
ANDHRA PRADESH (NON-DELTA AREA) DRAINAGE CESS FUND RULES, 1986

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ANDHRA PRADESH (NON-DELTA AREA) DRAINAGE CESS FUND RULES, 1986

In exercise of the powers conferred by sub section (1) of Section 14 of the Andhra Pradesh (Non Delta Area) Drainage Cess Act, 1986 (Andhra Pradesh Act No. 20 of 1986) read with sections 7 and 8 of the said Act, the Governor of Andhra Pradesh hereby makes the following rules, names

PART 1 PRELIMINARY

1. Short Title :-

These rules may be called the Andhra Pradesh (Non Delta Area) Drainage Cess Fund Rules, 1986.

2. Definitions :-

In these rules, unless the context other wise requires:

(a) "Act" means the Andhra Pradesh (Non Delta Area) Drainage Cess Act, 1986.

(b) "Chairman" means the Chairman of the Krishna, Godavari and Pennar Delta Drainage Board, consituted under Section 7 of the Andhra Pradesh (Krishna, Godavari and Pennar Delta Area) Drainage Cess Act, 1985.

(c) "Committee" means a committee appointed by the Board under sub section (2) of section 7 of the Act.

(d) "Division" means a non delta division as may be specified.

(e) "Government Servant" means a person in the employment, or appointment to any office, under the Government ;

(f) "Member" means a member of the Board or the Committee, as the case may be ;

(g) "Secretary" means the Secretary to the Board.

PART 2

BOARD AND ITS COMMITTEES

3. Strength and Powers of the Divisional Committees :-

(1) The number of members of a Committee appointed by the Board for each Non Delta division shall not exceed eight.

(2) The committee for each district in the Non Delta Area shall consist of the following, namely:-

(i) The District Collector Chairman.

(ii) The Chairman, Zilla Praja Parishad of the District.

(iii) The Members of the Legislative Assembly representing the Non Delta areas of the District.

(iv) The Members of Parliament of the District.

(v) Members other than the Members of the Legislative Assembly of

the State Drainage Board established under subsection (1) of Section 7 of the Andhra Pradesh (Krishna, Godavari and Pennar Delta Area) Drainage cess Act, 1985 (Act 26 of 1985).

(vi) The Presidents of the Mandal Praja Parishads representing the Non Delta Areas of the districts; and

(vii) The Superintending Engineers Incharge of the works in the district.

(3) The Board shall not assign any functions to a Committee which would involve an authority for approval of a drainage scheme costing more than two lakhs.

4. Travelling Allowances and Daily Allowance of Members being Government Servants :-

The Chairman or member, who is a Government servant, shall be entitled to such travelling and daily allowances as are admissible under the rules applicable to him for journeys performed on official duty. When such journeys are performed exclusively for the purposes of the Board or its Committees, the Board shall reimburse to the Government, the amount so paid towards the travelling and daily allowances of the Government servant.

5. Travelling Allowance and Daily Allowance payable to Chairman and Members of the Board and Committees not being Government servants :-

(1) The Chairman and members, not being Government servants shall be entitled to travelling allowance and daily allowance and such other allowances as may be admissible, for the journeys performed by them for the purposes of the Board or its Committees, as the case may be, according to the Andhra Pradesh Travelling Allowance Rules as applicable to the class of officers to which the Government may declare them to correspond in status.

(2) No journey shall be performed by the Chairman or a member for the purpose of the Board or its Committees outside the State of Andhra Pradesh without the prior approval of the Government.

(3) The Joint Secretary Deputy Secretary to Government, Irrigation and Command Area Development Department, who is appointed as the Secretary of the Board, shall be the Controlling Officer in respect of all travelling allowance bills claimed under this rule.

(4) The Chairman or a member, not being a Government servant,

shall not be entitled to any remuneration other than the allowances provided in these rules.

6. Conveyance Allowance :-

The Chairman or a member, not being a Government servant, residing at a place where the meeting of the Board or its Committee is held, shall not be entitled to any travelling allowance, but shall be entitled to the actual cost of conveyance, to and from his residence to the place of the meeting, subject to a maximum of rupees ten per day of the meeting.

7. Secretary of the Board :-

The Board shall, with the previous approval of the Government, appoint a person, not being a member of the Board, to be the Secretary of the Board, who shall be the Chief executive officer of the Board.

8. Time and place of the meeting of the Board :-

The Board shall meet at such time and place as the Chairman may, from time to time, determine.

Provided that the Board shall meet at least once in two months.

9. Powers to convene meeting of the Board :-

The Chairman may, at any time call for a meeting of the Board and shall do so, if a requisition for that purpose is received from not less than five non official members of the Board specifying the purpose for which the meeting is proposed to be called or if a direction from the Government to do so is issued.

10. Notice of meetings :-

(1) Ordinarily, not less than ten days clear notice of every meeting not being an adjourned meeting of the Board shall be given to each member. But, a meeting may be convened at a shorter notice by the Chairman, if in his opinion the Board has to consider any matter of urgency.

(2) A notice may be sent to a member by post or served on him in person.

(3) Any irregularity in giving notice to any of the members shall not invalidate any resolution passed at meetings.

11. Presidency over meetings :-

(1) The Chairman shall preside over every meetings of the Board.

(2) If the Chairman is not present at any such meeting, the members present shall choose one from among themselves to preside over that meeting.

12. Quorum and other matters :-

(1) The quorum for a meeting of the Board shall be six. If there is no quorum within fifteen minutes of the time appointed for the meeting, no meeting shall be held and the Chairman or presiding member of the meeting shall adjourn the meeting to a specified time and date.

(2) If at any time during the progress of the meeting, after its commencement, there is no quorum it shall not be dissolved but shall continue to be held.

(3) No quorum shall be necessary at an adjourned meeting.

(4) No matter shall be considered at an adjourned meeting, other than matters left over at the meeting from which the adjournment took place.

Provided that the Chairman or the presiding member may bring or direct to be brought any new matter, which in his opinion is urgent, before an adjourned meeting of the Board, with or without notice.

(5) Any point of order raised at a meeting shall be decided by the Chairman or the presiding member and his decision thereon shall be final.

(6) The Chairman or the presiding member of a meeting may direct any member whose conduct at the meeting is, in his opinion, disorderly, to withdraw and any such member so ordered shall withdraw.

(7) No proceedings of the Board shall be invalid by reason merely of a vacancy existing in the Board or any reason of any irregularity in the conduct of the business of the meeting.

(8) Every member shall have one vote. All questions which come up before any meeting of the Board shall be decided by a majority of the votes of the members present and voting and in the event of equality of votes, the Chairman or the presiding member of the meeting shall have and exercise a second or casting vote.

(9) In cases not expressly provided for in these rules for the conduct of a meeting, the decision of the Chairman or the presiding

member at the meeting on all matters relating to the conduct of business at the meeting shall be final.

13. Record of Business :-

(1) The proceedings of every meeting of the Board shall be recorded in a minute book to be kept for this purpose by the Secretary and shall be signed by the Chairman or the presiding member at that or the next succeeding meeting. The proceedings shall be circulated to all the members and a copy thereof shall be sent to the Government.

(2) An entry of such proceedings in the minutes book shall be conclusive evidence of the fact of such proceedings having taken place in the meeting of the Board.

14. Transaction of business by circulation of papers :-

(1) Any business which it may be necessary for the Board to transact may, if the Chairman or the presiding member so directs, be dealt with by circulation of papers under registered cover among the members for the time being available at their usual address and any resolution so circulated and approved by the majority of the members signing, shall be deemed to be a resolution passed at a meeting of the Board. When any business is so referred to the members by circulation, a period of not less than seven clear days shall be allotted for the receipt of replies from the members such period being reckoned from the date on which the notice is issued.

(2) The result of such circulation shall be communicated to all the members.

15. Committees :-

Rules 4 to and 8 to 14 shall, as far as may be, apply to the transaction of business of the Committee of the Board, subject to such further instructions as may be issued, from time to time, in this regard by the Board.

16. Delegations :-

Subject to such conditions and limitations, as may be specified in the order, the Board may with the approval of the Government, by general or special order, authorise the Chairman, any other member, the Secretary or other officer of the Board, to exercise such of its powers and perform such of its functions under the Act as it may deem necessary.

17. Administration of the Fund :-

(1) The Non Delta Area Drainage Cess shall be collected and credited to the following Head of Accounts : 0702. Minor Irrigation 04. Flood Control M.H. 103. Drainage Projects . . D. Non Delta Areas S. H. (01) Drainage Cess Collections". Subject to the provision under sub section (1) of section 8 of the Act at the end of each financial year, equivalent amount shall be transferred to Non Delta Drainage Cess Fund. Account by debit to the following Head of A Account, namely : 2711 Flood Control 03. Drainage 797 Transfer to Reserve Funds S.H. (02) Transfer to Non Delta Area Drainage Cess Fund 230. Inter Accounts transfer".

(2) The Expenditure on the drainage schemes shall be debited to the appropriate head of account within the consolidated Fund of the State, either in the revenue or capital head according to the expenditure falling under revenue or capital head and at the end of each financial year, an equivalent amount shall be transferred to the Andhra Pradesh (Non Delta Area) Drainage Cess Fund Account from the concerned head by means of a deduct entry.

(3) The expenditure incurred by the Board for purposes common to all or any of the divisions, like the establishment, tools and plants, shall be apportioned among the divisions concerned as far as possible in the proportion in which the expenditure is incurred on the drainage schemes in the respective divisions.

(4) The Board shall submit, for approval of the Government, in each financial year not later than the 1st October, a statement of programme of the activities proposed to be carried out by it in the ensuing financial year as well as the financial estimate in respect thereof. The Government may specify the form in which the programme of activities and annual financial estimates (original or supplemental) shall be submitted by the Board to the Government.

(5) The Board shall be treated as an office subordinate to Government in matters relating to the preparation and submission of the annual budgets.

(6) A supplementary programme of activities and financial statement, if necessary, shall also be submitted to the Government during the financial year to which the supplementary statement

pertains.

(7) The Board shall, as soon as possible after the close of each financial year, submit to the Government an annual report of the Board operations during that financial year and the activities that are likely to be undertaken in the next financial year.

(8) The annual report referred to in sub rule (7) shall, in addition to, matters of general interest, deal with the following matters, namely :

(a) a map showing the jurisdiction of the Board with important works marked thereon ;

(b) the names of the members, and Chief officers of the Board, organisation of the Board and a chart showing the organisation ;

(c) review of the work done by the various committees ;

(d) the progress made in the planning and construction programme in the financial year; and

(e) the annual budget and the expenditure incurred.

18. Drainage Schemes :-

It shall not be necessary for the Board to obtain the concurrence of the Government in respect of any drainage scheme costing less than rupees ten lakhs.