

* ORISSA ACT 3 OF 1956

The Orissa Khadi & Village Industries Board Act, 1955

(Assented to by the Governor on the 15th February, 1956)

AN ACT TO PROVIDE FOR ESTABLISHMENT OF A STATUTORY BOARD FOR ORGANISING, DEVELOPING AND REGULATING THE KHADI AND VILLAGE INDUSTRIES IN THE STATE OF ORISSA

Whereas it is expedient to establish a Board for the purpose of organizing, developing and regulating the Khadi and Village Industries in the State of Orissa;

It is hereby enacted by the Legislature of the State of Orissa in the Sixth year of the Republic of India as follows: -

CHAPTER 1

Preliminary

1. Short title, extent and commencement: -

- 1) This Act may be called the Orissa Khadi & Village Industries Board Act, 1955.
- 2) It extends to the whole of the State of Orissa.
- 3) It shall come into force on such date as the State Government may, by notification, appoint.

2. Definitions: -

In this Act, unless there is anything repugnant in the subject or context, -

- a) 'Board' means the Board established under section 3;
- b) 'khadi' means any handloom cloth woven from yarn handspun, in the Union of India;
- c) 'prescribed' means prescribed by rules made under this Act; and
- d) 'Village Industries' means generally all industries whether carried on within a village or out side it, which from the normal occupation, whether whole time or part time of any class of rural population of the State of Orissa and in particular such industries as the State Government may by notification specify in this behalf in consultation with the Board.

Explanation- Village industries shall not include any handloom industries, which produce cloth other than Khadi.

CHAPTER II

Incorporation and Constitution of the Board

3. Incorporation of the Board:

1. The State Government with effect from such date as they may by notification appoint in this behalf, shall establish for the purposes of this Act a Board to be called the Orissa Khadi & Village Industries Board.

2. The Board established under sub-section (1) shall be a body corporate incorporated by its name with perpetual succession and common seal and may sue and be sued in its corporate name and shall be competent to acquire and hold and dispose of property both movable and immovable and to contract and to all things necessary for the purposes of this Act.

4. Constitution of the Board of its dissolution: -

1. The Board established under section 3 shall consist of fifteen members both official and non-official, including the President and Secretary to be nominated by the State Government:

Provided that -

¹ [.....]

b) The Secretary shall be an officer of the State Government nominated as such;

c) Not more than one third of the total number shall be official members of the

Board.

* O. Exty. No. 45- D/25.2.1956-Notification No. 906-Legis.-D/24-2-1956.

¹ Omitted by Act 18 of 1969.

¹[2] The President, Secretary and other members of the Board shall hold office for such period as the State Government may, by general or special order direct.

(2-a) If at any time the State Government, being satisfied that the Board constituted under this Act is not functioning properly or is incompetent to discharge its functions, decide that it shall be dissolved they may lay such proposal before the Orissa Legislative Assembly and on such proposal being accepted by a resolution of the Assembly, the Board shall stand dissolved on and from the date on which such resolution is passed.

(2-b) During the interval between the dissolution and the reconstitution of the Board –
I] all or any of the powers and functions of the Board and its President may be exercised and discharged, as far as may be and to such extent, as the State Government may determine, by such person or persons as the State Government may appoint in that behalf.

II] all funds and other properties vested in the Board shall vest in the State Government; and

²III] All rights, obligations and liabilities (including any liabilities under any contract) of the Board shall become the rights, obligations and liabilities of the State Government.

(2-c) Upon reconstitution of the Board the funds and other properties of the Board with the State Government on the date such reconstitution, shall vest in the Board and the liabilities of the Board subsisting on the said date shall be enforceable against the Board.

(3) No member of the Board shall receive or be paid from the fund of the Board any salary or other remuneration for services rendered by him in any capacity whatsoever but shall be allowed traveling allowance as prescribed:

Provided that the President may receive such monthly allowance as may be prescribed

5. Resignation of members: - Any member may at any time, resign his office by giving notice thereof in writing to the State Government and on such resignation being accepted, shall be deemed to have vacated his office.

6. Disqualification for membership: - A person shall be disqualified for being appointed or for continuing as a member of the Board, if he –

- a] holds any office of profit under the Board;
- b] is found to be lunatic or becomes of unsound mind;
- c] is, or at any time has been adjudicated insolvent;
- d] has directly or indirectly by himself, by his wife or son or by any partner, any share or interest in any subsisting contract or employment with, by or on behalf of the Board; or
- e] is a Director or a Secretary or a Manager or other salaried officer of any incorporated company which has any share or interest in any contract or employment with, by or on behalf of the Board:

Provided that a person shall not be disqualified under clause (a) by reason only of his being a member receiving allowance as provided in sub section (3) of section 4;

Provided further that a person shall not be disqualified under clause (d) or (e) or be deemed to have any share or interest in any contract or employment within the meaning of these clauses by reason only of his, or of the incorporated company of which he is a Director, Secretary, Manager or other salaried officer, having a share or interest in any news paper in which any advertisement relating to any affairs of the Board is inserted:

Provided further that a person shall not also be disqualified under clause (e) or 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 such a company.

7. Removal or suspension of a member: -

(1) The State Government may, if satisfied after making such enquiry as they may deem necessary that any member of the Board –

- (a) refuses to perform or is incapable of performing the functions under the Act, or
- (b) has so abused his position as a member as to render his continuance on the Board detrimental to the interest of the public, or
- (c) is absent without permission from all the meetings of the Board for four successive months or for the period in which three successive meetings are held whichever period is longer, or
- (d) ceases to reside in the State of Orissa.

they may, by notification, remove such member:

¹ Substituted by *ibid*.

² Inserted vide Gazette Notification dated 15th December 1975.

Provided that the State Government may suspend any member of the Board pending any inquiry against him:

Provided further that no order of removal under this sub-section shall be made unless the member concerned has been given an opportunity to submit his explanation to the State Government.

(2) A member who has been removed under sub-section (1) shall not be eligible for appointment as member or in any other capacity to the Board.

8. Vacancies to be filled up expeditiously and proceedings not to be invalidated in certain cases: -

When a member dies or resigns as provided in section 5, or is subject to any of the disqualifications specified in section 6 or is removed by the State Government under sub-section (1) of section 7, he shall cease to be a member of the Board and any vacancy occurring thereby shall be filled up by the State Government expeditiously:

Provided that no act or proceedings of the Board shall be invalidated merely by reason of any vacancy in its membership on account of death, resignation or removal or any defect in the manner of appointment of a member to or the constitution of the Board.

9. Executive authority to vest in the President and the power of authorisation:-

¹1) The executive authority of the Board shall vest in President.

2) The President of the Board may as the case may be, from time to time by an order in writing authorize the Secretary to discharge such functions and perform such duties as may be specified in the order.

10. Staff and their condition of Service: -

1] The Secretary of the Board specified in section 4 shall be responsible for executing the orders of the Board and the President.

2] There shall not be paid out of the Fund of the Board constituted under Section 23 any special pay or allowance to the Secretary and he shall continue to be under the administrative control of the State Government.

11. Location of offices of the Board: -

The Board shall after the commencement of this Act have its office at the Headquarters of the Government or at any other place as may be notified by the State Government in this behalf, to which all communications and notices may be addressed.

12. Powers to make regulations in respect of the Board: -

The Board shall from time to time make regulations to provide for the date, time, place, notice, conduct and adjournment of their meetings subject to the following conditions: -

- a) Ordinary meetings shall be held once at least in every three months;
- b) The President shall have power to call special meetings;
- c) The quorum in a meeting shall be five;
- d) The proceedings of the meetings of the Board shall be forwarded to State Government in the department concerned.

13. Power to make contracts: -

- 1) The Board may enter into and perform all such contracts, as it may consider necessary or expedient for carrying out of any of the purposes of this Act.
- 2) Every contract shall be made on behalf of the Board by the Secretary.
- 3) Every such contract shall, subject to the provisions of this section, be entered into in such manner and form as may be prescribed.
- 4) Any contract not executed in the manner provided in this section and the rules made there under shall not be binding on the Board.

14. Appointment of Committee: -

The Board may from time to time appoint one or more Committees for the purpose or securing efficient discharge of the functions of the Board and in particular for the purpose of securing that the said functions are exercised with due regard to the circumstances and requirements of any village industries. Such Committees may be appointed for any particular area.

²15.

¹ Substituted by Act 18 of 1969

² Omitted vide Orissa Act 18 of 1969

CHAPTER III **Powers and Functions of the Board**

16. General powers of the Board: -

The Board shall for the purposes of carrying out their functions under this Act, have the following powers: -

- I] to acquire and hold such moveable and immovable property as it may deem necessary for the purposes of this Act to lease, sell or otherwise transfer any such properties:
Provided that in the case of immovable properties such powers shall be exercised with the previous sanction of the State Government;
- II] to incur expenditure and undertake works in any area of the State for the framing and execution of such scheme as it may consider necessary for the purpose of carrying out the provisions of this Act or as may be entrusted to it by the State Government subject to the provisions of this Act and rules made there under.

17. Functions of the Board: -

- 1] it shall be the duty of the Board to organize, develop and regulate Khadi and Village Industries in the State of Orissa and perform such functions as the State Government may prescribe from time to time.
- 2] in particular and without prejudice to the generality of the foregoing powers, it shall have the power to discharge and perform all or any of the following duties and functions namely: -
 - a] to start, encourage, assist and carry on Khadi & Village Industries and to carry on trade and business in such industries in the State of Orissa;
 - b] to help the people by providing them with work at their homes and to give them monetary aid;
 - ¹bb] to grant loans and other assistance to persons and institutions carrying on the Khadi or other Village Industry subject to such restrictions and conditions as the Board may deem proper.
 - c] to organize Cooperative Societies and Village Production Councils in respect of the industries specified under this Act;
 - d] to establish training centres and to train people there at or at other centres outside the State in Khadi and other crafts and industries;
 - e] to arrange for supply of raw materials, tools and implements and for sale of finished products;
 - f] to arrange for publicity and popularizing or finished products of such industries opening stores, shops or exhibitions and to take similar measures for the purpose;
 - g] to endeavour, to educate public opinion and to impress upon the public the advantages of patronizing the products of such industries;
 - h] to seek and obtain advice and guidance of experts in each subject;
 - i] to undertake and encourage research work in connection with such industries; and
 - j] to carry on such activities as are incidental and conducive to the objects of this Act.

CHAPTER IV **Preparation and Submission of Programme**

18. Annual programme: -

- 1) In each year on such date as may be fixed by the State Government, the Board shall prepare and forward to the State Government programme of work.
- 2) The programme shall contain: -
 - a) Such particulars of the schemes which the Board proposes to execute whether in whole or part during the next year;
 - b) Particulars of any work or undertaking which the Board proposes to organize during the next year for the purposes of carrying out its functions under this Act; and
 - c) Such other particulars as may be prescribed.

¹ Inserted by Act 12 of 1959.

19. Sanction of programme: -

The State Government may approve and sanction the programme in whole or with such modification as they deem necessary.

Provided that if within a period of sixty days from the date of submission of the programme, the State Government's approval and sanction are not received such programme shall be deemed to have been so approved and sanctioned by the said Government.

20. Supplementary programme: -

The Board may prepare and forward supplementary programme for the sanction of the State Government in such form and before such date or dates as the State Government may direct and the provisions of section 19 shall apply to such supplementary programme.

CHAPTER V

Finance, Accounts, Audit and Debts

21. Transfer of property: -

The State Government may transfer to the Board, buildings, land or any other property, whether movable or immovable, for use and management by the Board on such conditions and limitations as the State Government may deem fit to impose for the purpose of this Act.

22. Expenditure etc. till the Board is established: -

1] All debts or expenditure incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Cottage Industries Board established by the Government in the Industries Department Resolution No. 4686-I dated the 18th August 1953, before the date of constitution of the Board under this Act shall be deemed to have been incurred, entered into, or engaged to be done by, with or for the Board so constituted and all suits and legal proceedings instituted or which may be instituted by or against the said Cottage Industries Board shall be continued or instituted by or against the said Board under this Act.

2] All the assets of the Cottage Industries Board referred to in sub-section (1) shall upon the constitution of the Board vest in the said Board for the purposes of this Act.

23. Funds of Board: -

1. The Board shall have a Fund of its own style after its name and all receipts of the Board shall be credited thereto and payments by the Board shall be met therefrom.
2. The Board may accept grants, subventions, donations and gifts and receive loans from the Government or any local authority or any body or association, whether incorporated or not, or an individual for all or any of the purposes of this Act.
3. All money belonging to the Fund of the Board shall be deposited in such manner as the State Government may, from time to time by a special or general order, directs.
4. The accounts of the Board shall be operated upon by such officers jointly or individually as may be authorized by the Board.

24. Application of Fund and property: -

All property, and funds and other assets of the Board shall be held and applied by it subject to the provisions and for the purposes of this Act.

25. Subventions and grants to the Board: -

1. The State Government may, from time to time, make subventions and grants to the Board for the purposes of this Act on such terms and conditions as the State Government may determine in each case.
2. The Board may, from time to time, with the previous sanction of the State Government and subject to the provisions of this Act and such conditions as the State Government may impose; borrow any sum required for the purposes of this Act.

26. Budget: -

The Board shall, on such date as may be fixed by the State Government, prepare and submit to the State Government the budget for the next financial year showing estimated receipts and expenditure on capital and revenue accounts according to the programme and the schedule of the staff sanctioned by the State Government;

Provided that if within a period of sixty days from the date of submission of the Budget, the State Government's sanction is not received for the same, the Budget shall be deemed to have been so sanctioned by the said Government.

27. Sanction of Budget: -

1. The State Government may sanction the budget submitted to them with such modifications, as they deem proper.
2. The Board shall be competent to re-appropriate such amounts as may be necessary from one scheme to another and within sub-head and minor heads subject to the condition that the cost of any scheme as originally sanctioned shall not exceed by more than 25 per cent.

28. Supplementary budget: -

The Board may submit supplementary budget for the sanction of the State Government in such form and before such date or dates as the State Government may prescribe and the provisions of section 26 shall apply to such supplementary budget.

29. Annual Report: -

The Board shall prepare and forward to the State Government, in such manner as may be prescribed, annual report within three months from the end of the financial year giving a complete account of its activities during the previous financial year. Every such report shall be laid before the State Legislature, as soon as may be, after it is received by the State Government.

30. Further reports, statistics and return: -

The Board shall, before such date and at such intervals and in such manner as the State Government may from time to time direct, submit to the State Government report on such matters and such statistics and such return as the State Government may direct.

31. Accounts and Audit: -

The Accounts of the Board shall be maintained and annual statement of accounts shall be prepared in such manner as may be prescribed. Such accounts shall be examined and audited under the provisions of the Orissa Local Fund Audit Act 5 of 1948.

CHAPTER VI
Miscellaneous

32. Directions of the State Government: -

1. In discharge of its functions, the Board shall be guided by such instructions, on question of policy, as may be given to it by the State Government.
2. If any dispute arises between the State Government and the Board as to whether a question is or is not a question of policy, the decision of the State Government shall be final.

33. Members of the Board and members of staff of the Board to be public servants: -

Members of the Board and the staff of the Board shall be deemed, when acting or purporting to act, in pursuance of any of the provisions of the Act, to be public servants within the meaning of section 21 of the Indian Penal Code, XLV of 1860.

¹33-A. Recovery of dues: -

Where any loan, advance or assistance granted by the Board to any institution or person is not repaid before the date specified there for, the Board may, without prejudice to any other mode of recovery, issue a certificate for the amount due, to the Collector of the district who shall proceed to recover the amount in the same manner as an arrear of land revenue.

34. Protection of action taken: -

No suit, prosecution or other legal proceeding shall lie against any person for any thing, which is in good faith done or purported to be done under this Act.

35. Rules: -

- 1] The State Government may make rules for carrying out the purposes of this Act.
- 2] In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters: -
 - a) The allowances of members of the Board under Section 4;
 - b) The manner and form in which contracts shall be entered into by the Board, under section 13;
 - c) The manner in which the business of the Board shall be conducted at the ordinary and special meetings referred to in section 12;
 - d) The functions of the Board under section 17;
 - e) The other particulars of the programme under section 18;

¹ Inserted by Orissa Act 17 of 1959

- f) The form in which and the date before which the supplementary programme shall be submitted under section 20;
- g) The form in which and the date before which the Budget and the supplementary Budget shall be submitted under section 26 and 28;
- h) The manner in which the annual report shall be prepared and forwarded to the State Government under section 29;
- i) The manner of maintenance of accounts and preparation of annual statement of accounts under section 31;
- j) Any other matter, which is or may be prescribed under this Act.

36. Regulations: -

1] Subject to the provisions of section 12 the Board may, with the previous sanction of the State Government by notification, make regulations consistent with this Act and rules made there under.

2] In particular and without prejudice to the generality of the foregoing power, the Board may make regulations providing for –

- a) ¹the procedure and disposal of its business;
- b) remuneration, allowances and other conditions of service of the staff of the Board;
- c) functions and duties of staff of the Board;
- d) ²functions of Committees and the procedure to be followed by such Committee in the discharge of their functions.

37. Savings: -

Nothing in this Act shall be deemed to apply to any industry declared to be a Schedule Industry under the Industries (Development and Regulation) Act, LXV of 1951 or to affect any of the provisions of the said Act.

38. Power to remove difficulties: -

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything not inconsistent with this Act, or the rule made there under, which appear to them necessary for the purpose of removing the difficulty.

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¹ Published in O.G. Extraordinary No. 141 dated 01st February 1983

² Published in O.G. Extraordinary No. 142 dated 01st February 1983

¹Orissa Khadi & Village Industries Board Rules, 1956

1.
 - i] These rules may be called the Orissa Khadi and Village Industries Board Rules, 1956.
 - ii] They shall come into force at once.
2. In these rules unless there is any thing repugnant in the subject or context: -
 - a) 'Act' means the Orissa Khadi and Village Industries Board Act, 1955 (Orissa Act 3 of 1956), and in these rules all words and phrases used therein shall have the same meaning assigned to them by the said Act, hereinafter referred to as the Act.
 - b) 'President' means the President of the Board established under section 3 of the Act.
 - c) 'Secretary' means the Secretary to the Board nominated under section 4 of the Act.
 - d) 'Year' means the financial year.
 - e) 'Form' means a form appended to these rules.
 - f) 'Committee' means a committee appointed by the Board under section 14 of the Act.

²3. The President shall be a whole time Officer of the Board having residence at the headquarters thereof. He shall be paid from the Board's fund a monthly allowance of ³[ten thousand rupees apart from being entitled to either a rent-free residential accommodation to be provided by the Board or in lieu thereof, or allowance at the rate of seven thousand five hundred per month towards house rent meant for Category B of (b) of the Resolution No. 4810 dated 22nd December 2011 issued by Government in Public Enterprises Department. Besides entertainment allowance and telephone facility shall be limited to the extent mentioned under Point No. F & G of the aforesaid Resolution No. 4810 dated 22nd December 2011 i.e. Rs. 2,500/- and Rs.5,000/- respectively.

4. (a) ⁴[.....] The non-official members of the Board or of any committee appointed by the Board as the case may be, residing at the place where the meeting is held shall be allowed the actual expenditure incurred on conveyance subject to a maximum of ⁵[the daily allowance admissible to first grade Government Officer of the second category only] for each day on which he attends one or more meetings.

(b) A non-official member ⁶[other than] the President not resident at the place where a meeting is held shall be allowed the traveling allowance in respect of the meetings which he attends under the same rules as obtain for State Government officers of the first grade, and a daily allowance of ⁴the daily allowance admissible to first grade Government Officer of the second category only per day.

Provided that no traveling or daily allowance shall be admissible to a non-official member unless he certifies that he has not drawn any traveling or daily allowance from any other source in respect of the journey and the halt for which the claim is made.

⁷Provided further that a daily allowance may be drawn in addition to Railway or Road Mileage for the day of arrival at or departure from the place of meeting if the non-official member attends a meeting in the same day, and

Provided further that no road mileage in addition to railway mileage shall be admissible for short road journeys not exceeding five miles at the commencement or at the end of railway journey.

(c) Traveling allowance or daily allowance as the case may be, shall be allowed at the same rates as in sub-rule (b) for journey performed ⁸[.....] by any non-official member in pursuance of a resolution passed by the Board entrusting him with specified items of work.

¹ Orissa Extraordinary Gazette No. 194 dated 17-8-1956

² Substituted vide Handicrafts & Cottage Industries Department Notification No. 2382 dated 27th November 1992.

³ Substituted by Notification No. III-MSME-KVIB-11/2013/4337/MSME Dated 13-08-2013 w.e.f. 22.12.2011

⁴ Omitted by *ibid*.

⁵ Substituted by O.G. Part – III-A, Notification No. IV-CI-165/92-H&CI-2089-Dated 31-10-1992

⁶ Substituted by *ibid*.

⁷ Substituted by O.G. Part – III, page 996 – Notification No. 14899-I dated 01-9-1958.

⁸ Substituted by O.G. Part – III, page- 1228 – Notification No. 38974-K, V-II-M-3/57-I Dated 18-12-1957

(d) ¹The non-official Chairman of Odisha Khadi & Village Industries Board is entitled to avail travelling allowance and medical allowance as mentioned under Point No. C & D of the Resolution No. 4810 dated 22nd December 2011 issued by Government in Public Enterprises Department i.e. T.A. & DA as applicable to Senior Class – 1 officials drawing Grade Pay of Rs. 8,700/- and above of the concerned Public Sector Undertakings.

(e) ²No journey shall be undertaken by the President or a member of the Board outside the State of Orissa except with the previous sanction of the State Government.

Provided that the Board, by a resolution has declared that such a journey is, in its opinion, in the general or special interest of the Board.

5. (a) The Secretary of the Board may, on behalf of the Board, enter into any contract or agreement in pursuance of the Act in such manner and form as according to the Law for the time being in force, would bind him if the contract or agreement were entered into on his own behalf;

Provided that the amount or value of the contract or agreement does not exceed five hundred rupees.

(b) Any other contract or agreement on behalf of the Board shall be in writing and shall be signed and sealed with the common seal of the Board by the Secretary in the presence of two members of the Board who shall attach their signatures to the contract or agreement is taken that the same was signed and sealed in their presence and that the said contract or agreement has been approved by the Board;

Provided that the signatures of the members shall be in addition to the signatures of any witnesses to the execution of such contract or agreement.

(c) The common seal of the Board shall be in the custody of the President.

6. (1) The programme under section 18 shall be prepared by the Board during every financial year for the next financial year in Form No. 1 and shall be forwarded to the State Government before 30th September in the year in which it is prepared.

(2) A supplementary programme, if any, under section 20 shall be prepared by the Board for any financial year in Form No. II and shall be forwarded to the State Government before the 30th June in that year.

7. (1) The budget under section 26 shall be prepared by the Board during every financial year for the next financial year in the Form No. III and shall be forwarded to the State Government before the 31st December in the year in which it is prepared.

(2) A supplementary budget, if any, under section 28 in any financial year shall be prepared by the Board in Form No. IV and shall be submitted to the State Government in the first week of January in that year.

8. (1) The Annual report under section 29 shall be prepared by the Secretary on behalf of the Board and laid before the same within sixty days from the end of the financial year to which the report relates. After the report is approved by the Board, copies of the same together with the statements shall be forwarded to the State Government, ³the Director of Industries, Orissa and to the Registrar of Co-operative Societies, Orissa before the expiry of the period specified in the said section. It shall contain particulars as in Form No. V.

(2) The quarterly report shall be prepared by the Secretary in Form No. VI and copies thereof, after approval by the President, be forwarded to the State Government, ⁴Director of Industries, Orissa and to the Registrar, Cooperative Societies, Orissa within fifteen days from the end of the quarter to which the report relates.

9. a] The Secretary shall maintain or cause to be maintained accounts of receipts and expenditure under section 31 of the Act.

¹ Substituted by Notification No. III-MSME-KVIB-11/2013/4337/MSME Dated 13-08-2013 w.e.f. 22-12-2011

² Renumbered by ibid

³ Inserted by O.G. Part – III, page- 2065- Notification No. 20902-I – 12 dated 16-11-1962

⁴ Inserted by O.G. Part – III, page- 2065- Notification No. 20902-I – 12 dated 16-11-1962.

b] The accounts shall be maintained in the forms and registers mentioned below:

Form No. VII – Cash Book

Form No. VIII – Subsidiary Accounts to Cash Book.

Form No. IX – Classified Abstract of Receipts/ Disbursements.

Form No. X – Register of Securities.

Form No. XI – Receipt for Payments to the Board.

Form No. XII – Register of Cheque Books.

Form No. XIII – Register of Stock of Receipt Books.

Form No. XIV – Register of Stock of Furniture.

Form No. XV – Register of Advances Permanent/ Temporary.

Form No. XVI - Annual Account of Receipts/ Expenditure.

10. The receipts shall include all sums received by the Board during the year to which the accounts relate and shall be shown under the following heads and any other heads that may be decided upon by the Board from time to time: -

- a) Sums received by the Board by way of grant from the State Government.
- b) Grants or contribution received from other authorities or individuals.
- c) Interest accrued on investments.
- d) Miscellaneous.

The opening balance shall be shown at the head of the account on the receipt side.

11. The expenditure shall be shown under the following heads and any other heads that may be decided upon by the Board from time to time: -

- a) Officer's salaries and establishment charges.
- b) Traveling and other allowances
- c) Stationery and other printing charges
- d) Postage and Telegraph charges
- e) Grants-in-aid made for purpose of development of industries.
- f) Loans advanced, if any.
- g) Repayment of loans borrowed.
- h) Charges for promoting scientific and technological propaganda etc.
- i) Contingencies
- j) Miscellaneous

12. 1] All money accruing or payable to the fund of the Board either by way of grants from the State Government or from any other sources shall be received by the Secretary or such other officer as the President may authorize in this behalf. The amount or amounts so received shall, as soon as practicable, be duly acknowledged by a receipt in Form No. XI and deposited in the Orissa State Cooperative Bank or¹ the State Bank of India or any other Nationalized Bank or the local treasury to the account of the Board in the Bank or Treasury as the case may be and shall be utilized to meet expenditure that may be incurred for the purposes of the Act.

2] The receipt books in Form No. XI shall be numbered serially by machine and unused forms shall be kept in the custody of the Secretary or such other officer as the President may authorize in this behalf.

3] All payments by or on behalf of the Board shall be made by cheques except for amounts not exceeding fifty rupees which may be made in cash from the amount of imprest sanctioned for such purposes.

4] Such cheques and all orders for making deposits or investments or for the withdrawal of the same or for the disposal in any other manner of the funds of the Board shall be signed by the Secretary or in his absence from headquarters by any other officer authorized by the Board in this behalf.

5] No payment shall be made out of the accounts of the Board unless expenditure is covered by a budget provision duly sanctioned under sub-section (1) of section 27 and section 28 of the Act or augmented by the Board by a reappropriation under sub-section (2) of section 27 of the Act, provided, however, that in case of emergency the President may authorize expenditure being incurred in anticipation.

¹ Inserted by Notification No. 10595-I dated 16.04.1977 of Govt. of Orissa in Industries Dept.

In all such cases of authorization the President shall report the fact to Government immediately and place it before the Board for its approval within a month.

- 6] There shall be drawn from Bank or Treasury and placed at the disposal of the Secretary a permanent advance of ¹Rs. 750/- (Seven hundred and fifty) to be recouped as required and in any case at the end of each month to meet petty expenditure of the office of Board.
- 7] The Secretary shall have powers to sanction expenditure of a miscellaneous or contingent nature up to an amount not exceeding ²Rs. 4,00,000/- (four lakhs) in each case.
- ³7-A] The Secretary shall have full power in case of sanction of salary and retirement benefits of the employees.
- 8] All monetary transactions shall be entered in cash book as soon as they occur and attested by the Secretary or any other officer, authorized by the President in token of check. The cashbook shall be closed daily and completely checked by the Secretary or the officer authorized by him in this behalf. At the end of each month the Secretary or the officer so authorized shall verify the cashbook and the cash in hand and record a signed and dated certificate to that effect, as also a reconciliation certificate with the balance in Bank or Treasury.
- 9] All payments by the Board shall be made on bills or other documents duly prepared and passed by the Secretary or other officer authorized in this behalf. The paid vouchers shall be stamped "paid" or so cancelled that they cannot be used a second time. They shall, then, be kept serially numbered and produced at the time of Audit.

13. In respect of all matters of procedure or rules for maintaining accounts of the Board not specifically provided for in these rules, the State Government rules in force shall be followed in so far as they are not inconsistent with the provisions of the Act, in consultation with the Examiner of Local Accounts.

⁴[.....]

- ⁵**14.**
- 1] Within six months of the close of every financial year, the Secretary shall cause the statement of accounts referred to in section 31 of the Act, to be prepared showing the financial results of the schemes or works undertaken by the Board in that year and to be kept ready for examination and audit by the Examiner of Local accounts, Orissa under the provisions of the Orissa Local Fund Audit Act V of 1948.
 - 2] The audited statement of receipts and expenditure together with the report of examiner of Local Accounts, Orissa shall be submitted to the state Government not later than the 31st July following.

FORM I
(rule 6)

Programme of work to be done during the year

1. Description of the work to be done.
2. Area selected
3. Manner in which the scheme or work is to be carried out.
4. Whether the area selected is suitable for the purpose.
5. Estimated receipts.
6. Estimated expenditure
7. Explanatory remarks.

FORM II
(rule 6)

¹ Substituted by O.G. Part-III, page 574 – Notification No. 8146- Dated 17/18-5-1960.

² Substituted by Notification No. 3079-dated 27-04-2023 of Govt. of Odish in MSME Dept.

³ Inserted by Notification No. 3079-dated 27-04-2023 of Govt. of Odish in MSME Dept.

⁴ Omitted by O.G. Part – III, page – 6, Notification No. 21835 dated 24-12-1958.

⁵ Renumbered by *ibid*.

Supplementary Programme

1. Description of the work to be done.
2. Area selected.
3. Manner in which the scheme or work is to be carried out.
4. Whether the area selected is suitable for the purpose.
5. Estimated receipts.
6. Estimated expenditure.
7. Reasons and full justification for the supplementary programme.
8. Explanatory remarks.

FORM III [rule 7(1)]

Budget Estimates for the Year

- 1) Description of each scheme.
- 2) Area selected.
- 3) Number of centres to be opened, if any, during the next year.
- 4) Number of persons to be trained, if any.
- 5) Progress of work done during the year –
 - a) Centres opened;
 - b) Persons trained; and
 - c) Khadi woven in square yards; progress and results of the other village industrial enterprises under the control of the Board.
- 6) Grants actually sanctioned during the year.
- 7) Estimated expenditure on account of each scheme with details.
- 8) Reasons, if any excess grant is to be asked for during the next financial year.
- 9) Explanatory note as to the reasons for unspent balances of Government grants and other grants.
- 10) Remarks of the Registrar of Co-operative Societies, Orissa.

FORM IV [rule 7(2)]

Supplementary Budget Estimates for the Year

1. Description of each scheme.
2. Area selected.
3. Number of centres to be opened, if any, during the next year.
4. Number of persons to be trained, if any.
5. Progress of work done during the year –
 - a. Centres opened;
 - b. Persons trained; and
 - c. Khadi woven in square yards; progress and results of the other village industrial enterprises under the control of the Board.
6. Grants actually sanctioned during the year.
7. Estimated expenditure on account of each scheme with details.
8. Reasons, if any excess grant is to be asked for during the next financial year.
9. Explanatory note as to the reasons for unspent balances of Government's and other grants.
10. Reasons and full justification for supplementary grants, with facts, figures and etc.
11. Remarks of the Registrar of Co-operative Societies, Orissa.

FORM V [rule 8(1)]

Annual Report

1. Introductory: -
 - a) Name of the scheme (Industry-wise)
 - b) Brief description.
 - c) Scheme as in operation during the current year -
 - i] Administrative aspects.
 - ii] Technical aspects (Training etc.)

- d) Progress of the scheme and programme for the next year with special reference to training of personnel and the Five-year Plan.
- 2. Constitutional changes, if any.
- 3. Meetings of the Board and Standing Committee.
- 4. Administrative Review
- 5. General remarks.

FORM VI
[rule 8(2)]

Quarterly Report

- 1. Introductory: -
 - a) Name of the scheme (Industry-wise)
 - b) Brief description.
 - c) Scheme as in operation during the current quarter -
 - i] Administrative aspects.
 - ii] Technical aspects (Training etc.)
 - d) Progress of the scheme and programme for the next quarter with special reference to training of personnel and the Five-year Plan.
- 2. Constitutional changes, if any.
- 3. Meetings of the Board and Standing Committee.
- 4. Administrative Review
- 5. General remarks.

FORM VII
(rule 9)
Cash Book

RECEIPTS						DISBURSEMENTS								
Date	Item or Serial No.	From whom received	Particulars	Amount		Initials of responsible authority	Date	Voucher or Serial No.	To whom paid	Particulars	Budget Head to which debitable	Amount		Initials of responsible authority
				Cash	Bank							Cash	Bank	
				Rs	Rs							Rs	Rs	
			Opening Balance							Brought forward				
			Carried Over							Carried Over				

[illegible]

FORM IX (PART I)

(rule 9)

Classified Abstract of Receipts for the year

SI No.	Head of Account	April		May		Progressive Total	Progressive Total	March		Progressive Total	Remarks
		Voucher No.	Amount (Rs.)	Voucher No.	Amount (Rs.)			Voucher No.	Amount (Rs.)		

FORM IX (PART II)

(rule 9)

Classified Abstract of disbursements for the year

Sl. No.	Head of Account	Original (Rs.)	Grant Modification during the course of the year		Final Grant at the end of the year (Rs.)	Outlay to end of previous year brought forward (Rs.)	Transaction of the year								Remarks
			Authority and Particulars	Amount (addition or deduction)			April		May		Progressive Total	March		Progressive Total	
							Voucher No.	Amount (Rs.)	Voucher No.	Amount (Rs.)			Voucher No.		Amount (Rs.)

FORM No X
(rule 9)

Register of Securities for the period from to

Sl. No.	Date of Purchase	Particulars of Securities	Amount		Safe custody Receipt No.	Interest due		Realization of interest						
			Purchase Value (Rs.)	Face Value		Due Date	Amount of interest due (Rs.)	Date	Amount received (Rs.)	Initials of Accountant	Date	Amount received (Rs.)	Initials of Accountant	Remarks

FORM XI
(rule 9 and 12)

(Counterfoil)

KHADI AND VILLAGAGE INDUSTRIES BOARD

Book No. Receipt No.

Book No. Place Date

Received From

Received from

Rs.

Rs.

On account of

On account of

Cashier and
Accountant

Secretary
Khadi & Village Industries Board, Odisha

Cashier and
Accountant

Secretary
Khadi & Village Industries Board, Odisha

FORM XII
(rule 9)

REGISTER OF CHEQUE BOOKS

Number of Cheque Book	Initials of the Secretary	Date of Completion	Dated initials of the accountant for having received and examined the counterfoil

FORM XIII
(rule 9)

Register of Stock of Receipt Books

[illegible]

FORM XIV
(rule 9)

Register of Stock and Furniture

Serial No.	Receipt			Issues							Balance of each item after transaction	Remarks
	Voucher No. & Date	Particulars of stores and furniture	Value (Rs)	No. or Quantity	Date of Issue	Orders	No. or quantity of issue	Amount if any realized from sale (Rs.)	Date of credit in cash book	Dated initials of Accountant		

FORM XV
(rule 9)

Register of Advances – Permanent/ Temporary

Issuing Authority	To whom made	Particulars of the advance	Payments		Re-payments			Dated initials of the accountant	Balance (Rs.)	Remarks
			Date of payment of the advance	Amount paid (Rs.)	Date	Mode	Amounts (Rs.)			
1	2	3	4	5	6	7	8	9	10	11

FORM XV
(rule 9)

Annual Accounts for the year					Relating to the Grant for			Remarks
RECEIPT					EXPENDITURE			
Head of Account	Receipt during the year (Rs.)	Remarks	Grant		Payment		Excess or savings over net grant (Rs.)	
			Original (Rs.)	Net (Rs.)	Head of Accounts	Expenditure during the year (Rs.)		
Opening Balance								
					Closing Balance			

II. Particulars of advances, permanent and temporary outstanding at the end of the year

Particulars	Amount
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III Particulars of Securities etc.

Particulars of Securities	Face Vale	Purchase Value	Approximate market value
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IV Particulars of Closing balances –

Secretary
Khadi and Village Industries Board, Odisha

AUDIT CERTIFICATE

Certified that the above accounts have been audited and found correct

Examiner of Local Accounts, Odisha

¹The Orissa Khadi & Village Industries Board Regulations, 1960

1. Short title and commencement: -

- 1) These regulations may be called the Orissa Khadi & Village Industries Board Regulations 1960.
- 2) They shall come into force at once.

2. 1] In these regulations, unless there is anything repugnant in the subject or context -

- i. 'Government' means the Government of Orissa;
- ii. 'Fund' means the fund constituted under section 23 of the Orissa Khadi and Village Industries Board Act 1955 (Orissa Act No.3 of 1956);
- iii. 'Provident Fund' means the fund specified in Regulation 53;
- iv. 'Disciplinary Authority' means the authority competent under the regulations to impose a penalty on employee of the Board.

2] All other words and expressions used but not defined in these regulations shall have the meanings respectively assigned to them in the Orissa Khadi and Village Industries Board Act, 1955 (Orissa Act No. 3 of 1956) and the rules made there under and the respective codes and rules of the Government of Orissa.

3] Government reserves the right either to suspend or modify any of the provisions in the Regulations if at any time it is considered so expedient.

3. Application: -

- 1] These regulations apply to all employees.
- 2] Nothing in these regulations shall operate either to deprive any persons of any right or privilege to which he is entitled by or under any law or by the terms of any contract or agreement subsisting between such persons and the Board or to confer on him any right or privilege in respect of any matter for which specific provision is made by the terms of any contract or agreement between himself and the Board.

4. Interpretation: -

If any matter relating to the interpretation of these regulations arises, the same shall be referred to the President whose decision thereon shall be final.

5. Custody of Common Seal: -

The Common Seal shall remain in the custody of the President. The President may by written orders delegate the custody of the seal to the Secretary.

6. Channel of correspondence: -

The Secretary and subject to his control, the Deputy Secretary and Assistant Secretary shall carry out all correspondence on behalf of the Board.

All correspondence emanating from the Board shall be in the name of the Secretary and all correspondences with the Board shall be addressed to the Secretary.

7. The Secretary: -

The Secretary of the Board shall be an Officer of the State Government employed as such in *ex officio* capacity and his conditions of service will be regulated under the relevant rules of the Government.

¹ Notification No. 10525 – OKVIB –Dated 29-8-1960- Orissa Gazette – Part – III – Dated 21-10-1960.

8. Classification of employment: -

(1) The employees of the Board shall fall under two categories, namely; (1) regular establishment and (2) schematic establishment.

¹[(2) All posts under the Board shall be classified by the Board into Class I, Class II Class III and Class IV as specified in Schedule I hereto annexed.

Provided that at the time of creation of a new post not mentioned in Schedule I, the Board will specify the class under which the post will be included].

9. Authorities: -

¹[Appointment to the different classes of posts under the Board specified column-1 of Schedule II hereto appended shall be made by the authorities specified in Column-2 thereof. The authorities specified in columns 3 and 5 of the schedule shall be the disciplinary authority and the Appellate Authority respectively in regard to penalties specified in Regulation 29 and referred to in column 4 of the said schedule].

10. Probation: -

Every appointment to a post in regular establishment in Class I, II and III, shall be subject to probation or trial for a period of one year which is liable to be extended further by the appointing authority at his discretion. A person who has successfully completed his period of probation shall be confirmed at the earliest opportunity.

11. Termination of Probation: -

The appointing authority may before the expiry of the period of probation or trial, for reasons to be recorded in writing, terminate the probation of any person and revert him to his permanent post under the Board or discharging him from service of the Board, if he is a direct recruit. In the later case a notice of one month shall be given before discharge or the employee shall be paid one months' emolument in lieu thereof. If any leave is granted, the period of notice and leave should run concurrently and for this purpose "emoluments shall include", "leave allowances".

12. Disqualification for appointment:

Any person who has been convicted of offences involving moral turpitude or who has been dismissed from the service of the Central or State Government or of any local authority or any person who has been declared medically unfit, shall be disqualified for appointment under the Board.

13. Certificates: -

Every person appointed for the 1st time to a post in regular establishment of the Board, shall produce certificate of age and health before the Secretary. The medical certificate shall be in the following form and it shall be annexed to the first bill submitted for the pay of the person concerned.

I hereby certify that I have examined A.B., a candidate for employment as.....under the Orissa Khadi & Village Industries Board and cannot discover that he/she has any disease (communicable or otherwise, constitutional weakness or bodily infirmity, except.....I do not consider this a disqualification for employment in the office of.....A.Bs' age is according to his own statement.....years and by appearance about.....years.

Medical Officer

14. Security: -

The Board shall demand such security, as it may consider necessary, from any employee of the Board, but the amount of the Security so demanded shall not exceed the amount of cash as handled by the employee.

¹ Substituted by Notification No.17027-D/20.9.1976 – Vide O.G.Part No.43 D/20.10.1976.

The rules laid down in the Orissa General Financial Rules Vol.I, in this behalf shall be followed mutatis mutandis in matter relating security deposit. For this purpose, the words, "State Government", "Government Servant" and "Head of Department" who ever they occur shall mean "the Board, "they employees of the Board" and "the President" respectively.

¹[15. Retirement: -

- (1) A Board employee may retire from service any time after completing thirty years qualifying service or on attaining the age of fifty years, by giving notice in writing to the appropriate authority at least three months before the date on which he/she wishes to retire or by giving the said notice to the said authority before such shorter period as the Board may allow in any case. It shall be open to the appropriate authority to withhold permission to retire to an employee who seeks to do so under this rule, if he/she is under suspension or if enquiries against him/her are in progress. The appropriate authority may also require an officer to retire in public interest any time after he/she has completed thirty years qualifying service or attains the age of fifty years, by giving a notice in writing to the said employee at least three months before the date on which he/she is required to retire or by giving three months pay and allowance in lieu of such notice.

Provided that a review shall be conducted in respect of the Board employee on completion of thirty years of qualifying service or fifty years and fifty five years of age in order to determine whether he or she should be allowed to remain in service up to the date of the completion of the age of sixty years or retired on completion of fifty years or fifty five years as the case may be. The review committee will consist of the following members:

- i. Director of Industries, Orissa.
- ii. Deputy Secretary to Govt., Industries Department.
- iii. Secretary, OK&VI Board.

- ²(2) Except as otherwise provided above, the date of compulsory retirement of an employee of the Board is the date on which he or she attains the age of 60 years.

16. Service Book: -

- (1) A service book shall be maintained in such form, at prescribed by the State Government for their employees, for every officer or servant of the Board. The Service Book will be a record of the service and shall contain no remarks on work or conduct.
- (2) The Secretary or any other appointing authority under him shall be responsible for the correct and up-to-date maintenance of the service book. He shall record an annual certificate of verification in the service books relating to the employee under him as early as possible after the end of every year.

17. Character Roll: -

In addition to a service book, a character roll shall be maintained by the head of the office namely Secretary or any other appointing authority or the head of any organization of a scheme as shall be determined by the President. A character roll shall be maintained in such form as prescribed by the Board with the approval of Government for their employees in which shall be entered censures, punishments and commendations. Adverse remarks against an employee, if any, shall be communicated to him. It shall be treated as a confidential record. It shall contain a yearly report on the work of the employee concerned. Every year in the month of April the head of the office shall enter his report on the work of each employee under him in regard to the preceding year. The report shall be forwarded to the President through the Secretary who will record his comments with his signature and date. Reports of all employees with the comments of the President shall then be deposited with the head of the office for safe custody.

¹ Substituted by Notification No.1727-D/2.9.1976-Vide O.G.Part III No.43-D/22.10.1976.

² Substituted by Letter No. 576 dated 29.01.2015 w.e.f. 28-06-2014 of Government in MSME Department..

18. Promotion and efficiency: -

- (1) All promotions to higher grades or ranks shall on the basis of merit and ability. None shall be promoted who is not on the basis of his record and in the opinion of the appointing authority fit for promotion and of those who are fit only the fittest shall be promoted to any particular vacancy, the factor of seniority being taken into account only when all other factors and particularly the factor of merit are equal.
- (2) There shall be no bar for reverting an employee from a higher post to which he may have been promoted on an officiating or trial basis, if he is not found up to the mark.
- (3) Efficiency bars in the time-scales of pay shall be rigorously applied and none shall be allowed to cross a bar unless the head of the office is satisfied that he has attained a reasonable standard of efficiency.
- (4) Annual or periodical increments in pay scales shall not be allowed as a matter of course, and normally an employee who has been adversely reported on during a year shall not be allowed his increment until he earns a good report.

19. Advance increment: -

The Board may, in exceptional circumstances, grant an increment in advance to an employee in consideration of his special qualifications or experience or of other reasons.

20. Establishment list: -

The Secretary shall early in April each year, prepare a detailed statement of all posts in the regular establishment under the Board existing on the 1st April.

21. Seniority: -

The relative seniority of employees in any grade shall be determined according to the dates of continuous appointment to that grade, employees promoted on the same date shall keep the position *inter se* which they held in the lower grade from which they were promoted. Seniority of persons appointed from outside at the same time shall be determined according to the order of merit or preference indicated at the time of selection for appointment.

22. Reduction of establishment: -

When any post or posts are abolished, persons shall be selected for discharge or reversion on the basis of juniority, unless for reasons to be recorded the services of any person are considered indispensable by the Board.

Explanation- An appointment the pay of which is reduced shall be deemed to be abolished within the meaning of this regulation.

23. Order for abolition of posts: -

- (1) An order for abolition of a post or for reduction of the emoluments of an appointment shall not be brought into operation, in the case of a permanent employee of regular establishment, before the expiry of 3 months after the notice has been given to the employee affected and in other cases before the expiry of one month after the service of the notice.

Provided that no officer or servant shall be discharged on the abolition of any appointment unless he cannot be provided for otherwise.

- (2) In the case of an employee on leave, the order shall not be brought into operation before the leave expires, but the leave and the period of notice should run concurrently.

24. Schematic establishment: -

Schematic establishment includes such staff as may be entertained for execution of particular schemes sanctioned by the Board from time to time and does not

form party of the permanent and regular establishment of the Board, provided that the Board may declare any person or group of persons forming part of the schematic establishment to be treated as members of the regular establishment for purpose of leave, retirement benefits and such other benefits as provided in these Regulations for the regular establishment.

25. The engagement of members of schematic establishments, who are appointed for a specific work, lasts only for the period during which the work lasts. If discharged, otherwise than for serious misconduct before the completion of the work for which they are engaged, they are entitled to a month's notice or a month's pay in lieu of notice but otherwise, with or without notice, their engagement terminates when the work ends or the scheme is completed. If they desired resign their appointments, they must give a month's notice of their intention to do so, failing which they will be required to forfeit a month's pay in lieu of such notice. The terms of engagement should be clearly explained to the persons employed in circumstances mentioned above.

26. The Members of the Schematic Establishment are entitled to leave salary as admissible to temporary Government servants but they are not entitled to leave salary or traveling or other allowances or to any retirement benefits as admissible to permanent Government servants excepts in the following cases: -

- a. Leave with full pay on Sundays and other holidays as declared by the Board.
- b. Traveling allowance under regulation 41 may be allowed by the Secretary for journeys performed in the interest of the work on which they are employed.

NOTE –This regulation is not intended to interfere with the discretion of the Secretary or any other officer authorised by him to grant short casual leave on full pay or on reduced wages subject to such general rules regarding the grant of casual leave to regular establishment as may be prescribed by the Board.

27. Transfer of members of regular establishment to Schematic Establishment: -

The Secretary may, in the interest of the work of the Board, transfer an employee of the regular establishment to a schematic establishment for any period provided that all his prospects and privileges of service in the regular establishment shall be protected for so long as he would have continued, but for his transfer to schematic establishment to hold a post in the regular establishment.

28. Suspension: -

(1) The appointing authority or any authority to which it is subordinate or any other authority empowered in that behalf by the President may place an employee of the Board under suspension –

- (a) Where a disciplinary proceeding against him is contemplated or is pending,
or
- (b) Where a case against him in respect of any criminal offence is under investigation or trial.

(2) An employee of the Board who is detained in custody, whether, on a criminal charge or otherwise, for a period exceeding forty eight hours, shall be deemed to have been suspended with effect from the date of detention, by an order of the Appointing Authority and shall remain under suspension until further orders.

29. Punishment: -

¹[Subject to the provisions of these regulations the following penalties may for good and sufficient reasons and as hereinafter provided, be imposed on an employee of the Board, namely: -

- i] Fine.
- ii] Censure.

¹ Substituted by Notification No.17027-D/20.9.1976-Vide O.G.Part III No.43-D/22.10.1976.

- iii] Withholding of increment or promotion.
- iv. Recovery from pay of the whole or any part of any pecuniary loss caused to Board by negligence or breach of orders
- v] Suspension
- vi] Reduction to a lower service grade or post or to a lower time scale or to a lower stage in a time scale.
- vii] Compulsory retirement.
- viii] Removal from the service of the Board, which does not disqualify from future employment.
- ix] Dismissal from the service of the Board, which ordinarily disqualifies from future employment.

Provided that the penalty or fine shall be imposed only on Class IV employees.

Explanation: - The following shall not amount to a penalty within the meaning of this rule:

- (1) Non-promotion of an employee of the Board after consideration of his case to a grade or post for promotion to which he is eligible.
- (2) Reversion to a lower grade or post of an employee officiating in a higher grade or post on the ground that he is considered after being tried in the said grade or post to be unsuitable for such higher grade or post or on administrative grounds unconnected with his conduct.
- (3) Reversion to his permanent grade or post of an employee appointed on probation or on trial basis to another grade or post during or at the end of the period of probation or trial in accordance with the terms of his appointment.
- (4) Replacement of services of an employee where services have been borrowed from Government or any authority under the control of Government, at the disposal of the authority, which had lent his services.
- (5) Termination of the Services of the employee appointed on probation or trials during or at the end of the period of probation or trial or of a person employed under an agreement in accordance with the terms of such agreement.
- (6) Compulsory retirement of an employee in accordance with the provisions relating to his superannuation or retirement].

30. Procedure for imposing major penalties: -

Without prejudice to the provisions of the Public Servants (Enquiry) Act 1850, no order imposing any of the penalties specified in clauses (v) to (vii) of regulation 29 shall be passed on an employee of the Board (other than an order based on facts which have led to his conviction in a Criminal Court) unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and if any other circumstances which it is proposed to take into consideration in passing orders on the case. He shall be required within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires, or if the authority concerned so directs, an inquiry shall be held. At that inquiry oral evidence shall be heard and recorded as to such of the allegations as are not admitted and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the inquiring officer may, for especial and sufficient reasons to be recorded in writing refuse to call a witness. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof. The Disciplinary Authority shall, if it is not the Inquiring Authority, consider the record of the inquiry, record its findings on each charge and pass appropriate orders on the case.

The regulation shall not apply where the person concerned has absconded, or where for other reasons impracticable to communicate with him. All or any of the provisions of this regulation may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived, where is a difficulty in observing exactly the requirements of the regulation and those requirements can be waived without injustice to the person charged.

31. Procedure for imposing minor penalties: -

No order imposing any of the penalties specified in clause (i) to (iv) of regulation 29 shall be passed except after the employee is informed in writing of the proposal to take action against him and of the allegation on which it there is proposed to be taken and give an opportunity to make any representation, if any, taken into consideration by the Disciplinary Authority.

32. Appeals: -

An employee of the Board may appeal against an order of suspension or an order imposing upon him any of the penalties specified in regulation 30 to the authority specified in this behalf either in Schedule II or by a general or special order or where no such authority is specified, to the authority to which the authority imposing the penalty is immediately subordinate.

33. Period of limitation for appeals: -

No appeal shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

34. Form and contents of appeal: -

- (1) Every person submitting an appeal shall do so separately and in his own name.
- (2) The appeal shall be addressed to the authority to whom the appeal lies, shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language, and shall be complete in itself.

35. Submission of appeal: -

An appeal shall be submitted through the Head of the Office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred and shall be accompanied by a copy of the orders appealed against.

36. Withholding of appeals: -

- (1) The authority which made the order appealed against may withheld the appeal if-
 - i. It is an appeal against an order from which no appeal lies; or
 - ii. It does not comply with any of the provisions of regulation 34: or
 - iii. It is not submitted within the period specified in regulation 33 and no cause is shown for the delay: or
 - iv. It is a repetition of an appeal already decided and no new facts or circumstances are adduced:

Provided that an appeal withheld on the ground only that it does not comply with the provisions of regulation 34 shall be returned to the appellant and if resubmitted within one month thereof after compliance with the said provisions, shall not be withheld.

- (2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefor.

37. Transmission of appeal: -

- (1) The authority, which made the order appealed against, shall without any avoidable delay, transmit to the appellate authority every appeal, which is not withheld under regulation 34, together with its comments thereon, and the relevant records.
- (2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under regulation 36 and thereupon such appeal shall be transmitted to that authority together with the comments of the authority withholding the appeal and the relevant records.

38. Consideration of appeals: -

- (1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of regulation 28 and having regard to the circumstances of the case the order of suspension is justified or not and confirm or revoke the order accordingly.
- (2) In the case of an appeal against an order imposing any of the penalties specified in regulation 29, the appellate authority shall consider –
 - (a) Whether the procedure prescribed in these regulations has been complied with, and, if not, whether such non-compliance has resulted in failure of justice.
 - (b) Whether the findings are justified; and
 - (c) Whether the penalty imposed is excessive, adequate or inadequate;

And, after such consideration pass such orders as it thinks proper.

39. Implementation of orders in appeal: -

The authority which made the order appealed against shall give effect to the orders passed by the Appellate authority.

40. General conditions of service: -

Unless otherwise provided in these regulations, the rules in the Orissa Service Code, Volume-I with all its appendices, except appendices 1 to 4, 8 and 12, as amended from time to time by the Government shall apply to the employees of the Board *mutatis mutandis*. For this purpose, the words 'Government', 'Government Servant' and 'Head of Department' wherever they occur except in Chapter I of the Code shall mean "the Board", "the employees of the Board" and "the President" respectively. "Supervisor Service" referred to in the Orissa Service Code shall mean posts in Class I, II and III and "Inferior Service" shall mean posts in Class IV.

41. Travelling Allowance: -

The Orissa Travelling Allowance Rule, as amended from time to time by Government shall be applicable to the officer and servants of the Board in the same manner as applicable to Government servants of similar standing and status. "Government", "Government Servant" and "Head of Department" wherever they occur in the rules shall mean respectively. "The Board" "Employees of the Board" and "the President."

42. Grant of leave: -

The employees of the Board shall be governed by the Orissa Leave Rules 1939 as amended from time to time by Government.

¹43. Advance:

1. Motor car advance: -

- I) The Orissa Khadi & Village Industries Board may in the interest of the Board, sanction an advance for purchase of motor car to a Board employee whose

¹ Substituted and Deleted vide O.G. Part VII Notification Dated 25th December 1981.

monthly basic pay is not less than to Rs. 1,200/- provided that such an advance may also be sanctioned to a Board employee whose monthly basic pay is not less than Rs.1,000/- where in the opinion of the Board, the employee is required to make official tours for not less than seven days in a month.

II) Limit of advance: - The maximum limit of the advance for purchase of motorcar shall be Rs. 30,000/- or 20 monthly pay of the employee or the anticipated price of the motor car, whichever is least:

Provided that in case of second and subsequent advances, the Board employee will be eligible to the difference between the maximum admissible limit and the sale proceeds of the old vehicle left over with employee after repayment of the earlier outstanding advance including interest.

III) Recovery: - The principal will be recovered in not more than 100 consecutive monthly installments and the interest in subsequent 22 consecutive monthly installments. The recovery of interest will commence from the following that in which the whole of the principal has been repaid. A loanee, however, if he so desires be permitted to repay the advance in a smaller number of installments.

IV) Rate of Interest: - The rate of interest chargeable on such advance is 8 (Eight) percent per annum.

V) Time Gap – The time gap between the first advance and the subsequent advance shall be at least 5 (five) years. The period of five years shall count from the date of sanction of advance.

2. Motorcycle/ Scooter Advance: -

I) The Orissa Khadi & Village Industries Board may in the interest of the Board, sanction an advance for purchase of Motorcycle/ Scooter to a Board employee whose monthly basic pay is not less than to Rs. 600/-. Provided that such an advance may also be sanctioned to a Board employee whose monthly basic pay is not less than Rs.400/- if in the opinion of the Board, the employee is required to perform official tours for not less than seven days in a month.

II) Limit of advance: - The maximum limit of the advance for purchase of Motorcycle/ Scooter shall be Rs. 6,000/- or cost of the vehicle, whichever is less:

Provided that in case of second and subsequent advances, the Board employee will be eligible to the difference between the maximum limit of Rs.6,000/- and the sale proceeds of the vehicle left over with employee after repayment of the earlier outstanding advance including interest.

III) Recovery: - The principal will be recovered in not more than 60 consecutive monthly installments and the interest in subsequent 8 consecutive monthly installments. The recovery of interest will commence from the following that in which the whole of the principal has been repaid.

IV) Rate of Interest: - The rate of interest chargeable on such advance is 7 (seven) percent per annum.

V) Time Gap – The time gap between the first advance and the subsequent advance shall be at least 4 (four) years. The period of four years shall count from the date of sanction of the last advance.

NOTE – i] If actual price paid both for Motor Car (Cycle) excluding cost of insurance, transportation from the place of purchase or subsequent repairs is less than the advance taken, the balance shall forthwith be refunded to Government through the mortgage bond should be for full amount withdrawn from the treasury.

ii] The amount of advance for purchase of motor car/ cycle/ scooter, the manner of its recovery etc. shall be prescribed by the Board from time to time basing on the orders issued by Government in Finance Department.

3. Bicycle advance:

I) Bicycle advance can be granted to all intending Class III and Class IV employees of the Board.

II) Limit of advance: The maximum limit of advance for purchase of bicycle shall be Rs. 300/- or the cost of the bicycle, whichever is lower.

III) Recovery: - In case of Class III employees of the Board, the principal will be recovered in maximum of 15 (fifteen) consecutive monthly installments and interest in 1 (one) installment. But in case of Class IV employees, the principal will be recovered in maximum of 30 (thirty) consecutive monthly installments and interest in subsequent 1 (one) installment.

IV) Rate of Interest: - The rate of interest chargeable on such advance is 6 ½ percent per annum. The time limit between the first and subsequent advance shall be at least 3 (three) years.

V) Time Gap: The period of 3 years shall count from the date of sanction of the last advance.

4. All such advances may be sanctioned to a permanent or a temporary employee but in case of a temporary employee, a surety bond shall be furnished from a permanent employee of the Board not below the rank of the loanee.

44. Deleted

45. Deleted

46. Deleted]

47. Transfer of motorcar or cycle: -

Except when he proceeds on long leave or retires from the services of the Board, an officer or servant who has purchased a motorcar, or motorcycle with the aid of an advance granted under these regulations, which has not been fully repaid, shall not transfer such car or cycle without the previous sanctions of the Board. The Board may permit such transfer to an officer to whom it might grant an advance under regulation 44, provided that such officer or servant makes a declaration acknowledging that he is aware, that the car or cycle transferred to him remains subject to the mortgage bond executed under regulation 50 and that he is bound by its terms and provisions.

48. An officer or servant who sells a motorcar, or motorcycle before the advance that has been granted to aid for its purchase has been fully repaid, shall immediately after such sale apply the sale proceeds, or such portion thereof, as may be necessary, to the payment of the amount of the advance still unpaid provided that when the car or cycle is sold only in order that another car or cycle may be purchased, the Board may permit an officer or servant to use the proceeds for such purchase subject to the following conditions, namely:-

- (a) the advance outstanding shall not be permitted to exceed the cost of the new car, or cycle:
- (b) the advance outstanding shall continue to be repaid at the rate previously fixed; and
- (c) the new car or cycle shall be insured and mortgaged to the Board in the manner prescribed in regulation 49.

49. Execution of mortgage bond: -

Every Officer or servant to whom an advance is granted for the purchase of a motor car or motor cycle, shall immediately after the purchase thereof execute in favour of the Board a mortgage bond in respect of such car or cycle in the form annexed to these regulations.

50. An Officer or Servant who fails to comply with the requirement of regulation 49 shall refund the whole amount advanced on the outstanding balance thereof unless he shows cause to the satisfaction of the Board why such refund should not be made.

51. An Officer or Servant to whom an advance is granted for the purchase of a motor car or motor cycle shall purchase the same within six months of the date on which the advance is granted to him and shall insure the same within one month from the date of purchase. He shall renew such insurance from time to time until the whole amount of the advance is repaid and the amount of such insurance during any period shall not be less than the outstanding balance of the advance due from him at the beginning of the period.

52. Retirement benefits: -

The employees of the Board shall not be entitled to any pension except the gratuity and the Contributory Provident Fund benefits admissible under these regulations.

53. Contributory Provident Fund: -

The Board shall establish and maintain a Provident Fund referred to in these regulations as "Provident Fund" for the benefit of its employees and administer it.

54. Constitution of the Provident Fund: -

The Provident Fund shall be formed out of and maintained by (1) subscriptions from subscribers (2) contributions from the Board, and (3) interest derived from investments or paid from the general fund of the Board.

55. Subscriptions: -

The employees of the Board, shall be eligible to subscribe to the Contributory Provident Fund maintained by the Board, provided that such employees are considered by the Board likely to continue his service of the Board for not less than three years and the Board is not paying any pensionary contribution for them nor are they entitled to pension from Government. No employee shall be qualified to contribute to the Provident Fund before he attains the age of twenty.

56. Realisation of subscriptions: -

When emoluments are drawn from regular establishment, recovery of subscription to the Provident Fund and of principal and interest on advances shall be made from emoluments themselves. When emoluments are drawn from any other sources the subscribers shall forward his dues to the Secretary.

57. Contribution: -

- (1)** The contribution of the Board shall be 6 ¼ percent of the subscriber's emoluments drawn on duty and shall be credited to his account annually before the 31st March or whenever the account is closed. Should a subscriber elect to subscribe during leave, his leave salary shall for the purpose of these regulations, be deemed to be emoluments drawn on duty.
- (2)** The amount of contribution payable shall be rounded to the nearest rupee.
- (3)** When a subscriber in the service of the Board is temporarily transferred to the service under another local authority or the State Government, the local authority or the State Government as the case may be shall, pay to the Provident Fund of the Board a contribution calculated at 6 ¼ per cent of the subscribers' emoluments drawn on duty under such local authority or the State Government.

58. Authority:-

The authority competent to sanction advances shall be the Secretary in case of Class III and Class IV employees and the President in case of Class I and Class II employees.

59. Interest:-

The Board shall pay to the credit of the account of a subscriber interest at such rate as Government may from time to time prescribe for the payment of interest on subscriptions of their employees.

60. Other conditions:-

Subject to the conditions laid down in regulation 53 to 59 the Contributory Provident Fund Rules (Orissa), applicable to Government servants shall apply to the employees of the

Board. The words "Govt." "Government Servant", "Governor of Orissa", "Accounts Officer" and the "Fund" where ever they occur in these rules, shall mean the "Board" the "employees of the Board", the "President", the "Secretary" and the Contributory Provident Fund managed by the Board" respectively.

61. Gratuity: -¹[The employees of the Orissa Khadi & Village Industries Board shall be governed by the provisions of the payment of Gratuity Act 1972 as amended from time to time.

62. Deleted

63. Deleted

64. Deleted

65. Deleted

66. Deleted

67. Deleted

68. Deleted

69. Deleted]

70. Conduct: -

The Board's employees shall be subject to the same rules of conduct as are applicable to Government servants.

71. Authority and functions of the Secretary and Assistant Secretary: -

The Secretary shall be responsible for executing the orders of the Board and the President. With the approval of the President certain functions may be entrusted to the Assistant Secretary to be performed by him subject to the control and responsibility of the Secretary.

72. Duties and functions of the Khadi Organizer: -

The Khadi Organiser is responsible for efficient management of the Khadi Organisation under the Board and scheme or schemes connected with any other matters relating to the Khadi Industry.

73. Duties of the Head Assistant: -

The Head Assistant is responsible for the efficiency of the office of the Board and his work is of utmost importance. He must see that the staff is fully employed. He must inspect the tables of Assistants daily. He must see that cases are properly and punctually submitted and that drafts on orders are promptly put up and issued. He must take personal interest in the work of each Assistant. He must give advice to the Assistants and help them at every stage.

74. Duties of Assistants: -

The work in the office of the Board is distributed among the Assistants by the Head Assistant who should however report to the Secretary or Assistant Secretary for confirmation the specific duties assigned to each Assistant. In addition to these duties every Assistant is bound to undertake when the necessity arises, any other work, which may be given to him by the Head Assistant.

¹ Substituted & Deleted vide O.G. Notification dated 26-7-1990 to come into force on the 16th day of September 1972.

75. Duties of the Senior Accounts Assistant: -

The Senior Accounts Assistant shall be responsible for all the matters connected with cash, stationery, and for the upkeep of the accounts. He is responsible for preparation of all bills of officers and the staff and for disbursement of the amounts. He is to submit the annual establishment list. All valuable cheque need be entered in the register and kept in the custody of the Senior Accounts Assistant. All order sanctioning leave and increment need be communicated to him. (Accounts Section) All statements of services of any officer prepared at the time of his retirement shall, if the pay of the officer is disbursed by the Senior Accounts Assistant, be sent to the latter for verification. The Senior Accounts Assistant shall be in charge of the Contributory Provident Fund of the Board.

**SCHEDULE I
(Regulation 8)
Name of the posts**

	Sl. No.	Administrative Regular Establishment	Technical Regular Establishment	Schematic Establishment
Class I	1	F.A. & C.A.O. Deputy Secretary	Deputy Secretary (Technical) Deputy Director (Polyvastra)	Nil
Class II	1	Asst. Secretary	Development Officer	Nil
Class III	1	Section Officer, L-II	Supervisor	Nursery Keeper
	2	Accounts Supervisor	Jr. Supervisor	Mechanic (Polyvastra)
	3	Asst. Law Officer	Soap Mistry	
	4	Auditor	Ghani Mistry	
	5	Senior Assistant	Beekeeping Field man	
	6	Junior Assistant	Oilman	
	7	Senior Accountant		
	8	Junior Accountant		
	9	U.D. Assistant		
	10	Head Typist		
	11	Senior Typist		
	12	Junior Typist		
	13	Senior Grade Steno		
	14	Junior Grade Steno		
	15	Senior Driver		
	16	Driver		
	17	Driver (Heavy Vehicle)		
	18	Diarist		
	19	Senior Economic Investigator		
	20	Junior Economic Investigator		
	21	Statistical Investigator		
	22	Junior Statistical Assistant		
	23	Record Keeper		
	24	Scribe		
	25	Electrician		
	26	Assistant Store Keeper		
	27	Manager (CV)		
Class IV	1	Attender		
	2	Treasury Sarakar		
	3	Cleaner		
	4	Helper		
	5	Sweeper		
	6	Watchman		
	7	Peon		
	8	Salesman-cum-Attender		

REVIVED SARANJAM KARYALAYA

Class III	1	Manager (RSK)	nil	1.Mechanic 2.Wood Cutter 3.Carpenter 4.Blacksmithy-cum-Tinsmithy-cum-welder
Class –IV	1	Watchman-cum-Peon		
	2	Watchman		

**¹SCHEDULE II
(Regulation 9)**

Description Of post	Appointing authority	Disciplinary authority	Penalty as per Regulation 29 Of OKVIB Regulation	Appellate authority	Remarks
1	2	3	4	5	6
Class I	Board	Board	All Excluding (1)	Govt.	* In case of deputation, the parent dept. will be the disciplinary authority.
Class II	Board	Board*	-do-	Govt.	
Class III	President	President	-do-	Board	
Class IV	Secretary	Secretary	All	President	

¹ Substituted by O.G.- Part – III - Notification No. 17027 dated 20.9.1976

***The Orissa Khadi & Village Industries Board (Procedure and Disposal and Business) Regulations, 1981**

In exercise of the powers conferred by clause (a) of sub-section (2) of section 36 read with section 12 of the Orissa Khadi & Village Industries Board Act 1955 (Orissa Act 3 of 1956), the Board with previous sanction of the State Government hereby make this regulation

1. Short title, extent and commencement: -

1) These regulations may be called the Orissa Khadi & Village Industries Board (Procedure and Disposal and Business) Regulations, 1981.

2) They shall come into force on the date of their publication in the official gazette.

2. Definitions: -

1] In these Regulations, unless the context otherwise requires -

i) 'Act' means the Orissa Khadi & Village Industries Board Act 1955;

ii) 'Clear days' includes Sundays and holidays but does not include the day of the meeting or the day of the issue of the notice;

iii) 'Members there on the roll' means total sanctioned strength of members excluding seats which are vacant;

iv) 'Motion' means the statement of a matter brought forward for the consideration of the Board and includes a resolution and an amendment of a motion;

v) 'Rules' means the Orissa Khadi & Village Industries Board Rules, 1956.

2] All words and expressions used but not defined in these regulations shall have the same meaning, respectively assigned to them on the Act and the Rules.

3. Meeting of the Board: - The ordinary meetings of the Board shall be held once at least in every three months at the office of the Board or at such other convenient place as decided by the President.

4. Notice of the meeting: -

1. At least fourteen clear days notice of a meeting of the Board shall be given to every member. The notice shall be issued under the signature of the Secretary of the Board and served by the post under certificate of posting or by such other method as may be deemed expedient. A copy of the notice shall also be published in the Notice Board of the Board.

Provide that an emergent meeting of the Board may be hold with five clear days notice, which may be served telegraphically or by such other methods as may be deemed expedient.

2. The notice shall set forth clearly and fully the time, place and date of the meeting and the business to be transacted thereat.

3. Accidental failure of service of notice shall not invalidate the proceedings of any meeting.

5. Agenda for meeting: - The Agenda for a meeting shall be prepared by the Secretary in consultation with the President, which shall include the suggestions offered by any member with approval of the President and such subjects as are assigned to the Board by the Act.

6. Special Meetings: -

1. The President may call for a special meeting of the Board suo motu and shall convene such a meeting on requisition by:

a] the State Government;

b] at least seven members of the Board, specifying in brief the subject matter to be discussed, addressed to the President, within fifteen days from the date of receipt of such requisition.

* O.G. Extraordinary No. 141 dated 01st February 1983.

2) The procedure prescribed for the ordinary meeting under the foregoing regulation shall apply for special meetings under this regulation.

7. Presiding over the meeting of the Board: -

- 1) Every meeting of the Board shall be presided over the President and in his absence by a non-official member, from out of a panel of three such members in order of priority nominated by the Board.
- 2) Whenever the President finds it necessary to temporarily leave the Chair, he may call on the non-official member from out of the panel in order of priority and in case all such members are absent, he may call on any member present there.

8. Quorum: -

- 1) A quorum for any meeting of the Board shall be five.
- 2) If within an hour after the time appointed for a meeting the quorum is not present, the meeting shall stand adjourned to some future day to be fixed by the President, unless all the members present agree to wait longer, and at least seven clear days notice of such adjourned meeting shall be given. The adjourned meeting shall be convened within fourteen days from the day of adjournment. The members present at such adjourned meeting shall form a quorum whatever their number may be. The President may ascertain majority opinion of the members of the Board by voice vote or by show of hands as deemed necessary. In case of a quality of vote the presiding member shall have and exercise a second or casting of votes.

9. Cancellation of modification of resolution: -

No resolution of the Board, shall be cancelled or modified within three months after the passing there of except at a meeting specially convened in that behalf and by a resolution of the Board supported by more than one half of the total members then on the roll of the Board:

Provided that any mistake arising out of clerical, mathematical or typographical error can be corrected by any meeting of the Board.

10. Minutes of the Proceedings of meetings: -

- 1) The Secretary shall draw up the minutes of the proceedings of each meeting of the Board. During the period of each meeting, the Secretary shall record the names of the members present in a book maintained for the purpose and obtain their signatures.
- 2) Minutes of the proceedings of each meeting of the Board shall be drawn up and records by the Secretary in Oriya and English languages and after obtaining the signature of the Presiding member, the Secretary shall issue copies of the same to all members within seven days of the meeting. If no objections are received any member within twenty days of issue of the proceedings, the minutes shall be taken to have been correctly recorded.
- 3) The Secretary shall forward the copy of the minutes of the proceedings of each meeting of the Board to the Director of Industries, Orissa, Secretary to the Government in Industries Department and the Chief Executive Officer of the Khadi & Village Industries Commission, Mumbai within seven days of each meeting. He shall also forward the copy to any person concerned, if so, directed by the President, within seven days of each meeting.

11. Decision of the Presiding member to be final: -

The decision of the presiding member as to whether any act or conduct attracts the Provision of the rule shall be final.

12. Decorum and discipline: -

- 1) Participants in the deliberations of the Board shall observe due decorum in upholding the dignity of its Board.
- 2) No member shall speak on a motion after it has been put to vote by the Presiding member.

13. Taking part in the discussion: -

- 1) No member shall vote or take part in the discussion of any subject coming up for consideration at a meeting of the Board if the subject is one in which apart from its general application to the public, he has any direct pecuniary interest, for himself directly or as a partner.
- 2) The Presiding member, either on his own motion or on the submission of any member present, may prohibit any member from voting on or taking part in the discussion of any subject in which he believes such members to have pecuniary interest or he may require such member to absent himself during the discussion.
- 3) The member to prohibit may challenge the decision of the Presiding member who shall thereupon put the question before the Board for final decision.
- 4) If the Presiding member is believed by any member present at the meeting, to have any such pecuniary interest, in any subject under discussion, the Presiding member may, if a motion in that effect is carried, be required to absent himself from the meeting during such discussion.
- 5) The member concerned shall not be entitled to vote on the question referred to in sub-regulation (2) and the Presiding member shall not be entitled to vote on the motion referred to sub-regulation (4).

14. Order of the day: - A list of business for the day shall be entered in the following order namely:

- a] Any objection received from the members regarding the correct recording of the proceedings of the last meeting, which shall be placed before the Board for decision;
- b] Proceedings of the Standing Committees of the Board, if any;
- c] Selection of members to Standing Committees of the Board, if any;
- d] Review of the progress of activities of the Board
- e] Official business brought forward by the Presiding member.

15. Decorum: -

1. A member, desiring to speak on any matter before the Board shall rise from his place but shall not speak, before the Presiding member calls the name of the speaker, when he shall address the meeting. If two or more members rise simultaneously to speak, the Presiding member shall call the member who first caught his eyes, to speak first and in that case the other member or members shall immediately resume his/her seat(s). If at any time the Presiding member rises from his seat, any member speaking shall resume his seat.
2. When a member is called to order by the Presiding member, he shall immediately sit down.

16. Urgent Resolution: -

1. No business, not included in the list of business for the day, shall be transacted at any sitting except in the form of a motion and with the leave of the Presiding member.

2. Not more than one matter shall be discussed on the same motion and the motion shall be restricted to a specific matter of recent occurrence.
3. The motion shall not raise discussion on a matter, which has been discussed at meeting of the Board during the previous two months.
4. The motion shall not deal on matters extraneous to the business of the Board.
5. Leave to make a motion shall be asked for before the business of the day is entered upon.
6. The members, making such a motion shall handover to the Presiding member a written statement containing the motion before the meeting commences but he shall not speak thereon.
7. The Presiding member, if he is of opinion that the motion is in order, shall read the same to the Board and ask the Board if it allows leave. If three fourth of the voting members present signify their assent, the Presiding member shall announce that the motion will be taken up in the meeting.
8. The debate on such motion shall automatically terminate on the day in which leave was allowed for it.

17. Resolution: -

1. Any member may move a resolution relating to a matter concerning the administration of Board.
2. A member who wishes to make a resolution shall intimate his intention in writing to the President, giving at least seven days notice, provided that the President may allow for reasons to be stated by him a resolution with shorter notice to be entered in the list of business.
3. The President shall decide the admissibility of a resolution and shall disallow any resolution, which in his opinion, contravenes the provision of the Act or the Rules and his decision shall be final provided that the Presiding member shall inform the Board of the resolutions disallowed by him.
4. Every resolution shall be clearly and precisely expressed and shall raise definite issue.
5. No resolution shall contain arguments, inferences, ironical expressions or defamatory statements nor shall it refer to the conduct or character of any persons, except in their official or public capacity.
6. Resolutions shall be of an affirmative character.
7. Notice of resolution shall be in writing and signed by the member.
8. The relative precedence of resolutions given notice of any member for being moved at meeting of the Board shall be determined by the President.
9. Not more than ten resolutions according to the order of priority as determined by the President shall be set down for any meeting.
10. A member in whose name a resolution appears in the list of business shall, when called on, either:
 - a] Move line resolution or
 - b] Withdraw the resolution, in which case he shall confine himself to a more statement to that effect.
11. If the member, when called on, is absent, the resolution standing in his name shall be considered to have been withdrawn.
12. Every resolution, which has been moved, shall be seconded otherwise it shall not be discussed.

13. Discussion on a resolution shall be strictly limited to the subject of the resolution.
14. When any resolution involving several points is discussed, it shall be in the discretion of the Presiding member to divide the resolution and put each or any point thereof to vote separately, as he may think fit.
15. Routine resolution relating to periodical statements and proceeding of the Standing Committees of the Board and the like, may be put in the meeting by the Presiding member without their having been moved or seconded.
16. The Presiding member has the same right of moving or seconding or speaking on a resolution or motion as any other member.
17. After a motion has been moved and second, an amendment may be moved at any stage of the debate thereon.
18. On the discussion being concluded in the event of several amendments having been proposed, the Presiding member shall put the amendments to vote in the reverse of the order in which they were moved and after disposal of the amendments he shall put to vote the original motion or the motion as amended, as the case may be.
19. Any member may at any time raise a point of order for the decision of the Presiding member but in doing so, he shall confine himself solely to standing the point.

18. Breaches of order: -

1. A member shall be adjudged guilty of breach of order if he -
 - a] uses objectionable or offensive words and refuses to withdraw them or beg apology;
 - b] willfully disturbs the peaceful and orderly conduct of the meeting
 - c] refuses to obey and order from the chair, or
 - d] does not resume his seat, when the Presiding member rises from his chair or when he called upon to do so by the Presiding member.
2. Any member may take objection to any offensive words.
3. A member who objects to offensive words should move that the words be withdrawn. If his motion is agreed to the Presiding member shall direct that the words be withdrawn.
4. Objections to offensive word shall be taken when the words are used, but not after another member has begun to speak.
5. The Presiding member after having called the attention of the Board to conduct of a member, who persist in irrelevant or in tedious repetition either of his own arguments or of the arguments of other member in debate, may direct him to discontinue his speech.
6. The Presiding member may direct any member guilty of breach of order, to withdraw immediately from the meeting and any member so ordered shall withdraw forthwith and absent himself during remainder of the day meeting. In case such member commits a breach for a second time. The Presiding member may disqualify the member from attending the meetings of the Board for a period not exceeding four months.
7. The Presiding member may, in case of grave disorder arising in course of meeting of the Board, suspend any sitting for a time specified by him.
8. The Secretary shall be the custodian of the proceedings and the records of the Board and the Committees.

¹The Orissa Khadi & Village Industries Board (Functions & Conduct of Business of Committees) Regulation 1981

In exercise of the powers conferred by clause (b) of sub-section (2) of section 36 the Orissa Khadi & Village Industries Board Act 1955 (Orissa Act 3 of 1956), the Board with previous sanction of the State Government hereby makes this regulation.

1. **Short title, extent and commencement: -**
 - 1) These regulations may be called the Orissa Khadi & Village Industries Board (Functions and Conduct of Business of Committees) Regulations 1981.
 - 2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions: -**
 - 1) In these Regulations, unless the context otherwise requires –
 - a) 'Act' means the Orissa Khadi & Village Industries Board Act, 1955;
 - b) "Committee" means a Committee appointed by the Board under Section 14 of the Act;
 - c) 'Rules' means the Orissa Khadi & Village Industries Board Rules, 1956.,
 - 2) All words and expressions used but not defined under these regulations shall have the same meaning, respectively as assigned to them in the Act and the Rules.

Part – I – Function of the Committee

3. Ordinarily, the Committee of the Board shall deal with matters referred to them by the Board specifically.
4. Every Committee shall examine in detail the matters placed before it either in relation to the subjects assigned or as may be referred to and furnish its recommendation to the Board. Every Committee may also dispose of matters that come before it in such other manner as may be authorized by the Board.
5. The proceedings of every Committee shall be placed before the Board.
6. The Board shall take into consideration the recommendation of the Committee and take such action as it thinks fit.
7. The Committee shall perform such other functions as may be delegated by the Board.

Part – II – Conduct of Business of the Committees

8. Each Committee shall ordinarily meet at least once in every two months, on the date and hour fixed at the office of the Board or at such other convenient place as the Committee shall from time to time determine.
9. The President of the Board may at any time call a special meeting of the Committee and shall do so within a week of the receipt of a requisition stating the business to be transacted signed by not less than three members of a Committee.
10. A meeting of the Committee shall be convened with the approval of the President, who shall be the Chairman of the Committee. The agenda and time of the meeting shall also be approved by the Chairman of the Committee. The Secretary of the Board shall place before the Committee any matter, which the President of the Board may like to refer.
11. No business shall be transacted at any meeting of the Committee unless a quorum of three members thereof including at least one non-official member and excluding the President is present.

¹ O.G Extra Ordinary No. 142 dated 01-02-1983 Notification No. 2261-III-BM-7/81-Dated 05-02-1981

12. All questions, which may come up before the Committee at any meeting shall be decided by the majority of the members present and voting at the meeting and in case of equality of votes the presiding member shall have the power to exercise a second or casting vote.
13. Every meeting of a Committee shall be presided over by the President of the Board. If the President is absent, a member of the Committee, chosen by the members present at the meeting shall preside.
14. [1] All minutes of the proceedings of a meeting shall be recorded and shall be signed by the presiding member. For this purpose, only a summary of discussion and the recommendation of the Committee shall be recorded.
[2] The Secretary shall place a copy of the minutes of the proceedings of each meeting of the Committee at the next meeting of the Board and shall also forward copies thereof to the Government in the Industries Department and the Khadi & Village Industries Commission, within seven days of each such meeting.
15. Any member of a Committee other than the President, who fails to attend four consecutive meetings thereof shall cease to be a member of such Committee but may be restored by the Board on his written request.
16. [1] Any non-official member of a Committee may resign from his office by a notice in written addressed to the Secretary of the Board, and the Secretary shall, on receipt of such a notice of resignation, obtain confirmation from the person concerned as to its genuineness unless the person resigning delivers the notice of resignation personally to the Secretary. The Secretary shall place the same before the Board for consideration and acceptance.
[2] Vacancies caused by resignation, death or otherwise shall be filled up by the Board.
17. Every Committee may, for transacting the business of the Committee and for carrying out the purposes, for which it is appointed, utilize the services of the Staff of the Board.
18. The business of the Committee shall be conducted in a simple and business like manner and the elaborate procedure of moving resolutions as prescribed in the Orissa Khadi & Village Industries Board (Procedure and Disposal of Business) Regulation 1980 shall not be applicable.
19. Subject to the provisions contained in the foregoing regulations the provisions contained in the Orissa Khadi & Village Industries Board (Procedure and Disposal of Business) Regulation 1980 shall so far as may be applicable, apply to the conduct of business of a Committee under these Regulations.