



GOVERNMENT OF ASSAM

ASSAM STATE ROAD BOARD

(ASRB)

BY LAWS

AND

RULES OF BUSINESS

Assam State Road Board
PWD SECRETARIAT
Dispur, Guwahati 781006
Assam (INDIA)

Assam State Road Board, Guwahati

By Laws & Rules of Business of the Assam State Road Board, Guwahati

(Framed under the Memorandum of Association and the Rules & Regulation of Assam State Road Board, Guwahati)

In exercise of the powers conferred by para 4 & 5 of the Memorandum of Association and para 13 of the Rules and Regulation of the Assam State Road Board the General Body of the Assam State Road Board in its first sitting on July 19,2003 is pleased to make the following By – Laws of the Assam State Road Board namely:

1. SHORT TITLE , EXTENT AND COMMENCEMENT :

1.1 These By – Laws shall be called “The By – Laws of the Assam State Road Board.

1.2 They shall extend to all the activities of the Assam State Road Board.

1.3 They shall come into force with effect from the date of adoption by the General Body, i.e., July 19,2003.

2. FLOW OF FUND:

2.1 The Assam State Road shall select a branch with internet connectivity at the State Headquarter, of any Public Sector Bank or Institution based Bank for maintaining Accounts of Assam State Road Board. Once selected, the Account shall not be changed to any other Branch or Bank. There will be a written undertaking from the Bank that it will follow the Guidelines of The Government of Assam for payment from ASRB fund. The concerned branch will maintain Internet connectivity and enter the data into the relevant module of the On-line Management & Monitoring System.

2.2 The Empowered Officer will communicate to the ASRB and to the Government of Assam the details of the Bank branches and the Account numbers. The Government of India/Government of Assam and other funding agencies, as the case may be, shall release the fund , only into the Accounts on the recommendation of the ASRB who shall satisfy themselves that the requirements in the Guidelines have been met.

- 2.3 The Assam State Road Board will maintain only one account for each programme fund from which all payments will be made. These shall relate to the Programme Expenditure of road works approved by the Executive Committee of the Assam State Road Board. No other administrative expenditure (such as purchase of vehicles and office equipment) shall be debitable to this account
- 2.4 The programme expenditure will be regulated as follows:
- 2.4.1 There will not be separate bank accounts of PIUs/ Executive Engineers for programme expenditure. The Executive Engineers/ Executive Engineers of PIUs / Heads of the PIUs (who are the Drawing & Disbursing Officers of the PIUs) will be declared as the Ex- officio Members of the Board, so as to enable them to draw on the funds of the Board from the programme accounts. They shall be the authorized signatories, for issuing cheques on the Board's bank accounts.
 - 2.4.2 The Assam State Road Board would nominate one of its senior officers, normally the Finance Controller, or an officer not below the rank of Chief Engineer as the Empowered Officer who will inform the bank the names of the Authorized signatories, for issuing cheques on the ASRB's bank account.
 - 2.4.3 The Empowered Officer will furnish this list of authorised signatories to the Bank, apart from himself maintaining a record of it. This list will be periodically verified to ensure its accuracy. The bank will issue separate chequebooks to each of the Authorized Signatories and will keep their signatures on record.
 - 2.4.4 The Empowered Officer will also inform the Bank of the names of Authorised Payees (contractors and suppliers with whom Agreements have been duly entered into, as well as Statutory Authorities, such as ITO etc) and their designated payee accounts, and also the amounts that are admissible against each of the Contractors and suppliers. This will be in conformity with the Work Agreements. The Empowered Officer may lay down suitable limits on monthly payments in line with the agreed Works Programme for the respective works. Standing instructions will be issued to the Bank Branches by the Empowered Officer in this regard.
 - 2.4.5 The Authorised Signatories will make payments, as per the established procedure, by Account Payee cheque mentioning the designated payee accounts. They will immediately enter the cheque and payee details in the Payment Module of the OMMS as and when available.
 - 2.4.6 On presentation of the cheque, the Bank would satisfy itself that the payment details have been entered in the Payment Module as and when available, and that the cheque meets with all other requirements, among others, like signatures agreeing with specimen

signatures, the cheque amount being within the balance authorized limit, and the payee being the authorized payee, payee account details being fully and correctly specified etc.

2.4.7 The Bank will not allow the funds to be used by any person other than the authorized signatories and for any purpose other than the authorized payment for Works taken up under the programme. Nor will it be open to the ASRB to invest these funds in any other Bank/Branch, whether for short or medium term, including under Fixed Deposits.

2.4.8 The Bank will render monthly account, in respect of programme funds , to the EEs/ PIUs, ASRB and the Empowered Officer.

2.4.9 A tripartite Memorandum of Understanding will be entered into between the Bank , the ASRB, and the Government in PWD wherein the parties would agree to abide by the provisions of the Guidelines. In particular, the Bank will agree to abide by the instructions issued, from time to time, by the Government in PWD/Empowered Officer regarding the operation of the Accounts.

2.5 The Empowered Officer may, from time to time, issue such directives as necessary for smooth flow of funds and effectiveness of Programmes.

2.6 The Accounting System to be prescribed by the Empowered Officer, which would be largely based on the well-established Accounting system of the Public Works Department, would be utilized for the Programmes.

2.7 Money accruing as Interest will be added to the programme funds. The expenditure out of this interest amount will be guided by the instructions/guidelines to be issued by the Govt in PWD from time to time. The Bank shall intimate to the ASRB as well as Empowered Officer, the interest amount credited it to the Accounts from time to time.

3. PROCEDURE FOR RELEASE OF FUNDS TO THE ASSAM STATE ROAD BOARD

3.1 Since the ASRB has adopted a Project approach where road works have to be completed within a stipulated time-limit, the cost of the project cleared for a Division for each phase of the programme will be made available to the Empowered Officer in suitable instalments (up to 4 instalments).

3.2 For release of every instalment (except the first), conditions prescribed at A & B below will require to be met while those at C & D are one time conditions to be met. The conditions are as follows :-

- A. Utilization certificate for the funds released earlier. The utilization certificate shall be in the form prescribed.
- B. A certificate by the Bank Manager, indicating the balance amount on the date the issue of the certificate (this should tally with the on-line data).
- C. A certificate that works which were sanctioned more than two years earlier have been duly completed and funds released for such works have also been fully utilized.

- D. For all releases after October of every year, production of an Audited Statement of Accounts and a Balance Sheet, duly certified by a Chartered Accountant for the accounts of the previous financial year.

4. AUDIT

- 4.1 The ASRB will ensure that the accounts are audited by a chartered accountant of standing within six months of the close of the financial year. This account will be supported by a statement of reconciliation with the accounts of EEs/PIUs and a certificate of Chartered Accountant on its accuracy.
- 4.2 In addition to the Audit by the Chartered Accountant, the works under the Programme would be subject to audit by the Office of the Comptroller and Auditor-General of India (C&AG). The Audit of the work done by the C&AG may cover aspects of quality, in addition to financial audit.

PMGSY WORKS

5. FLOW OF FUNDS, PROCEDURE FOR RELEASE AND AUDIT

- 5.1 The Assam State Road Board shall select a branch with internet connectivity at Guwahati, of any Public sector Bank or Institution based Bank for maintaining an account of the Pradhan Mantri Gram Sadak Yojana, Once selected, the account shall not be changed to any other Branch or Bank. There will be a written undertaking from the bank that it will follow the Guidelines of Government of India for payment from the PMGSY fund. The concerned branch will maintain Internet connectivity and enter the data into the relevant module of the On-line Management & Monitoring System.
- 5.2 The Assam State Road Board will communicate to the NRRDA and to the Ministry the details of the Bank branch and the Account number. The Ministry of Rural Development shall release the funds, only into this Account, on the recommendation of the NRRDA, who shall satisfy them that the requirements in the Guidelines have been met.
- 5.3 The Assam State Road Board will maintain only one Account for PMGSY funds, from which all payments will be made. These shall relate to the Programme expenditure on road works. No other administrative expenditures (such as purchase of vehicles and office equipment) shall be debitible to this account
- 5.4 The programme expenditure will be regulated as follows:
- 5.4.1 There will not be separate bank accounts of PIUs for Programme expenditure. As indicated in Para 12.1 of PMGSY Guidelines, the Executive Engineers of PIUs/Heads of PIUs (who are the drawing and disbursing officers of the PIU) will be declared as the ex-officio members of the ASRB, so as to enable them to draw on the funds of the ASRB

from the Programme Account. They shall be the Authorised signatories for issuing cheques

- 5.4.2 The ASRB would nominate one of its senior officers, normally the Finance Controller, or an officer not below the rank of a Chief Engineer, as the Empowered Officer. It shall be open only to the Empowered Officer to inform the Bank of the names of Authorised Signatories, for issuing cheques on the ASRB's bank account.
- 5.4.3 The Empowered Officer will furnish this list of Authorised Signatories (Executive Engineers of Districts / Heads of PIUs) to the Bank, apart from himself maintaining a record of it. This list will be periodically verified to ensure its accuracy. The Bank will issue separate ChequeBooks to each of the Authorised Signatories, and will keep their signatures on record.
- 5.4.4 The Empowered Officer will also inform the Bank of the names of Authorised Payees (contractors and suppliers with whom Agreements have been duly entered into, as well as Statutory Authorities, such as ITO etc) and their designated payee accounts, and also the amounts that are admissible against each of the Contractors and suppliers. This will be in conformity with the Work Agreements. The Empowered Officer may lay down suitable limits on monthly payments in line with the agreed Works Programme for the respective packages. Standing instructions will be issued to the Bank Branches by the Empowered Officer in this regard.
- 5.4.5 The Authorised Signatories will make payments, as per the established procedure, by Account Payee cheque mentioning the designated payee accounts. They will immediately enter the cheque and payee details in the Payment Module of the OMMS.
- 5.4.6 On presentation of the cheque, the Bank would satisfy itself that the payment details have been entered in the Payment Module, and that the cheque meets with all other requirements, among others, like signatures agreeing with specimen signatures, the cheque amount being within the balance authorized limit, and the payee being the authorized payee, payee account details being fully and correctly specified etc.
- 5.4.7 The Bank will not allow the funds to be used by any person other than the authorized signatories and for any purpose other than the authorized payment for Works taken up under the PMGSY. Nor will it be open to the ASRB to invest these funds in any other Bank/Branch, whether for short or medium term, including under Fixed Deposits.
- 5.4.8 The Bank will render monthly account, in respect of PMGSY Funds, to the PIU, the ASRB and the National Rural Roads Development Agency.
- 5.4.9 A tripartite Memorandum of Understanding will be entered into between the Bank, ASRB and the Ministry of Rural Development wherein the parties would agree to abide by the provisions of the Guidelines. In particular, the Bank will agree to abide by the instructions issued, from time to time, by the Ministry of Rural Development/National Rural Roads Development Agency (NRRDA) regarding the operation of the Account.

5.5 The NRRDA may, from time to time, issue such directives as necessary for smooth flow of funds and effectiveness of the Programme.

5.6 The Accounting System to be prescribed by the NRRDA, which would be largely based on the well-established Accounting system of the Works Departments, would be utilized for this Programme.

5.7 Money accruing as Interest will be added to the PMGSY funds. The expenditure out of this interest amount will be guided by the instructions/ guidelines to be issued by the Ministry of Rural Development/ NRRDA from time to time. The Bank shall intimate to the ASRB as well as NRRDA, the interest amount credited by it to the Account from time to time.

6. PROCEDURE FOR RELEASE OF FUNDS TO THE STATE LEVEL AGENCY

6.1 Since the PMGSY has adopted a Project approach where road works have to be completed within a stipulated time-limit, the cost of the project cleared for a State for each phase of PMGSY will be made available to the ASRB in suitable instalments (up to 4 instalments).

6.2 The first instalment in a particular year amounting to 25% of the value of projects cleared by the Ministry and the release of remaining instalments would be subject to utilization of 60% of the total available funds as well as completion of atleast 80% of the road works upto the (but not including) the year previous to the current year and fulfillment of other conditions, if any, stipulated while releasing the previous instalment. Total available funds will be the funds available (including interest accrued) with the ASRB at the time of the release of the previous instalment / plus the amount of the previous instalment.

6.3 For release of every instalment (except the first), conditions prescribed at A & B below will require to be met while those at C & D are one time conditions to be met. The conditions are as follows :-

- E. Utilization certificate for the funds released earlier. The utilization certificate shall be in the form prescribed.
- F. A certificate by the Bank Manager, indicating the balance amount on the date the issue of the certificate (this should tally with the on-line data).
- G. A certificate that works which were sanctioned more than two years earlier have been duly completed and funds released for such works have also been fully utilized.
- H. For all releases after October of every year, production of an Audited Statement of Accounts and a Balance Sheet, duly certified by a Chartered Accountant for the accounts of the previous financial year.

6.4 For purpose of releasing funds, the state would be the unit.

7. AUDIT

7.1 The Road Board will ensure that the accounts are audited by a chartered accountant of standing within six months of the close of the financial year. This account will be supported by a statement of reconciliation with the accounts of PIUs and a certificate of Chartered Accountant on its accuracy.

7.2 In addition to the Audit by the Chartered Accountant, the works under this Programme would be subject to audit by the Office of the Comptroller and Auditor-General of India (C&AG). The Audit of the work done by the C&AG may cover aspects of quality, in addition to financial audit.

7.3 Both the Road Board and the PIUs must provide all information to District level Vigilance and Monitoring Committees and the Panchayati Raj Institutions.

8. FUNCTIONS AND POWERS.

All other functions and powers of the Board will be governed as per Rules and Regulations of the Assam State Road Board

Signatures of the members of the General Body of the Assam State Road Board

Sl. No	Signature	Occupation & Address	Designation in the ASRB
1.		Minister, Public Works Department, Govt. of Assam, Dispur, Guwahati-6	President
2.		Chief Secretary, Govt. of Assam, Dispur, Guwahati-6	Vice-President
3.		Commissioner & Special Secretary, Public Works Department, Govt. of Assam, Dispur, Guwahati-6	Member Secretary
4.		Commissioner & Secretary, Finance Department, Govt. of Assam, Dispur, Guwahati-6	Member
5.		Commissioner & Secretary, Industry Department, Govt. of Assam, Dispur, Guwahati-6	Member
6.		Commissioner & Secretary, Planning and Development Department, Govt. of Assam, Dispur, Guwahati-6	Member
7.		Secretary, Public Works Department, Govt. of Assam, Dispur, Guwahati-6	Member
8.		Secretary, Transport Department, Govt. of Assam, Dispur, Guwahati-6	Member
9.		Chief Engineer, PWD (Roads), Assam, Chandmari, Guwahati-3	Member
10.		Chief Engineer, PWD (ARIASP & RIDF), Assam, Chandmari, Guwahati-3	Member
11.		Chief Engineer, PWD (NH), Assam, Chandmari, Guwahati-3	Member