

COIR INDUSTRY RULES, 1954

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COIR INDUSTRY RULES, 1954

S. R. O. 2226, dated the 6th July, 1954. 1 -In exercise of the powers conferred by sub-section (1) of Section 26 of the Coir Industry Act, 1953 (45 of 1953). the Central Government hereby makes the following rules, the same having been previously published as required by the same sub-section, namely :

1. Short title :-

These rules may be called the Coir Industry Rules, 1954.

2. Definition :-

In these rules, unless the context otherwise requires,-

- (i) "Board" means the Coir Board constituted under Sec. 4 of the Act;
- (ii) "Chairman" means the Chairman of the Board;
- (iii) "Committee" means any Committee constituted by the Board under Sec. 8 of the Act;
- (iv) "Form" means a form set forth in the Schedule to these rules;
- (v) "Member" means a member of the Board;
- (vi) "Secretary" means the Secretary of the Board;
- (vii) "the Act" means the Coir Industry Act 1953 (45 of 1953);
- (viii) "Vice-Chairman" means the Vice-Chairman of the Board;
- (ix) "year" means the year commencing on the first day of April,

3. Office of the Board :-

The Office of the Board shall be located at Ernakulam.

4. Constitution of the Board and the manner of filling vacancies :-

(2) The Central Government may make such consultations as may be necessary before appointing the members.

5. Term of Office :-

6. Resignation :-

7. Removal from the Board :-

The Central Government may remove any member from his office-

- (a) if he is of unsound mind and stands so declared by a competent court, or
- (b) if he is an undischarged insolvent, or
- (c) if he is convicted of a criminal offence involving moral turpitude, or
- (d) if, without leave of the Board he fails to attend more than three successive meetings of the Board.

8. Absence from India :-

9. Vice-Chairman :-

10. Minimum number of meetings of the Board :-

The Board shall hold a meeting at least once in every quarter : provided the Board may, with the permission of the Central Government, hold no meeting in any particular quarter.

11. Power to call meetings :-

(1) The Central Government may at any time call a meeting of the Board.

(2) The Chairman may at any time call a meeting of the Board and shall do so, if a requisition for a meeting is presented to him in writing by at least ten members.

12. Business by circulation :-

(1) Any business which the Board or Committee is required to transact may, if the Chairman of the Board or of the Committee so directs, be referred by circulation of papers to members, and any resolution or proposal so circulated and approved by the majority of members, who have recorded their views in writing shall be as effectual and binding as if such resolution or proposal were decided by a majority of votes at a meeting : Provided that at least ten members of the Board or a majority of the members of the Committee, as the case may be, have recorded their views on the resolution or proposal : Provided further that when a resolution or proposal is referred by circulation of papers, any five members of the Board or three members of the Committee, as the case may be, may require that the resolution or proposal be referred to a meeting and thereupon such reference shall be made to a meeting of the Board or the Committee.

(2) When any business is so referred to members by circulation, a period of not less than 14 clear days in the case of the Board and 10 clear days in the case of Committee shall be allowed for receipt

of replies from members. Such period is to be reckoned from the date on which notice of business is issued.

(3) If a resolution or proposal is circulated, the result of the circulation shall be communicated to all the members.

13. Record of business :-

(1) A record shall be maintained of all business transacted by the Board or its Committees, and copies of such record shall be submitted to the Central Government.

(2) The record of business transacted at the meetings of the Board and of the Committee shall be signed by the Chairman presiding over such meetings.

(3) When business is transacted by circulation of papers a record of business so transacted shall be signed by the Chairman of the Board or the Committee, as the case may be, directing the circulation.

14. Budget estimate :-

(1) The Board shall in each year prepare a budget for the ensuing year and shall submit it for the sanction of the Central Government in the second week of October : provided that the first budget shall be so submitted on or before such date as may be appointed by that Government.

(2) Subject to such orders as may be issued by the Central Government from time to time, no expenditure shall be incurred until the budget is sanctioned by the Central Government and the expenditure is authorised by competent authority.

(5) Supplementary estimates of expenditure shall be submitted for the sanction of the Central Government in such form and on such dates as may be directed by them.

15. Contracts :-

(1) The Board shall enter into contracts, provided that every contract which extends over a period of more than three years or involves expenditure in excess of Rs. 20,000 shall require the previous sanction of the Central Government.

(2) The Board may delegate to the Chairman or the Secretary such

power for entering into contracts on its behalf as it may think fit.

(3) Contracts shall not be binding on the Board unless they are executed by the Chairman or Vice-Chairman and by the Secretary with the previous approval of the appropriate authority concerned, and the common seal of the Board is affixed thereto.

(4) Neither the Chairman nor the Secretary nor any member of the Board shall be liable for any assurance or contract made by the Board, but any liability arising under such assurance or contract shall be discharged from the moneys at the disposal of the Board.

16. Powers to incur expenditure :-

(1) Subject to the provisions of the Act and these rules, the Board may incur such expenditure as it may think fit and write off losses up to Rs. 1.000 in any one case and may delegate to the Executive Committee or to the Chairman or Secretary such financial powers as it may consider expedient: Provided that, save with the sanction of the Central Government, no expenditure shall be incurred which is in excess of the sanctioned budget allotment under any head.

(3) Re-appropriations between heads of expenditure shall not be made save with the previous sanction of the Central Government.

(4) The Board shall not incur expenditure outside India in excess of Rs. 10,000 on any one item without the previous sanction of the Central Government.

17. Borrowing powers :-

The Board may with the previous sanction of the Central Government borrow, on the security of the Coir Fund or any other of its assets, for meeting its expenses or for any other purpose referred to in Section 10 of the Act : ¹ [Provided that no loan other than a loan from the Central Government or any State Government shall be taken which is repayable later than six months from the date of the loan.]

1. Published in Gazette of India, Extraordinary, 1954, Pt II Sec. 3. p. 1109.

18. Accounts of the Board :-

(1) The Board shall maintain accounts of all receipts and

expenditure relating to each year,

(2) The audited accounts of receipts and expenditure together with the auditors report thereon shall be submitted to the Central Government as soon as may be after such accounts are audited and in any case, not later than three months from the close of the year in which they are audited.

(3) An abstract of receipts and expenditure shall be published in the Gazette of India.

(5) The total receipt only shall be shown under each of the heads specified in sub-rule (4) and the opening balance, if any, shall also be stated.

(6) Expenditure incurred in the year shall be shown under separate heads and sub-heads.

(7) The closing balance of the year shall be shown at the foot of the accounts on the expenditure side. Provided an annual pro forma account on actual basis shall also be prepared for bringing out assets and liabilities as well as details of reserves and investments.

19. Forms to be used :-

The forms set out in the Schedule to these rules shall be used for the purpose of the provisions of the Act or Rules, as the case may be, referred to in each form. The Board may either generally or in any particular case require such additions or alterations as it may consider necessary to be made to any such form.

20. 20 :-

. The Board may call for and maintain such statistics as it considers necessary for the efficient discharge of its duties including those relating to-

(a) spindles and looms in operation,

(b) quantity and quality of coir yarn and coir products manufactured,

(c) labour employed,

(d) wages paid,

(e) stoppages of work,

(f) existing plants and additions or reductions thereto,

(g) quantity and quality of coir fibre, coir yarn or coir products exported,

(h) amounts of cess collected.

21. Pay and allowances of the Secretary :-

The Secretary shall be entitled to such pay and allowances including T. A. and H. A. and shall be subject to such conditions of service in respect of leave, pension, provident fund and other matters as may, from time to time, be fixed by the Central Government.

22. Restriction on delegation of powers :-

(1) The Board shall not delegate any administrative or financial power to any Committee other than the Executive Committee.

23. Appointments :-

24. Allowances and remuneration :-

Save with the previous sanction of the Central Government, no remuneration other than travelling allowance and hailing allowance shall be made to any member on account of his service as such.

25. Custody and disbursement of funds :-

(b) The proceeds of the customs duty, after deducting the expenses of collection shall then be credited to the "Coir Improvement Fund" under section "P-Deposits not bearing interest (B)-Reserve Funds".

(c) The licence fees levied and collected by the Board shall be credited to the Coir Fund.

(d) All expenditure of the Coir Board shall be charged to a separate minor head under the Major Head "43-Industries and Supplies". The expenditure will be met from the Coir Fund to which payments to be made by the Central Government to the Board under Sec. 14 of the Act shall also be credited.

(e) The current account of the Board shall be kept in banks approved by the Central Government.

(f) Withdrawal of funds shall require the sanction of the Chairman or the Vice- Chairman.

(g) Payments by or on behalf of the Board shall be made in cash or by cheque drawn against a current account of the Board.

26. Sending persons abroad :-

The Board shall not send any officer of the Board or any member to places outside India without the previous sanction of the Central Government.

27. Reports and returns :-

The Board shall submit to the Central Government a half-yearly report and an annual report on its activities and the working of the Act, within three months from the expiry of the period to which the report relates.