of Finance;(iii)one member who shall be a person having knowledge and experience in town planning to be nominated by the Government;(h)a full-time Member-Secretary of the Board to be nominated by the Government from amongst officers of, or above, the rank of a Joint Secretary to the Government of India;(i)four other members to be nominated by the Government having regard to their knowledge and experience relevant to the functions and powers of the Board.

### 4. Terms of the Members of the Board.

- Every member of the Board shall hold his membership at the pleasure of the Government. The members of the Board nominated under clause (f), clause (g), clause (h) and clause (i) of rule 3 shall continue in office unless fresh nominations are notified by the Government or the Government, by a notification withdraws the nomination of any member; provided that in the case of members nominated under clause (f) shall not be removed except on the recommendation of the participating State concerned, or as the case may be, the Administrator of the Union Territory.

## 5. Disqualification.

- No person shall be appointed as, or continue to be a member of the Board :(a)if he is of unsound mind and stands so declared by a competent court;(b)if he is an undischarged insolvent;(c)if he is not a citizen of India;(d)if he is interested, directly or indirectly in any business of development of land in the Nation Capital Region;

## 6. Resignation.

- Any member nominated under clause (f), sub-clause (iii) of clause (g) and clause (i) of rule 3, may resign his membership by giving a notice to that effect to the Chairman and such resignation shall take effect from the date of it is accepted by the Government.

### 7. Vacancies.

- Where a vacancy occurs in the office of a member by reason of resignation, disqualification, death, removal or otherwise, the vacancy shall be filled as soon as may be after the occurrence of such vacancy, by nomination.

### 8. Conditions of service of the Member-Secretary.

- The salaries, allowances and conditions of service of the Member-Secretary shall be such as may be determined by the Government.

### 9. Fees and Allowances to nonofficial members.

(1)Non Official members of the Board shall be paid such fee as may be determined by the Board, from time to time, for each day of the actual meeting of the Board.(2)Non-Official members shall also be entitled to draw travelling allowance and other allowances for each day he is engaged in the work of the Board or he Committee, as the case may be, at the highest rate admissible to a Government servant of the first grade under the rules applicable to the government servants.

### 10. Constitution of the Planning Committee.

- The Planning Committee shall consist of following members:-(a)the Member-Secretary to the Board who shall be chairman of the Committee;(b)the Joint Secretary to the Government of India in the Ministry of Works and Housing dealing with the work relating to the national Capital Region Planning Board;(c)Secretary to the Government of each participating State and the Union Territory in charge of the work relating to the National Capital Region Planning Board;(d)The Vice Chairman, Delhi Development Authority;(e)The Chief Planner, Town and Country Planning Orgainsation, New Delhi; and(f)The Director, Town and country Planning or the Chief Town Planner, as the case may be, of each participating State.

## Chapter III Conduct Of Business

## 11. Meetings of the Board.

(1) The Board shall ordinarily meet at least once in every six months for the transaction of business and also at such other times as a meeting may be specially convened by the Chairman. (2) Any meeting may be adjourned until the next or any subsequent date and an adjourned meeting may be further adjourned in like manner.

### 12. Notice of meeting and Business.

- Not less than 15 days' notice of an ordinary meeting and not less than 7 days' notice of a special meeting specifying the time and place at which such a meeting is to be held shall be given to the members. In case of an ordinary meeting, the business to be transacted in the meeting will be sent to the members at least seven days before the meeting and in the case of a special meeting the business to be transacted will be mentioned alongwith the notice for the meeting.

### 13. Inclusion of items for discussion in the meeting.

(1)Every member who wishes to have any item to be included in the Agenda in a meeting of the Board shall send the same to the Member-Secretary at least 15 days before the date of the meeting.(2)Only those items which are approved by the Chairman for inclusion will be included in the Agenda.

### 14. Quorum.

- No business shall be transacted at any meeting unless at least five members are present. If at any meeting quorum is not present, the presiding authority shall, after waiting for thirty minutes, adjourn the meeting to such hour on the same or following day or some other day as he may think fit and a notice of such adjournment shall be affixed on the notice board in the office of the National Capital Region Planning Board and the business which was to have been brought before the original meeting had there been a quorum shall be brought before the adjourned meeting and may be disposed or irrespective of the quorum.

## 15. Presiding Officer.

(1)The Chairman, when present, shall preside over the meetings of the Board.(2)In the absence of the Chairman, the members present shall elect from amongst themselves a member to preside over the meeting.(3)The Chairman or in his absence the member elected for the purpose of presiding over the meeting, as the case may be, shall have and exercise the right of a casting vote in all cases of equality of votes.

## 16. Voting.

- Save as otherwise provided under the rules, all matters required to be decided by the Board shall be decided by the majority of votes of the members present.

## 17. Minutes of proceedings.

- The names of the members present and the proceedings of the meeting shall be kept in a book to be provided for this purpose which shall be signed by the Presiding Officer of such a meeting and shall at all reasonable times be open to inspection by any member.

### 18. Members not to vote on matters in which they are personally interested.

- No member of the Board shall vote or take part in the discussions on any questions coming up for consideration at the meeting of the Board if the question is one in which, apart from its general application to the public, he has any direct or indirect pecuniary interest for himself or his relatives.

### 19. Conduct of meetings.

(1)Ordinary meetings:- At an ordinary meeting, business shall be conducted in the following order :-(a)The minutes of the previous ordinary meeting and any special meeting held after such ordinary meeting shall be read and confirmed;(b)The business postponed at the previous meeting shall then be considered;(c)subjects included in the agenda shall thereafter be considered;(d)any other items may also be considered if permitted by the Presiding Officer.(2)Special meetings. - At a special meeting only the business for the purpose of considering which the special meeting has been called shall be considered.

### 20. Points of order.

- All points of order shall be decided by the presiding Officer with or without discussions as he may deem fit and his decision shall be final.

## Chapter IV Administration

## 21. Member-Secretary.

- The Member-Secretary shall be the Chief Executive of the office of the Board and all the officers and employees appointed by the Board shall be under the administrative control of the Member-Secretary.

22. Authentication of orders. - All orders passed approvals given and appointments made by the Board shall be conveyed under the signature of the Member-Secretary.

## **Chapter V**

## **Procedure For Publication Of Draft And Final Regional Plan**

### 23. Form of notice under subsection 1 of section 12.

- As soon as may be after the draft regional plan has been prepared, the Board shall publish a notice in Form `A' inviting objections and suggestions with respect to the draft Regional Plan.

### 24. Manner of notice.

- The Board shall cause the notice in Form `A' to be published in two national daily newspapers published from Delhi and two local newspapers each from the State Capital of each participating State.

### 25. Notice to local authority.

- The Board shall also cause the notice referred to in rule 23 to be sent to the office of every local authority within the National Capital Region and such local authority may within a period of thirty days from the date of such notice, make any representation with respect to the draft Regional Plan to the Board.

### 26. Notice under sub-section (2) of section 14.

- The provisions of rules 23 to 25 shall apply, as far as may be, to the notice issued under sub-section 2 of section 14 of the Act.

### 27. Notice under sub-section (1) of section 13.

- As soon as may be, after the Regional Plan has been finalized by the Board, a notice in Form `B' shall be published in the Official Gazetted of the Government of India and also two national newspapers published from Delhi and two local newspapers each from the State Capital of the participating States, stating that the final Regional Plan has been prepared and is available for inspection.

# **Chapter VI Budget, Accounts and Audit**

## 28. Form of budget estimates.

(1)The budget in respect of the year next ensuing showing the estimated receipts and expenditure of the Board shall be prepared in Forms `C', `D', `E' and `F' and forwarded to the Government by the 15th October each year.(2)Such estimates shall be accompanied by the revised budget estimates for the current year.(3)The budget shall be based on the account heads given in Schedule I.(4)The budget shall be in two parts; one part relating to Revenue and the other to Capital.

## 29. Submission of budget estimates to the Board.

(1)The budget estimates as compiled in accordance with rule 28(1) shall be placed by the Member-Secretary before the Board by the first week of October each year for approval.(2)After approval of the budget estimates by the Board, five copies of the final budget proposals

incorporating therein such modifications as have been decided upon by the Board shall be forwarded to the Government by the 15th of October each year.

### 30. Estimates of establishment expenditure and fixed recurring charges.

- The estimates of expenditure of fixed establishment which will also include leave salary and pension contributions as well as fixed monthly recurring charges on account of rent allowances, etc., shall provide for the gross sanctioned pay without deductions of any kind.

### 31. Reappropriations and emergent expenditure.

- No expenditure which is not covered by a provision in the approved budget estimates or which is likely to be in excess over the amount provided under any Head shall be incurred by the Board without provision being made by reappropriation from some other head under which savings are firmly established and available: Provided that no reappropriation of savings shall be permitted from revenue to capital and vice versa.

### 32. Opening of an account and operation of fund of the Board.

- The Fund of the Board shall be kept in a current account with any branch of the State Bank of India to be opened in the name of "The National Capital Region Planning Board" and shall be operated by the Member-Secretary of the Board or any officer authorised by him in this behalf.

### 33. Accounts & Audit.

(1)The Board shall maintain the accounts of the Board separately with regard to the grants and loans received under sub-section (1) of the section 21, sums received under sub-section (2) of section 21 and sums received under clauses (b) and (c) of sub-section (1) of section 22 of the Act. The forms of accounts will be specified by the Government in consultation with the Comptroller and Auditor General of India.(2)The annual statement of accounts of the Board shall be in such forms as may be specified by the Government in consultation with the Comptroller and Auditor General.(2A)[ The accounts of the Board, before audited by the Comptroller and Auditor General of India, shall be approved and authenticated by the Member-Secretary on behalf of the Board.] [Inserted by Notification No. G.S.R. 205(E) dated 18.3.2004 (w.e.f. 22.5.1985)](3)[The accounts, approved and authenticated by the Member-Secretary under sub-rule (2A), shall] [Substituted words "The accounts shall" by Notification No. G.S.R. 205(E) dated 18.3.2004 (w.e.f. 22.5.1985)] be audited by the Comptroller and Auditor General of India. However, Comptroller and Auditor General of India may suggest the appointment of a primary Auditor to conduct audit on his behalf and there upon such Primary Auditor shall audit the accounts in accordance with the directions and guidelines issued by the Comptroller and Auditor General.

### 34. Grants-in-Aids.

- The Board may sanction grants-in-aid to the participating State Governments or the Union territory administration or the State Governments having a counter-magnet area and the local authorities, urban development authorities, housing boards and such other authorities of the State Government or the Union territory or other State Government concerned as the case may be, for implementing the sub-regional plans and project plans or for developing the counter-magnet area.

### 35. Procedure for sanctioning grants-in-aid.

(1)(a)Unless in any case the Board directs otherwise, every order sanctioning a grant shall indicate whether it is recurring or non-recurring in nature and specify clearly the object for which it is given and the conditions, if any, attached to the grant. In the case of nonrecurring grants for specific objects, the order shall also specify the time limit within which the grant or each instalment of it is to be spent.(b)An order for the payment of a grant-in-aid should be so worded that there is a specific direction for the payment of a specified sum and should be distinguishable from an order approving a proposal for a grant-inaid.(2)(a)Only so much of the grant shall be paid during any financial year as is likely to be expended during the year. In the case of grants for specific works or services such as buildings, water supply schemes and the like, payments should be authorised according to the needs of the work. It shall be ensured that money is not drawn in advance of requirements. A rush for payments of these grants in the month of March should be avoided.(b)Where grant-in-aid involves one time payment it should be paid, as far as possible, before the end of December. In any case, rush towards payments of such grants in the last quarter of the financial year should be avoided.(3)Before a grant is paid to any local authorities, urban development authorities, housing boards or such other authorities of the State Governments and Union territory administration., the Board shall invariably obtain the following set of audited statements of accounts of the authority concerned in order to see that grant-in-aid is justified by the financial position of the grantee and to ensure that previous grants, if any, was spent for the purpose for which it was intended :-(i)The receipt and payment accounts of the authority as a whole for the financial year; (ii) the income and expenditure accounts of the authority as a whole for the financial year and(iii)the Balance Sheet, if any, as at the end of the financial year for the authority as a whole.

### 36. Certificate of utilization.

- In cases in which conditions are attached to the utilization of grants sanctioned to local authorities, Urban development authorities, Housing boards and such other authorities of the State Government and the Union territory administration in the form of specification of particular objects of expenditure or the time within which money must be spent, or otherwise, the State government and the Union territory administration shall be primarily responsible for certifying to the Board where necessary, the fulfilment of the conditions attaching to the grant.

### 37. Conditions of grant in aid.

(1)Unless it is otherwise ordered by the Board, every grant made for a specific object is subject to the implied conditions:-(i)that the grant shall be spent upon the object within a reasonable time, if no timelimit has been fixed by the Board:(ii)that any portion of the amount which is not ultimately required for expenditure upon that object shall be duly surrendered to the Board.(2)In order to satisfy itself regarding the manner in which the affairs of the recipient body are managed and the grants are utilized, the Board may require the accounts of the body or authority in receipt of a grant-in-aid from the Board to be audited.

### 38. Loans.

- The Board may sanction loans to the State Governments and the Union territory administration or to the local authorities, Urban development authority, Housing Boards or such other authorities of the State Governments or the Union territory, as the case may be, which are implementing the sub-regional plans and the project plans or developing a counter-magnet area.

### 39. Conditions of loan.

(1)All sanctions of loans shall specify the terms and conditions including the terms and conditions of repayment and payment of interest.(2)The borrowers shall be required to adhere strictly to the terms settled for the loans made to them. Modifications of the terms in their favour can be made subsequently only for special reasons.

#### 40. Calculation of interest.

(1)Interest shall be charged at such rate as may be specified by the Board for any particular loan or for the class of loans concerned and the rate of interest prescribed by the Government from time to time shall invariably be adopted by the Board.(2)A loan shall bear interest for the day of payment but not for the day of repayment. Interest for any shorter period than a complete year shall be calculated as:-

No. of days x Yearly rate of interest

365

Unless any other method of calculation is specified by the Board in any particular case or class of cases.

### 41. Loan agreement.

- In the case of loans to local authorities, urban development authorities, housing boards and such other authorities other than the State Governments and the Union territory administration, a loan agreement specifying all the terms and conditions shall be executed. A clause shall invariably be inserted in all such agreements enabling the Board at any time to call for accounts of the applicants

relating to any accounting year with power to depute an officer specially authorised for this purpose to inspect the applicant's books, if necessary.

### 42. Security for loans.

- Loans to Local authorities, urban development authorities, housing boards and such other authorities other than the State Governments and the Union territory administration shall be sanctioned only against adequate security. The security to be taken shall ordinarily be at least 33 1/3 per cent more than the amount of loan: provided that the Board may accept a State guarantee in lieu of the security.

### 43. State Government to certify.

(1)An order for the payment of a loan should be so worded that there is a specific direction for the payment of a specified sum and should be distinguishable from orders approving a proposal for loan.(2)In cases where loans are sanctioned in favour of authorities, such as local authorities, urban development authorities, housing boards and such other authorities, other than the State Governments and the Union territory administration in which conditions are attached to the utilisation of loan either in the shape of the specification of the particular object on or the time within which the money must be spent or otherwise, the State Government and the Union territory administration shall be primarily responsible for certifying to the Board the fulfilment of the condition attaching to the loan.

## 44. Payment in instalments and moratorium.

- When a loan is released in instalments, each instalment of the loans so drawn shall be treated as a separate loan for purposes of repayment of principal and payment of interest thereon except where the previous instalments drawn during a financial year are, for this purpose, allowed to be consolidated into a single loan as at the end of that particular financial year. In the latter event, simple interest at the specified rate on the various loan instalments from the date of drawal of each instalment to the date of their consolidation shall be separately payable by the borrower. Repayment of each loan or the consolidated loan, as the case may be, and the payment of interest thereon shall be arranged by the borrower annually on or before the anniversary date of drawal or consolidation of the loan in such number of instalments as the Board may specify. The Board may allow, in deserving cases, a moratorium towards repayment of principal but not for the payment of interest. But should it appear that there is an undue delay on the part of the debtor in taking out the last instalment of a loan, the Board may at any time declare the loan closed and order repayment of capital to begin. The Officer in charge of accounts of the Board shall bring to the notice of the Board any delay that appears to him to require this remedy and he shall take this step whether there are any dates fixed for taking of instalments or not.

### 45. Default in payment.

(1)The loan sanctions in all cases and the agreement in the case of local authorities, urban development authorities, housing boards and such other authorities should invariably include a provision for the levy of penal interest on over-due instalments of interest or principal and interest. The loan-sanctions and agreements in the case of local authorities, urban development authorities, housing boards and such other authorities of State Governments and Union territory administration should invariably stipulate a higher rate of interest and provide for lower rate of interest in the case of punctual payments. The penal or the higher rate of interest, as the case may be, shall not, except under special orders of the Board, be less than 2 ½ per cent per annum above the normal rate of interest specified by the Board from time to time for the loans advance.(2)Any default in the payment of interest upon a loan or in the repayment of principal, shall be promptly reported by the officer in charge of accounts to the Board.

#### 46. Accounts and control.

- Subject to such general or specific directions as may be given by the Comptroller and Auditor General, detailed accounts of grants and loans given by the Board shall be maintained by the officer in charge of the accounts who shall also watch their recovery and see that the conditions attached to each loan are fulfilled.

### 47. Annual statement of loans and advances.

(1)The officer in charge of accounts of the Board shall submit to the Board an annual statement showing the details of the outstanding loans borne on his books under the Head "Loans and Advances by the Board". The statement shall be submitted in Form `G'.(2)The officer in charge of the accounts of the Board shall also submit to the Board an annual statement showing the details of the outstanding loans received by the Board under the head "Loans and Advances received by the Board". The statement shall be submitted in Form `H'.

## Chapter VII Miscellaneous

## 48. Form and time of submission of Annual Report.

Objects				First			
ofexpenditu	ıre				Anticipated	e <b>Rpevindeid</b> ur	e:e
like salaries			Last	five	for the	estimates	fdPr
travel	Actual for	Sanctioned	seven	months	remaining	the year	bu
expenses	theyears191919	budgetgrant	months	of actuals	seven year	19 19	. for
office			19	current	months of	Col. 9 and	l co
expenses,				year	the year	9-10.	
etc.				19			
1	2	3	4	5	6	7	8

Form DNational Capital Region Planning BoardEstablishmentStatement of details of provision proposed for pay of officers Establishment for the year 19.... (See Rule 28)

Name anddesignation	Reference to pageof estimate form	Sanctioned pay ofthe Post Minimum actual pay of the persons concerned due on 1stApril next year	Amount ofprovision for the year at the rate in col. 3(c)	Increment failingdue within the year	Total provision for the year i.e. total of columns 4 and 4(c)	Remarks
(a)	(b)	(c)	Date of increment	Rate of increment	Amount ofincrement for the year	
(a)	(b)	(c)				
1	2	3	4	5	6	7

### Form ENational Capital Region Planning BoardNominal Rolls(See Rule 28)

Nameand	Day Doomaga Allawanaa	Citycompensa	t <b>blo</b> yuseRent	t OvertimeAllowance	Children Ed Letive Tala		
designation	1 ay	ay DearnessAllowance	allowance	Allowance	OvertimeAnowance	allowance	Concessio
1	2	3	4	5	6	7	8

#### **TOTAL**

Form FNational Capital Region Planning BoardAbstract of Nominal Rolls(See Rule 28)

Actualsand strength as on 1.3.19		o <b>£</b> anctioned 19	lgrant Budget-19	Revised1919	Estimates	Budget1919	Estimate	Expla betwo sanct Budg Revis Estin budg
No.of posts included	Payand allowances	No.of posts included	Payand allowances	No.of posts included	Payand allowances			
1	2	3	4	5	6	7	8	9

I. Officers(a)Posts filled(b)Posts vacantTotal-I OfficersII. Establishments(a)Posts filled(b)Posts vacantIII. Class IV(a)Posts filled(b)Posts vacantTotal-III Class IVGrand total - I, II and IIIForm GNational Capital Region Planning BoardStatement of Loan/Advances sanctioned by the BoardFinancial year 19......[See Rule 47(1)]

Name ofperson/party receiving the loan/advance	Amount ofloan/advan sanctioned	Rate of ce interest	No. and date oforders authorising the loan/advances	from	Amount advancedt year	h <b>is</b> tal	Repayment ofprincipal	•
instalments	Amount ofprincipal during the year	of principal (Col. 8-9)	Balance ofloans/advance at the close of the year (Col. 7 & Col. 9)	Amount ofinteres due for eand upto the year under review	and credited	Balance ofinterest unpaid advance.		
1 Foot Note:	2	3	4	5	6	7	8	9

### Foot Note:

## 1. The amount of loan consolidated during the year shall also be indicated in Column 6.

## 2. Simple interest recovered in respect of individual instalments paid during the year may be indicated against the particular instalments in column 13.

Form HNational Capital Region Planning BoardStatement of loans/advances received by the Board-Financial year 19.....[See Rule 47(2)]

Name ofperson/party receiving the loan/advance	Amount ofloan/advan sanctioned	Rate of ce interest	No. and date oforders authorising the loan/advances	from	Amount advancedt year	h <b>iis</b> tal	Repayment ofprincipal	•
Instalments ofrepayment during the year and arrears of instalments duerelating to earlier years, if any (figures to be shownyear-wise)	Amount ofprincipal during the year	of principal	Balance ofloans/advance at the close of the year (Col. 7 & Col. 9)	Amount ofinteres due for eand upto the year under review	and credited	Balance ofinterest unpaid advance.		
1 	2	3	4	5	6	7	8	9

National Capital Region Planning Board Budget And Account Heads(See Rule 28)AdministratonHead Of Accounts (Expenditure)

### 1. Salaries

## 2. Wages

## 3. Travel Expenses

## 4. Office Expenses

(a)Furniture(b)Postage(c)Office Machine/Equipment(d)Liveries(e)Hot and cold weather charges(f)Telephones(g)Electricity and water charges(h)Stationery(i)Printing(j)Staff car and other vehicles(k)Other items

### 5. Fee and Honorarium

- 6. Payment for professional and special services
- 7. Rents, rates and taxes/royalty
- 8. Publications
- 9. Advertising, Sales and Publicity expenses
- 10. Loans/Grants-in-aids/contributions/Subsidies.
- 11. Hospitality expenses/Sumptuary allowances, etc.
- 12. Write off/Losses
- 13. Suspenses
- 14. Other charges (A residuary head, this will also include rewards and prizes)

Heads Of Accounts (Receipts)

- 1. Payment by Central Government
- 2. Fees
- 3. Fines and other receipts

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National Capital Region Planning BoardForm of annual report of the National Capital Region Planning Board(See Rule 48)Annual Report for the financial year April 19.... March 19....

- 1. Introductory
- 2. Constitution of the Board including changes therein
- 3. Meetings of the Board

- 4. Constitution of the Planning Committee including changes therein
- **5. Meetings of the Planning Committee**
- 6. Details of the activities in the various sub-regions
- 7. Details of activities in urban areas outside the National Capital Region selected under sub-section (f) of Section 8.