

Andhra Pradesh Infrastructure Development Enabling Terms & Condition Rules, 2003

ANDHRA PRADESH

India

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Rule

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Andhra Pradesh Infrastructure Development Enabling Terms & Condition Rules, 2003Published vide Notification No. G.O.Ms.No. 124, Industries & Commerce (INF), dated 18.6.2004Last Updated 12th September, 2019G.O.Ms.No. 124. - In exercise of the power conferred by subsection (1) of Section 79 read with Section 6, 8, 12 and 60 of the Andhra Pradesh Infrastructure Development Enabling Act, 2001 (Act No. 36 of 2001), the Government of Andhra Pradesh hereby makes the following rules: -

1. Short title and commencement.

(1)These rules may be called the Andhra Pradesh Infrastructure Development Enabling (Terms and conditions, etc. of the member of the Infrastructure Authority) Rules, 2003.(2)These rules shall come into force from the date of publication in the Andhra Pradesh Gazette.

2. Definitions.

(1)In these rules unless the context otherwise requires:(a)"Act" means "the Andhra Pradesh Infrastructure Development Enabling Act, 2001".(b)"Authority" means "The Infrastructure Authority constituted under sub-section (1) of Section 3 of the Act.(c)"Government" means "The Government of Andhra Pradesh".(d)"Member" means "a member of the Authority appointed by the Government under sub-section (4) of Section 4 of the Act".(2)The words and expressions used in these rules and not defined herein but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. "Term of Office of members and their resignation, etc.

(1)(a)A member of the authority shall hold office for a period of two (2) years from the date of his appointment.(b)A member may resign his membership by writing under his hand addressed to the Government, but he shall continue in office until his resignation is accepted by the Government.(2)A person who holds or who had held office as Chairman or a Member of the Authority shall be eligible for reappointment.(3)In case the Chairman post falls vacant. Chief Secretary to Government shall hold charge as Chairman until such time the said post is filled up by the Government.(4)A casual vacancy shall be filled by the Government by appointment of another member for the residual/ remaining term.

4. Pay and allowances of the Chairman and the members.

(1)A member other than an ex-officio member shall be paid the following fee or reimbursement of the expenses as follows: -(a)Sitting fee of Rs. 2,500/- per meeting.(b)Reimbursement of travelling expenses, boarding and lodging expenses actually incurred/ payable.(c)Pay and allowances of the Chairman other than an ex-officio Chairman shall be as determined by the Government from time to time.

5. Removal of members/chairman.

- The Government may remove any member including the Chairman if in the opinion of the Government such member has become incapable of performing his duties as a member of the authority for any reason including incapacity, insolvency, unsound mind, acted contrary to any provision of the Act. rules and regulations made thereunder. Provided that such removal will not be done without issuing notice.

6. Staff of the authority.

- The Government will determine the staff strength and their service conditions for the efficient performance of the functions of the Authority.

7. Acts of authority.

- No act or proceedings of the Authority shall be deemed to be invalid by reason only of any vacancy or any defect in the constitution of the Authority.

8. Decision of the Authority.

- All decisions of the Authority shall be authenticated by the signature of Officer of the authority duly authorised by it in that behalf.

9. Funds.

(1)The Authority shall maintain Infrastructure Authority Fund to which all money received by the authority from Government or other authorities or persons by way of grant, loans, donations or otherwise shall be credited.(2)The funds specified in Rule 10 (1) above shall be applied towards meeting the expenses incurred by the Authority in discharge of its duties and functions under the Act and the Rules and not for any purpose.(3)The Authority may keep such sum of money out of its funds as it may deem fit in deposit in any of the scheduled bank or financial Institutions authorised by the Government.

10. Budget.

- The authority shall prepare a budget in respect of each financial year showing the estimated receipts and expenditure of the authority and forward it to the Government for approval by the 15th January of the year proceeding the Financial year.

11. Report of the Authority.

- The Infrastructure Authority shall submit quarterly report as regards its working and operation to the State Government. It shall also prepare every year an Audit Report giving a true and full account of its activities during the previous year, Government shall place the same Audit Report before the Legislature for its information.

12. Furnishing of Returns etc.

- The Authority shall furnish to the Government such returns or other information with respect to its activities, functions, meetings etc., as the Government may from time to time require.

13. Accounts and Audit.

(1)The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including a balance sheet.(2)The accounts of the authority shall be subject to annual audit by such person as may be appointed by the Government and any expenditure incurred by that person shall be borne by the authority.(3)The person so appointed or any other person authorised by him in connection with the audit of the accounts shall have the same right, privilege and Authority in connection with such audit as the Accountant General has, in connection with the audit of Government accounts.(4)The accounts as certified by the person so appointed or any other person authorised by him in that behalf together with the audit report thereon shall be forwarded annually to the Government who will place the same before the Legislature for its information.

14. Conduct of Members.

(1) A member of the Authority shall act in a manner to protect and further the interests of the State Government. (2) Any member having directly or indirectly any share or interest himself or by his partner or is professionally interested on behalf the client principal or other person in any manner whatsoever including pecuniary interest or otherwise in any matter coming up for consideration at a meeting of the authority shall, as soon as possible after relevant circumstances have come to his knowledge, disclose the nature of his/ her interest at such a meeting and the disclosure shall be recorded in the minutes of the meeting and the member shall not take part in any discussion or decision pertaining to that matter.