

The Rail Land Development Authority (Transaction of Business) Regulations, 2012.

UNION OF INDIA

India

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Rule

THE-RAIL-LAND-DEVELOPMENT-AUTHORITY-TRANSACTION-OF-BUSINESS-REGULATIONS, 2012

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The Rail Land Development Authority (Transaction of Business) Regulations, 2012. Published vide Notification New Delhi, the 15th May, 2012 Ministry of Railways (Rail Land Development Authority) G.S.R. 368(E). - In exercise of the power conferred by sub-section (1) of section 4-1, read with section 4F of the Railways Act, 1989 (24 of 1989) and rule 23 of the Rail Land Development Authority (Constitution) Rules, 2007, the Rail Land Development Authority, with the previous approval of the Central Government, hereby makes the following regulations, namely-

1. Short Title and Commencement.

(1) These regulations may be called the Rail Land Development Authority (Transaction of Business) Regulations, 2012. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these regulations, unless the context otherwise requires:- (a) "Act" means the Railways Act, 1989 (24 of 1989); (b) "Authority" means Rail Land Development Authority constituted under section 4A of the Act; (c) "Chairman" means the Chairman of the Authority; (d) "Member" means a Member of the Authority and includes the Chairman and Vice-Chairman. (e) "Secretary" means the Secretary of the Authority appointed under sub-rule (8) of rule 8 of the Rail Land Development Authority (Constitution) Rules, 2007. (f) "Vice-Chairman" means the Vice-Chairman of the Authority. (2) Words and expressions used herein and not defined but defined in the Act and the Rail Land Development

Authority (Constitution) Rules, 2007, shall have the same meaning as respectively assigned to them in the Act or said rules.

3. Meeting of the Authority.

(1)The meeting of the Authority shall be held at New Delhi at such time as may be decided by the Chairman.(2)The meeting of the Authority shall be held once in three months and there shall be a total of at least four meetings in every financial year and there shall be gap between two successive meetings of the Authority which shall not exceed four months.(3)The Secretary shall circulate the notice of the meeting of the Authority along with agenda notes among the Members at least two working days before the date fixed for such meeting.(4)The Chairman or Vice-Chairman may, at his discretion, call for a special meeting either on his own or on receipt of a requisition in writing from at least two Members, specifying the subject for consideration at the said meeting.(5)On receipt of the requisition under sub-regulation (4), the Chairman shall fix a date for the special meeting of the Authority on such date which shall not be later than ten days from the date of such requisition and send the notices along with the agenda by circulation among the Members by messenger before one clear working day on which the special meeting is fixed.(6)Notice of the meeting of the Authority may be given to the Member by delivering the same by messenger or sending it by registered post to his last known place of residence or business in such manner as the Secretary may, in the circumstances of the case, think fit.(7)Every meeting of the Authority shall be presided over by the Chairman and, if for any reason, the Chairman is unable to attend the meeting of the Authority, the Vice-Chairman shall preside at the meeting.

4. Quorum.

- The quorum for the meeting of the Authority shall be two-third of the total Members, after deducting therefrom the number of Members, if any, whose places may be vacant at the time.

5. Conduct of meetings.

(1)The meeting of the Authority shall be conducted in the following manner, namely:-(a)the minutes of the previous meeting of the Authority or any special meeting of the Authority, if any, shall be read and confirmed;(b)confirmation of decision taken by the Authority by circulation under regulation 7;(c)the business postponed at the previous meeting, if any, shall then be considered;(d)subject included in the agenda shall thereafter be considered;(e)any other matter may also be considered with permission of the chair;Provided that the Chairman or, in his absence, the Vice-Chairman may, at his discretion, change the order of business.(2)At a special meeting, the business for which the special meeting has been called shall only be considered:(3)The Member, who is not present at the meeting of the Authority, shall be intimated by fax or official e-mail regarding the date and time of the next meeting of the Authority.(4)If a Member differs in his view on any issue raised in the meeting of the Authority, such view shall be recorded in minutes of the meeting.(5)All decisions of the Authority shall be taken on the basis of the majority of Members present and voting, and in the event of an equality of votes, the Chairman or Vice-Chairman who presides the meeting shall have the right to exercise a second or casting vote.

6. Minutes of meeting.

(1)The minutes of each meeting of the Authority shall be prepared by the Secretary within ten days of the date of the meeting and shall thereafter be sent to the Member who has attended the meeting for approval.(2)The minutes approved by all Members shall thereafter be authenticated and issued by the Secretary and also be kept on record in a minute book.(3)The minute book shall be kept by the Secretary in the office of the Authority and be open for inspection by any Member.(4)The minutes of every meeting of the Authority prepared under sub-regulation (1) shall be confirmed at the next meeting of the Authority:Provided that the suggestions or comments received from Members, shall be considered at the meeting of the Authority where the minutes are put up for confirmation.(5)All resolutions and decisions taken at the meeting of the Authority shall be recorded in the minutes.(6)The Secretary shall make and compile subject wise all resolutions and decisions made in the meetings of the Authority and he shall make it available to all Members at the end of the calendar year.

7. Transaction of business by circulation of papers.

(1)Notwithstanding anything contained in regulation 3, if in the opinion of the Chairman or the Vice Chairman, any matter requires urgent attention of the Authority, it may be dealt with by circulation of papers under registered cover among all the Members at their usual address and any resolution so circulated shall be taken as passed if majority of Members approve it, in writing, and shall be as effectual and binding as if the resolution has been passed at a meeting of the Authority.(2)When any business is so referred to the Member by circulation of papers, a period of not more than 2 working days shall be allowed for the receipt of remark or reply from the Member, such period to be counted from the time when the notice of business is issued to the Member in writing.(3)Any resolution passed under this regulation shall be placed before the next meeting of the Authority for confirmation.

8. Matters to be considered in the meeting of the Authority.

- The Authority shall consider and decide on all or any of the matters connected with the affairs of the Authority as per the agenda of the meeting of Authority:Provided that the Chairman or Vice-Chairman shall consider and decide any other matter which are not included in the agenda of the meeting of the Authority.

9. Member not to participate in meeting in certain cases.

- If, any Member is interested in any matter coming up for consideration at a meeting of the Authority, he shall not participate or vote in any deliberation or decision of the Authority with respect to that matter.

10. Interpretation.

- If any question arises relating to the interpretation of these regulations, the matter shall be referred to the Authority who shall decide the same.