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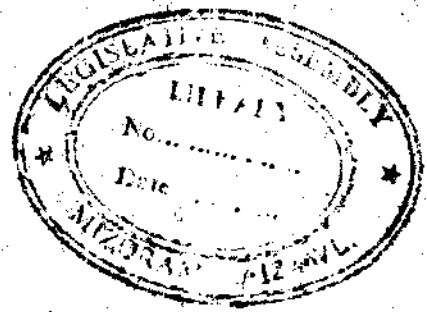
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NOTIFICATION

No. LJD. 122/82/185, the 18th January, 1988. The following Act of the Mizoram Khadi and Village Industries Board (Amendment) Act, 1986 which received the assent of the Governor is hereby published for general information.

Mizoram Act No. 1 of 1988.
The Mizoram Khadi and Village Industries Board (Amend-

ment) Act, 1986.
(Received the assent of the Governor of Mizoram on 14th January, 1988).



Amendment of Section 7 4. In the principal Act, for section 7, the following section shall be substituted, namely :—

Appointment of Financial Adviser and Chief Accounts Officer

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"7. The Government, shall, on the recommendation of the Commission, appoint a person not being a member of the Board to be the Financial Adviser and Chief Accounts Officer of the Board, who shall exercise such powers and perform such duties as may be prescribed. He shall hold office for such period as the Government may, by general or special order, direct and unless otherwise directed by the Government he shall receive his salary and allowances from the fund of the Board."

Amendment of Section 8 5. In the principal Act, in section 8, in the first line of sub-section (1) after the word "may", and before the word "appoint", the words "in consultation with the Board," shall be inserted.

Amendment of Section 11 6. In the principal Act, in section 11, for sub-section (1) the following sub-section shall be substituted, namely :—

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"(1) The Board shall meet at least once in a month. The Chairman may fix the date, time and place of such meetings.

Provided that when the Chairman, in consultation with the Secretary or Chief Executive Officer, decides that an emergency meeting of the Board should be called in the interest of the Board, he shall fix date, time, and place for the same."

Amendment of Section 13 7. In the principal Act, for section 13, the following section shall be substituted, namely :—

Powers, duties and functions of the Chairman, Vice-Chairman, and Secretary.

"13. (1) The Chairman of the Board shall preside over the meetings of the Board. The Chairman may also take certain decisions when the Board is not in session. Such decisions, however, shall be placed before the next meeting of the Standing Finance Committee of the Board or before the next meeting of the Board for ratification where the Board or the Standing Finance Committee, as the case may be, have such powers.

(2) The Vice-Chairman shall exercise such of the powers and perform such of the duties of the Chairman as may be prescribed or as may be delegated to him by the Chairman.

(3) The Secretary shall exercise such powers and discharge such duties as may be prescribed or as may, from time to time, be delegated to him by the Government or by the Chairman."

Insertion of new sub-section (3) under section 14.

8. In the principal Act, in section 14, after sub-section (2) the following new sub-section shall be inserted, namely :—

THE MIZORAM KHADI AND VILLAGE INDUSTRIES
BOARD (AMENDMENT) ACT, 1986

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ACT

further to amend the Mizoram Khadi and Village Industries Board Act, 1982.

Be it enacted by the Legislative Assembly of Mizoram in the Thirty-Seventh Year of the Republic of India as follows, namely:—

Short title and commencement

1. (1) This Act may be called the Mizoram Khadi and Village Industries Board (Amendment) Act, 1986.

(2) It shall come into force at once.

Amendment of Section 4.

2. In the Mizoram Khadi and Village Industries Board Act, 1982 (Mizoram Act No. 3 of 1982) (hereinafter referred to as the principal Act), for section 4, the following section shall be substituted, namely:—

Constitution of the Board

“4. (1) The Board shall consist of not more than eleven members who will be appointed by the Government.

(2) The Board shall consist of a Chairman appointed in the manner specified in sub-section (3) and not less than five and not more than ten other members as the Government may appoint. One of the members shall be a nominee of the Commission and the other will be appointed from amongst the Officers of the Government concerned with the Khadi and Village Industries Programmes and some persons having experience and faith in Khadi and Village Industries Programme.

(3) Unless otherwise decided by the Government, the Minister incharge of Khadi and Village Industries shall be the Chairman of the Board. When any other person is appointed by the Government as Chairman, it shall be done in consultation with the Commission.

(4) The Government may appoint one of the other members as the Vice-Chairman.

(5) The Government shall, after consultation with the Board, appoint one of the other members (other than the Chairman and the Vice-Chairman) as the Secretary of the Board.”

Amendment of section 6

3. In the principal Act, in section 6, after sub-section (2), the passage “provided by the Government of Mizoram for the purpose for the establishment expenses” shall be inserted.

"(3) The Board may delegate such of its financial powers as it deems necessary, to the officers of the Board in-charge of Administration for establishment expenses."

Amendment of Section 15. 9. For section 15 of the principal Act, the following section shall be substituted, namely :—

Standing Finance
Committee

"15. The Board may constitute from among the members of the Board a Standing Finance Committee relating to finances of the Board. The proceedings of the Standing Finance Committee shall be sent to the Government and the Commission within 15 days."

Amendment of Section 17. 10. In the principal Act, in section 17, in sub-section (2) —

(i) for clause (b), the following clause shall be substituted, namely :—

"(b) to help the people by providing them with work in their homes and to give loans and other form of monetary help to individuals, registered co-operative societies and registered institutions";

(ii) in clause (c); after the words "Village Industries" the words "and Handicrafts" shall be inserted.

Amendment of Section 18. 11. In the principal Act, in clause (iii) of section 18 after the words "against the loans," the passage "the Board may also borrow money from other source, like Banks, and may give first or subsequent charge on its assets to the lenders. The Government (which in the instant case will mean the Central Government) shall guarantee repayment of loans on due date or on demand by the Commission," shall be added.

Amendment of Section 19. 12. In the principal Act, in section 19, for sub-section (4), the following sub-section shall be substituted, namely :—

"(4) A contract, not executed in the manner provided in this section and the rules made thereunder and or common seal of the Board not fixed thereto, shall not be binding on the Board."

Amendment of Section 21. 13. In the principal Act, in section 21, for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) In each year, on such date as may be fixed by the Government, the Board shall prepare a programme of work and forward it to the Government and the Commission."

Amendment of Section 22. 14. After section 22 of the principal Act, the passage "the Government shall also inform the Commission of the programme sanctioned by it to the Board", shall be added.

Amendment of Section 24. 15. In the principal Act, for section 24, the following section shall be substituted, namely :—

Power of the Board
to alter schemes.

“24. The Board may, with the previous approval of the Government, make any alteration in any scheme so long as the aggregate amount sanctioned for the scheme is not exceeded :

Provided that for alteration of any scheme financed by the Commission, approval of the Commission, shall be necessary :

Provided further that a report of the alteration shall be sent to the Commission in such form and within such time as may be prescribed.”

Amendment of Section 26. 16. In the principal Act, in section 26, in sub-section (2),—

(i) in the fifth line, for the words “for irrecoverable losses” the words “for irrecoverable loans” shall be substituted ;

(ii) in the last line, after the words “trading activities,” the passage “The management of the reserve fund shall be in such manner as may be prescribed” shall be added.

Amendment of Section 28. 17. In section 28 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) The 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 Government may determine in each case. Establishment expenditure of the Board will be the responsibility of the Government. Similarly, the Government may grant subvention compensating irrecoverable debts.”

Amendment of Section 29. 18. In the principal Act, in section 29,—

(i) in sub-section (3), in the proviso in the third and fourth lines, the passage “except with the previous approval of the Government and the Commission” shall be deleted.

(ii) for sub-section (4) the following sub-section shall be substituted, namely :—

“(4) The Board may, within such limits and subject to such conditions as may be prescribed, re-appropriate and incur expenditure in excess of the limit provided in the budget approved by the Government under any head of expenditure or in connection with any particular scheme so long as the aggregate amount in the budget approved by the Government is not exceeded.”

Provided that prior approval of the Commission shall be necessary for re-appropriation of funds where the Commission has sanctioned the scheme/programme."

Amendment of Section 31. 19. In the principal Act, in section 31, after sub-section (3), the passage "The Board shall send a copy of this annual report to the Commission within one month from the date the same is laid before the Legislative Assembly of Mizoram" shall be added.

Amendment of Section 33. 20. In the principal Act, in section 33 —

(a) after sub-section (2) the passage, "from out of the funds provided by the Government" shall be inserted,

(b) in sub-section (4),

(i) in the fourth line, after the words "to the Government" and before the words "and the Government", the words "and the Commission" shall be inserted;

(ii) in the fifth line, before the words "may issue", the words "or the Commission" shall be inserted.

(c) after sub-section (5) the following new sub-section be inserted, namely :—

"(6) In case the accounts of the Board are not audited by the Comptroller and Auditor General of India or persons authorised by him these may be audited by Chartered Accountants approved by the Board and the Commission".

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Amendment of Section 36 22. In the principal Act, in section 36, in clause (c) of sub-section (1)

(i) in the second line, after the word "notification" and before the word "dissolve" the words "in the Gazette," shall be inserted;

(ii) in the third line, after the words "such period" and before the words "as may be specified," the words "which may be extended by further notification," shall be inserted.