

ASSAM KHADI AND VILLAGE INDUSTRIES BOARDS (AMENDMENT) ACT, 1960

The 16th December 1960 No.LJL.56/58.—The following Act of the Assam Legislative Assembly which received assent of the Governor is hereby published for general information. Received the assent of the Governor On the 12th December 1960 ASSAM ACT No.XXXI OF 1960 THE ASSAM KHADI AND VILLAGE INDUSTRIES BOARD (AMENDMENT) ACT, 1960 (As passed the Assembly) [Published in the Assam Gazette, Extraordinary, dated the 17th December 1960] Preamble. Whereas the Assam Khadi and Village Industries Board Act, 1955 (XXVI of 1955) hereinafter called the Principal Act, in the manner hereinafter appearing It is hereby enacted in the Eleventh Year of the Republic of India as follows:— (1) This Act may be called the Assam Khadi and Village Industries Board (Amendment) Act, 1960. (2) It shall come into force as the Principal Act. (3) It shall come into force at once.

2. In Section 2 of the Principal Act, after clause (1) the following shall be inserted:— (2) and the existing clauses (2) shall be renumbered and (3) as clauses (3) and (4) respectively, namely Khadi and Village Industries Commission established under Central Act No. 61 of 1956. 1956 30 In Section 4 of the Principal Act, the following shall be substituted, namely:— (1) The Board shall consist of a Chairman and not more than five members appointed by the State Government. One of such members shall be appointed by the State Government as the Chairman and another as the Secretary. In addition to the Chairman as the Secretary and the Vice-Chairman, the State Government may appoint another member of the Board the Vice-Chairman. The Vice-Chairman if any appointed shall hold office for such period as the State Government may, by general or special order direct. (2) The Vice-Chairman, the Secretary or any other member of the Board may, at any time, resign (office by submitting his resignation in writing to the Chairman. Provided that resignation shall not take effect until it is accepted. (3) The Vice-Chairman if any appointed) the Chairman, the Secretary or any other member of the Board shall receive such salary, as may be prescribed." 3 Insertion of 4. Following new Section shall be new section Section 4 of the Principal Act, namely 4A. after Section 4 of Assam Act XVI of 1955. added after. f; 4A. The State Government may appoint an officer "Appointment of a of its own to act as the Chief Executive Officer of the Board. He shall hold office for such period as the State Government may, by general or special order, direct and unless otherwise directed by the State Government, he shall receive his allowances from the funds of the Board," 5. In Section 5 of the Principal Act the words Amendment of Section 5 "Vice-Chairman appointed, if any, or the" shall of Assam be inserted between the words of the" and C'Chairman" Act XVI of 1955. Insertion of 6, After Section 8 of the Principal Act, the new Section following shall be inserted as new Section 8A after section 8 of Assam Act XVI of 1955. 8A. (1) Notwithstanding anything contained in "Appointment of an Section 8, there shall be appointed by the Board— Executive Committee (a) an Executive Committee consisting of seven and a Standing Finance Committee (b) a Standing Finance Committee consisting of five members of three members shall be appointed by the Board from amongst the members of the Board and the remaining two shall be filled in by the State Government by making nomination from persons who by their wide financial experience are fitted to serve on the Standing Finance Committee." Amendment 7. In Section 10 of the Principal Act,— of Section 10 of Assam Act (1) sub-section (2) shall be deleted and the existing XVI of 1955. sub-sections (3) and (4) shall be renumbered as sub-sections (2) and (3) respectively : (2) in sub-section (2) as so renumbered, the words "made by the Secretary on behalf of the Board" shall be deleted. Insertion of. new sections 10A, 10B, 10C, 10D, 10E and 10F after section 10 of Assam Act XVI of 1955. 10A. (1) The Board shall preside over functions of the meetings of the Board and shall take decision when the Chairman. Powers and functions of Vice-Chairman. Powers and functions of the Secretary. Powers and functions of the Board

or the Executive Committee is not in session. if any appointed, shall, 10B. The Vice-Chairman, in the absence of the Chairman exercise all the powers of the Chairman such powers as may be delegated to him by the Board Subject to the powers and responsibilities entrusted to the Chief Executive Officer, the Secretary shall, (j) enter into every contract on behalf of the Board under Section 10 of the Act ; (ii) he [or all matters of the Board including general supervision for the implementation of the Board's Plan and Programme (iii) ensure co-operation of the Board with the State Government and the Khadi and Village Industries Commission. 10D. Subject to the general control and supervision of the Secretary, the Chief Executive Officer shall, the Chief Executive Officer. Powers and (i) be responsible for the implementation of the Plan and Programme of the Board ; (ii) be responsible for proper administration of the Board's funds and maintenance of accounts (iii) submit periodical progress reports, receipt and expenditure statements and balance sheets to the Board; and (iv) be the controlling officer of the members of the staff of the Board. 10E. (1) The functions of the Executive Committee shall be to c the decision of the Board and the Executive Committee to take such emergency decisions as be necessary in anticipation of approval of the Board. 10F. (2) The Board may entrust the responsibility for successful furtherance of different industries to the members of the Executive Committee individually who in turn shall formulate schemes and make suitable recommendations for development of industries in their respective charge, for consideration by the Executive Committee. Powers and 10G. Without prejudice to anything contained in functions of Sections 11 and 12 of this Act, the functions of the Standing Finance Committee shall be (i) to render expert financial advice to the Board for proper administration of the Board's fund including its proper utilization ; (ii) to scrutinize and to give its comments and expert advice on the following matters, namely : (a) all annual and supplementary budgets of the Board ; (b) all new schemes of the Board ; (c) any proposal for entertainment of the members of the staff of the Board that may be necessary after the commencement of the Assam Khadi and Village Industries Board (Amendment) Act, 1960 ; and (d) any other financial matter which the Board may, by general or special order, direct to be referred to the Standing Finance Committee for its scrutiny, comment and expert advice." Amendment 9. In sub-section (2) of Section 11 of the Principal Act, after clause (i) the following shall be inserted as clause (j) and the existing clause (j) shall, be re-numbered as clause (k), namely 1959. "(j) to sanction loans to individuals and institutions not exceeding such limit as may be prescribed in order to develop, encourage and assist Khadi and Village Industries. The loan shall be secured and repaid in the prescribed manner and upon such terms and conditions as may be specified by the order granting it. In default of payment within the specified date, the loan together with the interest due shall be recoverable from the loanee as an arrear of land revenue". 10. In Section 12 of the Principal Act, after clause (ii) the following shall be added as clause (iii) and of Assam Act XVI of 1955, (iii) to borrow money from the Khadi and Village Industries Commission and also to hypothecate or mortgage properties as securities against the loans ; (iv) to write off minor irrecoverable losses such as those caused by theft, fraud, etc." Amendment 11. In Section 14 of the Principal Act, the "full of Section 14 stop" after the word "fit" shall be substituted by a "colon" and the following proviso shall be added at the end, namely : — 1955. c 'Provided that the Board shall be competent to make minor alteration in the pattern of the schemes with the prior approval of the Khadi and Village Industries Commission." 12. In Section 21 of the Principal Act, the "full Amendment of Section stop" after the word 'proper' shall be substituted by a "colon" and the following proviso shall be added at the end, namely 1955. "Provided that the Board shall also be competent to make, minor re-appropriations from one head to another after the annual budget and the programmes are approved by the State Government and sanctioned by the Khadi and Village Industries Commission subject to the overall amounts of grant and loan remaining unaltered." Substitution 13. For the words 'All-India Khadi and Village Industries Board' wherever occur in the Principal Act, the words "Khadi and Village Industries Commission" shall be substituted. B. C. BARUA, Secy. to the Govt. of Assam, Law Deptt.