

RIVER BOARD RULES 1958 UNDER SECTION 28

THE RIVER BOARD RULES. 1958 MINISTRY OF IRRIGATION AND POWER NOTIFICATION New Delhi , the 27th August 1958 in exercise of the powers conferred by section 28 Of the River Boards Act, 1956 (49 of 1956) , the Central Government hereby Nkes the following rules, narely:— THE RIVER BOARDS RULES. 1958 — prel PART . These rules my be called the River Boards Rules, 1958. SY-ORT - . in these rules, unless the context otherwise requires, DEFINITIONS - means the R Boards Act, 1956 (49 of 1956) "the Act" (2) "Government servant" means a person serving in connection with the affa irs Oi the Union or Of a State; (3) "section" means a section of the Act. PART Salaries, Allowances and conditions of service of merbers of the Board. SAI MIES Of members Shal i be Such as may be determined in each case by the Central Government. TERMINATION OF SERVICES. The celtral Government my, it thinks fit, by order wr term: nate appointment Of any before the expiry of the term of his office: provided that before issuing any such order, the Central Government Sha ll, having regard to the c of the case, give such not ice not exceeding three months, to the person concerned. as it considers reasonable . LEAVE AND LEAVE SALARIES Every whole-time merber who is not a servant shall be entitled to leave and I eavd• salary, on such terms and condit ions as arc admissible to temporary central Government servants under the Revised Leave Rules 1933. (2) The authority to grant Leave to a merber shall be the Central Government. Merbers shall be entitled to travelling a TRAVELLING ALLOWANCES - lowances for 30urneys performed for the purposes Of the Board, on the scale provided for under the mndamental and Supplementary Rules appl icable to the grade of Off to which the Central Government mav declare them to cor respond in status. (2) NO journey shall be per formed by a metrber for the purposes Of the Board, outside the area Of its operat ion, without its prior approval. (3) The Chairman shall be the control I Officer In respect Of his travel i ng allowance bills as well as those of other members. 35

7. CX)NTRIBtZÜRY PROVIDENT FUND - Whole-tire members who are r.ot- (i) Govern.Nnt se or (ii) Re—employed persons Who are receipt Of any retirement benefit from Government in the form of pension or contributory provident fund, shall be entitled to the benefits of the contributory provident fund which may be established by the Board for its own officers: provided that the s contribution to such fund shall not, at any exceed the rate at which the Central Government makes contribution to the contributory provident fund of its own er•ployses. B. 'CDICAL FACILITIES — (I) Mlole—time shall be entitled to such medical facilities as are applicable to the grade of Officers to which the Central Governnent tuy declare them to correspond in status . (2) The Chairman shall be the controlling officer in respect of his own bills as well as those of other nerbers

9. CONDITIONS op SEWICE OF MENBERS KHO ARE CDVERNMENT SERVANTS - The salaries.al lowances and conditions Of service of Rho are Government servants shall, notwithstanding anything contained in rules 3 to B, be Such as may be determined in each case by the Central Gcæernn•ent

10. SALARIES, ALU)WANCES, ETC.BE FROM THE FUND The Sa a llovances and leave and other contributions of the meüers shall be ret from the fund Of the Bc.ard. PART—III— Matters in respect Of which the Board may tender advice to the Govern,nents interested

11. MATIERS ON WHICH BOARD ADVISE COVERNxEWt'S INTERESTED - The Board may tender advice to the Governments interested relation to the co—rdination Of their activities with a view to achieving rmximum results in respect Of the under taken by them in the inter—State river or river valley for the purpose of- (a) proar'tion and operation Of schemes for rec lamation Of land: (b) OEæeratiön control of devices for distr Of river supplies to the agreed share

PART IV— Matters in resEect of which the Board may require a Government interested to furnish information

12. POWER m CALL FOR INEX)RMATION - rot the purpose of efficiently performing its functions under the Act, W'.thin its area of operation. the Board my require any ir•terested to furnish such intor— mator as the board thinks fit respect Of the following matters, namely: — (a) geological data in relation to the anter—State r or river valley Within its area Of operation; 36 (b) the results Of any research and invest inations undertaken by the interested or the Electr icity Boards within the States

concerned. with respect to the conservation, or util of water resources, such as water power generation. irrigation. nav flood control. Soil conservation, geo logical examinat land use and connected structural and design features

PART V The Manner in which the Central C.overnn««nt may assist the Governments 13. interested to execute any scheme prepared by ihe Board. GOVERNMENT •S ASSISTANCE TO GOVEFN.Y.ENTS ItcrERESTED. The Central Governawnt my. on a request received in this behalf from anv Governrrnt interested or other.'ise. assist any interested in taking such Steps as may be necessary for executing any prepared by the Board. including the steps. namely:— PART VI 14 . (a) the grant of such financial assistance as the Central Government thinks f {b) the provision of experienced personnel ; (c) the grant of facil ities for carrying out research and investi•• ions in regard to the various aspects of the conservation, regulat ion or utilization of water resources. such as water power generation. irrigation, navination. flood control. soil conservat land use and connected structural and design features. endeavours to bring the parties together for joint consultation where there is a difference Of opinion between the Governrents interested regarding the manner Of ion Of any scheme or prev.•red by the Board — The form in which. and the Wi thin which the budget and annual report of the Board may be prepared and forwarded to the Central Government and the Governments interested. FOHN OF BUDGET. The Board shall prepare and submit to the Central anci the Governrænts interested. not later than the iSt day Of budget the form specified in Annexure • A' in Octoi.er each respect of the f year next ensuing, showing its estimated receipts expenditure. Btwc.ET.- The shall also prepare and submit to the Central Grovernmerat. the interested, supplementary necessary, f year to Which it the i r. • A • before such date as the . - shall, 37 the 30th the (2) In particular, the annual report referred to in sub-rule shall. contain information in respect of each of the following matters. namely : — (a) the nares Of members and chief Officers Of the Board and a chart showing its organisational set—up. (b) the funct ions Which the Board has been empowered by the (g) Central Government to per form under sect ion and the functions Of each branch: a map indicating the area Of operation Of the Board, and the places therein where the reservoirs dams or other Works relating to works relating to schemes by it, are to be located . a gist Of the advice tendered by the Board, and the places interested in respect Of the measures. if any. undertaken by them, for the development Of the inter—Stote river or river particulars Of the preyx•red or proix•sed to be prepared by the Board; the extent to Which the schemes prepared bv the Board have accepted by the Central Government and the Governments interested; the financial assistance received by the Board from the Central Government and the Governments interested; the activities every advisory ttee appointed by the Board under section IO; the matters in dispute referred to arbitration under section and the decision. if any, of the arbitrator in respect Of each such matter; an annual statement of the the Central Government and form speci fied in Annexure PART VII The Form and in ich and the tmnner in which such 17. ANNUAL STATEMENT OF ACCOUNTS and other records relat ion thereto. be specif led by the Central and Auditor—General of India. accounts of the Board. as gubmitted the Governments interested, in the the Accounts Of the Board mav accounts may be audited. (i) The Board shall Cause proper accounts to be maintained such forms •s may in consul tat ion with the Comptrol (2) The Board shall also prepare an annual state:nent of accounts the form specified in Annesure • B' and shall submit tn the Central Govern— and the Governments interested . (3) Such statement shall be publ i shed in the Official C.,vzette as soon as ix)sible after submission under sub rule (2) . 38

18. At.'DIT OF ACCOUNTS The accounts Of the Board shall be audited bv the Comptrol Auditor—General Of India or bv such person as he may author this behalf; and any •expenditure incurred bv him in connection with such audit shall be payable by the Board from its fund to the Comptroller and Aud of The Comptrol ler and Auditor—General Of India or anv person author i sed by him under this rule shali audit the accounts Of the the same manner a s the Comptrol ler and Auditor—General Of India does connect Ion With the audit of the Governmer,t accounts; and any books, documents. Vouchers papers Which the person conducting the audit may reguat-e for this purpose shall be furnished to him by the Board. The accounts Of the Board as certified by the Comptrol ler and Auditor-General of India or any person author ised by him in this behalf, the audit report thereon, shall be forwarded annually to the Central PART VIII • form and mnner in which a dispute be referred to Arbitration under the Act. APPLICATION. Where any interested to refer ur:der sub-sect Of sect ion 22 any matter in dispute between it other interested. to an arbitrator, it shall address a letter a r. t r vplac;ate. signed by its Secretary, to the Secretarv to the cf

Irrigation and New Delhi; and such Government Of letter shall. unless personally. be sent by registered post. (2) Such letter shall contain information or, the following [a] the parties to the dispute or difference; the specific matters issue between them; and (c) the efforts. if any, made by the parties themselves to settle the matter in dispute. **ARTICLE 21. APPOINTMENT OF ARBITRATOR** Where an arbitrator is appointed under the Act, such appointment shall be notified by the Central Government through the Official Gazette.

PART IX— PROCEDURE TO BE FOLLOWED IN PROCEEDINGS. 21. **ARTIES TO DISPUTE TO NOMINATE REPRESENTATIVES.** The arbitrator shall for the purpose of the proceedings before him. require the parties to the dispute. in the form set out in Annexure C to nominate. within a specified time, persons to present their case before him. 39

22. IF REPRESENTATIVES ARE NOT NOMINATED. where any party to the proceedings before an arbitrator fails to nominate any representative to present its case before the arbitrator or where the representative so nominated does not appear before the arbitrator. he may proceed as if such party had been represented

23. PRODUCTION OF DOCUMENTS - An arbitrator may require any party to the dispute. in the form set out in Annexure D to produce before him any books, papers or other documents or things in the possession of or under control of the party in any way relating to the matter under arbitration, which the arbitrator thinks necessary for the purposes of giving his decision

24. SERVING OF NOTICE OF ORDER. Any notice or order issued by the arbitrator may be served either personally or by registered post

25. PROCEDURE AT COMMENCEMENT OF PROCEEDINGS. At the commencement of the proceedings before the arbitrator, each of the parties shall state its case in such order as the arbitrator thinks fit

26. EXAMINATION BY REPRESENTATIVES. Any representative of a party appearing before the arbitrator examine. cross examine and re-examine any Other than a representative Of a party, appear before an arbitrator. and may address the arbitrator in regard to the matter in dispute such Order as the arbitrator thinks fit after each party to the dispute has presented its case before him 27. **ASSESSORS.** Where the arbitrator or assessor is not a serving Judge Of the proceedings before him. he shall Obtain the advice of such assessors; but such advice shall not be binding on him

28. Where the arbitrator appoints assessors to assist him in the Supreme Court or a High Court, a salary shall be paid to them by the Government. he may be granted such fees as be sanctioned by the Central Government, in consultation with the Chief Justice of India in the case Of an arbitrator, and in consultation With the arbitrator in the case Of an assessor 29. **DECISIONS TO BE MADE AS EARLY AS POSSIBLE.** The arbitrator shall give his decision on the matters referred to him within a short time as practicable in the circumstances Of the case

PART X— THE MANNER OF RECRUITMENT OF THE OFFICERS OF THE BOARD AND THE 30. Terms and Conditions Of service of such Officers. **ARTICLE 31. APPOINTMENT OF OFFICERS.** All appointments to the officers. under the Board shall be made by it. Whether by direct promotion or otherwise: provided that no appointment to any post, the maximum salary of which exceeds Rs. 500 a month. shall be without the previous sanction Of the Central Government. 40

32. CREATION AND ABOLITION OF POSTS The Board may create and abolish- (a) posts carrying a maximum salary not exceeding Rs. 500/— a month; (b) all other posts with the previous sanction of the Central Government. **DIRECTIONS BY CENTRAL GOVERNMENT TO THE BOARD** The central Government may from time to time issue directions to the Board as to the percentages Of posts to be filled by direct recruitment and by promotion, and the Board shall comply with such directions while making appointments

33. FILLING OF VACANCIES BY DIRECT RECRUITMENT (1) vacancies to be filled by direct recruitment shall. unless filled by officers deputed by State Governments or the Central Government, be advertised or notified to the Regional Employment Exchange concerned. (2) A statement showing all the nominations received from the Central and State Governments, the applications received from candidates and the recommendations made by the Regional Employment Exchange, shall be placed before the Board for its consideration before any vacancy is filled

in any relating to the said matter. Arbitrator under sub—section of section 22 of the River Boards Act.
1956. (G. D. KSHETRAPAC) SECRETARY 48

