

1. State Sustainable Development Fund Board (Procedure) Rules, 2009

**Azad Government of the State of Jammu & Kashmir
Planning and Development Department
Environmental Protection Secretariat**

‘Muzaffarabad’

Dated: April 11, 2009

NOTIFICATION

No. 1135-45/P&DD/Gen/2009. In exercise of the powers conferred by Section 30 of the Azad Jammu & Kashmir Environmental Protection Act, 2000 (IV of 2000)), read with sub-section (3) of Section 9 thereof, the Government is pleased to make the following rules, namely:—

- 1. Short title and commencement:—** (1) These rules may be called the *State Sustainable Development Fund Board (Procedure) Rules, 2009*.
(2) They shall come into force at once.
- 2. Definitions:—** (1) In these Rules, unless there is anything repugnant in the subject or context;—
 - (a) **“Act”** means the Azad Jammu and Kashmir Environmental Protection Act, 2000 (IV of 2000);
 - (b) **“Agency”** means Azad Jammu & Kashmir Environmental Protection Agency established under Section 5 of the Act;
 - (c) **“Board”** means the State Sustainable Development Fund Board constituted under Section 8 of the Act;
 - (d) **“Chairperson”** means the Chairperson of the Board;
 - (e) **“Committee”** means a Committee of the Board constituted under sub-section (3) of Section 9 of the Act;
 - (f) **“Government”** means Azad Government of the State of Jammu & Kashmir;
 - (g) **“Member”** means a member of the Board; and
 - (h) **“Secretary”** means the Secretary of the Board;
(2) All other words and expressions used in these rules but not defined herein shall have the same meaning as are assigned to them in the Act 2000.
- 3. Meetings of the Board:—** (1) The Board shall meet at the State Capital, or any other place specified by the Chairperson or approved by the Board, at least once in each quarter.
 - (2) The date of the meeting of the Board shall be communicated in writing to the members by the Secretary at least twenty-one days before the date of the meeting.
 - (3) An extraordinary meeting of the Board may be called by the Chairperson on the requisition of not less than six members to consider any urgent matter:

Provided that any such urgent matter shall be clearly specified in the requisition:

Provided further that where in the opinion of the Chairperson it is not possible to convene a meeting to consider such urgent matter, it may be circulated to the members and a decision thereon taken in accordance with the views of the majority of the total membership.

- (4) To constitute a quorum at a meeting of the Board, the member or members present shall be nine.
- (5) Meetings of the Board shall be presided over by the Chairperson and, in the absence of the Chairperson, by a member elected for the purpose by the members present from amongst themselves.
- (6) Members shall not be paid any remuneration for their services by the Board other than daily allowance and / or traveling allowance for attending meetings of the Board.

4. Agenda of the Meetings:— (1) An agenda listing the matters or business to be brought before the meeting, along with an explanatory memorandum or working paper for each matter prepared by the proposers, shall be communicated in writing to the members by the Secretary along with the notice of the date and place of the meeting.

- (2) Subject to sub-rule (3), any member may propose to the Secretary any matter for inclusion in the agenda of a meeting.
- (3) Any matter referred to in sub-rule (2), shall;—
 - (a) fall within the scope of the functions and powers of the Board, as specified in sub-sections (2) and (3) of section 9 of the Act; and
 - (b) be supported by an explanatory memorandum or working paper which clearly and precisely presents the relevant facts and the issues, proposals requiring decision and , in the case of a proposal submitted to the Board for sanction of financial assistance, shall contain such information and details in such format and be accompanied by a fee of five thousand rupees.
- (4) The Chairperson may disallow inclusion of any matter in the agenda which in his opinion fails to meet the conditions specified in sub-rule (3).
- (5) The Secretary shall communicate to the proposer the reasons for the decision to disallow inclusion of any matter in the agenda.

5. Decisions of the Board:— (1) The Board shall make every effort to take decisions by consensus, failing which decisions shall be taken by majority of votes.

- (2) Each member of the Board shall have one vote, but in case of equality of votes, the Chairperson or the person presiding the meeting, shall have a casting vote.

(3) All decisions of the Board shall be recorded in a minute book maintained by the Secretary and shall be authenticated by the signature of the Chairperson or of such other member as may have been authorized by the Board by a resolution.

6. Committees of the Board:— (1) The Board may for facilitating the performance of its functions and ensuring efficient operation of the Fund, constitute Committees of its members including at least one non-official member, and entrust them with such functions as it may deem fit.

(2) The Chairperson of a Committee shall be appointed by the Board at the time of constitution of the Committee.

(3) A Committee shall meet on such date and at such place as may be specified by the Chairperson of the Committee.

(4) One-half of the total number of members of a Committee shall constitute a quorum for its meeting.

(5) The recommendations of the Committee shall be submitted to the Board for approval.

7. Invitations to experts, etc:— The Board, or any of its Committees, may co-opt any technical expert or representative of any Government agency or non-governmental organization or other person possessing specialized knowledge of any subject for assistance in performance of its functions and in disposal of its business but such expert or representative or person shall not be entitled to vote.

8. Travelling and daily allowances:— (1) An official member shall draw travelling allowance and daily allowance for attending the meeting of the Board or of a Committee of the Board from the Government agency from which he draws salary and other emoluments.

(2) A member other than official member shall draw traveling allowance and daily allowance for attending the meeting of the Board or of a Committee of the Board from the Secretary, on such rates and in such manner as are admissible to an employee of the Government in BPS-20.

**Section Officer
Planning & Development Department**

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1. Secretary to the President, GoAJK.
2. Secretary to the Prime Minister, GoAJK.
3. PS to Minister Environment., GoAJK.

4. PS to the Chief Secretary, GoAJK.
5. PS to the Additional Chief Secretary (Gen.), GoAJK.
6. PS to the Senior Member Board of Revenue, GoAJK.
7. PS to the Additional Chief Secretary (Dev.), GoAJK.
8. PS to the Director General Environment, GoAJK.
9. The Accountant General, Azad Kashmir.
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Section Officer