

# The Orissa Gazettee

## EXTRAORDINARY

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PLANNING & CO-ORDINATION DEPARTMENT

NOTIFICATION

The 17th March 2003.

### No. 5345-PL-I-WODC-2/2001-P

In exercise of the powers conferred by section 21 of the Western Orissa Development Council Act, 2000 (Orissa Act 10 of 2000 and Act 8 of 2001), the State Government do hereby make the following rules for carrying into effect the provisions of the said Act, namely :-

#### Short title and commencement.

1.

- (1) These rules may be called the Western Orissa Development Council Rules, 2000.
- (2) They shall come into force on the date of their publication in the Orissa Gazette.

#### Definitions.

2.

1. In these Rules, unless the context otherwise requires:-

- (a) "Act" means the Western Orissa Development Council Act, 2000;
- (b) "Chairman" means Chairman of the Council;
- (c) "Member" means Member of the Council;
- (d) "Member Secretary" means Chief Executive Officer of the Western Orissa Development Council; and
- (e) "Section" means section of the Act.

2. Words and expression used in these rules, but not defined shall have the same meaning as respectively assigned to them in the Act.

3.

- (1) The Council shall ordinarily hold at least one meeting in every three months for the transaction of its business.
- (2) The Member-Secretary shall, in consultation and with the approval of the Chairman, convene the meeting of the Council at a place and time fixed by the Chairman.
- (3) A notice of not less than ten days shall ordinarily be given for a meeting of the Council and the notice shall be issued under the signature of the Member-Secretary.

Provided that when the Chairman is of the opinion that a meeting of the Council needs to be convened urgently, he may convene a special meeting of the Council at such notice, not being less than three days as he may determine.

- (4) The notice shall set forth clearly the time, date of the meeting and the agenda containing business to be transacted in the meeting.

Provided that business not included in the agenda may be taken up for discussion with permission of the Chairman.

- (5) The agenda for the meeting shall be prepared by the Member-Secretary of the Council in consultation with the Chairman.
- (6) The Chairman or, in his absence, any member of the Council excluding the Chief Executive officer, as may be decided by the Council, shall preside at a meeting of the Council.
- (7) The quorum necessary for the transaction of business of a meeting of the Council shall be not less than one third of the Members excluding the Chief Executive Officer and the matters required to be decided by the Council shall be decided by the Council shall be decided by the majority of votes of the Members present and voting.
- (8) The Chairman or the person presiding over a meeting shall have, and exercise, a second or casting vote in case of equality of votes.
- (9) (i) Minutes of the proceedings of every meeting of the Council shall be drawn up and recorded by the Member-Secretary in a permanent Register to be maintained for the Chairman or by the presiding Member as the case may be, and Member-Secretary after each meeting and every correction shall be attested by both of them. Minutes of proceedings of every meeting of the Council so recorded shall be placed before the Council in the next meeting for confirmation.  
  
(ii) The Member-Secretary shall forward a copy of the minutes of the proceedings of each meeting of the Council signed in the manner stated in clause (i) to the Government, Revenue Divisional Commissioners/Collectors of constituent districts/other authorities concerned and all members of the Council ordinarily within fifteen days of each meeting.  
  
(iii) No member shall take part in the discussion on any subject coming up for consideration at a meeting of the Council, if he or any member of his family or close relative has any direct or indirect pecuniary interest in the subject matter of discussion.
- (10) The Member-Secretary shall be the custodian of the proceedings and records of the Council and shall take follow up action on the Council and shall take follow up action on the decisions of the Council as recorded in the proceedings

#### 4.

- (1) Subject to the provisions of the Act and these rules, the Council shall mutates mutants follow the delegation of financial powers follow the delegation of financial powers rules issued by the Government from time to time.
- (2) The Council fund shall be utilized for purpose for which grants have been received by the Council from funding agencies. Sanction and expenditure from out of the Council Fund shall be intimated to the effect shall be furnished to the authority specified by and in the manner suggested by the funding agency.
- (3) The Class-III and Class-IV posts in the Council shall be created and filled up in the following manner: -
  - (a) The Chairman shall review the workload or the Council vis-à-vis all Class-III and Class-IV posts created by the Government in their order NO.8428/PL-1/WODC 3/99 Dt-25-06-1999. and 11122/PL-1/WODC 3/99 Dt-31-08-1999. After assessing the further requirement, if any, additional posts in Class-III and Class-IV shall be created by the Chairman with prior approval of the Council. For filling of these posts, the Council shall decide the manner in which the posts will be filled up. The Class-III and Class-IV shall be created by the Chairman with prior approval of the Council shall decide the manner in which the posts will be filled up. The Class-III and Class-IV posts shall be filled up by the Chairman with the approval of the Council by way of deputation from the District Offices/Govt. Departments/on Open Recruitment/on contractual basis. The Chairman may appoint any employee on contract for any post temporarily till the post are filled up on regular recruitment /deputation. The Chief Executive Officer shall be the Appointing Authority for Class-III and Class-IV posts. The CEO shall be the Disciplinary Authority in respect of Class-III and Class-IV employees and shall exercise the powers of the Disciplinary Authority in the manner prescribed in the Government Servants Conduct Rules. The Chairman shall be the Appellate Authority for the purpose of Disciplinary proceedings. The service conditions of the Class-III and Class-IV employees shall be governed as per the Rules applicable to the Orissa Government servants except in case of contractual employees.
- (4) The Chief Executive Officer shall incur routine recurring expenditure of Council as prescribed under these rules subject to availability of funds. All expenditure of non-recurring nature exceeding Rs.20,000/- (Rupees Twenty Thousand ) is each case shall be made with the approval of the Council.

## 5.

- (1) The Council Fund shall be kept in an account opened in the name of the Council in a Nationalized Bank. The Chief Executive Officer shall cause to be maintained a cashbook showing full particulars of all amounts deposited or withdrawn from the said account which shall be verified by the Chief Executive Officer and the entries in the cash book shall be attested by the Chief Executive Officer in token thereof on each working day.
- (2) The account of the Council shall be operated jointly by the Chairman and Chief Executive Officer in accordance with financial powers granted to them under these rules.
- (3) The Council shall maintain accounts and other records in such forms and in such manner as prescribed in Orissa General Financial Rules, Orissa Service Code, Orissa Records Manual and other rules and instructions applicable to Government Office.
- (4) The accounts of the Council shall ordinarily be audited by the Local Fund Audit Organization of the Government once in every year. However, the Council may engage a Chartered Accountant for the purpose of Annual/Half Yearly audit in respect of all expenditure incurred by the Council for the year. The Chairman with the approval of the Council may appoint a Consultant for preparation of Accounts Manual and Relevance Software for electronics data processing in respect of WODC accounts. The audit report shall be duly complied with by the Council, ordinarily within a period of six months from the date of receipt thereof.
- (5) No expenditure shall be incurred unless adequate funds for the purpose are available in the Council Fund and no expenditure shall be incurred from the Council Funds unless it is supported by an order of the Competent authority mentioned in the foregoing sub-rule sanctioning the said expenditure.
- (6) Authorities specified hereinafter shall be competent to sanction expenditure of the nature and to the extent indicated below: -

### Chief Executive Officer:-

- (i) All expenditure relating to pay, allowances, Traveling Allowance, Dearness Allowance & reimbursements of medical claims of all officers and employees of the Council within and subject to the limits of the grants sanctioned by Government for that year for the purpose.
- (ii) Within the limits of provision of the budget approved by the Council all contingent expenses in connection with payment of telephone & electricity charges, rent and taxes, repair and maintenance of the vehicles of the Council in accordance with instructions and guidelines applicable to Government offices, cost of fuel, oil and lubricants for operation of vehicles of the Council for official purposes, purchase of stationery for official work of the Council.
- (iii) Contingent expenses of a non-recurring nature not exceeding Rs10,000/- (Rupees Ten Thousand) for each item and Rs.50,000/- (Rupees Fifty Thousand) per annum subject to provision in the budget.
- (iv) The Chief Executive Officer may maintain a permanent advance not exceeding Rs.20,000/- (Rupees Twenty Thousand) only which may be utilized for emergent expenses and day to day contingent expenses and expenses incurred out of the permanent advance shall be recouped within one month of such expenditure.

### The Council:-

The Council shall have the power to incur an expenditure other than those specified in clause (a) which is required to be incurred in connection with discharge of the functions of the Council subject to limits of the budget approved by the Council.

Provided that the State Government may authorize the Chief Executive Officer to incur such preparatory expenditure during such period as may be specified, notwithstanding that power to sanction such expenditure vests with the Council. After such expenditure is made, the same shall have to be placed before the Council for approval.

## 6.

- (1) In incurring expenditure from out of the Council Fund the Council shall see that such expenditure does not invite recurring liabilities either to the Council or to the Government. If the Council is required to fund implementation of projects of any kind, the infrastructure or the assets so created shall be for public purposes. If it be a construction programme, it shall be constructed on Government land or on land irrevocably available for community purpose by observing due formalities. Prior to execution of such projects the Council shall identify the agency to look after the operation and maintenance of the same on completion and the assets so created shall be transferred

to such agency immediately after completion for the purpose of operation and maintenance. While the Council shall accord administrative approval for construction programmes, technical sanction shall be obtained from competent authority of concerned Department under the Government to whom the programme relates in accordance with the Delegation of Financial Power Rules.

- (2) Before engaging any non-Government organization/Agency for implementing any project by the Western Orissa Development Council the Chief Executive Officer with the approval of the Chairman shall obtain the approval of the Government in Planning & Co-ordination Department. The procedure for identification of NGO/Agency for implementing the WODC projects will be as follows :-

A detailed project profiles in respect of NGO/Agency proposed to be taken up for executing the WODC works shall be prepared and along with the terms and conditions specifying the accountability shall be forwarded to the Government before entrusting the works for execution to such NGO/Agency by the Council.

- (3) The Government may submit a list of NGOs who are identified otherwise at their level for engagement by Western Orissa Development Council.

**7.**

- (1) The Chairman shall have the power to approve the tour programme of the Chief Executive Officer and grant his casual leave and permission to avail Government holidays subject to terms and conditions applicable to Government servants. The application of the Chief Executive Officer for leave other than casual leave shall, together with the recommendations of the Chairman, be forwarded to the Government in Planning & Coordination Department for appropriate orders. The State Government may make such temporary arrangement as they deem fit for discharge of duties and responsibilities of the Chief Executive Officer during his leave or absence for any other reason.
- (2) The Chief Executive Officer shall be competent to sanction leave as admissible and accord permission to avail Government holidays to all other employees of the Council subject to term and conditions applicable Government Servants.
- (3) Orissa Leave Rules, 1996 and other rules regulating the conditions of Government servants, shall apply to the Chief Executive Officer and other officers and employees of the Council.
- (4) The Annual Confidential Report on the performance of the officers and employees of the Council shall be recorded at the end of each year in the form and in the manner applicable for their respective grades and services. Their reporting, counter-signing and accepting authorities will be as under:

SL. NO.	Category	Reporting Officer	Counter-signing Authority	Accepting Authority
1.	Chief Executive Officer.	Chief Executive Officer.	Chairman.	Chief Secretary.
2.	Other Officers & Employees on Deputation.	-do-	Chairman.	Secretaries of the respective Departments
3.	Own staff of the Council	-do-	Chairman	Chairman, WODC
4.	Personal staff of Chairman.	Chairman	---	Secretaries of the respective Departments.

**NOTE**

No remark shall be recorded by the Chairman after demitting office. The annual report relating to the Chief Executive Officer and the officers and employees of the Council shall be forwarded to the authorities who are custodians of the annual reports. All other matters relating to recording & maintenance of Confidential Character Rolls, communication of adverse remarks of Confidential Character Rolls, communication of adverse remarks and disposal of representations preferred against the adverse remarks shall be regulated in accordance with the relevant instructions issued from time to time by Government in the General

Administration Department.

(5) The Chief Executive Officer shall:-

(i) Perform all the duties and exercise all the powers and functions conferred or vested on him under the Act, the rules framed there under and instructions issued by Government;

(ii) Receive, recover and credit to the Council Fund any sums due or tendered to the Council and subject to the provision of these rules draw and disburse money out of the Council Fund;

(iii) Save as otherwise provided, sign and authenticate all letters and documents for and on behalf of the Council;

(iv) Take steps to remove any defect or irregularity brought to notice in course of audit of the accounts of the Council or pointed out in the audit report or in the inspection and tour notes or inspecting authorities;

Provided that Government may authority to inspect the office of the Council.

(vi) Report without delay all cases of fraud, embezzlement, theft of loss of money or other property of the Council to the Chairman, Western Orissa Development Council / Government / other concerned authorities;

(vii) Exercise supervision and administrative control over all officers and employees of the Council;

(viii) Provide access to and supply all documents required by any officer authorized by the Government in writing in connection with an inspection, enquiry or audit;

(ix) Record his views and report the matter to the Government where the Council or its Chairman proposes to take any action contrary to the provisions of any law or rule or guidelines relating to the Council or the instructions of Government.

(x) Rectify defects or take appropriate action, if any, whenever any wastage of public property or property of the Council or any irregularity is brought to his notice;

(xi) Subject to such general or special orders that may be issued by the Government or the Council in this behalf, execute contracts for and on behalf of the Council;

Provided that such contracts shall bear the common seal of the Council;

(xii) Ensure punctual submission of reports and returns;

(xiii) Maintain liaison District Level Officers of the constituent districts;

(xiv) Maintain Service Book and Leave Account of all employees of the Council;

(xv) Conduct monthly staff meetings;

(xvi) Conduct half yearly inspections of his own office in the months of June and December and shall place reports there of before the Chairman and forward copies of inspection reports to the Government.

**8.**

Every proposal of the Council seeking approval of Government under subsection (3) of section(11), shall be accompanied by a resolution of the Council indicating in detail the justification for the proposal.

**9.**

Government shall be the appointing and disciplinary authority in respect of the Chief Executive Officer. The conditions of service of the Chief Executive Officer shall be the same those applicable to the grade in the service to which he belongs or cadre from which he has been deputed.

**10.**

Posts created by Government for the Council, shall be filled up by deputation of Government servants holding equivalent posts to the Council. Such employees shall be deemed to be on deputation to the Council and conditions of their service shall be the same as applicable to the grade in the service to which they belong or cadre form which they have been deputed.

**11.**

(1) The Chairman may correspondences with other state Government /Central Government/International Agency/International Bureau for obtaining financial assistance for the Western Orissa Development Council projects. In all such case, he shall inform the details to the Government in Planning & Co-ordination for financial assistance to be received from any international agency including any other State Government / Central Government, he shall obtain the permission of the Government in Planning & Coordination Department.

(2) Government may from time to time issue such instructions as may be deemed necessary for smooth functioning of the Council of for achieving the objects of the Act.

**12.**

In case any doubt arises as to the interpretation of these rules, the matter shall be referred to Government in the Planning and Co-ordination Department for decision.

#### **REGIONAL IMBALANCE OF WESTERN ORISSA IN BRIEF**

Ten Western Orissa districts lag behind their counterparts of coastal districts in core sectors with meager percentage till date. The administrative set-up of Western Orissa Development Council is illustrated in a tabular form as well as the position of other core sectors in the enclosed statements.

Looking at the degree of development/ backwardness of 10 Western Orissa districts, it can be said that out of 87 blocks only 5 blocks are developed, 25 are developing, another 25 are backward and 32 blocks are very backward, whereas in coastal districts 70 blocks are developed, 50 blocks are very backward out of total 227 blocks

Only 5.7% developed blocks 36.78% very backward blocks are there in WODC districts. This is against 30.84% of the developed blocks only 22.03% are in very backward blocks in non –WODC districts.

(Source – Ghadei Committee Report to OLA)

As per the L.T.A.P of K.B.K. the 4 WODC Districts are having irrigation potentials much below the State average.

Accordingly, steps may be taken for improving the backwardness of areas on priority basis.

Taking into consideration the current drought situation in the entire 10 districts of Western Orissa, maximum emphases may be given on irrigation projects with particular thrust upon lift irrigation facilities. The requisite date concerning to the irrigation sector are also furnished in tabular form in this report