

Goa Information Technology Development Rules, 2011

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Goa Information Technology Development Rules, 2011

CHAPTER 1 Preliminary

1. Short title and commencement :-

(1) These rules may be called the Goa Information Technology Development Rules, 2011.

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Goa Information Technology Development Act, 2007 (Goa Act 10 of 2007);

(b) "Chief Accounts Officer" means the officer appointed by the Government as the Chief Accounts Officer of the Corporation under sub-section (1) of section 12 of the Act;

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

(d) "Managing Director" means the officer appointed by the Government as the Managing Director of the Corporation under sub-section (1) of section 12 of the Act;

(e) "Non-official member" means a member of the Corporation nominated under clause (b) of sub-section (1) of section 4 of the Act;

(f) "regulations" means the regulations made by the Corporation under section 52 of the Act;

(g) "section" means a section of the Act. Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

CHAPTER 2 Allowances to members of the Corporation

3. Allowances to members :-

(1) A non-official member shall be entitled to an allowance of Rs. 1,100/- for every day on which he attends a meeting of the Corporation or of any of its Committees.

(2) The non-official member shall be entitled to travelling allowance as admissible to Government Officer in Grade I service: Provided that, the Chairman, and with the permission of the Chairman, a non-official member, may, in the discharge of his duty, travel,-

(i) by the highest class of accommodation available including air-conditioned accommodation, or

(ii) by air.

(3) The official members shall be eligible to draw such travelling and daily allowances as may be admissible to them under the rules governing such members: Provided that, an official member shall not draw travelling or daily allowance from the Corporation, if for the same journey or for the same halt he has drawn travelling or daily allowance, as the case may be, from Government treasury in another capacity.

(4) A bill for travelling allowance, daily allowance or conveyance allowance, as the case may be, claimed under this rule shall be countersigned, when such allowance is claimed by,- (a) the Chairman, by the Chairman himself,

(b) the Vice-Chairman or by a non-official member, by the Chairman or the Vice-Chairman, and

(c) an official member, by the official member himself, before such bill is submitted for audit and payment.

CHAPTER 3 Conditions of appointment and service and scales of pay of Managing Director and Chief Accounts Officer

4. Pay and allowances :-

The Managing Director and the Chief Accounts Officer shall be appointed by the Government on such pay as may be fixed by the Government in the following scales of pay, namely:-

(a) Managing Director - 15,600-39,100+6600/-.

(b) Chief Accounts Officer - 15,600 -39,100 +5400/-.

5. Travelling allowances :-

(1) The Managing Director and the Chief Accounts Officer shall be entitled to travelling allowance for the journeys performed in the service of the Corporation, on the scale as provided to Group A Officer in PB-3 Scale.

(2) A bill for travelling allowance, daily allowance or conveyance allowance, as the case may be, claimed under this rule shall be countersigned, when such allowance is claimed by,-

(a) the Managing Director, by the Chairman; and

(b) the Chief Accounts Officer, by the Managing Director.

6. Leave and leave salary :-

The Managing Director or the Chief Accounts Officer who,-

(a) is a Government servant deputed to the Corporation shall, so long he remains in Government service, be entitled to leave and leave salary under the rules applicable to him as such Government servant;

(b) is not a Government servant, or being in Government service, has subsequently ceased to be in such service shall be entitled to leave and leave salary which may be admissible to other officers of the Corporation under the Regulations.

7. Provident Fund :-

The Managing Director or the Chief Accounts Officer who-

(a) is a Government servant deputed to the Corporation and who has been admitted to the provident fund maintained by Government shall, so long as he is in Government service, be entitled to continue to subscribe to the said fund upon the same terms and conditions, and subject to the same rules, as applicable to Government servant; and

(b) is not a Government servant, or being in Government service, has ceased to be in Government service, shall be entitled to the benefit from the Corporation as per its Regulations.

8. Termination of service :-

Except as otherwise expressly provided in the terms of the contract in any individual case, the Government may terminate the services of the Managing Director, or of the Chief Accounts Officer, who is not a Government servant deputed to the Corporation or being a Government servant has ceased to be in Government service, by giving him three months notice or in lieu of such notice an amount equal to three months pay.

9. Resignation :-

Except as otherwise expressly provided by the terms of a contract

in any individual case, the Managing Director or the Chief Accounts Officer, who is not a Government servant deputed to the Corporation or being a Government servant has ceased to be in Government service, may resign his office by giving three months notice in writing to the Government: Provided that after the expiry of the aforesaid period of three months, the Managing Director or the Chief Accounts Officer, as the case may be, giving such notice, shall not vacate his office until such time he is not relieved thereof.

10. Disciplinary action :-

The Managing Director or the Chief Accounts Officer, who,-

(a) is a Government servant deputed to the Corporation, so long as he is in Government service, on the recommendation of the Corporation, shall be subject to disciplinary action by the Government according to the rules applicable to its officers; and

(b) is not a Government servant or being a Government servant has ceased to be in Government service, shall be subject to disciplinary action by the Corporation, with the approval of Government, according to the Regulations applicable to other officers of the Corporation.

11. Other conditions of service :-

All other matters relating to the conditions of service of the Managing Director or the Chief Accounts Officer, who-

(a) is a Government servant deputed to the Corporation shall be regulated in accordance with the provisions of the Central Civil Service Rules as in force in this State; and

(b) is not a Government servant or being a Government servant has ceased to be in Government service, shall be regulated with the approval of Government, in accordance with the provisions of the Regulations applicable to other Officers of the Corporation.

12. Government servants on deputation :-

Notwithstanding anything contained in these Rules, the Government may, by rules, prescribe any other conditions of appointment, service or scale of pay for the Managing Director or the Chief Accounts Officer who is a Government servant deputed to the Corporation.

CHAPTER 4 Finance of the Corporation

13. Money to be kept by the Corporation in current or deposit account :-

Except as otherwise directed by Government all monies forming part of the fund of the Corporation shall be kept in current or deposit account with the State Bank of India, or in any Nationalized Bank or invested in such securities as may be approved by the Government from time to time: Provided that the Corporation may keep on hand such sums not exceeding Rs. 25,000/- (Rupees Twenty-five thousand only) as the Corporation may consider necessary.

14. Temporary borrowing by the Corporation :-

The Corporation may, for the purpose of meeting any current expenditure properly chargeable to revenue, borrow by way of temporary loan or overdraft from any bank or otherwise, such sums as it may require on such terms and conditions as the Corporation thinks fit and will have to follow instruction issued by Finance Department from time to time. The amount so borrowed together with the interest thereon, shall be repaid from current revenues within a period of twelve months from the date of temporary borrowing.

15. Limit on borrowing without previous consent of the Government :-

The Corporation may borrow money and mortgage or charge its undertaking and property (including its revenues) or any part thereof and issue debentures, debenture stock, notes and other securities whether outright or as security for any debt, liability or obligation of the Corporation or of any third party provided that the aggregate amount for the time being remaining undischarged of money borrowed or secured as aforesaid by the Corporation exclusive of the temporary loans as aforesaid, shall not at any time without the previous consent of the Government exceed the sum of

Rs. 1.00 crore. Corporation will have to follow instructions issued by the Finance Department from time to time.

16. Manner of issuing securities :-

Every bond, obligation, debenture or other securities issued by the Corporation for raising money or for securing money borrowed by or due from the Corporation shall be by a deed under the common seal of the Corporation and signed autographically by the Managing Director or any other Officer authorized by the Corporation in that behalf.

17. Register of securities to be kept :-

A register of bonds, debentures and other securities shall be kept by the Corporation in which shall be entered the number and date of every such bond, debenture or other security and the sum secured thereby and the names of the parties thereto (if any) with their proper addresses and all other necessary particulars thereof.

18. Instructions which may be issued for transfer of securities :-

The Corporation may from time to time issue instructions for controlling the transfer of any bond, debenture or other security as it may deem expedient provided that no such instructions shall affect the holder or transferee of any bond, debenture or other securities, unless distinct notice of such instruction shall appear thereon.

19. Assigning or conveying property of Corporation for certain purposes :-

The Corporation may for the purpose of securing the payment of any such bonds, debentures or other securities as aforesaid or the payment with interest of any money so borrowed as aforesaid, or payable under any contract or otherwise, make and carry into effect any arrangement which the Corporation may deem expedient by assigning or conveying any property of the Corporation, including its revenues, to trustees.

20. Debentures ordinarily payable to bearer :-

Unless otherwise resolved by the Corporation in a general meeting

any debentures, which may be issued by the Corporation may be so framed that the principal money and interest thereby secured shall be payable to the bearer and free from any enquiries between the Corporation and the persons to whom the same may be issued.

21. Particulars of borrowing to be furnished :-

Where the Corporation proposes to borrow money as provided in section 20 of the Act, the Corporation shall furnish to the Government all such particulars of the amount, purpose, nature and circumstances of the proposed borrowing and the amount of outstanding loans and such other information as the Government may require.

22. Saving for Government :-

No security shall be issued or granted as a security in respect of which payment of the principal and interest is guaranteed by the Government until the amount, price, rate of interest, date and method of issue of such security, the arrangements for the application of the proceeds of the issue and for the payment of the proceeds have been previously approved by the Government and no variation of any such arrangements shall be made without the like approval of the Government.

CHAPTER5 Annual financial statement and other statements and reports to be furnished by the Corporation and manner of maintaining accounts

23. Budget and programme of work :-

(1) The Corporation shall submit to the Government for approval before the 1st day of October of each year, the annual financial statement and programme of work for the succeeding financial year.

(2) The annual financial statement and the supplementary financial statement, if any, shall be in Form A and the programme of work shall be in Form B hereto.

(3) The Corporation shall also forward to the Government with its programme of work, a note giving history and description of each

scheme including inter alia the progress made, expenditure incurred and receipt accrued in the previous years in respect of continuing schemes. The note shall in particular, bring out the financial implications of each scheme.

24. Maintaining of accounts :-

(1) The accounts of the Corporation shall be prepared, maintained and presented as per the provisions incorporated in GFR 209(xiii) of General Financial Rules and adopt Uniform Format of Accounts for Central Autonomous Bodies as prescribed by the Comptroller & Auditor General of India's Website i.e. www.cag.gov.in under News and Publications-News and Events-Publications-Research Papers-Uniforms Formats of Accounts in the form of Financial Statements as under and also available on Goa Portal www.goa.gov.nic.in in of Department of Information Technology, Government of Goa.

(1) Balance Sheet - Annexure-A.

(2) Income & Expenditure Account-Annexure-B.

(3) Schedules-Annexure-C.

(4) Instructions & Accounting Principles-Annexure-D.

(5) Notes & Instruction for the schedules-Annexure-E.

(6) Statement of Receipts & Payment-Annexure-F.

(2) The annual statement of accounts to be submitted to the Government under sub-section (3) of section 25 shall be in Form C hereto.

25. Fees to be charged by the Corporation :-

Fees for undertaking any projects may be charged as per the relevant Government rules.

26. Annual report and other returns :-

(1) The Corporation shall within three months from the date of closing of each year submit to the Government an annual report.

(2) The report shall contain inter alia particulars regarding,-

(a) programme of work for the year under report;

(b) finance for Corporation;

(c) changes if any, in the constitution of the Corporation;

(d) establishment under the Corporation and administration of its business;

(e) directions given by the Government to the Corporation and their compliance;

(f) programme of work for the succeeding year;

(g) stock-taking of accounts showing expenditure, revenue liabilities and assets;

(h) manpower recruitment - As per basic requirement (as per Basic Organization Chart) and to follow the norms of Government of Goa;

(i) additional requirement of manpower on contract basis.

(k) infrastructure projects such as IT Parks, for IT activity, IT promotion, etc.;

(l) implementation of Information & Communication Technology (ICT) Project and e-Governance project, including in-house development of e-Government software, networking and maintenance of hardware.

(3) The Corporation shall also submit to the Government by the 1st day of November of each year, a progress report based on its working and accounts of the first six months of the year.