

# **ASSAM STATE ROAD BOARD**

## **RULES AND REGULATIONS**

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### Rules and Regulations of Assam State Road Board

#### I. General

##### 1. Short title and commencement

- a. The rules and regulations be called the Rules of Assam State Road Board.
- b. These rules shall come into force from the date on which the Board shall be established under the Societies Registration Act, 1860.

#### **RULES AND REGULATIONS**

##### 2. Definitions

- a. 'Board' means the Assam State Road Board.
- b. 'General Body' means the General Body of the Assam State Road Board.
- c. 'President' means the President of the Assam State Road Board.
- d. 'Vice President' means the Vice President of the Assam State Road Board.

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## **Rules and Regulations of Assam State Road Board**

### **I. General**

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

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- b. These rules shall come into force from the date on which the Board, namely the Assam State Road Board, is registered under the Societies Registration Act. 1860.

#### **2. Definitions**

- a. 'Board' means the Assam State Road Board.
- b. 'General Body' means the General Body of the Assam State Road Board.
- c. 'President' means the President of the Assam State Road Board.
- d. 'Vice President' means the Vice President of the Assam State Road Board.



- e. 'Member Secretary' means the member Secretary of the Assam State Road Board.
- f. 'Member' means the member of the Assam State Road Board.
- g. 'Year' means unless the context otherwise requires, the financial year of the Government of Assam.
- h. Appointing Authority means the appointing Authority as defined in the Discipline and Appeal Rules.

### **3. Registered office of the Board.**

The registered office of the Assam State Road Board shall be situated at Assam Secretariat, Dispur, Guwahati-6

### **4. Members of the Board**

The number of Members of the Board shall not exceed 21. The Members of the Board shall be nominated by the Govt. of Assam. The membership of the Board will be from the following :

- i. Representatives of Central, State Governments or any other Government authority as Ex-officio Members.
- ii. Registered bodies, Institutions engaged in any activity connected with Road Works or any of the objectives of the Assam State Road Board.
- iii. Persons possessing special expertise, ability or experience relevant to the furtherance to the objectives of the Board. The representation may be by name or designation, as may be deemed appropriate.

## **5. Termination of ex-officio membership**

Where a person becomes a member of the Board by virtue of the office or appointment, which he/she holds, his/her Membership of the Board shall stand terminated when he/she ceases to hold that office or appointment.

## **6. Termination of membership of others.**

Membership of Members, other than ex-officio Members, shall stand terminated on the happening of any of the following events.

- i. On the expiry of the period of Membership for which nominated.
- ii. Death, resignation, Insolvency, Lunacy or conviction for a criminal offence involving moral turpitude.
- iii. When a Member does not attend three-consecutive meetings of the General Body without proper leave of absence.

## **7. Terms of membership**

- a. Subject to the other provisions, a Member of the Board, other than ex-officio Members, shall hold office for a period of two years from the date of his nomination and shall be eligible for re-nomination by the President.
- b. If a casual vacancy exists during the two year period, such vacancy shall be filled in like manner as the original vacancy and the admitted Member shall hold office for the un-expired portion of the term.



## **8. Resignation**

When a Member desires to resign his/her membership of the Board, he / she shall forward his/her letter of resignation to the President.

## **9. Validation of acts.**

The Board shall function notwithstanding any vacancy in any of its bodies and no act, direction or proceeding of the Board shall be invalid merely by reason of such vacancy or any defect in the appointment of any of its Members.

## **II. Authorities of the Board**

### **10. Authorities**

The following shall be the authorities of the Board :

- i. General Body
- ii. President
- iii. Vice-President
- iv. Executive Committee
- v. Member Secretary
- vi. Such other officers of the Agency as the General Body may from time to time appoint.

## **III. General Body**

### **11. Members**

There shall be a General Body of the Board and it shall be composed of all the Members of the Board.

## **12. Meetings of General Body**

The General Body shall meet normally once in 3 months but atleast twice every year, on such date, time and place as may be determined by the President. It shall also be open to the President to call for an Extraordinary Meeting.

- a. All Meetings of the General Body shall be called by Notice in writing by and under the hand of the Member Secretary.
- b. Every Notice calling a meeting of the General Body shall state the date, time and place of the Meeting and shall be delivered or sent by post to every Member of the Board normally 15 clear days before the day appointed for the Meeting.
- c. Any inadvertent omission to give notice to or the non-receipt or late receipt of notice by any Members shall not invalidate the proceedings of the meetings and proof that the envelope containing such notices was properly addressed and duly posted will be sufficient proof of such notice.

## **13. Functions and powers**

The General Body shall have following powers and functions, namely to :

- i. Give over-all policy Guidelines and directions for efficient functioning of the Board.
- ii. Approve the Annual Plan of Action including the Annual Budget for functioning of the Board.



- iii. Consider the Balance Sheet and Audited Accounts for the previous financial year.
- iv. Add and amend the Rules of the Board.
- v. Frame, bye-laws not inconsistent with these rules, for the regulation of the business of the Board.
- vi. Monitor the functioning of the Board.
- vii. Approve of the Annual Report of the Board.
- viii. Determine the staff strength and the terms and conditions of service of personnel to be appointed by the Board.
- ix. Delegate such of its powers to other authorities of the Board as it may consider necessary and proper.

#### **IV. President**

##### **14. Powers and Functions of the President**

- a. The Minister in charge of the Public Works Department dealing with the Board shall be the ex-officio President of the Board.
- b. In case the votes for and against a particular issue are equal, the President shall exercise his casting vote.
- c. The President shall preside over the Meetings of the General Body. In his absence the Vice President shall preside over the Meetings.
- d. The President shall exercise the powers of taking decision by circulating resolutions in the interregnum between two Meetings of the General Body. All decisions taken by the President, acting



in such capacity, shall be placed in the next Meeting of the General Body for ratification.

#### **V. Vice-President**

#### **15. Power and Functions of the Vice-President**

- a. The Chief Secretary, Govt of Assam dealing with the Board shall be the ex-officio Vice President of the Board.
- b. In the absence of the President, the Vice President shall preside over the Meetings of the General body.
- c. The Vice President shall exercise such powers and perform such duties as Board may delegate to him.

#### **VI. Executive Committee**

#### **16. Constitution**

There shall be an Executive Committee of the Board and shall comprise of the following Members :

- i. Member Secretary - Ex-officio Chairman  
(Commissioner & Special Secretary, PWD)
- ii. Member - Ex-officio Secretary  
(Secretary, PWD)
- iii. Five Members to be appointed by the Board, of which one shall be from the Finance Department, Govt. of Assam not below the rank of Joint Secretary and the remaining four shall be from the Public Works Department, Govt of Assam, not below the rank of Addl. Chief Engineer.

- iv. Such officials of the Board, not exceeding two, to be nominated by the President.

#### **17. Meetings of the Executive Committee**

The Executive Committee shall meet as often as is necessary but atleast once in two months.

#### **18. Notice for Meetings.**

- a. All meetings of the Executive Committee shall be called by notice in writing by and under the hand of the Member Secretary.
- b. Every notice calling a meeting of the Executive Committee shall state the date, time and place of the meeting of the Executive Committee normally seven clear days before the day appointing for the Meeting.
- c. The Chairman may, in special circumstances, call a Meeting at a notice shorter than seven days.
- d. Any inadvertent omission to give notice of the non-receipt or late receipt of notice by any member shall not invalidate the proceeding of the meeting.

#### **19. Powers and Functions of the Executive Committee**

The powers and functions of the Executive Committee shall be as follows.

- a. Subject to the general control and supervision of the General Body, the Executive Committee shall exercise such powers and functions as may be delegated to it by the General Body.



- b. The Executive Committee shall exercise all Executive and Financial powers as may be delegated by the Board, subject to ratification by the General Body and directions as may be issued by the Government of Assam and General Body from time to time, if any.

#### **VII. Member Secretary**

#### **20. Member Secretary**

- a. The Commissioner & Spl. Secretary to the Govt. of Assam, Public Works Department shall, ex-officio be the Member Secretary of the Assam State Road Board.
- b. He shall Chair all the Meetings of the Executive Committee.

#### **21. Powers and Functions of the Member Secretary**

- a. The Member Secretary shall be responsible for efficient running of the affairs of the Board in accordance with the provisions of the Memorandum of Association, Rules and Regulations and by-laws of the Board.
- b. The Member Secretary shall preside over the Meetings of the Executive Committee.
- c. The Member Secretary may call a meeting of the Executive committee at any time subject to minimum two days notice.
- d. The Member Secretary shall exercise such financial powers as are delegated by the Governing body.
- e. The Member Secretary shall be the Appointing Authority for all the posts sanctioned by the General

Body, on deputation, contract or Part-time basis to the Board.

- f. The Member Secretary shall be entitled to invite officers of the Public Works Department not below the rank of Executive Engineer to attend the Meeting of the Executive Committee.
- g. The Member Secretary shall exercise the powers of the Executive Committee of the Board in the interregnum between two Meetings of the Executive Committee. All decisions taken by the Chairman shall be placed in the next Meeting of the Executive Committee for ratification.
- h. The Member Secretary may in writing, delegate such of the powers, as he may consider necessary, to any officer of the Board.

#### **VIII. Funds of the Board**

##### **22. Funds of the Board**

The funds of the Board shall consists of the following :

- a. Grants-in-aid by the State Governement.
- b. Contributions from other sources.

##### **23. Bankers**

The bankers of the Board shall be any Scheduled Commercial Bank.

#### **IX. Audit of Accounts**

##### **24. Procedure**

- i. The Board shall cause regular accounts to be kept of



its fund. The Principle of commercial accounting will be followed in maintenance of accounts in such forms as may be prescribed by the State Government.

- ii. The Accounts of the Board shall be audited annually by a Chartered Accountant , and the office
- iii. The Chartered Accountant or the Auditor shall have access to books, accounts, connected vouchers and other necessary documents and papers.
- iv. The results of Audit shall be communicated by the Auditor to the General Body of the Board, who shall submit a copy of the Audit Report along with its observations to the Public Works Department, Government of Assam. The Auditor shall also forward a copy of the report direct to the Finance Department of the Government of Assam.

## **X. Annual Report**

### **25. Procedure**

The Annual Report of the working of the Board and all work undertaken during the year, together with Balance Sheet and Audited Accounts, shall be prepared by the Executive Committee for approval of the General Body and the Public Works Department, Government of Assam. A draft of the Annual Report along with the Audited Accounts of the Board, and the Auditor's Report thereon, shall be placed before the General Body in its Annual Meeting for approval.

## **XI. Amendments**

### **26. Alteration or Extension of the Purpose.**

With prior approval of the Public Works Department, Government of Assam the Board may alter, extend or abridge the purpose for which it is established, or to amalgamate the Board either wholly or partly with any other Board in accordance with the provisions of the Societies Registration Act. 1860, as applicable to Assam.

### **27. Alteration or amendment of Rules**

The Rules of the Board may at any time be altered by a Resolution passed by a majority of the Members of the General Body, present and voting, at a Meeting of the General Body convened for the purpose.

### **28. Change of name of the Board**

The Board may with prior approval of the Public Works Department, Government of Assam, change its name by a resolution passed by majority of the members of the General Body, present and voting, at a Meeting of the General Body convened for the purpose.

### **29 Change in nomenclature of Ministries etc.**

As and when there is any change in the nomenclature of the Ministry/Ministries, Department (s), Institution (s) and designation(s) mentioned in the Rules, such change(s) shall automatically stand incorporated in these Rules and it shall not be treated as an amendment of the Rules under Rule 27 above.



### **32. Winding up or dissolution of the Board.**

If, on the winding up or dissolution of the Board, there shall remain, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to, or distributed among, the members of the Board or any of them, but shall accrue to the Government of Assam.

## **XII. Miscellaneous**

### **31 Indemnity**

Every officer of the Board shall be indemnified out of the funds of the Board against all losses and expenses incurred in the discharge of his duties except such as shall happen through his/her own neglect, willful act or default and such one shall be answerable only for his/her own acts, neglect or defaults and not for those of any other person.

### **32. Submission of Annual List of Members to Registrar**

Once in every year a list of Members of the General Body shall be filed with the Registrar of Societies required under Section 4 of the Societies Registration Act. 1860.

### **33. Legal Proceedings**

The Board may sue or be sued in the name of the Member Secretary, ASRB as per provisions laid down under Section 6 of the Societies Registration Act. 1860.

### 34. Applicability of Societies Registration Act, 1860

All the provisions of the Societies Registration Act, 1860 will apply to this Board.

### 35. Dissolution

If necessary, the Board can be dissolved as per the provisions laid down under Section 13 and 14 of the Societies Registration Act, 1860.

Certified that this is the correct copy of the Rules and Regulations of the Society.

( A. P. Borgohain )

Commissioner & Special Secretary  
Public Works Department, Assam.