

HOUSING BOARD HARYANA (REGULATIONS OF BUSINESS)

REGULATION 1980

THE 16TH OCTOBER. 1981

No. 66/12/B-in exercise of the powers conferred by clause (c) of section 74 Haryana Housing Board Act, 1971 (Haryana Act 20 of 1971). And with the previous sanction of the State Government conveyed, vide their Memo No. 3/9/80- IHG dated the 22nd July, 1981, 30th September, 1981 the Housing Board Haryana, hereby makes the following regulation, namely :-

1. Short Title- These regulations may be called "Housing Board Haryana (Regulations of Business) Regulations, 1980
2. (i) in these regulations unless there is any thing repugnant to the subject as context:-
 - (a) 'Act' means the Haryana Housing Board Act, 1971 (Act 20 of 1971), and shall include any statutory amendment, modification or re-enactment thereof for the time being in force.
 - (b) Government means the Government of the State of Haryana.
 - (c) 'Board' means the Housing Board Haryana, Constituted by Government under section 3 of the Act and shall include its successors and assigns.
 - (d) 'Chairman' means the Chairman of the Board duly appointed by the Government under section 3 of the Act.
 - (e) Chief Administrator' means the Chief Administrator of the Board duly appointed by the Government under section 3 of the Act.
 - (f) 'Member ' means a member of the Board duly appointed under section 3 of the Act.
 - (g) 'Section ' means a branch of the administrative set up of the Board's head Office dealing with a particular subject.
 - (h) 'Schedule' means a schedule appended to these regulations.
 - (ii) Other terms and expressions used in these regulations shall have the meanings respectively assigned to them under the Act and the Rules framed there under as amended from time to time.
 - (ii) The employees of the Board shall be classified as class I, ii, iii, & iv on the pattern of Haryana Government.

PART I: ALLOCATION AND DISPOSAL OF BUSINESS

3. The Chief Administrator of the Housing Board shall be the Chief Executive Officer of the Board.
4. (1) Subject to the provisions of regulations No. 10 of these Regulations, all cases referred to in the first Schedule shall be brought before the Board in accordance with the provisions contained in part II of these regulations.
 - (2) (i) All cases referred to in second schedule 'A' may be disposed of by the Chairman of the Board on its behalf.
 - (ii) All cases referred to in second schedule 'B' may be disposed of by the Chief Administrator of the Board on its behalf.
5. (1) No section shall without previous consultation with the Finance Section authorize any orders (other than orders pursuant to any general delegation made by the Board)-

- (a) Which immediately or by consequent repercussions in any manner affect the fund of the Board, or
 - (b) relate to the number grading or cadre of posts or the emoluments or other conditions of service of posts.
 - (2) No appropriation shall be made by any section other than Finance Section , except in accordance with such general delegating as the Board may have made .
 - (3) Except to the extent that power may have been delegated to a section by the Board, every order of an Administrative Section conveying sanction to be enforced in audit shall be communicated to the audit authority by the Finance Section.
6. All orders or instruments made or executed by or on behalf of the Board shall be expressed to be made or executed in the name of the Board.
7. Every order or decision of the Board shall be authenticated by the Signatures of the Chief Administrator and all other instruments issued or executed by or on behalf of the Board shall be authenticated by the signatures of secretary or such other officer as may be specially empowered by the Board in this behalf. The orders or decisions of the Board after their due authentication by the chief Administrator as above may be communicated by the Secretary or such other officer as may be specially empowered by the Board in this behalf.

PART-II- PROCEDURE OF THE BOARD

8. The Secretary will put up cases in the meetings of the Board.
9. All cases referred to in the first schedule shall be submitted to the Chief Administrator with a view to obtaining his order for circulation of the case under regulations 10 or for bringing it up, for consideration at a meeting of the Board .
10. Cases brought before the Board shall be accompanied by a memorandum, indicating with sufficient precision the salient facts of the case and the points for decision. Such Memorandum and such other relevant papers as are necessary to enable the case to be disposed of, shall be circulated to the Members.
11. The meetings of the Board will be held in accordance with the provisions of the Housing Board, Haryana (Conduct of Meetings) Regulations, 1980.
12. (1) When a case has been decided by the Board after discussion at a meeting, the Secretary shall take action to give effect to the decision.
- (2) The decision of the Board relating to each shall be separately recorded.

PART-III DEPARTMENTAL DISPOSAL OF BUSINESS

A-GENERAL

13. Except as otherwise provided, cases shall ordinarily be disposed of by or under the authority of the Chief Administrator, who may by means of standing order, give such direction as he thinks for the disposal of cases in the Section concerned.

14. The Chief Administrator shall by means of standing orders arrange what cases of classes or cases are to be brought to his personal notice.
15. When the subject of a case concerns more than one section no order shall be issued nor shall the case be laid before the Board until it has been considered by all the Sections concerned unless the case is considered to be one of extreme urgency by the Chief Administrator.
16. All Communications, received from the State Government and the Government of India (including those from the Governor, the Chief Minister and other Ministers of the State) other than those of a routine or not intrinsically important character, shall as soon as possible after receipt, be submitted by the Secretary to the Chief Administrator for information. Such communication may also be circulated amongst other Members of the Board for information under orders of the Chief Administrator.
17. Any matter likely to bring the Board into controversy with the Government shall as soon as the possibility of such controversy is envisaged be brought to the notice of the Board.

B-FINANCE SECTION

18. The Finance Section of the Board shall be consulted before the issue of orders relating to all proposals which affect the funds of the Board and in particulars-
 - a) Subject of financial delegation made in favour of Chief Executive officer and other officers of the Board, proposals to add any post or abolish any post from the Board's service or to vary the emoluments of any post.
 - b) Proposals to sanction an allowance or special or personal pay for any post or class of posts to any servant of the Board,
 - c) proposals involving abandonment of revenue or involving an expenditure for which no provision has been made in the budget
19. The view of the Finance shall be brought on to the permanent record of the Section to which the case belongs and shall form part of the case.
20. The Finance Section may prescribe cases in which its assent may be presumed to have been given.
21. The Finance Section may issue instructions to govern financial procedure, in general in all sections and to regulate the business of the Finance section and the dealing of other sections with the Finance section.

C-LEGAL SECTION

22. Whenever it is proposed,-
 - i) To issue a statutory regulation, notification or order, or
 - ii) To sanction under a statutory power the issue of any regulation, bye-law, notification or order by a subordinate authority, or
 - iii) To submit to Government any draft statutory regulation, notification or order for issue by them. The same shall be referred to Legal Section for opinion and advice.

23. (1) All sections shall consult the Legal Section-
- (a) The construction of Statutes Acts, Regulations, Orders and Notifications,
 - (b) and general legal principles arising out of any case, and
 - (c) The institution or withdrawal of any prosecution or any other Legal proceedings at the instance of any section.
- (2) Every such reference shall be accompanied by an accurate statement of the facts of the facts of the case and the point or points on which the advice of the Legal Section is desired.

PART IV- DELEGATION OF FINANCIAL POWERS

24. The financial powers given in the Third Schedule are delegated to the Chairman, Chief Administrator and Officers of the Board to the extent indicated against each. These delegations are subject to the provisions in the relevant project or works estimates in the budget.

PART V- ACCOUNTING / WORK PROCEDURE

25. The accounts will be maintained on the Commercial pattern unless otherwise specified by the Government.
26. P.W.D. code will be applicable along with relevant financial hand books and manual of order except and to the extent modified otherwise.
27. All works upto Rs, 1,00,000 will be considered as minor works for purpose of maintaining work abstracts and submission of accounts.
28. The monthly accounts as compiled by the various Divisions will be consolidated at Head quarters by the " Chief Accounts Officer". However, for the first three months all the bills will be got pre-audited by the Chief Accounts Officer with the purpose of training the officials regarding accounting procedure to be adopted in the Board. Thereafter, there will be no pre- audit system and correctness of accounts bills as well as payments thereof will be ensured at the divisional level.
29. The strength of the staff in the offices of C.E., S.E.S. and XEN's will be as per pattern of P.W.D branches of the State Government provided that the staffing pattern can be modified by Board from time to time without exceeding the P.W.D. norms.

PART IV- SUPPLEMENTARY

30. The Secretary shall be responsible for the careful observance of these regulation and when he considers that there has been any material departure or deviation from them, shall personally, bring the matter to the notice of the Chief Administrator.

By order of the Board

1. The above regulations will take effect from 29th July, 1980.

2. Housing Board Haryana (Regulations of Business) published in the Haryana Government Gazette dated 5th July, 1977 and 2nd May, 1978, Housing Board Haryana (Conduct of Meetings) Regulations 1972 published in the Haryana Government Gazette dated 7th November 1972 and Housing Board Haryana (Chairman's Powers) Regulations 1972 published in the Haryana Government Gazette dated 7th November, 1972 shall stand repealed with effect from 29th July 1980.

Provided that the repeal shall not effect the previous operation of any thing duly done or suffered thereunder or any right, privilege obligations or liability accrued or incurred under any regulations so repealed.

R.K. Chawla,
Secretary

FIRST SCHEDULE

The following cases shall be referred to the Board for decision:-

- (1) Annual financial statement and demand for supplementary, additional and excess grants.
- (2) Unbudgeted expenditure required to be expended by the Board.
- (3) Consideration of the annual audit report on the accounts of the Board.
- (4) Consideration of the annual audit report to be submitted to the State Government.
- (5) Proposal relating to regulations and bye-laws to be made by the Board under section 74-75 of the Act including any proposals for amendment of such regulations and bye-laws.
- (6) " Recommendations to the State Government regarding any draft rules or amendment thereto required to be made by the State Government under section 73 of the Act.
- (7) Any dispute arising between the Board and the State Government in respect of any direction given by the State Government.
- (8) Sanction of project estimates
- (9) Sanction of budget estimates.
- (10) Contribution to reputed national and international associations.
- (11) Delegation and modification in the financial powers of the officers of the Board.
- (12) All important audit objections and inspection reports etc. involving a loss/ recovery of Rs. 1,000 and above , in which conduct of officers / officials involved and responsibility for lapses / losses is to be determined.
- (13) Fixation of pay scales.
- (14) Direct recruitment to all the posts other than class (iv) posts (powers of the Board shall be exercised by the selection Committee consisting of Chairman, Chief Administrator and one or more technical or Administrative Officers to be nominated by the Chairman).

- (15) Appointment of consulting Engineers.
 - (16) Cases of pay fixation and advance increments in relaxation of rules.
 - (17) Grant of advance from CPF in relaxation of rules.
 - (18) Reimbursement of medical claims in relaxation of rules .
 - (19) Donation & contribution to any Relief Fund approved by the Central / State Government .
-
- 1. Appeals in establishment matters in respect of Class-I and Class-II employees, if impugned orders have been passed by the Chief Administrator.
 - 2. Grant of special / additional or personal pay/ allowances for staff with a minimum of scales of above Rs. 300 per mensem.

SECOND SCHEDULE 'A '

The following cases shall be referred to the Chairman for decision.

- (i) Recruitment in respect of Class IV employees.
- (ii) Appeals in establishment matter in respect of class -III & Class IV employees if the impugned order has been passed by the Chief Administrator.

SECOND SCHEDULE 'B'

The following cases shall be referred to the Chief Administrator for decision :-

- (1) Appointment on deputation and promotions.
- (2) Posting and transfer of the officers and staff.
- (3) Grant of honorarium for holding dual charge.
- (4) Except as other wise provided, all other allied establishment matters in respect of officers/ staff of the Board.
- (5) Grant of leave where a substitute is to be appointed
- (6) All cases regarding disciplinary action against the employees of the Board.

MISCELLANEOUS CASES

- (1) Banking arrangement.
- (2) Grant of permission to perform journeys beyond sphere of duties by the officers and ,
- (3) To permit employees to travel on duty by air.

SANCTION OF LOAN/ ADVANCES

- (a) To declare that the possession of the conveyance by an employee of the Board is in interest of the Board as per policy of the Board.
- (b) To sanction any other advance in accordance with the policy of Board.
- (c) To sanction conveyance allowance.
- (d) Granting or permitting an employee to receive honorarium.
- (e) Sanctioning the taking of work by an employee for which a fee is offered.
- (f) To sanction permanent advances for subordinate officers upto Rs.2,000.
- (g) Re-appropriation of funds within the same budget head.
- (h) To institute, conduct and defend any legal proceedings-by or against Board or its efficiency in connection with the affairs of the Board.
- (i) To incur expenditure where there is no specific provision in the budget or in excess specific provision in the Budget in emergency.

- Notes :- (i) In an emergency, the Chief Administrator may, if he considers it to be essential in the interest of the Board, exercise powers beyond the scope of these delegations, subject to a report to the Board, for approval in the next meeting.
- (ii) Where not specifically provided in the delegations, the Chief Administrator will exercise powers in respect of such items to the extent considered essential by him in the interest of the Board subject to a report in the Board for approval in the next meeting.

THIRD SCHEDULE

Schedule of delegation of financial powers to the Chairman, Chief Administrator and Officers of Housing Board Haryana

S.No.	Nature of Power	To whom delegate	Extent of delegation	Remarks
1	Works To accord administrative approval to proposals for works	State Government Board Chairman Chief Administrator Chief Engineer Superintending Engineer Executive Engineer	Full Powers up to Rs. 100.00 Lacs up to Rs. 50.00 Lacs up to Rs. 40.00 Lacs up to Rs.5.00 Lacs up to Rs. 1.00 Lacs up to Rs. 5,000	Subject to budget provisions
2.	To accord technical sanction to the detailed estimates for original works	Chief Engineer S.E. Executive Engineer	Full powers up to 5 percent of the amount of administrative approval. Up to Rs. 1.00 lac for each work provided administrative approval is not exceeded to by more than 5 percent Upto Rs. 20,000 for each work provided administrative approval is not exceeded by more than 5 percent.	

3.	To accept tenders for execution of works	<p>Chief Engineer</p> <p>Full Powers " Full powers subject to the condition that approval of Chief Administrator is mandatory when-</p> <p>(1) the tender is other than the lowest or is a single tender , or</p> <p>(2) overall tender rate is more than the Haryana Schedule of Rates - 1988 + latest sanctioned ceiling premium + @ 2.5 % per year over and above on both beyond the year of the sanctioned ceiling premium, or</p> <p>(3) value of non- scheduled items exceeds 15% of the total value of the tender. Rs 10.00 lacs subject to the condition that approval of Chief Engineer is mandatory when-</p> <p>(1) The tender is other than the lowest or is a single tender or</p> <p>(2) overall tender rate is more than the Haryana schedule of Rates - 1988+ latest sanctioned ceiling premium+ @1 % per year over and above on both beyond the year of the sanctioned ceiling premium, or</p> <p>(3) value of non- scheduled items exceeds 10% of the total value of the tender. Rs. 4.00 lacs subject to the condition that approval of superintending Engineer is mandatory when -</p> <p>(1) the tender is other than the lowest or is a single tender , or</p> <p>(2) overall tender rate is more than the Haryana Schedule of Rates - 1988 + latest sanctioned ceiling premium, or</p> <p>(3) value of non-scheduled item exceeds 5% of the total value of the tender"</p> <p>(i) Full Powers upto Rs.5.00 lacs</p> <p>(ii) Rs. 10.00 lacs when the tendered rates are not more than 5% over Haryana Schedule of Rates plus sanctioned pre-mium and non-scheduled item do not exceed 10% of the estimates. Rs. 2.00 lacs subject to the condition that :- (i) Approval of next higher authority is obtained if a tender other than the lowest is to be accepted and also if single tender is to be accepted</p> <p>Superintending Engineer</p> <p>Executive Engineer</p>	<p>Notes -(1) The option to call tenders either on percentage item rate based or lumpsum contract will rest with the Executive Engineer or authority competent to accept tenders as per the suitability in the interest of progress of work.</p> <p>(ii) Tender forms of P.W.D. B& R of Haryana State will be modified to suit the Board's working.</p> <p>(iii) The Chief Administrator , Housing , Will appoint Arbitrator to resolve dispute arising out of various contracts and the decision of the Arbitrator shall be binding on both the parties .</p> <p>(iv) The Executive Engineer will be empowered to get any sample made up to the cost of Rs. 1, 000 without quotations provided he has satisfied himself after making queries from the market as to the reasonability of the rates.</p>
----	--	---	---

8	Write off of infructuous expenditure on construction	C.E.	Full powers but all cases involving an expenditure of more than Rs. 1000 will be brought to the notice of the Board.	
9	Powers of Advertisement	C.E. S.E. XEN	Full powers This power is in respect of issue of advertisement for Tenders only.	Upto Rs. 2000 per job Upto Rs. 1000 per job
10	Passing the first & final running accounts bills	XEN	Full powers	
11	Passing of bill, of work charge establishment	XEN	Full powers subject to the condition that the appointment is made by the competent authority.	
12	Write off of T&P and other articles of which part of value has been recovered.	Chief Administrator S.E. XEN	Full powers Upto Rs.10000 in a year Upto Rs. 500 in a year	All cases of more than Rs. 1000 will be reported to the Board.
13	Sanction of payment under Workman's compensation Act	C.E.	Full power subject to the advice of Legal Asstt. being first obtained	
14	To accord sanction to expenditure on ceremonies connected with laying of foundation stones and opening of Board's buildings.	Chief Administrator	Full powers	Chief Administrator would give full considerations to the recommendations and proposals of the Chairman of Housing Board in the organization of ceremonies and functions.
15	For fixing reserve stock limit	Chief Administrator	Full powers	
16	Grant of extension of time for completion of works	C.E. S.E.	Full powers Full powers upto Rs. 10 lacs	Reasons for extension in time be reported to the Board in respect of all cases proceeding of the meeting.
17	To make advance payment of electric supply undertaking under India Electricity Act, 1910 for the execution of work.	XEN	Full powers with prior approval of Chief Engineer	
18	To accord sanction to journey beyond jurisdiction	Chief Administrator	Full powers	
19	To accord sanction to recruitment / termination of work charged staff for the posts mentioned in the schedule of rates.	C.E.	Upto scale with maximum of Rs. 1000 per month subject to the following conditions : (i) Provision exists in the sanctioned estimates to cover the cost of such establishment (ii) Orders to commence the work have been received from competent authority (iii) Necessary funds either already exist or have been provided for by the competent authority.	

			(iv) The pay and allowance of such post shall not exceed the prescribed rates in case where such rates have been differently laid down by the higher authority.	
		S.E.	Upto scale with maximum of Rs. 400 per month subject to the conditions as above	Position about the recruitment / termination of work-charged staff for each quarter should be reported to the Board
		XEN	Upto scale with maximum of Rs. 200 per month subject to the conditions as above	
20	To recruitment/terminate muster roll	Asstt. Engineer	Full powers for labour to be employed for execution of work departmentally at the rate of wages mentioned in C.S.R. or approved / fixed by the D.C. of the District subject to the condition that prior approval of employment of such labour alongwith wages proposed to be paid is obtained from the Executive Engineer	
21	To sanction repairs and carriage estimates of tools and plants	S.E.	Full powers	Full powers at rates within the schedule of rates plus premium sanctioned from time to time.
		XEN	Rs. 1000 in each case	
		A.E.	Rs. 25 in each case	
22	To sanction cartage and handling of stock material chargeable to stock	XEN	Full powers	
23	to sanction purely temporary increase or to sanction decrease of the reserve stock limit of a Division	C.E. S.E. XEN	Full powers Upto 50% Upto 20%	Provided that increases are absorbed within 6 months from the date of increase. Copies of orders sanctioning the revised limits are endorsed to the Board and the limits not raised within six months from the date of increase that in the case of decrease copies of order sanctioning the revised limit are endorsed to the Board and the limits not increased within six months from the date of decrease. Provided further that these powers should be exercised only in consultation with Chief Administrator and Accounts Section.
24	To sanction sale of articles on the stock accounts for full value plus usual charges of 10%	C.E. S.E. XEN	Rs. 50000 Rs. 5000 Rs. 5000	

Provided that :-

(i) These powers will only be exercised for sale of material to Government and Semi-government Institutions and to such consumer who might need in connection with the completion of their works under the Board.

(ii) The addition of 10% may, however, be waived by the authority empowered to sanction the sale in the case of stock declared surplus by the competent authority and which in his opinion would otherwise be unserviceable;

Provided further that the articles of essential commodities or controlled articles shall not be sold by the S.E. and XEN.

Provided further that these powers should be exercised in consultation with the Chief Administrator and Accounts Section.

25 (i) Disposal of material borne on book without value by auction or by calling bids. C.A.
C.E.
S.E.
XEN

Full powers
Full powers
Rs. 5000 (New)
Rs. 1000 (New)

(ii) Disposal of surplus unserviceable obsolete material / T & P articles borne on books with value:-

(a) To declare stores / T&P Articles surplus, unserviceable or obsolete and to their resale prices and to prescribe the mode of disposal C.A.
C.E.
S.E.
XEN
Secy.

Rs. 25000
Rs. 10000
Rs. 5000
Rs. 1000
Rs. 1000

Provided that provision of para 4.40 of the Punjab PWD code are complied that the material declared surplus will not be required for the execution of any of the Boards works in the foreseeable future and the material declared as unserviceable or obsolete is beyond repairs or renovation.

(b) To dispose of material T&P articles declared surplus unserviceable or obsolete and sanctioning resultant loss therein, if any C.A.
C.E.
S.E.
XEN
Secy.

Rs. 15000 in each case
Rs. 10000 in each case
Rs. 5000 in each case
Rs. 1500 in each case
Rs. 1500 in each case

The cases exceeding this amount as also cases where Store Purchase committee is not unanimous or the highest bid is not proposed to be accepted, whatever be the reason even if the value is within the powers of the store Purchase Committee will be referable to the Board. The authorities sanctioning the write-off shall satisfy themselves that the loss has not resulted from excess or injudicious purchase of stores.

While exercising the powers, the following points must also be kept in view :-

(a) Reserve price should be fixed in accordance with the rules laid down by the Board

(b) Material should be disposed of according to the

proscribed procedure

(c) The Board would be informed of the items disposed of together with their value

26	To sanction the scale of grass trees or other produce in the Board's lands.	C.E./S.E. XEN	Full powers Rs. 500	
27	To sanction dismantle of temporary buildings and structures when the purposes for which the construction was undertaken had been fulfilled	C.E. S.E. XEN	Full powers Rs. 5000 Rs. 2000	
28	To sanction the writing off finally of the irrecoverable value of stores T&P Articles of public money lost by fraud or the negligence of individual or other causes	C.E. S.E.	Rs. 5000 Rs. 500	In each case provided that:-
				(a) The loss does not disclose defect of system the amendment of which requires the order of the higher authority or serious negligence on the part of some individual which might possibly called for disciplinary action requiring the order of higher authority.
				(b) A report of all such cases is sent to the Board
29	To write off articles of T&P Office furniture rendered unserviceable through wear and tear the original purchase value of the articles being estimated if not known	C.A. C.E. S.E. XEN Secy.	Rs. 10000 Rs. 10000 Rs. 5000 Rs. 1000 Rs. 1000	Provided that loss is not caused due to negligence and carelessness of the employees.
30	To write off actual losses of stock and T & P articles	C.E. S.E. XEN Secy.	Rs. 1000 Rs. 500 Rs. 200 Rs. 200	
31	To sanction write off of books lost or rendered unserviceable in their own and in subordinate offices, if any	C.E. S.E. XEN Secy.	Full Powers Full Powers Rs. 20 in each case Rs. 20 in each case	
32	To write off irrecoverable item outstanding in the miscellaneous advances	C.A. C.E. XEN	Upto Rs. 1000 in each case in consultation with C.A.O. Rs. 50 in each case Rs. 25 in each case	Provided that the amount has been outstanding more than 5 years and is further declared as irrecoverable.
33	Contingencies	Board Chairman Chief Administrator Other officers of the Board	Full Powers Upto Rs. 3.00 lacs Upto Rs. 1.00 lacs As per powers contained in P.F.R.	