

THE UTTAR PRADESH KHADI AND VILLAGE INDUSTRIES

BOARD ACT, 1960

[U.P. ACT NO. X OF 1960]

Amended by

U.P. Act No. XXIV of 1966

U.P. Act No. XIV of 1975

U.P. Act No. XXXIX of 1976

U.P. Act No. 11 of 1983

U.P. Act No. 15 of 1992

U.P. Act No. 09 of 2008

[Passed in Hindi by the Uttar Pradesh Legislative Assembly
on April 7, 1960, and by the Uttar Pradesh Legislative Council on
April 12, 1960.]

Received the assent of the Governor on April 22, 1960,
under Article 200 of the Constitution of India and was published in
the *Uttar Pradesh Gazette Extraordinary*, dated April 26, 1960.]

AN

ACT

to provide for the establishment of a Board
for the
development of Khadi and Village Industries in Uttar Pradesh and
matters connected therewith.

It is hereby enacted in the Eleventh Year of the Republic of India
as follows:—

CHAPTER—I

PRELIMINARY

Short title,
extent and
commencement

1. (1) This Act may be called the Uttar Pradesh Khadi and
Village Industries Board Act, 1960.

(2) It extends to the whole of Uttar Pradesh.

(3) This section shall come into force at once and the remaining
provisions of the Act, shall come into force on such date as the State
Government may, by notification in the official *Gazette*, appoint in this
behalf.

Definitions
or context,—

2. In this Act, unless there is anything repugnant in the subject

(i) “Board” means the Uttar Pradesh Khadi and Village
Industries Board established under section 4;

[2. Remaining provisions of the Act came into force with effect from September 14, 1960, *Vide* Industries \(A\)
Department notification no. 2984\(9\)-18-A—457-60, dated September 14, 1966.](#)

[The Uttar Pradesh Khadi and Village Industries Board Act, 1960]

(ii) “Chairman” means the Chairman of the Board;

1[(ii-a) “Chief Executive Officer” and “Additional Chief Executive
Officer” means respectively the Chief Executive Officer
and the

Additional Chief Executive Officer of the Board appointed under section 10;]

2[(ii-b)“Finance Advisor”and“Accounts Officer” respectively the Financial Advisor and Accounts Officer of the Board appointed under section 10;]

(iii)“Khadi”means any cloth woven on handlooms in India from cotton, silk or woolen yarn hand-spun in India or from a mixture of any two or all of such yarns;

(iv)“Member”means a member of the Board and includes its Chairman;

(v)“Prescribed”means prescribed by rules made under this Act;

(vi)“Regulations”means regulations made under section 37;

(vii) 3[****]

4[(vii-a)“Vice-Chairman”means Vice-Chairman of the Board; 5[and]

(viii)“Village industries”means all or any of the industries specified in the Schedule and includes any other industry deemed to be specified in the Schedule by reason of a notification under section 3.

Power to add to the Schedule 3.(1) The State Government may, on its own motion or on the recommendation of the Board, declare by notification in the official applies, and thereupon the industry so declared shall be deemed to be an industry specified in the Schedule for the purpose of this Act.

(2) A copy of every notification issued under sub-section (1) shall be laid before each House of the State Legislature, as soon as may be, after it is issued.

CHAPTER—II ESTABLISHMENT OF THE BOARD

Establishment of the Board 4. There shall be established, by notification in the official Industries Board, which shall be a body corporate having perpetual

[1. Subs. by sec. 2 of U.P. Act No. 15 of 1992.](#)

[2. Ins. by sec. 2\(a\) of U.P. Act No. 11 of 1983. \(ii\(a\) and ii\(b\) added\) w.e.f. July 24, 1982.](#)

[3. Omit. by sec. 2\(b\) of U.P. Act No. 11 of 1983](#)

[4. Ins. by sec. 2 of U.P. Act No. XXIV of 1966 ‘and’ word at the end deleted.](#)

[5. Omit by sec. 2 of U.P. Act No. XXIV of 1966.](#)

[The Uttar Pradesh Khadi and Village Industries Board Act, 1960]

succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and may, by the said name, sue and be sued.

Constitution of the Board 1 [5.(1) The Board shall consist of the following members, namely:—

(A) *Official members*:—

(i) Minister in charge of Khadi and Village Industries in the State Government, who shall be the Chairman;

(ii) Director of Industries, Uttar Pradesh or his nominee not below the rank of a Joint Director;

2[(iii) Secretary to the Government of Uttar Pradesh in charge of Khadi and Village Industries, or his nominee not below the rank of a Deputy Secretary;]

(iv) Secretary to the Government of Uttar Pradesh in the Finance Department or his nominee not below the rank of a Deputy Secretary;

(v) Secretary to the Government of Uttar Pradesh in Rural Development Department or his nominee not below the rank of a Deputy Secretary.

3 [(v-a) Secretary to the Government of Uttar Pradesh in the Planning Department or his nominee not below the rank of a Deputy Secretary;

3[(v-b) Chief Executive Officer or, if he is already a member of the Board in another capacity, the Additional Chief Executive Officer;]

(B) *Non-official members*:—

(vi) Seven non-official members to be appointed by the State Government from amongst persons who in its opinion are qualified as having had experience and shown capacity in matters relating to development of Khadi and Village Industries.

4[(2) The State Government shall appoint a Vice-Chairman from amongst non-official members.]

(3) The appointment of every non-official member shall be notified in the *Gazette*.]

Disqualification for being member 5[6. A person shall be disqualified for being chosen as or for being a member of the Board if he—

[1.Subs.bysec.3ofU.P.ActNo.11of1983.](#)

[2.Subs.bysec.3\(a\)ofU.P.ActNo.15of1992.](#)

[3.Ins.bysec.3\(b\)ofU.P.ActNo.15of1992.](#)

[4.Subs.bysec.2ofU.P.ActNo.09of2008.](#)

[5.Subs.bysec.3ofU.P.ActNo.XIV,1975.](#)

[The Uttar Pradesh Khadi and Village Industries Board Act, 1960]

1[(a) has been convicted of an offence which in the opinion of the State Government involves moral turpitude; or

(b) is an undischarged insolvent; or

(c) is of unsound mind and has been so declared by a competent court; or

(d) holds, except as provided in sub-section (2) of section 12, any office of profit under the Board; or

(e) has directly or indirectly by himself or by any partner, employer or employee, any share or interest, whether pecuniary or of any other nature, in any contract or employment with or on behalf of the Board; or

(f) if a Director or a Secretary, Manager, or other officer of any company or co-operative or other society which has any share or interest in any contract or employment with, by or on behalf of the Board.

Explanation—

A person shall not be deemed to have any share or interest in any contract or employment with, by or on behalf of the Board by reason only of his being a shareholder of a company or co-operative or other society which has such share or interest.

Term of office

6-A.(1) A non-

official member of the Board shall hold office for a term of **non-official members**

period of **2** [one year] unless his term is determined earlier by the State Government by notification in the *Gazette*:

Provided that the State Government may, from time to time, by notification in the *Gazette*, extend the term of office of such member by a period not exceeding one year in the aggregate.

(2) The term of the office of the Vice-Chairman shall be co-terminus with the term of his office as a non-official member under sub-section (1).

(3) The Vice-Chairman or non-official member may at any time, by writing under his hand, addressed to the State Government, resign his office, and on such resignation being accepted he shall be deemed to have vacated his office.

(4) A casual vacancy in the office of Vice-Chairman or a non-official member shall be filled by fresh appointment

by the State Government

Appointment

6-B.

Where the term of office or the extended term of office of all **of**

Administrator non-

official member expires or is determined earlier, and no new non-incertain

official members are appointed in their place, then until the appoi

ntment cases

of new non-official members—]

[1.Subs.bysec.3ofU.P.ActNo.XIVof1975.](#)

[2.Subs.bysec.3ofU.P.ActNo.09of2008.](#)

[The Uttar Pradesh Khadi and Village Industries Board Act, 1960]

1[(a) all functions and duties of the Board, its Chairman, Vice-Chairman and committee shall be vested in and be performed and discharged subject to the control of State Government, by an officer appointed in that behalf by the State Government (hereinafter referred to

as the Administrator), and the Administrator shall be deemed in law to be the Board, the Chairman or the committee, as the occasion may require;

(b) such salary and allowances, if any, of the Administrator as the State Government may, by general or special order in that behalf, fix shall be paid out of the fund of the Board;

(c) the State Government may constitute a committee or other body to advise the Administrator or to perform such of the functions and duties of the Board as it may specify in that behalf.]¹

Meetings of the Board 7. (1) The Board shall meet at such time and places and shall,

subject to the provisions of sub-sections (2) and (3), observe such procedure in regard to the transaction of business at its meetings (including the quorum at meetings) as may be provided by regulations made under this Act.

²[(2) The Chairman or in his absence, the Vice-Chairman or in the absence of both, such other person as may be chosen by the members present from amongst themselves, shall preside at the meetings of the Board.]

(3) All question at a meeting of the Board shall be decided by a majority of votes of the members present and voting and in the case of equality of votes, ³[the person presiding] shall have a second or casting vote.]

⁴[(4) The Chairman may invite any person to attend a meeting of the Board for the purpose of advising or assisting the Board on any matter. The person so invited may take part in the discussion of the Board but shall have no right of vote.]

Vacancies 8. No act or proceeding of the Board shall be deemed to be amongst members or invalid by reason merely of any vacancy in or any defect in the constitution of the Board.

constitution of the Board not to invalidate acts or proceedings of the Board

Office of the Board 9. The office of the Board shall be located at a place to be notified by the State Government in the official *Gazette* and shall, until

¹. Subs. by sec. 3 of U.P. Act No. XIV of 1975.

². Subs. by sec. 5(a) of U.P. Act No. XXIV of 1966.

³. Subs. by sec. 5(b) *ibid*.

⁴. Added by sec. 5(c) *ibid*.

⁵. Subs. by sec. 6 of U.P. Act No. XXIV of 1966.