

राजस्थान सरकार
नगरीय विकास विभाग

क्रमांक 8 (1) नविवि/3/2002

जयपुर , दिनांक 22-4-:2002

आदेश

राजस्थान आवासन मण्डल अधिनियम ,1970 (1970 का अधिनियम संख्या - 4) की धारा 53-(2) में प्रदत्त शक्तियों का प्रयोग करते हुए राज्य सरकार राजस्थान आवासन मण्डल (कार्य निष्पादन) विनियम , 2002 (जिसकी प्रति संलग्न है) को एतद ,द्वारा तुरन्त प्रभाव से लागु किया जाता है ।

आज्ञा से ,
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(एच.एस. भारद्वाज)
शासन उप सचिव

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. सचिव प्रथम ,मा. मुख्यमंत्रीजी ,राजस्थान सरकार ।
2. विशिष्ट सहायक ,मा . मंत्री नगरीय विकास विभाग ।
3. अध्यक्ष , राजस्थान आवासन मण्डल जयपुर ।
4. निजी सचिव ,शासन संचिव , नगरीय विकास विभाग ।
5. आयुक्त ,राजस्थान आवासन मण्डल ,जयपुर ।
6. सचिव ,राजस्थान आवासन मण्डल ,जयपुर ।
7. रक्षित पत्रावली ।

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शासन. उप.सचिव

Rajasthan Housing Board (Disposal of Business) Regulations, 2002

In exercise of the powers conferred of Sub-section (2) of section 53 of the Rajasthan Housing. Board Act, No. 1970 (Rajasthan Act, No. 4 of 1970) the state Government hereby Makes the following regulations, namely :

1. Short title and commencement-
 - (1) These Regulations may be called "Rajasthan Housing Board, (Disposal of Business) Regulation, 2002"
 - (2) They shall come into force with effect from the date ,as may be specified by the State Government
2. Definition:- **(1)** In these regulations unless the context otherwise requires :-
 - (a) "Act" means the Rajasthan Housing Board Act.1970 (Act.No.4 of 1970) and shall include any statutory amendment, modification or re-enactment there of the time being in force,
 - (b) "Board" means the Rajasthan Housing Board constituted by t he State Government under section 4 of the Act.
 - (c) "Chairman" means the Chairman of the Board duly appointed by the Government under Section 5 of the Act.
 - (d) "Government" means the Government of Rajasthan.
 - (e) "Housing Commissioner" means the Housing Commissioner of the Board duly appointed under section 14 of the Act.
 - (f) "Member" means the Member of the Board duly appointed by the Government under section 5 of the Act.
 - (g) "Schedule" means a schedule appended to these Regulation.**(2)** Other terms and expressions used in these Regulations shall have the meanings respectively assigned to them under the Act .and rules framed thereunder as amended from time to time.

PART-1
ALLOCATION AND DISPOSAL OF BUSINESS

- 3. Chief Executive officer:** - the Housing Commissioner shall be the Chief Executive officer of the Board.
- 4. Delegation of powers:-**
- (1) All cases referred to in first schedule shall be brought before the Board in accordance with the provisions contained in part -II of these regulations.
- (2) All cases referred to in the Second Schedule shall be disposed of by the Chairman of the Board on its behalf.
- (3) All cases referred to in the Third Schedule shall be disposed of by the Housing Commissioner of the Board of its behalf.
- 5. Consultation with Finance Section essential.**
- (1) No section shall without previous consultations with the Finance Section authorize any orders (other than orders pursuant to any general delegation made by the Board) Which immediately or by the consequent repercussions in any manner affect the funds of the Board ; or relates to the number ,grading or cadre of posts or the emoluments or other conditions of service of posts.
- (2) No appropriation shall be made by any section other than Finance Section, except in accordance with such general delegation as the Board may have made.
- (3) Except to the extent that power may have been delegated to a section by the Board, every order of any Administrative Section Conveying sanctions to be enforced in audit shall be communicated to the audit authority by the Finance section.
- 6 . Authentication of decisions:**
Every order or decision of the Board shall be authenticated by the Chairman and all other instruments issued or executed by or on behalf of the Board shall be executed by the signatures of Secretary .The orders or decisions of the Board after their due authentication by the chairman as above may be communicated by the Secretary ,

PART-II
PROCEDURE OF THE BOARD

7. Meetings:-

- (1). The Board shall ordinarily meet once in every two months.
- (2). The Chairman may however, whenever he thinks fit call special meetings of the Board.
- (3). The Chairman may call special meetings of the Board on the request of one -third members of the Board.

8. Notice of meeting etc.:-

- (i) Notice of meeting signed by the Secretary or such other senior officer as the Chairman may authorize, shall ordinarily be given to every member at least 7 day before the meeting. Special meeting may be called at twenty- four hours notice.
- (ii) The Secretary shall prepare the agenda of every meeting in consultation with Housing commissioner and the Chairman and shall forward with the agenda, notes on the items included in the agenda .Each note shall indicate the financial implications of the proposal if necessary. The note shall clearly bring out the points on which the Board's decision is sought. All agenda pending till date shall be brought before the Board.
- (iii) The agenda and notes shall be circulated the members at least seven days before the meeting is held.

9. Minutes:-

- (i) The minutes of the Board shall be recorded by the Secretary or by such officer as the chairman may authorize in this behalf.
- (ii) The minutes of the previous meeting shall be placed the next meeting for confirmation.
- (iii) The Secretary shall arrange to keep in proper order in a 'minute book ' all minutes of the Board meetings duly signed by the Chairman.
- (iv) If any member who was present in the previous meeting draw the attention of the Chairman to any portion of the minutes of the proceedings of the previous meeting as erroneously entered in the minute book , such amendment as the Chairman deems proper shall be made:

10. Chairperson of the meeting:-

Every meeting shall be presided over by the Chairman and in his absence by any member chosen by the members present in the meeting.

11. Decision by majority:-

All questions at any meeting shall be decided by a majority of the members present and in case of equality of votes, the person presiding shall have a second or casting vote.

12. Quorum for the meeting:-

The quorum for the meeting of the Board shall be 1/3rd of the members of the Board appointed under section 5 of the Act.

13. Sub-Committee:--

The Board may refer any matter to a sub-committee for consideration and report and take a decision there after the receipt of the report. The sub - committee may consist of such members of the Board and such other persons; as the Board may nominate,

14. Decision by circulation:-

The Chairman may, in consultation with the Housing Commissioner obtain the decision on some most urgent matters by circulation In such cases the notes on matters requiring the Board's decision shall be circulated by the file Secretary to the members of the Board, The opinion of the majority shall be the decision of the Board.

DEPARTMENTAL DISPOSAL OF BUSINESS

15. Disposal of cases by Housing Commissioner:-

Except as otherwise provided, cases shall ordinarily be' disposed off by or under the authority of the Housing Commissioner, who may by means of standing orders , give such direction as he think fit for the disposal of cases in the section concerned "

- 16. Cases required to be routed through 'Housing Commissioner:-**
All matters of business of the Board " where decision is to be' taken at the level of Chairman or Board " shall be routed through Housing Commissioner.
- 17. Controversial matters to be brought to the notice of board:-**
Any matter likely to bring the Board into controversy with the Government shall be brought to the notice of the Board by the Housing Commissioner.
- 18. Note of dissent by Housing Commissioner:-**
In case any decision of the Board or a Committee appointed by Board is in contravention of Act, Rules Regulations or state Government's directions, the Housing Commissioner may give note of dissent. The proceedings of such meetings shall be sent to the state Govt. for final decision on the matter. The execution to such decision of Board would be kept in abeyance till the final decision of the State Govt.

B- FINANCE SECTION

- 19. Consultation with Finance section:-**
The Finance section of the Board shall be consulted before the issue of orders relating to all proposals which the funds of the Board, such as:-
- (a) Proposals to create any post or abolish any from the Board's service or to vary the emoluments of any post ,
 - (b) Proposals to sanction an allowance or special or personal pay for any post or class of posts any servant of the Board '
 - (c) Proposals involving abandonment of revenue or involving expenditure for which no provision has been made in the budget.
- 20. The views of Finance Section to be part of case:-**
The view of the finance section shall be brought on to the permanent record of the section to which the case belongs and shall form part of the case.

21. Presumption of assent on certain cases:-

The Finance Section with the approval of the Chairman may prescribe cases in which its assent may be presumed to have been given.

22. Instructious by Finance Section:--

The Finance Section with the approval of the Chairman may ssue Instructions to government financial procedure in general in all sections and to regulate ;the business of the Finance section and the dealing of their Sections with the Finance Section .

PART- III
C - LEGAL SECTION

23 Function of Legal section:-

Whenever it is proposed:--

- (i) To issue a statutory regulation, notification or order or,
- (ii) To sanction under a statutory power, the issue of any regulation bye law, notification or order by a subordinate authority or
- (iii) To submit to Government any draft statutory regulation, notification or order for issue by them the same shall be referred to Legal Section for opinion and advise.

24. Consultation with Legal Section:--

- (i) All sections shall consult the Legal Section before:-
 - (a) The construction of Statues , Acts ,Regulations, Orders and Notifications
 - (b) and general legal principles arising our of any case ,and
 - (c) The institution or withdrawal of any prosecution or any legal proceeding at the instance of any section.
- (ii) Every such reference shall be accompanied by an accurate statement of the facts of the case and the point on which the advice of the Legal Section is desired.

PART- IV.
DELEGATION OF FINANCLAL POWERS

25. The financial powers of the state Govt. ,Board , Chairman , Housing Commissioner and other officers shall be as under :-

- | | | | |
|-----|----------------------|---|-----------------------|
| (1) | State Govt. | - | Above Rs.10.00 crores |
| (2) | Board | - | Upto Rs.10.00 crorcs |
| (3) | Chairman | - | upto Rs.5.00 crorce |
| (4) | Housing Commissioner | - | upto Rs.2.00 crores |

The powers of the other officers shall be as per the PW (F & A) Rules.

PART- V.
ACCOUNTING / WORK PROCEDURE

26. Maintenance of Accounts:-

The accounts shall be maintained as per Rajasthan Housing Board (Preparation, Maintenance & Publication of Accounts) Rules, 1971.

27. Application of PWD Code:-

PWD code shall be applicable along with relevant financial hand books and manual of order except and to the extent modified otherwise.

28 .Minor Works:-

All works up to Rs 1, 00,000 shall be considered as minor works for the purpose of maintaining work abstracts and submission of accounts.

29. Consolidation of monthly accounts:-

The monthly accounts are complied by the various Division shall be consolidated at Head Quarters by the Financial Advisor & Chief Accounts officer .However , for the first three months all the bills shall be got post audited immediately by the Financial Advisor & Chief Accounts officer at the expiry month regarding accounting procedure to be adopted in the expiry month regarding accounting procedure to be adopted in the Board , The correctness of accounts bills as well as payments there of shall be ensured at the Divisional level.

PART- VI.
SUPPLEMENTARY

30. Observations of regulation:-

The Secretary shall be responsible for the careful observance of the regulations and when he considers that there has been any material departure or deviation from them, shall personally bring the matter to the notice of Chairman through the Housing Commissioner. Corrective action would be taken by the competent authority.

31. Repeal and Savings:-

- (i) The Rajasthan Housing Board (Conduct of Business) Regulations, 1970 is hereby repealed.
- (ii) Notwithstanding such repeal, all things done, action taken or orders made under the repealed Regulations shall be deemed to have been done, taken or made under these Regulation .

By order

Sd.

Dy. Secretary to Government

32. FIRST SCHEDULE:-

The following cases shall be referred to the Board for decision:-

- (1) Annual Financial Statement and demand for supplementary, additional and grants.
- (2) Unbudgeted expenditure required to be expended by the Board
- (3) Consideration of the annual audit report on the account of the Board
- (4) Consideration of the Annual report, required to be submitted to the state Government.
- (5) Proposal relating to regulations and bye - laws to be made by the Board under Section 53 - and 54 of the Act including any proposals for amendment of such regulations and bye-laws

- (6) Sanction of Project estimates.
- (7) Sanction of Budget estimates
- (8) Delegation and modification in the financial power of the officers of the Board
- (9) All decision taken by Committees appointed by Board shall be put up for perusal of the Board.
- (10) All important audit objection and inspection reports etc., involving a loss/recovery above Rs. 5000/-, in which conduct of officers / officials involved and responsibility for lapses / losses is to be determined.

SECOND SCHEDULE:-

The following cases shall be referred to the chairman for decision:-

- (1) Contribution to repute National and International Associations.
- (2) All important audit objections and inspection reports etc., involving a loss/ recovery up to Rs.5000/- , in which conduct of officers / officials involved and responsibility for lapses / losses is to be determined.
- (3) Appointment on deputation.
- (4) Posting and transfer of the officers of the rank of Superintending Engineer and above.

THIRD SCHEDULE:-

The following cases shall be referred to the Housing Commissioner for decision.

- (1) Appointment of consulting Engineers.
- (2) Grant of advance from GPF in relaxation of rules.
- (3) Posting and transfer of gazetted officer's upto the rank of Resident Engineers.
- (4) Except as otherwise provided, all other allied establishment matters in respect of Officers / staff of the Board.
- (5) Banking arrangement.
- (6) Grant of permission to perform journeys beyond sphere of duties by the Officers.
- (7) To sanction conveyance allowance.
- (8) Granting or permitting an employee to receive honorarium.
- (9) Re-appropriation of funds within the budget head.

- (10) to institute, conduct and defend any legal proceedings- by or against Board.
- (11) To incur expenditure where there is no specific provision in the budget or in excess of specific provisions in the Budget in emergency

Notes:-

- (1) Where no specific is provided in the delegations, the Housing Commissioner shall exercise powers in respect by such items to the extent considered essential by him in the interest of the Board subject to approval of the Board.
- (2) Posting and transfer of employees and non- gazetted officers shall be made by the Secretary.

Sd.