

## **Goa Command Area Development Rules, 1999**

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## **Goa Command Area Development Rules, 1999**

### **1. Short title and commencement :-**

(1) These rules may be called the Goa Command Area Development Rules, 1999.

(2) They shall come into force on such date as Government may, by Notification in the Official Gazette, appoint.

### **2. Definitions :-**

In these rules, unless the context otherwise requires:-

(a) "Act" means the Goa Command Area Development Act, 1997 (Goa Act 27 of 1997);

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

(c) "Schedule" means schedule appended to these rules;

(d) "Government" means the Government of Goa ;

(e) Words and phrases used but not defined in these rules shall have the same meaning as is assigned to them in the Act.

**3. The travelling allowance and daily allowance to be paid to the Chairman and members of the Command Area Development Board for the journeys undertaken by them for attending its meetings :-**

The Chairman and other members of the Command Area Development Board shall be entitled to travelling and the Dearness Allowance at the rates specified in the schedule appended to these rules.

**4. Powers of the Command Area Development Board to create posts :-**

(1) No posts shall be created by the Command Area Development Board without prior approval of the Finance Department of the Government.

(2) The minimum educational qualifications required for the post/s created by the Command Area Development Board shall be Bachelors Degree in Agriculture and shall carry a scale of pay of Rs. 4000-100-6000 and other conditions of the service of the holder of these posts shall be such as are applicable to the non-Gazetted posts in the Administration of the Government.

(3) The total expenditure on salary and allowance in a year on the staff of Command Area Development Board shall not exceed 30 percent of the amount of annual grants made to the Command Area Development Board by the Government of Goa and Central Government.

Explanation:- The total expenditure on salary and allowance for the purpose of this sub-rule shall not include the following:-

(i) The expenditure on field staff specifically, created for preparation and execution of the scheme under section 16 of the Act;

(ii) The expenditure on staff specifically created for the execution of the Scheme wholly financed by the Central Government of any agency other than the Government;

(iii) The expenditure on staff in any of the sectors of the Command Area Development Board in charge of maintenance.

## **5. Powers of the Chief Executive of the Command Area Development Board :-**

The Chief Executive of the Command Area Development Board shall, subject to the regulations made by it under section 54 of the Act, have the following powers, namely:-

(a) to appoint, in accordance with the Act, Rules and the recommendations of the Command Area Development Board, suitable persons to the posts created by the Command Area Development Board;

(b) to transfer the agriculture foreman to any place within the Command Area of the Command Area Development Board;

(c) Subject to the recommendations of the Command Area Development Board, to extend or reduce the period of deputation

of any Officer/employee who is on deputation to Command Area Development Board and accordingly, either to retain or send him/her back to respective parent Department;

(d) to take disciplinary action against the Officers and employees of the Command Area Development Board;

(e) to sanction leave to the Superintending Engineer, of the Command Area Development Circle and to the Executive Engineers of the Command Area Development Divisions for the period beyond the powers of the Superintending Engineer of Command Area Development Circle, but all as per the provisions under respective leave rules in force in the Administration of the Government of Goa;

(f) to sanction loans and advances to employees as per the provisions of respective rules in force in the Administration of the Government of Goa;

(g) to purchase stationery and office equipments for the Command Area Development Board costing beyond the power delegated to the Superintending Engineer of the Command Area Development Circle, but within the budget allotment made by the Command Area Development Board for that purpose;

(h) to enter into and execute agreements with the financing agency for and on behalf of the Command Area Development Board;

(i) to accept tenders for sanctioned works to the extent of powers delegated to the Chief Engineer of "Department of irrigation" of the Government;

(j) to accept tenders for works which are upto 5% in excess of the reasonable amount which shall be worked out and approved as per the normal procedure followed in the "irrigation" Department, Government of Goa before opening of tenders, and in case of

tenders for works which are more than 5% in excess of said reasonable amount, the acceptance/rejections of such tender shall be decided by the Works Advisory Board of the Government;

(k) to do such other acts and functions as may be authorised by the Command Area Development Board under the Act.

## **6. Publication of the Development Scheme :-**

(1) The Command Area Development Board shall publish in the Official Gazette Development Schemes prepared by them for the comprehensive development of the Command Area or any phase of it in Form-I appended to these Rules.

(2) The Scheme as sanctioned under sub-section (1) of section 18 of the Act, shall be notified in the Official Gazette in Form-II appended to these Rules.

(3) The Command Area Development Board shall give directions to the land holders in terms of sub-section (3) of section 19 of the Act, in Form No. III appended to these Rules.

## **7. Opening of the Bank Account :-**

(1) The Command Area Development Board shall open a Bank Account in any of the Nationalised Bank, Regional Rural Bank, State or District Co-operative Bank and the Apex Bank situated in Goa and credit all amounts received by it to such account.

(2) Any Officer who is duly authorised by the Command Area Development Board shall operate such account on behalf of the Command Area Development Board.

## **8. The Annual Budget :-**

The Command Area Development Board shall prepare a budget as required by section 32 of the Act, in Form No. IV appended to these Rules before 30th September every year and circulate it amongst the members of the Command Area Development Board. The Command Area Development Board shall send before the 15th October every year required number of copies of the budget to the Secretary to the Government of Goa, Planning Department.

#### **9. Preparation of Annual Statement of Accounts :-**

The Command Area Development Board shall prepare an Annual Statement of Accounts in Form No. V appended to these Rules before 15th April of every year and required number of sets of such Annual Statement of Accounts shall be sent to the Secretary to the Government, Planning Department.

#### **10. Annual Report :-**

The Command Area Development Board shall prepare and forward its Annual Report to the Planning Department of the Government before the 30th day of June of the succeeding year in Form No. VI appended to these Rules.

#### **11. Recovery of Charges of unauthorised use of water :-**

The Canal Officer shall recover the charges for unauthorised use of water at the rates specified in the Notification No. 309/83/CE-Irrg. dated 1st February, 1988, subject to modification/revision made by the Government.

#### **12. Fees for Services :-**

The fees chargeable under section 45 of the Act, for the services rendered by the Command Area Development Board, shall be the actual cost incurred in rendering such services plus an additional charge not exceeding ten percent of the actual cost.

#### **13. Recovery of dues :-**

(1) The Command Area Development Board shall, as far as possible, immediately, but not later than three months after the completion of the Schemes, intimate the land holder about the amount to be paid by him towards the cost of works carried out in terms of sub-section (3) of section 19 of the Act.

(2) The rate of interest for the purpose of section 48 of the Act, shall be two percent more than the rate of interest payable by the Command Area Development Board on loans raised from credit agencies.

**14. Revision :-**

The revision application under section 52 of the Act, shall be filed within thirty days from the date of communication of the decision or Order or proceedings referred to therein.

**15. Notice to occupier of the building, etc :-**

The notice to an occupier of a land, building, enclosed courtyard or garden attached to a dwelling house referred to in proviso to clause (f) of sub-section (4) of section 14 of the Act, shall be in Form No. VII appended to these Rules.

**16. Agreement to be entered into by the Canal Officer with the Chairman of the Water Distribution Co-operative Society :-**

An Agreement to be entered into by the Canal Officer with the Chairman of Water Distribution Co-operative Society, in terms of sub-section (2) of section 15 of the Act, shall be in Form No. VIII appended to these Rules.

**17. Notification to prohibit growing of certain kinds of crops and to regulate the period of sowing and duration of crops, etc :-**

The Notification to be issued by the Command Area Development Board to regulate the cropping pattern, the period of sowing and the duration of crops and the Notification to be issued by Canal Officer under sub-section (2) of section 28 shall be in Form No. IX-A and IX-B respectively appended to these Rules. Both these Notifications shall be published in the Official Gazette and also displayed on the Notice Boards of the Offices of concerned Mamlatdar, Block Development Officer, Village Panchayats and Water Distribution Co-operative Societies.

