REGD. NO. D.L.-33004/94

The Gazette of India

EXTRAORDINARY

PART III - Section 4

PUBLISHED BY AUTHORITY

No. 2] NEW DELHI, TUESDAY, JANUARY 25, 1994/MAGHA 5, 1915

MINISTRY OF COMMERCE

(Agricultural and Processed Food Products Export Development Authority)

NOTIFICATION

New Delhi, the 18th January, 1994

F. No. Sec./AIR/02/93. – In exercise of the powers conferred by section 33 of the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986) the Agricultural and Processed Food Products Export Development Authority with the various approval by the Central Government, hereby makes the following regulations, namely;

CHAPTER I

Preliminary

1. Short title and commencement – (1) These regulations may be called the Agricultural and Processed Food Products Export Development Authority Regulations 1986.

(2) They shall come into force on the date of their publication in the official Gazette..

2. Definitions. – In these regulations unless the context otherwise requires :

(i) "Act" means the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986);

(ii) "Chairman" means the Chairman of the Authority;

(iii) "Secretary" means the Secretary to the Authority, appointed under Section 7;

(iv) "Section" means a section of the Act;

(v) "Year" means the financial year commencing on the first day of April and ending with the 31st day of March next following.

CHAPTER II

Procedure for meeting of the Authority

2. **Meetings of the Authority. –** (1) (a) Ordinary meetings. – There shall be not less than two ordinary meetings of the Authority in a year on such dates and at such places as the Chairman may think fit and interval between any two ordinary meetings shall not in any case, be longer than eight months.

(b) **Special meetings**. – The Chairman, in case of urgency at any time may call a special meeting of the Authority and may do so if a requisition for a meeting is presented to him in writing by atleast ten members.

(2) The Chairman may require any officer of the Authority or invite any person to attend any meeting of the Authority, but such officer or person shall not be entitled to vote.

(3) Notwithstanding anything contained in this regulations, the Central Government, may at any time, call a meeting of the Authority.

4. **Notice for the meetings**. – At least 14 clear days before any ordinary meeting of the Authority, notice of the time and place of the intended meeting signed by the Secretary shall be sent to the Central Government and left at or posted to the address of every member.

5. **Quorum. –** (1) No business shall be transacted at a meeting of the Authority unless there are present at such meeting at least ten members.

(2) If at any time the number of members at a meeting is less than the number of the members specified in sub-regulation (1), the person presiding shall adjourn the meeting to a date not later than three days from the date of such meeting after informing the members of the date, time and place of the adjourned meeting and it shall thereupon be lawful for the person presiding at such adjourned meeting to dispose of the business intended to be transacted at the original meeting, irrespective of the number of members present.

6. **Chairman of meetings.** – The Chairman shall preside every meeting of the Authority and in his absence, the members present at the meeting shall elect one from among themselves to preside over such meeting.

7. **Agenda. –** (1) The Chairman shall cause to be prepared and circulated to the Central Government and among the members of the Authority at least ten days before a meeting of the Authority in case of ordinary meetings a list of business to be transacted at such meetings.

(2) No business not included in the Agenda shall be transacted at a meeting of the Authority without the permission of the Chairman.

8. **Voting.** – (1) Every question brought before a meeting of the Authority shall be decided by a majority of the members present and voting.

(2) In the case of an equality of Votes, the Chairman or the member presiding over such meting shall have a second or casting vote.

9. **Business by circulation.** – (1) Any business which is to be transacted by Authority may, if the Chairman so directs, be referred to members (other than members who are not in India) by circulation of papers and copies of papers so circulated shall also be sent to the Central Government.

(2) Any proposal or resolution circulated under sub-regulation (1) and approved by the majority of the members who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members at a meeting :

Provided that at least ten members of the Board have approved the proposal or resolution :

Provided further that when a proposal or resolution is referred to the members by circulation, any ten members may require that the proposal or resolution be referred to members at a meeting of the Authority.

(3) Where any business is referred to members under sub-regulation (1), a period of not less than ten clear days shall be allowed for the receipt of replies from members and such period shall be reckoned from the date on which the notice of business is issued.

(4) If a proposal or resolution is circulated under this regulation the result of the circulation shall be communicated to all members and to the Central Government.

(5) All decisions on questions arrived at by circulation of papers shall be placed at the next meeting of the Authority for record.

10. **Record of business.** – (1) A record of proceedings shall be maintained by the Secretary of all items of business transacted by the Authority and copies of such record shall be forwarded to the Central Government.

(2) When a business is transacted by circulation of papers under regulations (9), a record of business so transacted shall be signed by the Chairman.

(4) The record of business transacted at every meeting of the Authority shall be signed by the Chairman, or the member presiding over such meeting as the case may be.

GOKUL PATNAIK, Chairman

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EXTRAORDINARY

PART III - Section 4

PUBLISHED BY AUTHORITY

No. 68] NEW DELHI, TUESDAY, AUGUST 19, 1999/SRAVANA 28, 1921

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 11th August, 1999

F. No. 11/5/86-EP (Agri-IV). – In exercise of the powers conferred by section 33 of the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986) and in supersession of The Agricultural and Processed Food Products Export Development Authority Regulation 1986 except as respect things done or omitted to be done before such supersession, The Agricultural and Processed Food Products Export Development Authority, with the previous sanction hereby makes the following regulations, namely;

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CHAPTER I

Preliminary

1. **Short title and commencement** – (1) These regulations may be called the Agricultural and Processed Food Products Export Development Authority Regulations 1999.

(2) These shall come into force on the date of their publication in the official Gazette..

2. **Definitions.** – In these regulations, unless the context otherwise requires :

(i) "Act" means the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986);

(ii) "Authority" means the Agricultural and Processed Food Products Export Development Authority Act, 1985 (2 of 1986);

(iii) "Chairman" means the Chairman of the Authority;

(iv) "Committee" means any of the Committees appointed by the Authority under section 9 of the Act;

(v) "Competent Authority" means the Chairman of Agricultural and Processed Food Products Export Development Authority;

(vi) "Director" means the Director of the Authority;

(vii) "Employee" means any person in the full time employment of the Authority irrespective of the scale of pay or status;

(viii) "Government including Central Government" means Government of India in the Ministry of commerce or, in any other context, in the appropriate Ministry;

(ix) "Member" means member of the Authority and includes the Chairman;

(x) "Register" means Register of Exporters maintained by the Authority as a record of all such persons registered by it as exporters under section 12 of the Act;

(xi) "Registered Exporters" means an exporter registered under section 12 of the Act;

(xii) "Regulations" means regulations made under the Act;

(xiii) "Schedule" means the Schedule of the Act;

(xiv) "Schedule Products" means any of the agricultural or processed food products included in the Schedule to the Act;

(xv) "Secretary" means the Secretary to the Authority, appointed under Section 7 of the Act;

(xvi) "Section" means a section of the Act;

(xvii) "Year" means the financial year commencing on the first day of April and ending with the 31st day of March next following.

CHAPTER II

Procedure for meeting of the Authority

3. **Meetings of the Authority.** – (1) There shall be not less than three ordinary meetings of the Authority in a year on such dates and at such places as the Chairman may think fit and interval between any two ordinary meetings shall not in any case, be longer than six months. The first meeting of the Authority shall be held in the first quarter of every financial year.

(2) The Chairman may, in case of urgency, at any time, call a special meeting of the Authority and may also do so if a requisition for such meetings is presented to him in writing by alteast eight members, setting out therein the purpose of the Meeting requisitioned and the business to be considered there at.

4. **Power of Chairman to invite:** The Chairman may invite any officer of the Authority or any other person to attend any meeting of the Authority, and any such invitee may participate in the proceedings of the meeting but such officer or person shall not be entitled to vote.

5. **Power of Central Government to call meetings:** Notwithstanding anything contained in these regulations, the Central Government may, at any time, call a meeting of the Authority.

6. **Notice of ordinary meetings**. – Atleast 14 clear days before any ordinary meeting of the Authority, intimating the time, date and place of the intended meeting signed by the Secretary shall be sent to the Central Government and left at or posted to the address of every member.

7. **Quorum**. – (1) No business shall be transacted at a meeting of the Authority unless there are present at such meeting atleast eight members, including the Chairman.

(2) If at any time the number of members at a meeting is less than the number of the members specified in sub-regulation (1), the person presiding shall adjourn the meeting after informing the members of the date, time and place of the adjourned meeting and it shall thereupon be lawful for the person presiding at such adjourned meeting to dispose of the business intended to be transacted at the original meeting, irrespective of the number of members present.

8. **Chairman of meetings.** – The Chairman shall preside every meeting of the Authority and in his absence, the members present at the meeting shall elect one from among themselves to preside over such meeting.

9. **Agenda.** – (1) The Chairman shall cause to be prepared and circulated to the Central Government and among the members of the Authority at least ten days before a meeting of the Authority in case of ordinary meetings a list of business to be transacted at such meetings.

(2) No business not included in the Agenda shall be transacted at a meeting of the Authority without the permission of the Chairman.

Provided that it shall be lawful to amend or add to the agenda subsequent to its issue.

10. **Voting.** – (1) Every question brought before a meeting of the Authority shall be decided by a majority of the members present and voting.

(2) In the case of an equality of Votes, the Chairman or the member presiding over such meting shall have a second or casting vote.

11. **Business by circulation**. – (1) Any business which is to be transacted by Authority may, if the Chairman so directs, be referred to members (other than members who are not in India) by circulation of papers and copies of papers so circulated shall also be sent to the Central Government.

(2) Any proposal or resolution circulated under sub-regulation (1) and approved by the majority of the members who have recorded their views in writing shall be as effectual and binding

as if such proposal or resolution were decided by the majority of the members at a meeting :

Provided that at least eight members of the Board have approved the proposal or resolution:

Provided further that when a proposal or resolution is referred to the members by circulation, any eight members may require that the proposal or resolution be referred to members at a meeting of the Authority.

(3) Where any business is referred to members under sub-regulation (i), a period of not less than fifteen clear days shall be allowed for the receipt of replies from members and such period shall be reckoned from the date on which the notice of business is issued.

(4) If a proposal or resolution is circulated under this regulation the result of the circulation shall be communicated to all members at the next meeting of the Board by way of a mention on record in the Agenda papers and to the Central Government.

12. **Papers to be placed before the Authority** – All papers relating to questions so decided by circulation of papers shall be placed at the next meeting of the Authority for record.

13. **Record of business**. – (1) The Secretary of the Authority shall attend all meetings of the Authority and record of proceedings be maintained by him of all items of the business transacted thereat. Copies of such record shall be forwarded to the Central Government within thirty days from the date of the said meeting.

Provided that if for any reasons the Secretary is unable to attend any meeting of the Authority, it shall be lawful for an incumbent upon any other functionary, the Chairman may for this temporary purpose designate, to write the record of the proceedings.

(2) When a business is transacted by circulation of papers under regulations (9), a record of business so transacted shall be signed by the Chairman.

(3) The record of business transacted at every meeting of the Authority shall be signed by the Chairman, or the member presiding over such meeting as the case may be.

(4) Every decision and direction of the Authority shall be recorded, referred to and communicated as resolution of the Authority.

CHAPTER - III

COMMITTEES OF THE AUTHORITY

14. **Appointment of Committee** – The Authority shall at its first meeting to be held during the first quarter of every financial year by resolution appoint the following Committee, namely:-

(A) **An Executive Committee**

(B) A Committee hereinafter referred to as Product Committee for each of the following product group which shall hold office for a period of one year from the date of their formation:-

a) Fresh and Processed Fruits and Vegetables and other processed and miscellaneous products.

b) Animal Products.

c) Floriculture, Seeds and Cereals

The **Executive Committee** shall consist of :-

(i) The Chairman, who shall be the ex-officio Chairman thereof:
(ii) Director of Agricultural and Processed Food Products Export Development Authority (APEDA)
(iii) Director/Deputy Secretary incharge of Export Promotion (Agriculture) Division in the Ministry of Commerce:
(iv) Director/Deputy Secretary(Finance) in the Ministry of Commerce.
(v) The Secretary; and
(vi) Five other members to be elected by members of the Authority from amongst themselves, in such manner as may be laid down by the Authority.

The **Product Committee** for each of the product group shall consist of:-

(i) The Chairman who shall be the ex-officio Chairman thereof:

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(ii) Director of Agricultural and Processed Food Products Export Development Authority

(iii) The Secretary or an office of the Agricultural and Processed Food Export Development Authority concerned with the product group nominated by the Chairman.

(iv) Five members to be elected by the members of the Authority from amongst themselves in such manner as may be laid down by the Authority

15. **Functions of the Committee –** (1) Subject to such restrictions as may be imposed by the Authority, the Executive Committee shall in addition to such functions as have been specifically assigned to it under these regulations discharge any other functions of the Authority in regard to matters not specifically assigned hereunder to the Product Committee.

(2) Subject to such restrictions as may be imposed by the Authority, the Committee for each product group shall discuss, advise recommend and decide on all technical matters related to Scheduled Products assigned to the Committee.

Powers of the Executive Committee and Product Committee(s)- Each of the Committees of the Authority shall have all the powers of the Authority itself and every decision taken by any of the Committee shall be treated as a decision of the Authority, provided that every decision of each of the Committee of a policy nature or having financial implications of Rs.5 lakhs or above by way of an outgo of the funds of the Authority or of the Government shall be communicated to all the members of the Authority, and implementation thereof shall be withheld if eight or more members object to the decision within 14 days of the date of issue of the intimation of the decision to them.

16. **Power of Authority to review and revise** – The Authority shall have the right and power to review, alter, and to or amend any decision of any Committee at any Special or Ordinary Meeting of the Authority, subject the condition that contracts already entered or executed or portions of the decisions under review already implemented shall not be subject to alteration or amendment or review by the Authority.

17. **Constitution of Executive Committee and Product Committee** – (1) The Authority shall at an ordinary meeting decide the membership of each Committee.

(2) A person nominated to a Committee by the Authority shall hold that office till he remains a Member of the Authority or the tenure of the Committee whichever is earlier.

18. **Adhoc Committee –** (1) The Authority may at any ordinary or special meeting decide to constitute one or more Committees other than the Executive Committee or Product Committee for each product Group for such purposes and with such powers, functions and duties as it may consider appropriate:

(2) And may appoint there to members from amongst the members of the Authority for such period as it may determine.

(3) Every such Committee other than the Executive Committee or Product Committee shall discharge only such functions and duties as are entrusted to it and shall exercise only such powers as are conferred upon it by the Authority.

19. **Implementation of decisions of the Committee subject to sanction of Chairman -** No decision of any Committee shall be implemented without the specific sanction of the Chairman.

CHAPTER II

Procedure for meeting of Committees

20. **Power of Chairman to call meeting** – The Chairman may, at any time, call a meeting of a Committee and may also do so if a requisition for a meeting of the Committee is presented to him in writing by at least one half of the total number of members of that Committee, stating therein the purpose of the requisitioned meeting and the business to be transacted.

21. **Notice of meeting –** (1) The Chairman may require any officer of the Authority or invite any other person to attend any meeting of the Committee by the officer or person so required or invited but he shall not be entitled to vote at such meetings.

(2) At least 15 clear days notice of the time and place of the intended meeting signed by the Secretary shall be left at, or posted to, at the address of every member of the Committee.

22. **Special meeting at short notice**. – In case of urgency, special meetings of a committee at a shorter notice as may be necessary and practicable may be summoned at any time by the Chairman, who shall inform in advance the members thereof, of the subject matter for discussion and the reason for which he considers the summoning of such meeting urgently:

Provided further that no ordinary business shall be transacted at such special meetings of a Committee.

23. **Central Government to be given notice –** Notice of every meeting of a Committee shall be sent to the Central Government.

24. **Agenda.** – (1) The Chairman of the Committee shall cause to be prepared and circulated to all the members of the Committee, at least 15 days before a meeting of the Committee, a list of business to be transacted at such meeting.

(2) No business, not initially or subsequently included in the Agenda, shall be transacted at a meeting of a Committee, without the permission of its Chairman.

(3) The minutes of the Committee shall be prepared and circulated to the members as well as the Central Government within 15 days from the date of each meeting.

25. **Quorum.** – (1) The quorum for a meeting of any Committee shall be one fourth of the total number of members of such Committee.

(2) If at any time the number of members present at a meeting of a Committee is less than the number specified in sub-regulation(i), the person presiding shall adjourn the meeting to a date not later seven days from the date of the meeting and inform all the members of the Committee about the date, time and place of the adjourned meeting and it shall thereupon be lawful for the person presiding to dispose of, at such adjourned meeting, the business interceded to be transacted at the original meeting, irrespective of the number of members attending.

26. **Presiding officer of meeting –** (1) The Chairman shall preside over the meetings of a Committee, and in the absence of the Chairman, a person elected by the members of the Committee from amongst the members present shall preside over such meetings.

(2) All questions which may come up for decision before a meeting of any Committee shall be decided by a majority of the members thereof present and voting at such meeting and in the event of an equality of votes, the person presiding over such meeting shall have second or casting vote.

(3) All votes at a meeting shall be taken by show of hands unless the person presiding over such meeting decides that the votes shall be taken by secret ballot.

(4) Any business which has to be transacted by a Committee may, if the Chairman so considers necessary, be referred to the members of such

Committee (other than the members who are absent form India) by circulation of papers.

(5) Any proposal or resolution circulated and approved by a majority of the members of such Committee who have recorded their views in writing shall be as effectual and binding as if such proposal or resolution were decided by the majority of the members of such Committee at a meeting:

Provided that if three members of such a Committee require that the proposal of resolution be referred to members at a meeting of the Committee, the proposal or resolution shall be placed at a meeting of the Committee.

(6) Where a proposal or resolution is referred to the members of a Committee by circulation of papers under sub regulation (iv), a period of not less than ten days shall be allowed for the receipt of replies and such periods shall be reckoned from the date on which such proposal or resolution is circulated.

(7) If a proposal or resolution is circulated under this regulation, the result of circulation shall be communicated to all members of the Committee.

(8) All decisions arrived at by circulation of papers shall be placed at the next meeting of the Committee, for record.

(9) Copies of any proposal or resolution and the result of circulation of papers shall also be sent to the Central Government at the time of its circulation or communication, as the case may be, to the members of the Committee.

27. **Record of business -** The Secretary of the Authority and in his absence any other office of the Authority so required by the Chairman shall function as the Secretary of each Committee and shall attend all meetings of the Committee and maintain a record of the proceedings of all meetings of the Committee which shall be signed by the Chairman. Separate Proceedings Books shall be maintained for each Committee.

CHAPTER-V

Methods of Recruitment, conditions of service, etc of employees of the Authority

28(1). Appointment to the service of the Authority may be made by any one of the following methods:

(a) Direct Recruitment
(b) Promotion
(c) Deputation from the Central Government or a State Government or from any other Government/autonomous organizations.
(d) Contract Appointment

(2) For the purpose of determining method of direct recruitment, the various cadres in the Authority may be categorized as follows:-

Group A - A post carrying a pay or a scale of pay with a maximum of not less than Rs.13500/-

Group B - A post carrying a pay or a scale of pay with a maximum of not less than Rs.9000/- but less than Rs.13500/-

Group C - A post carrying a pay or a scale of pay with a maximum of not less than Rs.4000/- but less than Rs.9000/-

Group D - A post carrying a pay or a scale of maximum of which is Rs.4000/- or less.

(3) Recruitment to Group B, C and D posts shall be made by notifying vacancies to the Employment Exchange and if deemed fit, Directorate General of Resettlement, provided that in the event of vacancies in question of Group B, C and D posts in respect of which the Chairman considers previous experience desirable, recruitment may be made by advertising the post also.

(4) In case of Group A posts, recruitment shall be made on the basis of selection from amongst the candidates fulfilling minimum eligibility criteria as may be laid down and answering to be advertisement in this behalf on All India basis, inviting applications.

(5) Preliminary competitive tests and interviews may be conducted both for the purpose of initial short listing of candidates and for final selection as may be decided by the Chairman, Executive Committee or Authority as the case may be in respect of posts within their respective jurisdictions.

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(6) No person.

(a) who has entered into or contracted a marriage with a person having a spouse living or

(b) who having a spouse living has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post:

Provided that the Central Government may if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

(7) Before making an appointment to a post under the Authority, it shall be lawful for the Authority to do any or all the following:-

(a) Seek production of proof of good character of the candidate.

(b) Seek furnishing of declaration as to marital status and all other particulars necessary to establish the identity of the proposed appointee, his address and whereabouts, his antecedents etc.

(c) Seek proof of sound mental and physical health and may, for that purpose in addition direct that such certificate of health be also obtained from a Panel Specialist or Physician nominated by the Authority.

(d) Verify antecedents of the proposed appointee to ensure his suitability for appointment under the Authority.

(8) "Every person appointed to a post under the Authority shall be on probation as per provisions thereto specified in the Recruitment Rules to be notified separately with the approval of the Central Government".

(9) The Chairman may devise and prescribe such forms, procedures, proformae, etc. as may be necessary and appurtenant to sub regulations (5) (6) and (7) above.

(a) The Chairman shall be the appointing authority for all posts carrying the scale of pay, the maximum of which is less than Rs.13,500/- provided that all appointments made by him are against the posts sanctioned by the Central Government and shall be reported by

him to the Executive Committee of the Authority and to the Central Government.

(b) All appointments to the post carrying the scale of pay, the maximum of which is not less than Rs.13,500/- shall be made by the Central Government as per the instructions issued in this behalf form time to time either through deputation of suitable officer from Central/State Governments or through direct recruitment.

(c) The Chairman may devise such ways as he deems fit and necessary to assist him in the process of recruitment of suitable persons.

(d) The Executive Committee may devise such ways and procedures as it deems fit to assist it in the recruitment of suitable persons. Where however no such procedures are prescribed, the Chairman shall take all steps in this behalf upto the stage of final selection by the Executive Committee and shall appoint the person selected by the Committee.

(e) The Chairman or committee may coopt otherwise seek the assistance of outside experts to assist in the work of recruitment and selection and when such cooption is for the purpose of assistance at interviews an honorarium fixed in this regard with prior approval of the Central Government may be paid to the person so coopted.

(f) The Authority may contract services, as deemed fit. No contract appointments of more than 6 months duration and/or having basic monthly remuneration of Rs.1800/- or more shall be made without prior approval of the Central Government.

(g) Notwithstanding anything contained in the Regulations, there will be no bar to any employee of the Authority being considered for any appointment on promotion or otherwise in the Authority in relaxation of any age bar, provided that:-

i) the employee possesses the other requisite qualifications, and
ii) the employee is considered suitable for the post.

(h) Recruitment for various posts in the Agricultural and Processed Food Products Export Development Authority shall be made in accordance with the provisions of recruitment rules for such posts to be notified separately with the approval of the Central Government.

CHAPTER VI

FINANCE, BUDGET AND ACCOUNTS OF THE AUTHORITY

29 **Budget Estimates:-** (1) The Authority shall, in each financial year, prepare a budget for the Agricultural and Processed Food Products Export Development Authority for the next financial year and shall submit it for sanction of the Central Government on or before such dates as may be specified from time to time by the Central Government.

(2) No expenditure should be incurred until the budget is sanctioned by the Central Government and the sanction for that expenditure by the Competent Authorities is received.

(3) The budget shall include a statement of:-

(a) the estimated opening balance;
(b) estimated receipts referred to in sub-section (i) of Section 16 of the Act;
(c) the estimated expenditure classified under various heads and sub-heads as the Central Government may from time to time direct;

(4) Supplementary estimated expenditure, if any, shall be submitted for sanction of the Central Government in such form and on such dates as may be directed by it in this behalf.

(5) Re-appropriation between heads and sub-heads of expenditure shall not be made save with the previous sanction of the Central Government.

CHAPTER VII

DELIGATION OF POWERS

30 **Powers to sanction expenditure:-** (1) A Deputy Director/ Manager or any other Officer of the Authority specified as Head of Office by the Chairman shall have power to sanction expenditure upto Rupees five hundred recurring and upto Rupees one thousand non-recurring relating to office contingencies, supplies and services on any single item subject to availability of the budget provisions relating to that item.

The Chairman may delegate his financial powers to the officers of the authority in pursuance of the Delegation of Financial Power Rules of the Central Government.

(2) An Assistance Director or officer of equivalent rank shall have power to sanction expenditure upto Rupees five hundred non-recurring for office contingencies, supplies and services on any single item at a time subject to availability of the budget provisions relating to that item.

31 **Power to write off loses, enter into and execute contracts and leas deed.:-** (1) The Chairman shall have power to write off as irrecoverable losses upto an amount of Rupees five hundred as irrecoverable and the Secretary shall have power to write off losses as irrecoverable upto an amount of two hundred and fifty rupees.

(2) The Authority may write off losses incurred by it up to rupees ten thousand, if the loss is due to theft, fraud and negligence in any single case and up to rupees twenty thousand in any single case, where such loss relates to public money, revenue or receipts, stores or other property held by or on behalf of the Authority, subject to observance of general conditions on the subject issued by the Central Government from time to time. The total amount in writing off losses in shall be done with the prior approval of the Central Government.

(3) The Chairman shall have power to enter into contracts which do not extend over a period of more than three years and also do not involve an expenditure of more than rupees fifty thousand. The Authority may enter into any contract for the discharge of its functions under the Act:

Provided that every agreement or contract for technical collaboration or consultation with firms or foreign Government shall require the prior sanction of the Central Government.

(4) The Chairman shall have power to execute lease deeds and power of attorney.

(5) The Secretary shall have power to execute such lease deeds and power of attorney the terms and conditions of which have been approved by the Chairman.

(6) The Chairman shall be controlling officer in respect of his own traveling, daily allowances and other the members, officers and employees of the Authority.

Provided that the Chairman may appoint an officer of the Authority to be the Controlling Officer in respect of traveling daily allowance for an employee of the Authority in the scale of pay, the minimum of which does not exceed Rs.3050/- per month or its, equivalent.

(7) All cheques and all orders for making deposit or investment or withdrawals of the sums or for the disposal in any other manner of the funds of the Authority shall:-

(a) If the cheques or orders are for an amount not exceeding Rs.25000/-, be signed by the Secretary or, n his absence, any other office nominated by the Chairman.

(b) If the Cheques or orders are for an amount exceeding Rs.25000/-, be signed by the Secretary and an officer nominated by the Chairman and in the absence of the Secretary, such cheques shall be signed by such two officers nominated by the Chairman.

32. **Power as to pay and allowances, leave and other conditions of Services of officers and other employees:-** (1) Pay and allowance, leave and other conditions of services including age of superannuation and other facilities such as advance of pay, advances for the purchase of conveyance, construction of houses and the like, in respect of officers and employees appointed by the Authority shall, if no provision is made in these Regulations or otherwise, be regulated in accordance with such Rules and Regulations as are for the same being applicable to officers and employees of the Central Government of the corresponding grades or status stationed at these places except for provisions related to post retirement benefits such as pensions, General Provident Fund, medical reimbursement.

(2) Except as otherwise provided specifically, every employee of the Authority whose age of retirement is currently 58 years shall retire from service on the afternoon of the last day of the month in which he/she attains the age of 60 years. However, employees whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 60 years.

(3) There shall be complete ban on extension in service of its officers and employees beyond the age of superannuation except in cases where exceptional circumstances exist justifying extension in service, it shall be granted with the prior sanction of the Central Government, on a case to case basis.

33. **Powers regarding deputation abroad:-** The Authority shall not send any of its officer or any member of the Authority to places outside India without the previous sanction of the Government of India in the Ministry of Commerce.

S.M. ACHARYA, Jt. Secy
[No. Adv-3/4/Exty/153/99]

Footnote :- The principal notification was issued vide F.No.SEC/AIR/02/93 dated 18th January 1994

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