APPENDIX 'A'

RULES OF PROCEDURE
NORTH EASTERN COUNCIL

In exercise of the powers conferred by Sub-section (1) of Section 5 of the North Eastern Council Act, 1971 (Act 84 of 1971), the North Eastern Council hereby makes the following rules, namely:-

Short Title

1. These rules may be called the North Eastern Council Rules of procedure.

2. In these Rules, unless the context otherwise requires:

(1) "Act" means the North Eastern Council Act, 1971.
(2) "Chairman" means the Chairman of the Council.
(3) "Committee" means a Committee appointed by the Council.
(4) "Council" means the North Eastern Council established under Section 3 of the Act.
(5) "Meeting" means a meeting of the Council.
(6) "Member" means a member of the Council.
(7) "Secretary" means the Secretary of the Council.
(8) "Vice-Chairman" means the Vice-Chairman of the Council.

Place of meeting

3. The Council shall, unless otherwise determined by the Chairman, ordinarily meet at Shillong.

Date, Place and time of meetings of the Council.

4. The Council shall meet on such date, place and time as the Chairman may from time to time fix.

Matters of Consideration.

5. (1) Matters shall be brought before a meeting only by direction of the Chairman whose decision on the question whether any matter falls within the Purview of the Council or not shall be final.

(2) A member who wishes to bring any matter for consideration at a meeting shall specify it in a memorandum indicating the salient facts and the points for consideration and send the memorandum to the Secretary who shall obtain the Chairman's direction thereon.

Agenda

6. The Agenda of the meeting shall be prepared with the approval of the Chairman.

Notice of meeting.

7. At least 21 days' notice shall ordinarily be given for any meeting, but in cases of urgency a meeting may be called at such shorter notice as the Chairman may consider sufficient.

Intimation of details to meeting.

8. The Secretary shall inform every member of the place, date and time fixed for the meeting and shall also send him a copy of the Agenda for the meeting as together with such explanatory notes as he may deem necessary indicating the salient facts of each case, the points for consideration and views, if any, of the members or the Governments or the Administrations concerned and any other papers that may be necessary for the consideration of each case included in the Agenda.

Quorum

9. The quorum to constitute a meeting of the Council shall be five of whom not less than four members shall be from among those specified in clauses (b) and (c) of Sub-section (1) of Section 3 of the Act.

9A. If a convened meeting of the Council cannot be held for want of quorum, as prescribed in Rule 9, the meeting shall be adjourned to a later date under the direction of the Chairman and such a meeting shall be known as an adjourned meeting. No quorum will be necessary for an adjourned meeting.

9B. In the case of some emergent items and / or in case of item/s to be decided by the Chairman, the Chairman may direct the Secretary to Circulate a proposal or proposals to the Members for ascertaining their views. The Secretary shall in such cases send to each Member a copy of the proposal/s under consideration along with such explanatory notes and other documents as he may deem necessary, indicating the salient facts of the proposal/s. Each Member shall in such case(s) convey to the Chairman his views on the proposal(s) within two weeks of the receipt of the proposal(s). The Chairman may, after consideration of the views of the Members so received, and after further correspondence with the Members, if necessary, take decision(s) in accordance with the consensus of the views received from the Members, but he shall place the matter before a meeting of the Council, if there is no consensus. Any decision(s) so taken by the Chairman on the basis of the consensus of views received by him from the Members on proposal(s) referred to them, as above, shall be deemed to be the formal view(s) and recommendation(s) of the Council, as if passed at a meeting of the Council and all concerned will be informed of the decision(s) by the Secretariat.

Invitation to Ministers and others.

10. The Chairman may invite a Minister or a Deputy Minister of the Union or a Deputy Minister of the Union or of the State/UT or a member of the Planning Commission to attend any meeting and to take part in the discussions. The invitation will be issued by the Secretary on behalf of the Chairman.

Invitation to outsiders as observers.

11. The Chairman may invite any person to attend any meeting or to participate in the discussions. The invitation will be issued by the Secretary on behalf of the Chairman.

Officers to attend.

12. Besides the nominees of the Ministries of the Central Government indicated in Section 6 of the Act, any officer of a Government/Administration Whose presence may be considered necessary by the Chairman for the consideration of any matter before the Council may be required to attend a meeting thereof.

Record of discussions

13. The Secretary shall keep a record of the discussions and circulate a draft copy of the proceedings of a meeting to the members and the nominees of the Central Government indicated in section 6 of the Act with the request that any changes therein may be suggested within one week of the receipt of the draft copy.

Minutes of the Meeting

14. (1) The proceedings of the meeting shall be finalized after considering any changes suggested under Rule 13 and shall form part of the record of the Council.

(2) A copy of the proceedings of every meeting shall be forwarded to:

(i) The Chairman,
(ii) Every Member,
(iii) the Central Government through the Union Ministry of Home Affairs; and
(iv) the Government/ Administration of each State/ Union Territory represented on the Council through the Chief Secretary of the State/ Union Territory;
(v) the nominees of the Central Government indicated in Section 6 of the Act.

Proceedings to be Secret

15. The Proceedings of a meeting shall, unless otherwise directed by the Chairman, be SECRET.

Supply of information to the Council.

16. The Secretary, shall subject to such direction as the Chairman may give from time to time, be competent to call upon the Government/ Administrations of the member States/ Union Territories to supply such information and Documents as may be required to enable the Council to discharge its functions conveniently.

Action taken on the Council's Recommen-dations to be Reported.

17. (1) the Secretary, shall subject to such directions as the Chairman may give from time to time, ascertain from the Governments and Administrations concerned the action taken on the Council's recommendations

(2) for purpose of Sub-rule (1) the Secretary may undertake all necessary correspondence and shall prepare a quarterly summary indicating the action taken by the Governments and Administrations and send a copy thereof to the Chairman, every member, the Central Government through the Union Ministry of Home Affairs, the Governments/ Administrations of the member States/ Union Territories and the nominees of the Central Government indicated in Section 6 of the Act.

Directions of the Chairman

18. The Chairman may give such general or special directions as he may consider necessary for the orderly and prompt disposal of the business of the Council.

Appointment Committee(s)

19. The Council may direct the appointing of a Committee or Committees of consisting of member or members of the Council and such other persons as the

Council may determine to deal with specific questions, the terms of reference of Which shall be laid down by the Council.

Resolution of the Council appointing a Committee

20. (1) The Resolution by which a Committee is appointed shall specify –

(i) the names of the members of the Committee including the Convener;
(ii)the function or functions of the Committee and
(iii)the time limit, if any, within which the Committee shall make a report of perform any other functions.

(2) Where the Chairman or the Vice-Chairman is appointed as member of a Committee, he shall act as its Convener.

(3) If the Convener of a Committee is unable to attend any meeting thereof, any other member chosen by the members present from amongst themselves shall preside at the meeting of the Committee.

Quorum of Committee

21. The quorum to constitute a meeting of a Committee shall be, as near as may be, one third of its membership, but shall not be less than two.

22.(1) A Committee shall meet as frequently as may be necessary at a place and time as directed by the Convener and shall make a report to the Council within the specified time limit;

Provided that where no time limit has been specified, the Committee shall make a report within three months from the date of its appointment;

Providing further that the Chairman, may at any time, on a request being made, direct that the time for the presentation of a report by the Committee be extended to a date specified by him.

(2) The report of a Committee may be interim or final and the Committee may seek from the Council such clarification in regard to its functions as may be necessary.

(3) The report shall be signed by the Convener of the Committee or, in his absence, by any member thereof, so authorized by the Committee and shall be given to the Secretary of the Council.

Consideration of Committee's Report

23. As soon as may be after a Committee's report has been received, it shall, unless otherwise directed by the Chairman, be placed for consideration at the next meeting of the Council.

Power to give directions to a Committee.

24. The Chairman may give such directions as he may consider necessary for regulating the procedure of a Committee.