

THE CALCUTTA GAZETTE, NOVEMBER 9, 1961

WEST BENGAL KHADI AND VILLAGE INDUSTRIES BOARD.

NOTIFICATION Dated the 18th September 1961.

In exercise of the power conferred by section 33 of the West Bengal Khadi and Village Industries Board Act, 1959 (West Bengal Act XIV of 1959), the West Bengal Khadi and Village Industries Board, with the previous sanction of the State Government, hereby makes the following regulations, namely: —

THE WEST BENGAL KHADI AND VILLAGE INDUSTRIES BOARD REGULATIONS, 1961

CHAPTER - I

Preliminary

1. Short Title: These regulations may be called the West Bengal Khadi and Village Industries Board Regulations, 1961.

2. Definitions: In these regulations, unless the context otherwise required —

(a) "The Act" means the West Bengal Khadi and Village Industries Board Act, 1959 (West Bengal Act XIV of 1959);

(b) "The Board" means the West Bengal Khadi and Village Industries Board established under section 3;

(c) "Chairman" means the Chairman of the Board appointed under sub-section (2) of section 4;

(d) "Executive Officer" means the Executive Officer of the Board appointed under section 5;

(e) "Financial year" means the year commencing on the first day of April;

- (f) "Government" means the Government of West Bengal;
- (g) "The rules" means the West Bengal Khadi and Village Industries Board Rules, 1960;
- (h) "Section" means a section of the Act; and
- (i) "Secretary" means the Secretary of the Board appointed under sub-section (3) of, section 4.

CHAPTER - II

Terms and conditions of service under the Board

3. Transfer of services: The services of all the employees of the Advisory Board for Khadi and Village Industries in West Bengal and the services of the employees attached to the different Village Industries Schemes under the Directorate of Industries, Government of West Bengal, who agreed to serve the Board and to be governed by the Act and the rules and regulations made there under as for the time being in force shall, on and from first April 1960, be deemed to have been transferred to the Board.

4. Conditions of service and remuneration:

(1) The employees whose services have been so transferred shall serve under the Board in temporary capacities on the same remuneration as before such transfer until provision regulating their conditions of service and remuneration is made by an order by the Board. The past services of such employees under their respective employers shall be taken into account to such extent as the Board may, with the previous approval of the Government, lay down for the purposes of leave, increment and seniority and for the purposes of any other benefits or concessions to which Government servants were eligible on the 31st March 1960.

(2) In fixing the scale of pay and allowances of its own employees the Board may take into account the scales of pay and allowances of similar categories of Government servants; Provided that in the cases where the maximum salary or the honorarium exceed Rs.300 per month or wages exceed Rs.10 per day, previous approval of the Government shall be taken.

5. Creation of posts: All posts shall be created by the Board by passing resolutions to that effect. All orders regarding creation of posts of honorary workers shall be issued by the

Secretary and of all posts other than those of honorary workers by the Executive Officer.

6. Board's power to make appointment:

(1) Whenever necessary the Board may appoint paid as well as honorary employees. The Board may allow such honorarium, traveling allowances, and daily allowances as it deems fit, subject to the condition that where the honorarium exceeds Rs.300 per month previous approval of the Government shall be taken.

(2) In appointing its officers and employees the Board may consult a Selection Committee formed by the Board of one or more of its members or outsiders of or both. In the cases where the Selection Committee is formed and consulted, all appointments shall be made by the Executive Officer as per the recommendation of such Committee.

7. Promotion and increment:

(1) Having due regard to merit, promotion shall be made generally on the basis of seniority. The Board may treat any post or class of posts as selection post or posts to which promotion shall be made in the basis of merit only: Provided that the Executive Officer may in special cases, with the prior approval of the Chairman and recording his reasons for so doing, promote employees drawing less than Rs.300 per month otherwise than on the basis of seniority.

(2) Where the Executive Officer is competent to create a post he may be authorized by the Board to grant higher initial pay or sanction increments retrospectively, recording in either case his reasons for so doing.

8. Classes of employees: The employees of the Board shall be of four classes, namely - Class I to Class IV, who may further be classified into different grades. The duties and the responsibilities of the employees shall be such as may be specified by the Board by order issued from time to time.

9. Board to lay down terms and conditions of services: Subject to the provisions of the Act,

rules and regulations, the Board shall lay down the terms and conditions of services including age limit at the time of recruitment, minimum qualification and experience required, gratuity, contributory provident fund, and the conduct, discipline and appeal if all its employees and honorary workers except the Secretary and the Executive Officer. The Board may by order in writing relax any of those terms and conditions wherever it is necessary to do so in the interests, and in furtherance of the work, of the Board.

10. Conditions of deputation service: In the case of Government Servants whose services are lent to the Board, the terms and conditions of services including pay, traveling allowances, daily allowances, leave, leave salary, provident fund, pension and gratuity shall be such as may be laid down by the Government at the time of deputation to the Board.

11. Requirement of medical certificate:

(1) Before joining any post under the Board for the first time, a candidate shall be required to produce a medical certificate of fitness from such authority and in such form as may be specified by the Board from time to time: Provided that such certificate shall not be required in the case of employees whose services have been transferred to the Board and who had once produced such certificate.

(2) Under special circumstances the Board may allow a selected candidate to join without producing such certificate beforehand, but only on the condition that such candidate shall produce it within one month from the date of his joining.

(3) In exceptional cases where it is necessary in the interest of the work of the Board to do so, the Board may by order in writing wholly exempt a candidate from producing such certificate.

(4) Where once an employee of the Board is discharged from service for non-production of such certificate, he shall not be employed again under the Board without first producing such certificate in advance.

12. Period of probation or trial and confirmation: Every employee of the Board recruited against a permanent vacancy shall be on probation for a period of twelve months and every employee of the Board recruited against a temporary vacancy shall be on a trial for a period of three months. Such period of probation or trial may be extended by the appointing authority by six months in individual cases. After satisfactory completion of such period of probation an employee shall be confirmed and after satisfactory completion of such period of trial an employee shall be allowed to continue in the temporary post.

13. Age of superannuation, extension and re-employment: Every employee of the Board other than honorary workers and Government servants employed on deputation shall retire on the date on which he attains the age of fifty-five years Provided that the Board may, by special resolution in each case, extend the service of an employee, by not more than one year at a time, up to the sixtieth year of his age or re-employ an employee, by not more than one year . at a time, on specific fresh terms of service.

14. Appointment of over-aged persons: The Board may also make fresh appointment if persons aged over fifty-five years for a period not exceeding one year at a time.

15. Termination of services: The appointing authority or any authority superior to the appointing authority may terminate the services of-

(a) a temporary employee, at any time during the period of trial without notice and without assigning any reasons therefore, and after satisfactory completion of the period of trial by one month's notice in writing or by payment of one month's salary as allowances in lieu of the notice;

(b) an employee appointed against a permanent post, at any time during the period of probation without notice and without assigning any, reasons therefore, and after satisfactory completion of the period of probation on any of the following grounds, namely :-

(i) when he is declared medically unfit for further service ; and

(ii) when he absents himself from duties without permission of appropriate authorities or he is guilty of insubordination, intemperance or other misconduct :Provided that termination on any of the aforesaid grounds shall be in accordance with the procedure laid down by regulations made by the Board in this behalf.

16. Traveling allowances:

(1) An employee of the Board shall be granted traveling and daily allowances to cover the expenses which he incurs in traveling in the interest of the Board at such rates and on such conditions as may be specified by regulations made by the Board in this behalf. Until provision in this behalf is made by regulations an employee of the Board shall draw traveling and daily allowances at similar rates and on similar conditions as Government servants of the same category and grade.

(2) The Executive Officer shall be the controlling Officer in respect of the bills regarding the traveling and daily allowances of an employee of the Board.

17. Leave and leave salary: Until provision in this behalf is made by the Board by regulations, leave including study leave and leave salary shall be admissible to an employee of the Board in accordance with the rules and orders applicable to a Government servant of the same category and grade.

18. Deputation out of India: The Board may, with the prior approval of the Government, depute any of its members or employees to proceed outside India in connection with the Board's work or on the request of a foreign Government, and also grant funds for the purpose.

19. Amenities: The Board may, out of its funds, provide for its employees amenities, such as canteen, recreation club, lunch room, ladies room, etc.

CHAPTER - III

Meetings of the Board and appointment of Committees and Sub-Committees

20. Notice of meeting and list of business: Subject to the provisions of rule 10, the Secretary shall issue notice and draw up agenda of meetings of the Board.

21. Presiding over meetings: The Chairman shall ordinarily preside over all the meetings. In his absence in any meeting the members present in the meeting shall elect one of them, other than the Secretary, to preside over the meetings.

22. Quorum:

(1) No business shall be transacted at any meeting of the Board unless a quorum shall be present.

(2) One third of the total number of members of the Board holding office for the time being shall form a quorum.

(3) If at any meeting of the Board a quorum is not present, the Chairman or any other member presiding at such a meeting shall adjourn the meeting to another date. The members present at such adjourned meeting shall form a quorum, whatever their number may be.

23. Casting of votes :

(1) All questions which may come before the Board at a meeting shall be decided by a majority of votes of the members present and voting at such a meeting. In case of equality of votes, the person presiding shall have and exercise a second or casting vote.

(2) Votes shall ordinarily be taken by voice or by show of hands, provided that votes shall be taken by ballot when so demanded by members present at the meeting and so decided by the person presiding over the meeting,

24. Minutes of the meetings :

- (1) In accordance with clause (iii) of rule 10, minutes of the proceedings showing inter alia the names of the members present and the decision taken thereat of all meetings of the Board shall be entered by the Secretary in a book to be kept for the purpose, and shall be signed by the persons presiding over the meeting.
- (2) A copy of the minutes of the proceedings of all meetings of the Board shall within seven days be forwarded by the Secretary to the Government.
- (3) The Secretary shall lay the minutes before the next meeting of the Board for confirmation which shall be signed after confirmation by the person presiding thereat : Provided that when the office of the Secretary is vacant, the Executive Officer shall enter and lay the minutes as above and the Chairman shall forward the same to the Government.

25. Appointment of Committees and Sub-Committees for specific purposes: The Board may appoint committees or sub-committees consisting of one or more of its members or outsiders or of both for specific purposes to assist or advice the Board in carrying out its functions under the Act.

CHAPTER - IV

Payment, deposit, investment and custody of monies on behalf of the Board.

26. Issue of sanction of expenditure: Subject to the provisions of sub-rule (4) of rule 9 and clause (v) of rule 11, all orders sanctioning expenditure shall be issued by the Executive Officer on behalf of the Board.

27. Manner of payment: Save payments by way of salary, wages, allowances and honorarium, all other payments on behalf of the Board of amounts not exceeding Rs.100 each shall be made in cash and of amounts exceeding Rs.100 each by cheques.

28. Drawing and signing of cheques: All cheques shall be drawn against the current accounts of the Board and shall be signed by -

- (a) the Secretary and, in his absence, the Executive Officer when the value of the cheque does not exceed Rs.10,000, and
- (b) jointly by the Secretary and the Chairman when the value of the cheque exceeds

Rs.10,000.

29. Authentication of deposits : All deposits shall be authenticated by the signature of the Secretary.

30. Petty cash and deposit of surplus money:

(1) Petty cash required for meeting current expenditure of the Board shall be in the custody of the Executive Officer or any other officer of the Board authorized by the Executive Officer in writing in this behalf. The amount of such petty cash shall be as determined by the Board from time to time.

(2) The Board may advance an imprest sum not exceeding Rs.500 to an Officer of the Board for incurring petty expenditure within the powers delegate to him. Such officer shall be liable to account for such an advance and shall maintain proper account in the form specified in this behalf by the Board.

(3) All monies not required for current expenditure shall be deposited forthwith in the bank in appropriate accounts of the Board.

31. Executive Officer - responsibility for expenditure and internal audit :

The Executive Officer shall be responsible for ensuring that no expenditure is made from the funds of the Board unless provision for such expenditure has been made in the budget or revised budget of the Board and unless funds are available for incurring such expenditure, and he shall also conduct necessary internal audit of such expenditure for ensuring that such expenditure is incurred in accordance with the rules and regulations under the Act and the orders and instructions issued from time to time by the Government or the Board.

PRATIMA BOSE,
Chairman, West Bengal Khadi and Village Industries
Board.