

ANDHRA PRADESH KHADI AND VILLAGE INDUSTRIES BOARD RULES, 1969

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**ANDHRA PRADESH KHADI AND VILLAGE INDUSTRIES
BOARD RULES, 1969**

In exercise of the powers conferred by Section 28 of the Andhra Pradesh Khadi and Village Industries Board Act, 1958(Act IV of 1959), the Governor of Andhra Pradesh hereby makes the following rules, namely:

CHAPTER 1

Preliminary

1. Short title :-

These rules may be called the Andhra Pradesh Khadi and Village Industries Board Rules, 1969.

2. Definitions :-

(1) In these rules unless the context otherwise requires:

(a) "Act" means the Andhra Pradesh Khadi and Village Industries Board Act, 1958;

(b) "Audit Officer" means the Accountant General, Andhra Pradesh;

(c) " Committee" means Finance Committee, Appointment Committee or any other Standing Committee or Ad hoc Committee or Sub Committee constituted under Section 12 of the Act;

(d) "Chairman" Secretary Member , Chief Executive Officer, and Financial Adviser and Chief Accounts Officer means respectively, the Chairman, Secretary, Member, Chief Executive Officer and Financial Adviser and Chief Accounts Officer of the Board;

(e) "Ordinance" means the Andhra Pradesh Khadi and Village Industries board Ordinance, 1958 (Ordinance III of 1958)

(f) "Rules" means the rules made by the Government under Section 28 of the Act;

(g) "Section" means section of the Andhra Pradesh Khadi and Village Industries Board act, 1958;

(2) Expressions used in these rules but not defined shall have the meaning assigned to them in the Act.

CHAPTER 2

Board and its Committees

3. Disqualifications of membership of the Board and Council :-

(1) A person shall be disqualified for appointment as member, if on the date of appointment, such person:-

(a) is less than twenty one years of age; or

(b) is of unsound mind; or

(c) has applied to be or has been or is adjudicated insolvent; or

(d) has been sentenced by a Criminal Court for an offence involving moral delinquency; or

(e) has, on any previous occasion, been removed from the Office of member, or has been removed by order of a competent Court from any position of trust either for mismanagement or corruption; or

(f) has any financial interest in any subsisting contract with or in any work being done for the Board except as a share holder (other than a Director or Managing Agent) in a Company as defined in Section 3 of the Companies Act, 1956 or Institution.

Provided that where he is a share holder, he shall disclose to the Government the nature and extent of shares held by him in such a company or institution.

(2) A Member shall cease to hold his office, if he:

(a) is sentenced by a Criminal Court for an offence involving moral delinquency, such sentence not having been reserved; or

(b) is of unsound mind; or

(c) has applied to be, or has been or is adjudicated an insolvent; or

(e) becomes disqualified under sub rule (1) above.

4. Casual vacancies :-

(1) All casual vacancies of any member of the Board or Council caused by the death or resignation or who becomes subject to disqualification laid down in Rule 3(2) shall be filled in by the State Government by notification in the Official Gazette.

5. Committees and Sub committees :-

(1) The Board shall constitute a Standing Finance Committee and Standing Appointment and Services Committee.

(2) The Finance Committee shall consist of not less than three Members from amongst the Members of the Board and shall include the representative of the Finance Department nominated by the Government on the Board;

(3) The appointment and Services Committee shall consist of the following members namely:

(a) the Chairman of the Board;

(b) A Member of the Board;

(c) The Director of Industries; and

(d) The Chief Executive Officer.

(4) The Board may constitute any other Standing Committee, Adhoc Committee or sub Committee, as may be necessary from time to time, consisting of not less than three members with prior permission of the Government.

(5) The Chairman shall be the Chairman of all Committees and sub committees and in the absence of the Chairman, the Committee or sub committee shall elect from amongst its members present, a Chairman for that meeting.

CHAPTER 3

Chairman, Secretary, Members of the Board and Council

6A. Duties and powers of the Chairman :-

(1) The Chairman shall be responsible for the proper functioning of the Board and the implementation of its decisions and discharge of its duties under the Act.

(2) The Chairman may delegate such powers as may be vested in him or as may be delegated to him to any member or members of the Board; or Member Secretary or Chief Executive Officer or

Financial Adviser and Chief Accounts Officer.

(3) The Chairman shall have the power of entertaining appeals over the promotions made and punishments inflicted by the Chief Executive Officer for which the Executive Officer is the appointing authority.

(4) The Chairman shall.

(a) cause the important papers and matters relating to policy to be presented to the Board as early as practicable;

(b) cause to be maintained an account of the receipt and expenditure of the Board; and

(c) cause to present draft annual report of the working of the Board to the Board for approval and submit the report as approved by the Board to the Government. The report approved by the Board should also be circulated to the Members of the Board for their information .

(5) The Chairman shall be the Controlling Officer in respect of his own Travelling Allowance bills, the Chairman shall be the Controlling Officer in respect of Travelling Allowance and Daily Allowance bills of the non official Members of the Board; the Council and all Committees and sub committees.

(6) The Chairman shall be responsible for preparing, in consultation with the Member Secretary, the Chief Executive Officer and Financial Adviser and Chief Account Officer, the Annual Budget Estimates and Supplementary Budget Estimates to be forwarded to the Government and to the Commission.

6B. Honoraria and allowances for the Chairman :-

(1) The chairman of the Board shall be paid an honorarium Rs. 1,000 (Rupees one thousand only) per month.

(2) He shall be provided with a Car and Driver, for official purposes, whether at Headquarters or outside on tour, the maintenance whereof servicing repairs etc.; being borne by the Board. The propulsion charges of the car for use within the City limits of Hyderabad shall also be borne by the Board.

(3) He shall be entitled to draw Travelling Allowance and daily allowance at the following rates;

(i) within the State: Rs. 30 per day.

(ii) Outside the State Rs. 63 per day, if the journey both ways is by air.

(iii) Actual Air fare if the travel is by Air plus Rs. 20 per each way, for incidentals, plus extra luggage charges, if any.

(iv) First Class or Air conditioned class fare (if air condition is available) if the travels is by Train plus incidentals at Rs. 0.15 P. per K.M.

(4) Mileage allowance at 0.75 P. per K.M. for tour outside the city limits of Hyderabad subject to the following conditions;

(a) The Chairman should meet full propulsion charges;

(b) he shall not draw Daily Allowance on day or day of journey, if he draws mileage at the rate of 0.75 per K.M.

(c) if he draws daily allowance alone instead of mileage no mileage allowance is admissible. In such cases the propulsion charges will be borne fully by the Board.

7A. Term of office of the Secretary :-

The Secretary shall hold office for such period as may be decided by the Board from time to time.

7B. Duties and powers of the Secretary of the Board :-

(1) Subject to the general control by the Chairman, the Secretary shall exercise such powers and discharge such duties as the Chairman, or the Board, from time to time; may delegate to him in addition to the following powers and duties:

(a) Convening of meetings of the Board and the Committees and sub committees thereof under the directions of the Chairman;

(b) Drawing up agenda for each meeting in consultation with with the Chairman and the Chief Executive Officer and supplying the same to each member of the Board and the Committees and sub committees along with the notice of the meeting;

(c) Maintaining the record of the minutes of the meetings of the Board, Committees and sub committees, thereof,

(2) The Secretary shall cause to keep a record of the members of the Board. Committees and sub committees, thereof. (2) The

Secretary shall cause to keep a record of the members of the Board. Committees and sub committees and their addresses. If a member changes his address the member shall notify his new address to the Secretary who shall thereupon enter the member's new address in the record. But if the member fails to so verify, the address on the official record shall for all official purposes be deemed to be the member's address.

(3) The Secretary shall be the Controlling Officer in respect of his own travelling and daily allowances bills.

(4) The Secretary shall remain incharge of the office of the Chairman, whenever the Chairman is absent after intimating the Board in writing of his doing so.

7C. Honoraria and allowances of the Secretary :-

The Secretary shall be entitled to a pay of Rs. 450 per mensem and to use for official purposes a car including petrol. He shall be entitled to draw travelling and daily allowances for the journeys performed for the purposes of the Board as admissible to the member of the First Class Committee.

8A. Members of the Board, Honoraria and allowances :-

(1) All members of the Board shall be entitled to draw such conveyance, travelling and daily allowances for all the journeys performed for the purposes of the Board, its Committees or sub Committee as admissible to members of First Class Committees. Members residing at the Headquarters of the Board office shall be eligible for daily allowance as admissible to members of First Class Committee. Besides the said allowances, the members shall be entitled to a sitting fee of Rs. 50 per each day of sitting.

Provided that the sitting fee payable shall be subject to a ceiling of two sittings per month.

(2) No journeys shall be performed by the Secretary or any non official member except the Chairman, for the purposes of the Board outside the State without the prior approval of the Chairman.

8B. Members of Council, Honoraria and allowances :-

The members of the Council shall be entitled to draw such conveyance, travelling and daily allowances for the journeys performed by them for attending Council meetings as admissible to the members of a First Class Committee with a sitting fee of Rs. 25

per day of sitting. Members residing at the village or towns or cities where the meeting takes place will not be eligible for the daily allowance: Provided that the sitting the payable shall be subject to a ceiling of two sittings per annum.

8C. Allowance at the First Appointment and Relinquishment

:-

The Chairman and Secretary shall be entitled to travelling allowances for journeys performed on first appointment and on relinquishment.

CHAPTER 4

Officers of the Board

9. Duties and powers of the Chief Executive Officer :-

(1) The Chief Executive Officer shall be the Executive Head of the Board office and all other officers and servants of the Board, except the Financial Adviser and Chief Accounts Officer, shall be subordinate to him. He shall also perform such duties and exercise such powers delegated to him by the Board or by the Chairman. He may participate in all the meetings of the Board and its committees and sub committees but shall not have the right to vote thereat.

(2) (a) Subject to sub rule (1), the powers and duties of the Chief Executive Officer shall be

(i) to co ordinate, supervise and control the work of the officers and servants of the Boards;

(ii) to implement the decisions taken by the Board;

(iii) to examine application for assistance both under loans and grants and place them before the Finance Committee and the Board in consultation with the Financial Adviser and Chief Accounts Officer for sanction;

(iv) to take timely steps under the provisions of the Act for recovering the loans due from the Co operative Societies, Registered Institutions and Trusts and individuals to whom advances were made and to furnish to the Finance Committee, the Board and the Government a quarterly progress report on the progress of recoveries;

(v) to countersign the travelling allowance bills of all the officers and staff of the Board except the Financial Adviser and Chief Accounts Officer and the Accounts and Audit staff.

(vi) to furnish to Government all reports including annual returns and necessary documents required under the Act and Rules.

(vii) to hold the custody of such property both moveable and immoveable belonging to the Board as the Board deems necessary for the purpose of any of the said activities and to lease, sell or otherwise transfer any property held by the Board on the orders of the Board or by Government.

(viii) to obtain and implement the orders of the Board or the Government regarding the purchase or lease or under any form of tenancy of any land or house, garages, sheds, office buildings, godowns, workshops, vehicles, equipment tools, accessories, spare parts of the vehicles or of any other articles as may be necessary for the purposes of carrying on the Board's operations.

(ix) to authorise the disposal of old and unserviceable articles and other stores of scrap value;

(x) to select and appoint officers and servants by direct recruitment and also recruitment by promotion to fill up vacancies in the Board or in the Regional Offices or in the field staff when need be:

Provided that the maximum of scale of pay (excluding allowances) does exceed Rs. 320 p.m.

(xi) to punish or remove or dismiss the officers and servants of the Board for which he is the appointing authority and to inflict all penalties except dismissal, removal or reduction in rank in the case of officers and staff for which he is not the appointing authority but which are under his administrative control.

2. (b) The Chief Executive Officer may sanction expenditure of contingencies, supplies and services and purchase of articles required for the working of the Board not exceeding Rs. 500 at a time. The Chief Executive Officer may refer any matter to the Government or Commission in which his advice has been disregarded under intimation to the Chairman and the Board.

(2) (c) The Chief Executive Officer will be his own controlling officer for the purposes of countersigning Travelling Allowance, Daily Allowance and medical reimbursement bills, and he will be competent to make his own tour programmes subject to the condition that all the tours outside the State would be with the previous approval of the Chairman of the Board.

10. Duties and powers of the Financial Adviser and Chief Accounts Officer :-

(1)

(i) The Financial Adviser and Chief Accounts Officer shall advise the Board on all matters relating to receipts and expenditure.

(ii) He may participate in every meeting of the Board and its committees and sub committees; but shall not have the right to vote thereat. He shall have the right to refer to the Board any matter having financial implication which in his opinion ought to be brought to its notice.

(iii) He shall supervise the maintenance of accounts, and conduct of audit by the Board, the compilation of the annual and other financial statements and the manner in which the accounts are maintained and made available to audit.

(iv) He shall have the right to record his views on every proposal involving expenditure from the funds of the Board.

(v) He may under intimation to the Chairman and the Board, refer any other matter to the Government or Commission in which his advice has been disregarded.

(2) He will be his own Controlling Officer for the purposes of countersigning travelling allowance, daily allowance and medical reimbursement bills and he will be competent to make his own tour programmes subject to the condition that all the tours outside the State would be with the previous approval of the Chairman of the Board.

(3) He will exercise the following powers in respect of accounts and audit staff:

(a) power to approve tour programmes and diaries of the staff of the accounts and audit wing;

(b) power to grant advances of tour, travelling allowance to the above staff as per rules;

(c) power to countersign the travelling allowance bills of the above staff as per rules;

(d) power to initiate disciplinary action against the above staff where necessary and the power to write confidential rolls of the

accounts and audit staff and officers.

(e) In matters of transfer, promotion, regular leave, concerning the officers and staff of the accounts and audit wing, action shall be taken by the Administration only after consulting the Financial Adviser and Chief Accounts Officer.

(4) He shall have power to sanction contingent expenditure upto Rs. 50 in any one case other than non recurring expenditure.

(5) All statements of accounts forwarded by the Board to the Commission or to the Government shall bear the signature of the Financial Adviser and Chief Accounts Officer and every financial proposal from the Board shall bear an indication whether the same has received the concurrence of the Financial Adviser and Chief Accounts Officer.

(6) He shall be in supervisory charge of the accounts and audit wing and shall have the authority:

(a) to draw and disburse pay and allowances of the staff of the Head office, departmental units and other establishments whose pay and allowances are drawn by the Head office;

(b) to sign cheques to the extent authorised by the Board in this regard;

(c) to pay recurring charges such as electricity and telephone charges, office rent, etc, and leave salary and pension contributions under competent sanction;

(d) to pay arrears of claims of pay and allowances, etc., upto six months under competent sanction;

(e) to issue receipts on behalf of the Board for the amounts received by it;

(f) to reimburse the expenditure in cases where imprests or temporary advances are sanctioned under competent sanction;

(g) to pass bills on the basis of sanctions accorded by competent authorities;

(h) to allow the staff of the accounts and audit wing to proceed on duty outside the limits of their charge but within the State;

(i) to pay advances of pay and allowances as per rules under competent sanction ; and

(j) to control cash, valuables, stock and maintain the connected accounts.

CHAPTER 5

Budget Audit and Accounts

11. Budget :-

(1) The Budget Estimates of the Board for every financial year shall be prepared in the prescribed pro forma consisting two separate parts, viz., (a) for expenditure to incurred in respect of schemes financed by the Commission and (b) for expenditure to be met from establishment grant given by the Government. After approval by the Board, they shall be forwarded on or before 15th October of the previous financial year to the State Government through the Director of Industries and the Commission for approval; Provided that at the request of the Board, the Government may extend the time limit to such period as they may think fit.

(2) The State Government shall after receipt of remarks of the Director of Industries, approve the Budget before 15th January of the previous financial year indicating such amendments or alterations as they consider necessary. The Board shall carry out the amendments or alterations indicated by the Government and obtain the financial approval of Government after revision.

(3) The Budget thus approved shall constitute the Budget under the seal of the Board and signed by the Chairman. Authenticated copies thereof shall be forwarded to the Commission on or before 31st January.

(4) The approved Budget shall be published in the Andhra Pradesh Gazette and in such other manner as may be prescribed from time to time.

12. Supplementary Budget :-

If for any reason, substantial modifications of the Budget Estimates as finally approved by the Government are likely to be involved, during any financial year, the Board shall submit for approval to the Government through the Director of Industries Supplementary Estimates in such form and on such dates as the Government may by order from time to time direct.

13. Annual Accounts :-

Within three months after the end of the financial year the annual accounts showing the financial results of the working of the Board

shall be prepared with such subsidiary accounts as may be necessary and in such form as may be prescribed and placed before the Board with the commencements of the Financial Committee. These accounts authenticated by affixing the common seal and duly passed by the Board shall be submitted to the Government through the Director of Industries and the Audit Officer by the Government normally by the end of August;

Provided that at the request of the Board, the Government may extend the date of submission of accounts by such period as they may think fit.

14. Accounts and Audit :-

(1) The Board shall maintain and prepare the following in such form as may be prescribed by the Board in consultation with the Government and Audit Officer:

(i) proper accounts and other relevant records;

(ii) annual statement of accounts including profit and loss account and balance sheet.

(2) The accounts of the Board shall be audited by the Audit Officer.

(3) The Audit Officer shall furnish the Board and the Government with a statement each, where necessary, in regard to any material impropriety or irregularity which he may observed in the expenditure or in the recovery of monies due to, or in the accounts of the Board.

(4) The Board shall forthwith remedy any defect or irregularity that may be pointed out by the Audit Officer and shall report to the Government the action taken by it thereon within ninety days of the receipt of the report of the Audit Officer;

Provided that, if there is any difference of opinion between the Board and the Audit Officer or if the Board does not remedy any defect or irregularity, the Government may, and on reference specifically made therefor by the Audit Officer shall, in consultation with the Audit Officer, pass such orders thereon as they think fit and the Board shall thereafter take action in accordance therewith within such time as may be specified by the Government.

15. Placing the Board in possession of Funds :-

After the Budget relating to the Board has been approved by the

Government and after due appropriation has been made by the Legislature by law in this behalf, the Government will place the Board in possession of funds granted by the State Government, periodically after receipt of utilisation certificates for funds released in the previous years. The period of release shall be determined by the Government from time to time.

CHAPTER 6

Miscellaneous

16. Borrowings by the Board :-

(1) The Board may, with the previous sanction of the Government, borrow any sum or sums on the security of its funds or assets for the purpose specified in Section 16(2) of the Act.

(2) While applying for such sanction of the Government, the Board shall furnish all such particulars in respect of the amount, purpose, nature and circumstances of the proposed borrowing as the Government may require.

(3) Any money borrowed under this rule shall not be applied for any other purposes without the previous sanction of the Government.

17. Advance of Loans and sanction of Grants and Subsidies :-

The Board shall sanction loans, grants or subsidies in accordance with the rule for Khadi and Village Industries made by the Government or the Commission from time to time and in accordance with and at such rates and on terms as approved by the Government or the Commission in respect of each industry for the funds sanctioned by the Government or Commission respectively. The Government may, on their own motion or on the recommendation of the Board, modify or supersede the financial rates and terms previously sanctioned in respect of funds sanctioned by Government.

18. Contracts :-

(1) The Board may, in connection with its trading and other activities, enter into contracts provided financial provision therefor exists in the sanctioned Budget.

(2) Contracts made on behalf of the Board shall not be binding on the Board unless they are executed by a person duly authorised in

that behalf by the Board and the seal of the Board affixed thereto.

(3) Any person duly authorised to enter into contracts on behalf of the Board shall not be liable personally for any assurance or contracts made on behalf of the Board and any liabilities arising out of such assurance or contract shall be discharged from the moneys at the disposal of the Board.

19. Acquisition of Moveable and Immovable properties by the Board :-

(1) The Board may acquire moveable properties by obtaining quotations or by getting the properties valued by a competent technical authority of the Government;

(2) The Board may acquire immovable properties either by agreement, and private negotiations or by moving the Government to acquire such property in accordance with the law of acquisition from time to time in force in the State.

(3) Immoveable proprieties other than lands, should be got estimated by the Public Works Department, before they are sold and then sold either by private negotiations or in public auction for a sum not less than the value fixed by the Public Works Department. If the immoveable property is land, the market value may be got fixed by the District Collector and then sold either by private negotiations or in public auction for a sum not less than the value fixed by the Collector.

(4) The Board may lease out its immoveable properties at such rates not less than those fixed by the Public Works Department in case of building and the Revenue Department in case of lands.

20. Custody of the common seal :-

The common seal of the Board shall remain in the possession and custody of the Chief Executive Officer

CHAPTER 7

Reports And Returns

21. Annual progress on work and other statements and reports to be submitted by the Board :-

(1) The annual programme of works and particulars of schemes, etc, referred to in Section 13 of the Act shall be prepared in Form 1 and Form II respectively and shall be forwarded to the Government before 30th September preceding the year for which

the programme of work is prepared.

(2) The annual report referred to in Section 22 of the Act regarding activities during the previous financial year shall be prepared by the Secretary and laid before the Board. After approval by the Board copies of the same shall be forwarded to the Government before 30th September succeeding the year to which the report relates. The annual report shall, in addition to matters of general interest, deal with the following matters, namely:-

(a) the names of members and Chief Officers of the Board, organisation of various sections of the Board and chart showing the organisation.

(b) review of the work of the Board and Local Advisory Committee;

(c) details of any institutions which the Board has closed down or over which the Board assumed control;

(d) details of any undertakings which the Board has acquired;

(e) other activities of the Board such as manufacture of Khadi and other industrial products, show room display, etc,;

(f) progress made in establishment of industrial institutions;

(g) particulars of training facilities and welfare schemes for the staff;

(h) general financial position of the Board indicating profit or loss made during the year; and the financial prospects for the ensuing year;

(i) statistical data in the form as may be prescribed by the Government.

CHAPTER 8

Repeal

22. Repeal :-

(1) The Andhra Pradesh Khadi and Village Industries Board Rules, 1958, are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or deemed to have been done or taken by the Board under the said rules, shall, so far as it is consistent with these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

SCHEDULE A

Particulars of Individual Schemes

| | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| [See Item (ix) of Form II] | | | | | | | | |
| SCHEDULE A [See Item (ix) of Form II] Particulars of Individual Schemes | | | | | | | | |
| (i) Description of the Schemes. | | | | | | | | |
| (ii) Area selected. | | | | | | | | |
| (iii) Number of centres to be opened, if any. | | | | | | | | |
| (iv) Number of persons to be trained. | | | | | | | | |
| (v) Progress of work done during the year. | | | | | | | | |
| (a) Centres opened. | | | | | | | | |
| (b) Persons trained. | | | | | | | | |
| (c) Total quantity produced. | | | | | | | | |
| (vi) Grants, if any, sanctioned during the current year. | | | | | | | | |
| (vii) Actual receipts during the year. | | | | | | | | |
| (ix) Estimated expenditure of the scheme which the Board proposes to execute during the next year together with a schedule of the Staff of Officers and servants to be employed during the next year (Recurring and Non recurring figures to be shown separately). | | | | | | | | |
| (x) Reasons, if any | | | | | | | | |

SCHEDULE B

SCHEDULE

| SCHEDULE B | | | | | | | | |
|---|-----------------------------------|-------------------|---|---------------------------------------|---------|----------------------------------|--|--|
| [See item (ix) of Form II] | | | | | | | | |
| Details of Staff Officers and Servants to be Employed | | | | | | | | |
| Sl.No. | Name and description of the staff | Grade of the post | The total of actual pay during the year | Increment falling due within the year | | Amount of increment for the year | Special pay and other allowances clased as pay | Total provision for the year, i.e., t o t a l of columns, (4), (5) and (6) |
| | | | | Date of | Rate of | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |