

GUJARAT BACKWARD CLASSES DEVELOPMENT CORPORATION RULES, 1988

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GUJARAT BACKWARD CLASSES DEVELOPMENT CORPORATION RULES, 1988

In exercise of the powers conferred by section 29 of the Gujarat Backward Classes Development Act, 1985 (Gujarat No. 11 of 1985), the Government of Gujarat hereby makes the following rules, namely:

1. Short Title. :-

(1) These rules may be called the Gujarat Backward Classes Development Corporation Rules, 1988 .

(2) Definitions.-In these rules, unless the context otherwise requires,

(a) "the Act" means the Gujarat Backward Classes Development Corporation Act, 1985.

(b) "Form" means a form appended to these rules;

(c) "section" means section of the Act;

(d) The words and expressions used in these rules but not defined shall have the meaning assigned to them in the Act.

2. Honorarium to Chairman. :-

The Chairman shall be paid Rs. 2550/- per month. And if a Chairman is also a member of legislature or Chairman or Vice-Chairman of any other Board or Corporation, he will be entitled to draw honorarium for any one post only.

3. Provision of motor car for the use of Chairman. :-

(1) Where the Corporation provides a motor car for the use of the Chairman, the expenditure towards its maintenance and repairs shall be borne by the Corporation.

Provided that the expenditure towards minor repairs of the motor car not exceeding ten Rupees shall be borne by the Chairman.

(2) If the Chairman engages the motor car provided to him by the Corporation for private use the charges at the rates specified in Government Circular, Finance Department No. JNV/1477/2033/A. dated 28th October, 1977 as amended from time to time shall be payable by the Chairman for such use of the motor car.

4. Travelling and daily allowances to Chairman. :-

(1) When the Chairman undertakes journey in connection with the business of the Corporation, he shall be entitled to draw such travelling and, daily allowances as is admissible to the Head of the Department under the State Government:

Provided that when the Chairman undertakes journey by the motor car provided by the corporation for his use under sub-rule (1) of Rule 3, no mileage allowance shall be admissible to him in respect of the journey, but he shall be entitled to the full daily allowance.

(2) A bill for travelling allowance claimed under sub-rule (1), before it is submitted for audit and payment, shall be countersigned by the Chairman.

5. Installation of telephone at Chairmans Residence. :-

A telephone shall be installed at the place where the Chairman ordinarily resides at the cost of the Corporation and the charges for

its rental and the charges for all local calls and official trunk calls shall be paid by the Corporation, but the charges of trunk calls made for private use shall be payable by the Chairman.

6. Provision for Residential Accommodation for Chairman. :-

(1) The Chairman shall be entitled to the use of such unfurnished residential accommodation, without payment of rent, as the State Government may, by general or special order, direct so long as he is the Chairman and for a period of fifteen days immediately after he ceases to be such Chairman or in lieu of such residential accommodation, to a house rent allowance at the rate of Rs. 500/- per month subject to actual rent paid and no charge shall fall on the Chairman personally in respect of the maintenance of any residential accommodation provided to him.

(2) If the Chairman is also a member of the legislature or Chairman or Vice-Chairman of any other board or Corporation and if he is provided with residential accommodation for that post, he shall be entitled for any one residential accommodation.

7. Honorarium to Vice-Chairman. :-

The Vice Chairman shall be paid an honorarium of Rs. 1500/- per month. And if a Vice- Chairman is also a member of the legislature or Chairman or a Vice-Chairman of any other Board or Corporation, he shall draw honorarium for any one post only.

8. Provision of motor car for the use of Vice-Chairman. :-

(1) Where the Corporation provides a motor car for the use of the Vice- Chairman, the expenditure towards its maintenance and repairs shall be borne by the Corporation: Provided that the expenditure towards minor repairs of the motor car not exceeding ten rupees shall be borne by the Vice- Chairman.

(2) If the Vice-Chairman engages the Motor car provided to him by the Corporation for private use the charges at the rates specified in Government Circular, Finance Department No. JNV/147772033/A dated 28th October, 1977, shall be payable by the Vice- Chairman for such use of the motor car.

9. Travelling and daily allowances to Vice-Chairman. :-

(1) When the Vice-Chairman undertakes journey in connection with the business of the Corporation, he shall be entitled to draw such travelling and daily allowances as is admissible to the Head of the

Department under the State Government:

Provided that when the Vice-Chairman undertakes journey by the motor car provided by the Corporation for his use under sub-rule (1) of Rule 8, no mileage allowance shall be admissible to him in respect of the journey, but he shall be entitled to the full daily allowance.

(2) A bill for travelling allowance claimed under sub-rule (1). before it is submitted for audit and payment, shall be countersigned by the Vice-Chairman.

10. Installation of telephone at Vice-Chairmans residence.

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A telephone shall be installed at the place where the Vice-Chairman ordinarily resides at the cost of the Corporation and the charges for its rental and the charges for all local calls and official trunk calls shall be paid by the Corporation, but the charges of trunk calls made for private use shall be recovered from the Vice-Chairman.

11. Provision for residential accommodation to Vice-Chairman. :-

(1) The Vice-Chairman shall be entitled to the use of such unfurnished residential accommodation, without payment of rent, as the State Government may, by general or special order, direct so long as he is the Vice-Chairman and for a period of fifteen days immediately after the ceased to be such Vice-Chairman or in lieu of such residential accommodation, to a house rent allowance at the rate of Rs. 500/- per month subject to actual rent paid and no charge shall fall on the Vice-Chairman personally in respect of the maintenance of any residential accommodation provided to him.

(2) If the Vice-Chairman is also a member of the legislature or Chairman or Vice-Chairman of any other Board or Corporation and if he is provided with residential accommodation for that post, he shall be entitled for any one residential accommodation.

12. Travelling allowance payable to Directors excluding Chairman and Vice-Chairman. :-

(1) When a non-official Director, undertakes a journey in connection with the work of the corporation he shall be entitled to travelling allowance, daily allowance and conveyance allowance in accordance with the provisions contained in Appendix XIIIA of the

Bombay Civil Services Rules, 1959.

(2) When official Director, undertakes journey in connection with the work of Corporation he shall be entitled to draw such travelling allowance, daily allowance and conveyance allowance as may be admissible to him under the rules applicable to him in his official capacity under the Government.

(3) For journey by road, a Director, who is not the Chairman or Vice-Chairman, shall be entitled to use his own motor car or hire a motor car and in that case he shall be entitled to draw mileage allowance when the journey is to a place or places not connected with a railway station.

(4) A bill for travelling allowance claimed under this rule, before it is submitted for audit and payment shall be countersigned in the manner specified in sub-rule (4).

(5) When the travelling allowance is claimed by any non-official Director, except Chairman and Vice-Chairman his bill shall be counter-signed by the Managing Director, and by the official Director in case he himself has to countersign it.

13. Rate of fee and other allowances, payable to Director (excluding Chairman and Vice-Chairman) for attending a meeting of the Corporation or a committee thereof. :-

A Director who is not the Chairman or Vice-Chairman, shall be entitled to the following fees and allowances, namely:

(1) If the meeting be a meeting of the Corporation Rs. 100 / - (Rupees one hundred only) for each day on which he attends, such meeting;

(2) If the meeting be a meeting of the Committee of the Corporation Rs. 50/- (Rupees fifty only) for each day on which he attends such meeting;

(3) A Director shall not however draw any additional fees or allowances for any day for attending a meeting of a committee, if he has attended on the same day a meeting of the Corporation, or any other Committee and claimed fees and allowances for attending such meeting.

14. Preparation and maintenance of accounts. :-

The accounts of the Corporation shall be prepared and maintained in accordance with the commercial practice of book keeping, i.e. in

double entry system of accounts.

15. Application under section 23. :-

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(1) A Form under sub-section (1) of section 23 shall be as prescribed in Form 'A' appended to these rules.

(2) An application under sub-section (2) of section 23 shall be made to the Mamlatdar or City Mamlatdar against their respective jurisdictions.

(3) An appeal against an order passed under sub-rule (2) shall be lie to Deputy Collector within a period of sixty days from the receipt of the order by the person from whom the amount is due.

1. Added vide Notification No. Gh-L-20-SSP-1091-1525-A dated 27th July, 1993 published In Gujarat Govt. Gaz. Part IV-B Extraordinary dated August 4, 1993.

16. Procedure to be followed by the Mamlatdar or City Mamlatdar. :-

(1) On receipt of an application from the Managing Director under sub-section (2) of section 23, the Mamlatdar or City Mamlatdar shall issue a notice to the person from whom the amount is alleged to be due (hereinafter referred to as "the defendant") to show cause in writing within fifteen days from the receipt of the notice as to why an order regarding the amount due to the corporation shall not be passed against the defendant besides the defendant shall be informed desires to be heard in person they may appear before the Mamlatdar or City Mamlatdar on the date specified in the notice.

(2) Notice under sub-rule (1) shall as specified in Form B.

(3) Mamlatdar or City Mamlatdar consider the reply, if any of the defendant and if the defendant desires to be heard in person, he shall be heard in person. The Mamlatdar or City Mamlatdar shall then makes such further inquiry as he may consider necessary and pass such order as he deemed fit.

(4) If the defendant fails to show causes or fails to appear in person on the date specified in the notice, the Mamlatdar or City Mamlatdar may pass ex parte order.

17. Procedure to be followed by the Appellate authority. :-

(1) On receipt of the memorandum against the order of the

Mamlatdar or City Mamlatdar, the Deputy Collector shall issue show cause notice to the respondent as specified in Form 'C'. The Deputy Collector shall consider the reply, if any, of the respondent and if the respondent desired to be heard in person, he shall be heard in person. The Deputy Collector may call for such further evidence and record as he may consider necessary and decide the appeal.

(2) If the respondent fails to show cause or fails to appear in person on the date specified in the notice, the Deputy Collector may decide the appeal ex parte.