

EARLIER
CLASSIFIED

GOVERNMENT OF ASSAM
DEPARTMENT FOR WELFARE OF PLAIN TRIBES & BACKWARD
DISPUR ::: GUWAHATĪ

NOTIFICATION

No: TAD/BC/477/2011/56 dated 21-05-2014: In the interest of public service, the Governor of Assam is pleased to cancel the Guidelines for Development Councils issued vide circular No. TAD/BC/450/08 dated 07-01-2011.

No.: TAD/BC/477/2011/56 - A dated 21-05-2014: In the interest of public service, the Governor of Assam is pleased to cancel the Guidelines for Development Councils issued vide Notification No.: TAD/BC/477/2011/13, dated 21-03-2013.

No: TAD/BC/477/2011/56 - B dated 21-05-2014: In the interest of public service, the Governor of Assam is pleased to notify fresh Guidelines as below for smooth functioning of the Development Councils constituted with persons nominated by the Government of Assam from various communities.

The Government of Assam has constituted different Development Councils (the "Councils") and nominated members to these Councils for the socio-economic, educational, cultural and ethnic advancement of the relevant sections of the population of the State. In pursuance of the above objective, the following Guidelines are hereby laid down to provide a common framework for the Constitution, smooth functioning and systematic Conduct of Business by the Councils.

1. Objectives & Functions:

- (i) To formulate schemes for the benefit of the members of the relevant community and subject to approval of the State Government, to implement the same;
- (ii) To take up study of the population comprising the community/communities relevant to the Council. Such studies shall include aspects like the population belonging to the community, age and sex ratio statistics, their occupation, economic status, educational standards, availability of facilities for education, health care, safe drinking water, electricity, sanitation etc.;

- (iii) To conduct surveys, studies and undertake data collection, documentation and research oriented works to identify the problems of socio-economic, educational, cultural backwardness of the communities, assess development requirement and to draw up appropriate developmental strategies to fill the gap in development and to ensure progress of the relevant communities;
- (iv) Prepare its Draft Annual Budget for submission to the Govt. of Assam and to finalize the same with its approval;
- (v) To formulate the Annual Plan subject to allocations indicated by the Govt., and to provide inputs to the State Government for formulation of developmental schemes pertinent to the Council for the benefit of the relevant communities;
- (vi) Implement and monitor programmes/schemes for social, educational, cultural and ethnic development of relevant communities;
- (vii) Select and approve list of beneficiaries under various developmental programmes which are included in its budget;
- (viii) Oversee implementation of development schemes intended for beneficiaries of the relevant communities, executed by line departments;
- (ix) Represent the concerned communities in various developmental programmes.
- (x) Formulation, Approval, Implementation Monitoring and Evaluation of Development Schemes and Programmes of the Development Councils.

2. Constitution of the Council:

- i) Each Council shall consist of a minimum of 15 (fifteen) and a maximum of 25 (twenty-five) Members nominated by the Government of Assam. Out of the above, two members shall be officials to be nominated by the State Government.
- ii) Each Council shall have one Chairman and one Vice Chairman, to be nominated by the Government of Assam from amongst the Non-Official Members.

- iii) The first meeting of the Council shall be convened by an officer not below the rank of Joint Secretary to Govt. of Assam in the Department of WPT&BC.
- iv) The Chairman of the Council may constitute such Committee/s from amongst the members of the Councils for smooth discharge of the work of the Development Council, as may be necessary. Number of members of such Committee/s shall be maximum 5(five) including the Chairman. The Chairman of the Council shall nominate the Chairman of these Committees from amongst the Committee Members, in case he/ she himself/ herself is not chairing the Committee.
- v) The oath of office to the Chairman, Vice-Chairman and Members shall be administered within 30 days of the date of notification, by an official as notified by the Govt. for the purpose.

3. Term of Office:

- i) The term of office of the Council shall be as the Government of Assam may decide from time to time, but shall not exceed five years. The term of office shall be reckoned from the date of notification constituting the Council. 2

Provided that, if the Government is of the opinion that circumstances exist whereby the orderly conduct of business in the Council is not possible, the Govt. may by notification dissolve the Council.

Provided further that, Govt. may, if it is satisfied that circumstances exist, which render reconstitution of the Council, as provided, impracticable, extend the term for a period not exceeding one year.

- ii) The Chairman and the Vice-Chairman of the Council shall cease to hold their offices forthwith, if he/ she, for any reason, ceases to be a member.
- iii) The Chairman, Vice-Chairman or a Member shall also cease to be a member in the event of his/her death;

4. Meetings of the Council:

- i) The Council shall hold a General Meeting of the Council at least once in every three months at the Headquarter of the Council for transaction of its business. Such General Meeting shall comprise the Chairman, Vice-Chairman, all other nominated Members and the Member- Secretary.
- ii) Members of the Development Council shall be entitled to such sitting allowances, from the funds of the Council, as may be determined by the Government of Assam from time to time.
- iii) The Chairman and the Vice-Chairman shall be whole time functionaries and shall be paid an honorarium, from the funds of the Council, as may be determined by the Government of Assam from time to time.
- iv) The Agenda for the Council meetings will be fixed by the Chairman of the Council.
- v) The Chairman of the Council shall also fix the date of the Council meetings. The notice along with the agenda of the meeting shall be issued by the Member Secretary either through registered post, courier or through special messenger at least 7 days ahead of the meeting.
- vi) The Chairman of the Council shall Chair the meeting. In the absence of the Chairman, the Vice-Chairman will Chair the meeting. In absence of both, the Chairman and the Vice-Chairman, the members present shall select, by majority vote, a member from amongst themselves to Chair the meeting.
- vii) The Chairman of the Council may also invite any Government Officer/knowledgeable person/expert to attend the meeting of the Council as Special Invitee to discuss matters of specific interest, if any.
- viii) The Chairman shall have the power to convene a Council meeting on short notice of three days under special circumstances, to take decisions on urgent matters of public interest.
- ix) A Council meeting may be requisitioned by at least 1/3 of the total members on a written request to the Chairman/Vice-Chairman (in absence of the Chairman).

- 78
- x) The record of attendance and the minutes of the Council meeting shall be maintained by the Member Secretary.

5. Quorum:

- i) The quorum necessary for transaction of business at a General Meeting of the Development Council shall not be less than 1/3 of the total members of the Council.
- ii) The decision of the Council shall be by a simple majority of the votes of the members present and voting.

6. Resignation of Members:

- (i) Any member of the Council including the Chairman, Vice-Chairman may resign by sending a notice in writing to the Commissioner & Secretary to Govt. of Assam in the WPT & BC dept.
- (ii) The resignation shall take effect from such date as may be approved by the Government.

7. Removal of Members:

- i) The Chairman or the Vice-Chairman or any one of the members will hold office during the pleasure of Government of Assam and they can be removed from the Development Council by issue of a notification by the Govt. of Assam.
- ii) The Government of Assam may remove any Chairman, Vice Chairman or member by order, if he/she:
 - a) After his/her nomination, he/she is convicted by a criminal court for an offence involving moral turpitude punishable with imprisonment for any period exceeding six months.
 - b) Incurs any of the disqualifications mentioned in para IX.

- 71
- c) Is absent from three consecutive meetings of the Council.
 - d) If he/she indulges in activities which are against or not in consonance or conflict with the basic aims and objectives for which the Development Council has been constituted.


8. Filling up of Vacancies:

Where the office of the Chairman, Vice-Chairman or member falls vacant by reason of death, removal, resignation or otherwise, the vacancy shall be filled up by nomination through a notification by Government of Assam.

9. Disqualification from Membership:

A person shall not be qualified for being a member of the Council, if:

- i) She/He is not a citizen of India.
- ii) She/He is less than 18 years of age on such date as may be fixed by the Government, or
- iii) She/He is holding any office of profit, provided that this will not apply to official nominee.
- iv) She/He is in service of the Central or State Government, Municipality or other authority, or
- v) She/He has either directly or indirectly by himself or by any other person or employer or employee, any share or interest in any contract with, by or on behalf of the Council, or a Municipality or Panchayat.
- vi) She/He has been dismissed from the service of the Central or State Government or a local authority or a Co-operative Society or a Government company as defined in the Companies Act, 1956 or a Corporation owned or controlled by the Central or the State Government for misconduct involving moral turpitude and five years have not elapsed from the date of such dismissal, or

- 
- vii) She/He has been adjudged by a competent court to be of unsound mind.
 - viii) He has been convicted by a court of an offence involving moral turpitude punishable with imprisonment for a period of more than six months or an offence under Chapter IX A of the Indian Penal Code or Chapter-III, Part III or Part VII of the Representation of Peoples Act, 1951 and five year have not elapsed from the date of expiration of the sentences.

10. Secretariat of the Council:

- i) The Council shall have its HQs in such place and a Secretariat on such pattern and staff, with such terms of service or engagement as may be notified by the Government of Assam.
- ii) The Secretariat shall be headed by the Member Secretary of the Council who shall be an officer as may be notified by the Govt of Assam.

11. Member Secretary:

- i) The Member Secretary of the Council shall be notified by the Government.
- ii) The Member Secretary shall be present and take part in the discussion of all the meetings of the Council and may with the consent of the Chairman or any other person presiding over the meeting, as the case may be, at any time, make a statement or give explanation of facts and circumstances but shall not be entitled to vote in any such meeting.
- iii) The Member Secretary shall be responsible for keeping the Council apprised of Government statutes/ rules/ guidelines/ circulars/ notifications relevant to the Councils work and ensuring that the Secretariat adopts and complies with the same in the discharge of its duties. He may make a formal reference to the Government to seek guidance/ clarifications on any issue pertaining to the conduct of business by the Council.
- iv) The Member Secretary shall provide all necessary secretarial support to the Council and the Sub Committees of the Council, for orderly conduct of their meetings, including preparation of agenda papers, issue of notices, maintaining attendance record and minutes of the meetings.

- BR
- v) The term of appointment of the Member Secretary shall be as decided by the Government from time to time. The Government may however, in exigencies, at any time, withdraw the Member Secretary or any other officer posted or appointed by it, in the Secretariat.
- vi) Government may depute such other officers or experts, as may be required to assist the Council on such terms and conditions as may be determined by the Government.

12. Operational Framework:

The Government may through Guidelines/ Circular/ Notifications as the case may be, prescribe the framework on subjects including but not limited to exercise of financial powers, financial management, maintenance of accounts, organisational matters including performance appraisal of the Member Secretary and the Staff of the Council, implementation of schemes by the Councils etc.

13. Removal of Difficulties:

The Govt. may, by notification, amend or issue further guidelines, as necessary, for removal of difficulties in the functioning of the Councils, interim or otherwise, as the case may be.

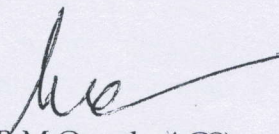
Sd/-
(B R Samal, IAS)
Commissioner & Secretary to Govt. of Assam
WPT & BC Department, Dispur

Memo No: TAD/BC/477/2011/56 - C

dated 21-05-2014

Copy to:

1. P.S. to Minister of State, WPT & BC, Assam, Dispur.
2. P.S. to Commissioner & Secretary, WPT & BC Department, Dispur.
3. Chairman (All)/ Secretary (All) of Development Councils (All).
4. Director, WPT & BC/Director SC, Director, AIRT & SC.
5. Dy. Director, Assam Govt. Press, Bamunimaidam, Guwahati-21. He is requested to publish the notification in the Assam Gazette and provide 200 copies to WPT & BC department.


(B M Queah, ACS)
Joint Secretary to Govt. of Assam
WPT & BC Department, Dispur