

RULES FOR BANSAGAR CONTROL BOARD (*APPROVED BY THE BOARD
IN ITS 2nd MEETING HELD ON 6th JULY 1979*)

The following rules have been framed in accordance with para 10 of the Resolution of the Ministry of Agriculture and Irrigation (Department of Irrigation) issued under no. 8/17/74-DWII dated 30th January 1976 and as amended by Resolution of even no. dated the 18th November 1976 setting up the Bansagar Control Board.

Part I-Preliminary

I. *Short title and commencement:*

- . These rules may be called the Bansagar Control Board Rules
- . They shall come into force on the date of their approval by the Bansagar Control Board.

Definitions: In these rules, unless the context otherwise requires

- . "Board" means the Bansagar Control Board.
- . "Chairman" means the chairman of the Bansagar Control Board.
- . "Chief Engineer" means the Chief Engineer of the Bansagar Dam Project.
- . "Executive Committee" means the Committee constituted under para 8 of the Resolution dated the 30th January 1976 as amended by the Resolution dated 18th November 1976.
- . "Financial Adviser" means the Financial Adviser to the Bansagar Control Board
- . "Project" means the Bansagar Dam project.
- . "Secretary" means the Secretary to the Bansagar Control Board.

Part II-The Board

Office of the Board:

- 3. The office of the Board shall be located at Rewa.
- . The Board shall be assisted by a full time Secretary and a full time Financial Adviser and such other staff as may, from time to time, be considered necessary.

4. Meeting of the Board:

- . The Board shall hold a meeting ordinarily once in a year. Provided that in case of any emergency, a special meeting of the Board may be summoned at any time by the Chairman.
- . The meeting of the Board shall be fixed by the Secretary under the order of the Chairman.

5. *Presiding over meetings of the Board:* Every meeting of the Board shall be presided over by the Chairman of the Board.

6. *Quorum:* Any seven members shall form a quorum at a meeting of the Board.

7. *Agenda:* Under the orders of the Chairman

- . The Secretary shall prepare and circulate to every member, at least fifteen days before an ordinary meeting a list of business to be transacted as the meeting with explanatory notes on each item.
- . No business, not included in the Agenda, shall be transacted without the permission of the Chairman.
- . The review of progress of the project shall form an item in the agenda of every meeting of the Board.

8. *Minutes:*

- The minutes of every meeting shall be recorded by the Secretary.
- After approval of the minutes by the Chairman, the Secretary shall communicate the decision of the Board to all concerned.

To facilitate action on the decisions taken by the Board, the Secretary will supply draft orders/sanctions to the Government of Madhya Pradesh for issue under the signature of the Secretary to the Government of Madhya Pradesh except in regard to orders/ sanctions concerning the officers and staff of the Board and matters relating to the office of the Board where the sanction will be issued by the Ministry of Agriculture & Irrigation, Department of Irrigation, Government of India.

9. *Decision of the Board*

- All matters brought before any meeting of the Board shall be decided by a majority of the votes of the members present and voting at the meeting.

The decisions of the Board shall be final. Provided that, where with reference to any matter brought before the Board, the Chairman is satisfied that there is a difference of opinion among the members on any question of policy or the rights of any of the Governments of Bihar, Madhya Pradesh and Uttar Pradesh, the Chairman shall refer the matter to the Central Government whose decision thereon shall be final.

Explanation I: {(any member raises in any meeting of the Board a point as to whether a question of policy or whether any rights of the Governments of Bihar, Madhya Pradesh or Pradesh are involved in the consideration of matter before the Board. a decision on the point raised shall be given by the Chairman.

Explanation II: Where any member dissents from any decision so given by that the Chairman. the State Government which is represented by that member. may represent to the Central Government and the decision of the Central Government shall be final.

Part III-The Executive Committee

- 10 *Composition* The Executive Committee shall consist of the following officers as its members, namely

	1. Secretary to the Government of India in the Department of Irrigation, Ministry of Agriculture & Irrigation	<i>Chairman</i>
II	Chairman, Central Water Commission or his nominee	Member
III.	Chairman, Central Electricity Authority or his nominee	Member
IV	Joint Secretary, Department of Power, Ministry of energy, Government of India	Member
V	Financial Adviser, Department of Irrigation, Ministry of Agriculture & Irrigation	Member
VI	Joint Secretary (Ganga Basin), Department of Irrigation, Ministry of Agriculture & Irrigation	Member
VII	Secretary, Finance Department, Government of Madhya Pradesh or his nominee	Member
VIII	Secretary, finance Department, Government of Uttar Pradesh or his nominee	Member
IX	Secretary, Finance Department, Government of Bihar or his nominee	Member
X..	Secretary, Irrigation Department, Government of Madhya Pradesh or his nominee	Member
XI.	Secretary, Irrigation Department, Government of Uttar Pradesh or his nominee	Member

XII.	Irrigation Commissioner-cum-principal Secretary, Irrigation & Power Department, Government of Bihar or his nominee	Member
XIII.	Engineer-in-Chief, Irrigation Department, Madhya Pradesh or his nominee	Member
XIV.	Chief Engineer, Engineer-in-Chief, Irrigation Department, Uttar Pradesh or his nominee	Member
XV.	Engineer-in-Chief, Irrigation Department, Bihar or his nominee	Member
XVI.	Chairman, Madhya Pradesh State Electricity Board <i>or</i> his nominee	Member
XVII.	Chief Engineer, Bansagar Dam Project	Member
XVIII.	Financial Adviser to the Board	Member
XIX.	Secretary to the Board	,Member-Secretary

- 11 The Board may entrust the Executive Committee with such *of* its functions and delegate to the Committee such *of* its power as it may deem fit.

12. Subject to such directions as the Board may give from time to time, the following functions are assigned to and powers delegated to the Executive Committee
- i) To carry out survey and investigations and prepare a comprehensive project report for the construction of the Bansagar Dam, finalize the same after consulting the Government of Madhya Pradesh, Uttar Pradesh and Bihar taking into account the suggestions, if any, made by those Governments and recommend to the Board the project report and estimates indicating inter-alia the allocation of the cost amongst the Governments of Bihar, Madhya Pradesh and Uttar Pradesh for administrative approval.
 - ii) To recommend to the Govt. of M.P. to accord administrative approval to take up works, pending finalization of project report and estimates.
 - iii) To recommend to the Board the standards and specification of the Bansagar project and for the maintenance thereof.
 - iv) To ensure the implementation of the project in an efficient economical and expeditious manner in accordance with a phased programme to be approved by the Board
 - v) To consider and recommend to the Board the delegation of such powers administrative, technical and financial to the Chief Engineer.
 - vi) To consider and approve the delegation of powers administrative, technical and financial to other officers as may be deemed necessary.
 - vii) To approve proposals for the acquisition of land for the Project.
 - viii) To recommend to the Board suitable norms and measures for rehabilitation of persons displaced consequent upon the construction of the Project
 - ix) To approve the cost control methods and agreements for effective quality control and monitoring.
 - x) To approve the budget proposals including supplementary budget proposals and programme of works for each year and to recommend the amounts to be provided by each of the three States in its budget and submit these for the information of the Board
 - xi) To approve the creation of posts for the office of the Board and the field formations, required for the construction of dam and allied works, being executed under control of the Board.
 - xii) To approve proposals for preparation of designs and obtaining expert advice.
 - xiii) To approve all proposals for award of work and for supplies and purchase which are beyond the powers of the Chief Engineer.
 - xiv) To recommend to the Board the changes in scope, stage, development and such other policy matters that may arise during the course of construction of the project.

xv) To receive periodical progress, reports of works and expenditure up to the month preceding the meeting date, from the Chief Engineer, and other concerned officers, review process of different units of the project and lay down steps, to be taken to expedite the work.

xvi) To approve the constitution of Advisory Committee to assist the Executive Committee in efficient discharge of its functions.

xvii) To recommend to the Board the withdrawals of water from the reservoir during the construction period with a view to securing optimum use of water available, consistent with safe and economic construction of the dam and appurtenant works.

xviii) To decide other relevant matters not covered by any of the items mentioned above and falling beyond the powers of the Chief Engineer, the Secretary and the Financial Adviser, provided that the Chairman of the Executive Committee may, when he considers it advisable, refer any particular matter for consideration of the Board.

13. *Meeting of the Executive Committee:*

- The meeting of the Executive Committee shall be held either at Rewa or at project site or in New Delhi, as may be decided by the Chairman of the Executive Committee.
- There shall not be less than one meeting of the Executive Committee in every three months.
- The meeting of the Executive Committee shall be fixed by the Secretary under the orders of the Chairman of the Executive Committee.

14. *Presiding order meetings of the Executive Committee:* At every meeting of the Executive Committee, the Chairman of the Executive Committee shall preside and in his absence, the Chairman of the Central Water Commission shall preside.

15. *Quorum:* Any seven members shall form the quorum at a meeting of the Executive committee. Provided that the Chief Engineer, the Financial Adviser and the Secretary shall not be included in the number of members required to form a quorum.

16. *Agenda:*

- Under the orders of the Chairman of the Executive Committee, the Secretary shall prepare and circulate to every member, at least fifteen days before a meeting, a list of business to be transacted at that meeting.
- No business, not included in the agenda, shall be transacted without the permission of the presiding officer of the meeting.

17. *Minutes:*

- The minutes of every meeting shall be recorded by the Secretary.
- After approval of the minutes by the Chairman of the Executive Committee or the member presiding at such meeting, the Secretary shall communicate the decision of the Executive Committee to all concerned.
- To facilitate action on the decisions of the Executive Committee, the Secretary will supply draft orders/sanctions to the Government of Madhya Pradesh for issue under the signature of the Secretary to the Government of Madhya Pradesh except in regard to orders/ sanctions concerning the officers and staff of the Board and matters concerning the office of the Board where the orders/ sanctions will be issued by the Ministry of Agriculture & Irrigation, Department of Irrigation, Government of India.

18. *Decisions by the Executive Committee:*
Every question brought before any meeting of the Executive Committee shall be decided by a majority of members present and voting at the meeting before which the matter is brought.

Part IV-Emergency Procedure

19. Where the Chief Engineer is of the view that a decision of any particular matter is as required to be taken urgently, he shall make a specific request for the same to the Secretary and simultaneously send a copy of such reference to the Financial Adviser who shall forward it immediately to the Secretary with his comments, if any.
20. On receipt of this reference from the Chief Engineer and comments, if any, from the Financial Adviser, the Secretary shall prepare a note and obtain on it orders of the Chairman of the executive Committee who may before giving such orders, consult the Central water commission, the Financial adviser of the Department of Irrigation, Government of India or any other authority, if he considers it necessary.
21. A copy of the Secretary's note with orders of the Chairman of the executive Committee shall be put up for information of the Executive Committee at its next meeting

Part V-Officers and Employees of the Board

22. *Appointment:* Where the Executive Committee makes any appointment of officers or staff on behalf of the Board, all details concerning such appointment shall be placed before the Board at its next meeting.
22. *Terms and conditions of Service:*
- The Chief Engineer shall be the Chief Executive of the project and shall be appointed by the Government of Madhya Pradesh
 - The Financial Adviser shall be appointed by the Government of India from among the officers of IA&AS Central Services- Group 'A' and Central Secretariat Services and, if suitable officer of the above services is not available, from the fiancé! Accounts' Services of the States.
 - The Secretary shall be a technical officer to be appointed by the Government of India by rotation and shall be in office for a period of two years The first Secretary shall be from Uttar Pradesh followed by an officer from Bihar and then followed by an officer from Madhya Pradesh. Provided that the Board may, after consultation with the Government of Bihar, Madhya Pradesh and Uttar Pradesh reduce or extend the term of office of the Secretary.
 - The pension and leave salary contributions of the Financial Adviser and the Secretary for the period of their deputation with the Board shall be paid to the respective Governments by the Board
 - The other terms and conditions of service of the Financial Adviser and the Secretary shall be the same as applicable to the Central Government officers or corresponding States, as the case may be

Part VI- Budget: Annual Budget, Accounts & Audit

24. *Budget:* The Financial Adviser shall in consultation with the Chief Engineer of the Project on first of November each year or earlier submit to Executive Committee the Budget Estimate for the next financial year under such heads as may be prescribed by the

Executive Committee, showing therein the estimated expenditure (both on Capital and Revenue Account including 'Receipt and Recoveries thereof) and the amount of expenditure which the State Government of Bihar, Madhya Pradesh and Uttar Pradesh will be required to provide. The Executive Committee shall approve the budget proposals with such modifications as it may consider necessary and thereafter submit it for the information of the Board in its next meeting. The Governments of Bihar and Uttar Pradesh shall place at the disposal of Government of Madhya Pradesh such amounts as may be decided by the Executive Committee for the execution of the project.

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Annual Report:

- The Board shall prepare an Annual report within six months at the end of the financial year giving a true and faithful account of the activities of the Board during the preceding financial year. The Annual Report shall give allocation of costs among the three State Governments on the basis of accounts as finalized.
- The payment periodically made by each of the State Governments on the basis of budget estimate shall be adjusted as soon as possible in accordance with the allocation made in the Annual Report.
- Printed copies of the Annual Report shall be made available to the Central Government and the three State Governments by the 15th day of October of the following financial year.

25.

Accounts and Audit:

- The accounts of the Project shall be maintained and audited in such a manner as may be decided in consultation with the Comptroller & Auditor General of India.
- The Financial Adviser shall in each meeting of the Board and the Executive Committee submit for their information a statement showing the position of receipts and expenditure up to the end of the last preceding quarter vis-a-vis the provision in the budget under various sub-heads.