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Rajasthan Protected Areas Conservation Society (RPACS)

Memorandum
&
Articles of Association

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Memorandum of Association

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Chief Executive Officer
Addl. Secretary Forest Department
Secretariat, JAIPUR

Retd
4-12-09
(5)

MEMORANDUM OF ASSOCIATION

OF

Rajasthan Protected Areas Conservation Society

1. Name: The name of the society shall be Rajasthan Protected Areas Conservation Society (hereinafter referred to as the "Society").

2. Registered Office: Registered office of the Society shall be situated in the State of Rajasthan and its the present address is as under:

Secretary, Rajasthan Protected Areas Society
Office of PCCF & Chief Wildlife Warden
Forest Department
Van Bhavan
Jaipur

3. Aims and Objectives: The aims and objectives for which the Society is being established are as follows:-

- (1) Aim of the society is to facilitate and support conservation and development activities in the National Parks, Wildlife Sanctuaries, and Conservation / Community Reserves, collectively referred as the 'protected areas', in the State of Rajasthan.
- (2) To achieve the above said aim, the Society shall have the following objectives, namely:-
- (i) To receive, and keep in a bank account, -
 - (a) such funds as directed by Hon'ble Supreme Court of India in IA No. 1698; received
 - (b) funds/under such other orders as may be passed by the Hon'ble Supreme Court in future; received
 - (c) funds/ from the Compensatory Afforestation Fund Management and Planning Authority (CAMPA), Government of India, and received
 - (d) funds/ from any other source permissible under law.

cd
Jyoti D.
Secretary, JAIPUR

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- (i) To release the income from the corpus constituted by such funds in order to facilitate ecological, economic, social and cultural development in and around the protected areas so as to promote sustainability of the biodiversity conservation programs;
- (ii) To solicit technical, financial, social, and other support required, from different sources permitted by law, for the activities of the Society for achieving these objectives; and
- (iv) Anything incidental or ancillary to the above for furthering the above said objectives.

4. General Body of the Society: (1) The Society shall have a General body for overall policy guidance and direction.

(2) The General Body of the Society shall consist of the following members, namely:-

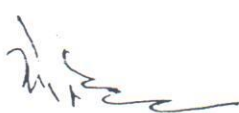
- | | | |
|-------|---|------------------|
| (i) | Chief Secretary, Government of Rajasthan | President |
| (ii) | Principal Secretary (Forest), Government of Rajasthan | Member |
| (iii) | Principal Chief Conservator of Forests, Rajasthan | Member |
| (iv) | Principal Chief Conservator of Forests & Chief Wildlife Warden, Rajasthan | Member |
| (v) | Additional Principal Chief Conservator of Forests (Wildlife) Rajasthan | Member |
| (vi) | Additional Principal Chief Conservator of Forests (Development), Jaipur | Member |
| (vii) | Chief Conservator of Forests (Wildlife), Jaipur | Member Secretary |

Verified

SECRETARIAL, JAIPUR

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5. Desirous Persons We, the several persons whose names addresses are given hereafter having associated ourselves for the purpose described in the Memorandum of Association do hereby subscribe our names to this Memorandum of Associations and set our respective hands here unto and form ourselves into a Society under Rajasthan Society Registration Act, 1958 (Act No. 28 of 1958) and hold ourselves responsible to manage the affairs of Society as per the rules, a copy of which duly certified to be the true copy by three members of General Body is filed herewith along with this Memorandum of Association.

S. No.	Name, Address and Occupation	Position Held in the Society	Signature
1	Shri T.Srinivasan Chief Secretary, Government of Rajasthan, Government Secretariat, Jaipur	President (Ex-Officio)	
2	B. L. Arya Principal Secretary (Forest) Government of Rajasthan, Government Secretariat, Jaipur	Member (Ex-Officio)	
3	Abhijit Ghose Principal Chief Conservator of Forests Van Bhavan, Vaniki Path Jaipur	Member (Ex-Officio)	
4	R.N. Mehrotra Principal Chief Conservator of Forests & Chief Wildlife Warden, Van Bhavan, Vaniki Path, Jaipur	Member (Ex-Officio)	
5	Shri Rahul Kumar Additional Principal Chief Conservator of Forests (Wildlife), Rajasthan, Jaipur	Member (Ex-Officio)	
6	O.P Mehta Additional Principal Chief Conservator of Forests (Development) Rajasthan	Member (Ex-officio)	

verified

Secretary, Jaipur

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P. S. Somashekar

Chief Conservator of Forests (Wildlife)

Van Bhavan, Jaipur

Member Secretary

(Ex-Officio)

This is to certify that we know the above signed persons and they have signed in our presence

Signature



Name

Mani Ram Poonia

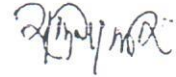
Profession

Deputy Conservator of Forests
a 74 to Prof & Column
Reg. Jaipur

Full Address

Reg. Jaipur

Signature



Name

Rakesh Malhotra

Profession

Assistant Conservator
of Forests (Ecotourism)

Full Address

Van Bhavan, Varuki
Park, C-Scheme,
Jaipur

Verified



Chief Conservator Forest and
Jl. Secretary Forest Department,
Secretariat, JAIPUR

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वन विभाग - जयपुर

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RAJASTHAN PROTECTED AREAS CONSERVATION SOCIETY
Articles of Association

(Rules, Regulations, and Byelaws)

1. Name: The name of the society shall be RAJASTHAN PROTECTED AREAS CONSERVATION SOCIETY (hereinafter referred to as "the Society").
2. Definitions: In these Articles of Association, also known as the Rules, Regulations and Bye-laws of the Society, the following words and expressions shall have the following meaning unless repugnant to the subject or context:
 - (a) "Act" means the wildlife (Protection) Act 1972 (Central Act No. 53 of 1972);
 - (b) "Government" means the Government of Rajasthan;
 - (c) "Member" means a member of the Society;
 - (d) "Membership of the Society" means the persons who constitute the General Body of the Society, which will also be the general body of the Society; and
 - (e) "Operations Manual" means a manual laying down in detail the work procedure for the Society. This manual shall be prepared by the Member Secretary of the Society and shall come in force after it is approved by the General Body of the Society.
3. Membership of the Society: (i) Members of the General Body shall be ^{the} members of the Society by virtue of office which they hold for the time being or will be holding in future; and
(ii) The State Government may decide to nominate members other than the ex-officio members listed in Memorandum of Association of the Society.
4. General Body: The General Body of the Society shall consist of the following, namely:-
 - (i) Chief Secretary, Government of Rajasthan President
 - (ii) Principal Secretary (Forest), Government of Rajasthan Member
 - (iii) Principal Chief Conservator of Forests, Rajasthan Member

Secretary, JAIPUR

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- (iv) Principal Chief Conservator of Forests & Chief Member
Wildlife Warden, Rajasthan
- (v) Additional Principal Chief Conservator of Forests Member
(Wildlife) Rajasthan
- (vi) Additional Principal Chief Conservator of Forests Member
(Development), Jaipur
- (vii) Chief Conservator of Forests (Wildlife), Jaipur Member Secretary

5. Powers and functions of the General Body: The General Body shall have the following powers and perform the following functions, namely:-

- (i) make overall policies of the Society in consonance with the provisions of the Act;
- (ii) consider and approve the balance sheet and audited accounts of the Society;
- (iii) consider and approve the Annual Report of the Society;
- (iv) approve the work plan, fund flow, Annual Budget of the Society;
- (v) make amendment in these Articles of Association of the Society, which may be necessary, subject to the approval of the Government;
- (vi) approve the "Operations Manual" of the Society;
- (vii) take all policy decisions regarding fund raising, investment budget of the Society, and levy any charges for development of the protected areas; and
- (viii) perform such other functions as may be necessary to achieve the objectives of the society.

6. Meetings of the General Body: The meetings of the General Body shall be held in the following manner, namely:-

- (i) the meetings of the General Body shall be held at least twice in a year, preferably in the first month of the financial year and in the middle of the financial year;
- (ii) every meeting of the General Body shall be called in writing by and under the signature of the Member-Secretary of the General Body

checked

Secretary, Jaipur

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through a prior notice of fifteen days containing a summary of the business to be transacted in such meeting;

- (iii) any inadvertent omission to give notice to, or the non-receipt of notice of any meeting by any member shall not invalidate the proceedings of the meeting;
- (iv) one third of the members of the General Body present shall form the quorum of the General Body provided that no quorum shall be necessary in respect of any meeting subsequent to an adjournment caused by lack of such quorum;
- (v) In absence of the President, the members present in the meeting shall elect the person from amongst themselves to preside over the meeting;
- (vi) all questions in a meeting shall be determined by a division of vote;
- (vii) the member who is unable to attend the General Body meeting may send his views on the agenda in writing and such expression of opinion shall be taken to be his vote on the matter concerned; and
- (viii) The minutes of the proceedings of the meeting shall be recorded and such minutes after being approved by the President and signed by the Member Secretary shall be the conclusive proof of the business transacted in the meeting.

7. The Executive Committee: The Society shall have an Executive Committee to look after its day-to-day management. The Executive Committee of the Society shall consist of the following, namely :-

- (i) Principal Chief Conservator of Forests & Chief - Chairperson
Wildlife Warden, Rajasthan, Jaipur
- (ii) Chief Conservator of Forests (Plan), Office of - Member
the Principal Chief Conservator of Forests,
Rajasthan, Jaipur
- (iii) Chief Conservator of Forests (Wildlife), - Member
Jaipur
- (iv) Financial Advisor, Forest Deptt. - Member
- (v) Deputy Conservator of Forests (Wildlife - Member Secretary
Plan)

8. Powers and Functions of the Executive Committee: The Executive Committee shall have the following powers and perform the following functions, namely:

Secretary

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- (i) manage the affairs and funds of the Society in accordance with the rules and regulations of the Society;
 - (ii) make endeavor to achieve the objectives of the Society and discharge all its functions;
 - (iii) exercise administrative and financial powers including power to engage any person for any specialised task in accordance with the rules and regulations of the Society;
 - (iv) enter into arrangement with other public or private organizations or individuals for furtherance of the objectives of the Society in accordance with the rules and regulations of the Society;
 - (v) raise and accept endowments, grants-in-aid, donations, or gifts to the Society not inconsistent with the rules and regulations of the Society and interests of the Government;
 - (vi) take over or acquire, in the name of the Society, by purchase, gift or otherwise, from Government or other public bodies or private individuals or organizations, any movable and immovable property in the State or elsewhere in conformity with the rules and regulations of the Society; and
 - (vii) perform such other functions as are assigned to it by the General Body.

9. Meetings of the Executive Committee: (1) Every meeting of the Executive Committee shall be presided over by the Chairperson, provided that in the absence of the Chairperson, ~~from~~ the members present in the meeting shall elect the person from amongst themselves to preside over the meeting.

(2) One-half of the total members of the Executive Committee present in the meeting shall constitute the quorum, provided that no quorum shall be necessary in respect of any adjourned meeting.

(3) The Executive Committee shall meet as and when necessary but at least once in every two months.

(4) The Minutes of proceedings of Executive Committee meetings shall be recorded and such minutes after due approval shall be issued by the Secretary.

10. Property, Assets and Liabilities of the Society:

- (1) The income and property of the Society, howsoever derived, shall be applied solely towards the promotion of the objectives thereof as set forth above.

Verified
Secretary, Jalgaon

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(2) No portion of the income and property of the Society shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, to the persons who at any point of time have been members of Society or to any person claiming through them.

(3) Provided that nothing herein contained shall prevent the payment of remuneration to any member or any person in return of any service rendered to the Society or for any administrative expenses as stipulated in the Operations Manual.

11. Powers of the Government: The Government may from time to time review the functioning of the Society and issue such directions, as it may consider necessary in respect of the affairs of the Society.

12. Financial Regulations: (1) The following shall be the various sources of funds for running the affairs of the Society in conformity with the rules and regulations of the Society, namely:-

(i) The income generated from levying other charges excluding the statutory duties for the services generated in National Parks, Wildlife Sanctuaries, and Conservation Reserves in the State, except those comprising tiger reserves;

(ii) Income generated from funds received in form of Net Present Value (NPV) or other charges arising out of use of protected area lands for developmental projects other than wildlife conservation projects. These funds will not be used in principal; instead, only income accruing on account of interest will be used in perpetuity;

(iii) Contribution from other sources such as from the Compensatory Afforestation Fund Management And Planning Authority (CAMPA), Government of India, or in case of funding of specific projects, from national as well as international agencies as permitted by law;

(iv) Grant-in-aids, donation or assistance of any kind received from the Central or State government, or from any individuals or organizations including foreign Government and other external agency as permitted by law; and

(v) Any other activity as permitted by law and in conformity with the rules of the society.

(2) The Society shall deposit its funds under Article 12 (1) in an interest bearing account with a nationalised bank and income received by way of interest shall only be use in perpetuity for conservation and protection of Protected Areas.

Verified.

Secretary, JAIPUR

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(3) The Society shall maintain proper accounts and prepare annual accounts comprising of the receipts and payments, statement of liabilities, etc., in such form as may be determined;

(4) The accounts of the Society shall be audited annually by the qualified Chartered Accountant, empanelled by the Comptroller Auditor-General of India, approved by the General Body;

(5) The audited accounts shall be discussed and approved by the General Body in its annual meeting held for the purpose; and

(6) The accounts of the Society shall be subject to the general provisions and directives of the Comptroller and Auditor-General of India.

13. **Dissolution of the Society:** The Society is irrevocable. However, in the event of any circumstances in which it is decided to terminate or dissolve the Society, after the satisfaction of all its debts and liabilities, any assets and property, whatsoever be the same, shall not be paid to or distributed among the members of the Society but shall be dealt as per the provisions of the Rajasthan Society Registration Act, 1958 (Act No. 28 of 1958).

14. **Miscellaneous:** (1) As and when there is any change in the nomenclature of Ministries, departments, or institution and designation mentioned, such changes shall automatically stand incorporated in the rules of the Society.

(2) Every staff of the Society may be sued or prosecuted by the Society for any loss or damage caused to the Society or its property or for anything done by him detrimental to the interests of the Society.

(3) As the Society is a statutory entity, creation of posts and other benefits to employees shall always be subject to RAPSAR ACT.


(P. S. Somarkar) अध्यक्ष
सचिव जयपुर
Member Secretary

Certified that this is a true copy of the Articles of Association of RAJASTHAN PROTECTED AREAS CONSERVATION SOCIETY duly adopted and approved by the General Body of the Society.

Member 1

Member 2

Member 3

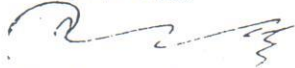
Name

R. N. Mehrotra

P. S. Somarkar.

Rahul Kumar

Signature







Address

POCC, CWCW, Rajasthan
Van Bhavan, Varuki Palk
C-Scheme, Jaipur

CCF (CWC)
POCC, CWCW
Van Bhavan
Jaipur.

Addl. PCCF, Rajasthan
Van Bhavan, Varuki Palk
C-Scheme, Jaipur

Secretary, JAIPUR

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राजस्थान सरकार, जयपुर
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G.S. Sandhu, IAS,
Principal Secretary to Government



Government of Rajasthan
P.H.E.D. & Ground Water Department

No: PS/PSPHED&GWD/2008/
Date: Wednesday, 26 November 2008

Dear

Mehrotra

I am enclosing herewith a copy of the order dated 17th October 2008 of Hon'ble Supreme Court in the matter of environmental clearance for construction of Intake Well in IA No. 1698/2006. One of the condition imposed by the Hon'ble Supreme Court while giving its approval, is to set up a Monitoring Committee consisting of the representative of Principal Secretary, PHED and Chief Wildlife Warden, Rajasthan.

You are requested to kindly nominate a suitable officer as your representative to be member of the Monitoring Committee so that formal orders, in the matter may be got issued early.

2/11/08
2/12/08
2/12/08
CCF (W) Jaipur
be nominated
as member of
the Committee
for minimum
level in
survey
2/12/08
With *reports*
Yours sincerely,
G.S. Sandhu
(G.S.Sandhu)

Shri R.N. Mehrotra,
Chief Wildlife Warden,
Rajasthan, Jaipur.

Room 5213, Secretariat, Jaipur, Rajasthan, India — 302 005

Tel [O]: +91 (141)2227132

Tel [R]: +91 (141) 2707400

Fax: +91 (141) 2227132

NOTE SHEET

U. O. NOTE

1. Public Health Engg. Department is implementing a drinking water supply project for Sawaimadhopur and Karauli Districts under which an Intake Well is to be constructed in the Chamber River. Environmental clearance for construction of Intake Well has been accorded by the Hon'ble Supreme Court vide its order dated 17th October 2008, a copy of which is placed below for ready reference. One of the three conditions subject to fulfillment of which the environmental clearance has been granted reads as under :-
"5% of the estimated project cost of Rs.478.91 Crores i.e. Rs.23.95 Crores will be deposited by the project authorities for conservation and protection of National Parks and Sanctuaries in the State. For utilisation of funds, a society under the Chairmanship of the Chief Secretary, Rajasthan, with the Pr. Secretary (Forests), the Principal Chief conservator of Forests, the Chief Wildlife Warden as its members and one officer not below the rank of Chief Conservator of Forests as its Member Secretary may be got registered. This amount along with the amount payable towards the NPV should be deposited in a separate interest bearing bank account of a nationalised bank maintained by the Society and income received by way of interest should be used in perpetuity for the conservation and protection of National Parks and Sanctuaries in the State. The procedure and guidelines for the utilisation of the funds may be decided by the State Government of Rajasthan."
2. While action for issuing a separate A&F sanction for the said amount of Rs.23.95 Crores is being taken up by PHED, it is requested to take necessary action in the matter of setting up of society under the Chairmanship of Chief Secretary for utilisation of the funds to be deposited in the interest bearing account of this society, in line with the direction of Hon'ble Supreme Court.


PR SECY., PHED

SECY., FOREST

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NOTE SHEET

144. Placed at 2/6/C is the letter dated 14th November 2008 received from the EE, PHED, Chambal-Sawaimadhopur-Nadauti Project Division-II (Mandrayal), Karauli, enclosing therewith the order dated 17th October 2008 of the Hon'ble Supreme Court received on 11th November 2008 in the matter of IA No. 1698/2006, pertaining to environmental clearance for construction of Intake Well in the Chambal River, for Chambal-Sawaimadhopur-Nadauti Drinking Water supply Project.

145. The Hon'ble Supreme Court has cleared the project subject to fulfillment of following conditions :-

a. *For use of forest land approval under the FC Act will be obtained.*

b. *5% of the estimated project cost of Rs.478.91 Crores i.e. Rs.23.95 Crores will be deposited by the project authorities for conservation and protection of National Parks and Sanctuaries in the State. For utilisation of funds, a society under the Chairmanship of the Chief Secretary, Rajasthan, with the Pr. Secretary (Forests), the Principal Chief conservator of Forests, the Chief Wildlife Warden as its members and one officer not below the rank of Chief Conservator of Forests as its Member Secretary may be got registered. This amount along with the amount payable towards the NPV should be deposited in a separate interest bearing bank account of a nationalised bank maintained by the Society and income received by way of interest should be used in perpetuity for the conservation and protection of National Parks and Sanctuaries in the State. The procedure and guidelines for the utilisation of the funds may be decided by the State Government of Rajasthan; and*

c. *A Monitoring Committee consisting of the representative of Chief Wildlife Warden, Rajasthan, and Secretary, Public Health Engg. Department, will be set up to monitor and ensure that the prescribed minimum flow of water down stream of the tapping point of Chambal River will be maintained.*

146. Acceptance of fulfillment of above conditions was given during the course of hearing by the Standing Counsel, Shri Aruneshwar Gupta, AAG. The Hon'ble Supreme Court has also noted that subject to fulfillment of above conditions, the Standing Committee of the Wild Life shall pass necessary order.

147. In respect of above directions of the Hon'ble Supreme Court, the following is submitted :-

a. For approval of use of forest land under the Forest Conservation Act, the EE, PHED, Project Division-II, Karauli, is being directed to take an urgent necessary action by way of applying for it in the prescribed format.

b. For deposition of 5% of the project cost i.e. Rs.23.95 Crores, the proposals for a separate A&F sanction for this amount has already been moved to the PPC by the ACE and the matter is under

NOTE SHEET

consideration. For formation of a society under the Chairmanship of Chief Secretary, Rajasthan, it is proposed to move a U.O. Note to the Secretary, Forest, for further action, as the Forest Department would be the nodal department for utilisation of funds for conservation and protection of parks and sanctuaries. A draft of U.O. Note is placed below for kind perusal and approval.

- c. For setting up of a Monitoring Committee, to monitor and ensure the prescribed minimum flow of water downstream of the tapping point, EE, Division Karauli, may be nominated as Member on behalf of the Secretary, PHED. For obtaining the name of post, which would represent the Chief Wild Life Warden, Rajasthan, it is proposed to send a D.O. letter to the Chief Wild Life Warden, a draft of which is also placed below for perusal and approval.

148. Submitted for kind perusal of 147/N onwards and approval of 147(a), (b) and (c).

[Signature]
CE(SP) 24/11/08

CE/SP/PO/781
25/11/08/49

SECY.. PHED/out
PR.SECY..PHED

UO note to Secy Forest signed
Pl. put up F.T.L. for Chief Wild
Life Warden.

[Signature]
25/11/08

1037/PR.SECY.PHED/08
25.11.08
27

[Signature]
P.S. PHED

Submitted

[Signature]
26/11/08

CE/SP
C. W. M.

[Signature]
27/11/08

Ms. Surekha Raman, Adv.
Mr. Dileep P., Adv.
For M/s. K.J. John & Co., Advs.

I.A.NO.1424-25 Mr. K.K. Venugopal, Sr. Adv.
Mr. Ravi Shankar Prasad, Sr. Adv.
Ms. Suparna Srivastava, Adv.
Mr. Ankur Talwar, Adv.
Mr. Ram Swarup Sharma, Adv.

I.A.NO.1287 Mr. Manjit Singh, Adv.
For Mr. T.V. George, Adv.

I.A.NO.1424-25 Mr. Gaurav Goel, Adv.
Mr. Mahesh Agrawal, Adv.
Mr. Rishi Agrawal, Adv.
For Me. E.C. Aggrawala, Adv.

I.A.NO.2374-74 Mr. Mohd. Fuzail Khan, Adv.
Mr. Anil Kumar Jha, Adv.

I.A.2071 Mr. Manish Kumar, Adv.
For Mr. Gopal Singh, Adv.

WP(C) 460/04 Mr. K.N. Madusoodhanan, Adv.
Mr. R. Satish, Adv.

UPON hearing counsel the Court made the following
O R D E R

The matters listed before the Forest Bench on 7-11-2008
are directed to be listed on 10.11.2008 (Monday).

I.A.NO.1287,1570-1571,1624-1625 & 1978

List on 10.11.2008 along with I.A.No.D2884/09-
application for impleadment.

I.A.NO.1698

The Public Health & Engineering Department of State of Rajasthan seeks to implement a project for supply of drinking water to Karauli and Sawai Madhopur districts by drawing water from river Chambal. It proposes to lay down a pipeline of about 160 kms. The project is estimated at about Rs.478.91 crores and is likely to benefit the citizens of 926 villages in the districts of Karauli and Sawai Madhopur. The project was examined by CEC. It was found

that minimum flow of water observed during the last 20 years was 4.78 cusecs. It was pointed out that flow of water will be available at the down stream of the tapping point after meeting the water requirement of the proposed project.

Subject to fulfilling of the following conditions the project is cleared:

(i) For use of forest land approval under the F.C. Act will be obtained.

(ii) 5% of the estimated project cost of Rs.478.91 crores i.e. Rs.23.95 crore will be deposited by the project authorities for conservation and protection of National Parks and Sanctuaries in the State. For utilization of the funds, a Society under the Chairmanship of the Chief Secretary, Rajasthan with the Principal Secretary (Forests), the Principal Chief Conservator of Forests, the Chief Wildlife Warden as its Members and one officer now below the rank of Chief Conservator of Forests as its Member Secretary may be got registered. This amount along with the amount payable towards the NPV should be deposited in a separate interest bearing bank account of a nationalized bank maintained by the Society and income received by way of interest should be used in perpetuity for the conservation and protection of National Parks and Sanctuaries in the State. The procedure and guidelines for the utilization of the funds may be decided by the State Government of Rajasthan; and

(iii)a Monitoring Committee consisting of the representative of Chief Wildlife Warden, Rajasthan and Secretary, Public Health Engineering Department will be set up to monitor and ensure that the prescribed minimum flow of water down stream of the tapping point of Chambal River will be maintained.

The above conditions are accepted by the learned counsel appearing for the State of Rajasthan.

Subject to fulfillment of these conditions, the

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Standing Committee of the Wildlife shall pass necessary order.

I.A. is allowed accordingly.

I.A.NO.2194-2196

List on 21.11.2008.

I.A.NO.2278-2279

List on 10.11.2008 along with I.A.No.2275.

I.A.NO.2343

The Andaman and Nicobar Administration has sought permission for use of 2700 ha. of alternative land for allotment to the agricultural farmers as a consequence of Tsunami which was hit in the Island. CEC has examined it and suggested that there should be a Committee to implement the directions which were already issued by this Court. Learned counsel appearing for the Administration submitted that the Committee would be constituted soon and further action will be taken and the report will be submitted to this Court within a period of two months. The matter be posted on 9.1.2009. Report may be filed to the CEC about the matter before 9.1.2009.

I.A.NO.2365

Issue notice to the respondent and MoEF returnable on 28.11.2008.

Reply, if any, be filed in the meantime.

I.A.NO.2371-72

I.A. is allowed. CEC will give required information.

I.A.2373-74

Issue notice to the respondent and to CEC returnable on 28.11.2008.

राजस्थान सरकार



सत्यमेव जयते

रजिस्ट्रीकरण प्रमाण-पत्र

क्रमांक.....745.....जयपुर/2009

यह प्रमाणित किया जाता है कि Rajasthan Protected
Areas Conservation Society जिला-जयपुर का

राजस्थान संस्था रजिस्ट्रीकरण अधिनियम, 1958 (राजस्थान अधिनियम संख्या 28, 1958) के अन्तर्गत रजिस्ट्रीकरण आज किया गया।

यह प्रमाण-पत्र मेरे हस्ताक्षरों और कार्यालय की सील से आज
दिनांक.....30.....माह NOV:.....सन् दो हजार 09.....



को जयपुर में किया गया।

रजिस्ट्रार, राजस्थान
जयपुर

(1)

**कार्यालय रजिस्ट्रार संस्थायें,
जयपुर।**

क्रमांक फा/रजि/संस्थायें/ 712

जयपुर, दिनांक.....16-12-2009

अध्यक्ष/मन्त्री,
Chief Secretary/ Chief Conservator
Rajasthan Protected
Areas Conservation Society
Jaypur

**विषय :- राजस्थान संस्था रजिस्ट्रीकरण अधिनियम, 1958 के अन्तर्गत
रजिस्ट्रीकरण के क्रम में।**

आपकी संस्था का रजिस्ट्रीकरण प्रमाण पत्र क्रमांक.....745...../जयपुर.....2009-10.....
दिनांक.....30.12.09.....संलग्न है। जिसकी प्राप्ति की सूचना भिजवाने का कष्ट करें।

यहां आपका ध्यान उक्त अधिनियम की धारा 4 व 4(क) की सभा के 14 दिवस में निम्नलिखित सूचनायें भिजवाना आवश्यक है :-

1. संस्था में मामलों का प्रबन्ध जिनको सौंपा गया है, उक्त परिषद् समिति या अन्य शापी निकाय के शापकों संचालकों, न्यासियों या सदस्यों के नाम, पते और पेशे की सूचना मय पद सहित।
2. एक विवरण जिसमें उपरोक्त सदस्यों के नाम आदि उस वर्ष, जिस वर्ष की सूची है के दौरान हुए समस्त परिवर्तनों को दिखाया गया हो।
3. संस्था के नियमों और विनियमों का एक तातारीख सही प्रतिलिपि जो शापी निकाय के शासकों, न्यासी या सदस्यों में से कम से कम तीन द्वारा सही प्रमाणित की गई हो।

इसके अलावा संस्था के नियमों और विनियमों में किये गये प्रत्येक परिवर्तन की प्रतिलिपि जो उपरोक्त प्रतियां सही प्रमाणित की हुई हो, ऐसा परिवर्तन करने की तारीख से 15 दिवस के अन्दर-अन्दर इस कार्यालय में पहुंच जानी चाहिए।

4. संस्था द्वारा प्रस्तुत विधान नियमावली, दस्तावेजों, सूचनाओं में यदि कोई गलत, मिथ्या सूचना अंकित किया जाना प्रमाणित होता है अथवा यदि संस्था द्वारा जांच/निरीक्षण कराये जाने से इन्कार किया जाता है तो रजिस्ट्रार को संशोधित विधान नियमावली, चुनाव सूचना इत्यादि तथा पंजीयन निरस्त करने का पूर्ण अधिकार होगा।

यदि संस्था द्वारा धारा 4 व 4(क) की सूचनायें प्रति वर्ष प्रस्तुत नहीं की जाती है तो संस्था प्रथम दोष सिद्ध पर 500/- जुर्माना तथा दोष सिद्ध जारी रहने पर 50/- प्रतिदिन के हिसाब से जुर्माने के दण्ड की भागीदारी होगी।

आपका ध्यान इस अधिनियम की धारा 4 (ख) की ओर आकर्षित किया जाता है जिसके अनुसार उपरोक्त प्रावधानों का पालन करने में विफल रहने वाला अपराध के सिद्ध होने की दशा में और ऐसे अर्थ दण्ड से दण्डित होगा जो प्रत्येक दिन के लिए जिसमें कि ऐसे अपराध के लिए प्रथम अपराध सिद्ध के पश्चात् चूक जारी रहती है, 50/- से अधिक नहीं होगा। यदि कोई व्यक्ति धारा के अधीन प्रस्तुत की गई सूची में धारा 4 (क) के अधीन रजिस्ट्रार को भेजे गये विवरण-पत्र या नियमों और विनियमों की या उनके किये गये परिवर्तनों की प्रतिलिपि में जानबूझ कर कोई मिथ्या प्रविष्टि या लेख करता या करवाता है तो वह सिद्धी पर ऐसे अर्थ दण्ड से दण्डनीय होगा, जो 2000/- रुपये तक का हो सकता है तथा मिथ्या प्रविष्टि प्रमाणित होने पर ऐसे नियमों, विनियमों व पदाधिकारियों की सूची निरस्त करने का रजिस्ट्रार को पूर्ण अधिकार होगा।

नोट :- इस कार्यालय में भविष्य में किसी भी प्रमाण का पत्र-व्यवहार करते समय संस्था रजिस्ट्रेशन क्रमांक व दिनांक अवश्य अंकित करें।

संलग्न : मूल प्रमाण-पत्र एवं विधान व
विधान व नामावली।

रजिस्ट्रार संस्थायें,
जयपुर।

राजस्थान सरकार
वन विभाग

क्रमांक प04(26)वन/2008 पार्ट

जयपुर, दिनांक:-

23 DEC 2009

प्रेषित:-

प्रधान मुख्य वन संरक्षक एवं
मुख्य वन्यजीव प्रतिपालक,
राजस्थान जयपुर

विषय:- सिंकिंग परमीशन टू झा वाट फ्रॉम चम्बल रिवर टू मीट द नीड्स ऑफ
ड्रिफ्टिंग वाटर ऑफ डिस्ट्रिक्ट करौली एण्ड सवाई माधोपुर आई.ए.
1698 के संदर्भ में।

सन्दर्भ:- आपका पत्र क्रमांक एफ.4(ट)विविध/मुवजीप्र/2008/11022 दिनांक
13.2.09

P-1271C

महोदय,

विषयान्तर्गत संदर्भित पत्र के क्रम में आपके कार्यालय से प्राप्त माननीय उच्चतम न्यायालय में प्रस्तुत आई.ए. नं० 1698 में पारित निर्णय एवं निर्देशों के अनुरूप मुख्य सचिव महोदय की अध्यक्षता में राजस्थान प्रोटेक्टड एरियाज् कन्जर्वेशन सोसाइटी के गठन के प्रस्ताव अनुमोदित कर एतद् द्वारा प्रेषित कर निर्देशानुसार लेख है कि प्रस्तावित समिति का पंजीकरण शीघ्र अपने स्तर से कराने की व्यवस्था करावे।

प्रस्ताव की अनुमोदित प्रति पूर्व में ही शीघ्र कार्यवाही कराने के लिए आपको उपलब्ध करा दी गयी है।

भवदीय

(वीरेंद्र सिंह)
अतिरिक्त शासन सचिव

राजस्थान सरकार
वन विभाग

क्रमांक-पो 4(26)वन/2008 पार्ट

जयपुर, दिनांक:- 20.01.2010

✓ प्रधान मुख्य वन संरक्षक
राजस्थान, जयपुर ।

विषय:- कन्सट्रक्शन ऑफ रॉ वाटर इनटेक वेल इन चंबल रिवर
नीयर मण्डरायल फोर ड्रिकिंग वाटर सप्लाई स्कीम फोर
अरबन एण्ड रूरल एरियाज ऑफ सवाईमाधोपुर एण्ड
करोली डिस्ट्रीक्ट ।

महोदय,

उपरोक्त विषय में निदेशानुसार लेख है कि कन्सट्रक्शन ऑफ रॉ
वाटर इनटेक वेल इन चंबल रिवर नीयर मण्डरायल फोर ड्रिकिंग वाटर सप्लाई
स्कीम फोर अरबन एण्ड रूरल एरियाज ऑफ सवाईमाधोपुर एण्ड करोली डिस्ट्रीक्ट
हेतु वन विभाग को बजट शीर्ष 4406-01-800-(02)-वन/कैम्पा से कैम्पा फण्ड में
आवंटित राशि रुपये 50.00 करोड में से राशि रुपये 24.35 करोड (अक्षरे रुपये
चौबीस करोड पैंतीस लाख मात्र) को बजट शीर्ष 4406-01-800(02)-
वन/कैम्पा/क्लीयरेन्स ऑफ वेरियस प्रोजेक्ट्स, 17-वृहद निर्माण कार्य (आयोजना)
में व्यय करने की स्वीकृति प्रदान की जाती है ।

यह स्वीकृति वित्त (व्यय-3) विभाग की आई0डी0 संख्या
130903171 दिनांक 18.1.2010 से प्राप्त सहमति के अनुसरण में प्रदान की जाती
है । कृपया इस मद में व्यय की जाने वाली राशि के पूर्ण विवरण का इन्द्राज पृथक
पंजिका में प्रकरणवार कराने का कष्ट करें ।

भवदीय,

अतिरिक्त सचिव

प्रतिलिपि:- निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं :-

1. प्रधान महालेखाकार, राजस्थान, जयपुर ।
2. प्रमुख शासन सचिव, जल संसाधन विभाग ।
3. वित्त (व्यय-3) विभाग ।
4. आयोजना विभाग ।
5. मुख्य अभियन्ता, जल संसाधन विभाग, राजस्थान, जयपुर ।
6. रक्षित पत्रावली ।

अतिरिक्त सचिव

PCCF (FC)
DCF & TA

(w) Society - Rs 23,950/-
Adhoc CAMPA Rs 38,76,154/-

(24)

कार्यालय प्रधान मुख्य वन संरक्षक, राजस्थान, जयपुर

क्रमांक एफ14(जी)09/वसु/प्रमुवसं/

दिनांक:-

कार्यालय आदेश

राजस्थान सरकार वन विभाग के पत्र क्रमांक प.4(26)वन/2008 पार्ट दिनांक 20.01.10 के अनुसार कन्स्ट्रक्सन ऑफ द वाटर इनटेक वेल इन चम्बल रिवर नीयर मण्डरायल फॉर ड्रिंकिंग वाटर सप्लाई स्कीम फॉर अरबन एण्ड रूरल एरियाज ऑफ सवाईमाधोपुर एण्ड करौली डिस्ट्रीक्ट (नादौती ड्रिंकिंग वाटर परियोजना) हेतु वन विभाग के बजट शीर्ष 4406-01-800 (02) वन/कैम्पा से कैम्पा फण्ड में आवंटित राशि रुपये 50.00 करोड़ में से राशि रुपये 24,33,76,154 (रुपये चौबीस करोड़ तैतीस लाख छियत्तर हजार एक सौ चौवन) को बजट शीर्ष 4406-01-800 (02)/वन कैम्पा/क्लीयरेंस ऑफ वेरियस प्रोजेक्ट, 17- वृहद निर्माण कार्य (आयोजना) में व्यय करने की स्वीकृति प्रदान की जाती है।

यह स्वीकृति वित्त व्यय-वित्त (व्यय-3) विभाग की आई.डी. संख्या 130903171 दिनांक 18.01.2010 से प्राप्त सहमति के अनुसरण में प्रदान की जाती है।

अतः उक्त स्वीकृति के अनुसरण में रुपये 24,33,76,154 (रुपये चौबीस करोड़ तैतीस लाख छियन्तर हजार एक सौ चौवन) के आहरण की स्वीकृति बजट मद 4406-01-800 (02) वन/कैम्पा/क्लीयरेंस ऑफ वेरियस प्रोजेक्ट 17-वृहद निर्माण (आयोजना) से प्रदान की जाती है। इस आहरित राशि में से रुपये 23.95 करोड़ राजस्थान प्रोटेक्टेड एरिया कन्जरवेशन सोसायटी के एस.बी.बी.जे., जयपुर खाता संख्या 61087162999 तथा 38,76,154/- रुपये कोरपोरेशन बैंक, सी.जी.ओ. कॉम्प्लैक्स, नई दिल्ली एडहॉक कैम्पा खाता संख्या सी.ए.-1581 में जमा कराने की स्वीकृति दी जाती है।

ह०

प्रधान मुख्य वन संरक्षक
राजस्थान, जयपुर

क्रमांक एफ14(जी)09/वसु/प्रमुवसं/ 1196-99

दिनांक:- 21/1/2010

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. प्रमुख शासन सचिव, वन विभाग, राजस्थान, जयपुर को पत्र क्रमांक प.4 (26)वन/2008 पार्ट दिनांक 20.01.2010 के संदर्भ में।
2. वित्तीय सलाहकार, वन विभाग, राजस्थान, जयपुर।
3. कोषाधिकारी सचिवालय, राजस्थान, जयपुर।
4. बिलशाखा, कार्यालय हाजा।

राशि रुपये 24,33,76,154/-
(चौबीस करोड़ तैतीस लाख
छियन्तर हजार एक सौ चौवन)

प्रधान मुख्य वन संरक्षक
राजस्थान, जयपुर

सचिव

सचिव

सचिव

प्रमुवसं

22

Rajasthan Protected Areas Conservation Society
(RPACS)

To,

Asstt. General Manager,
State Bank of Bikaner & Jaipur,
Tilak Marg, Jaipur.

Date
10/2/10

Subject :- To make fixed deposits from Saving Bank Account No.
61087162999 of the Rajasthan Protected Area Conservation Society.

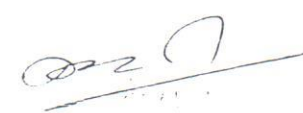
Sir,

With reference to the above, it is submitted that an amount of Rs. 23.96 crores is available in the saving account number 61087162999 of the Rajasthan Protected Area Conservation Society. As per resolution passed by the members of the society, the amount has to be deposited in Term deposits of 3 years and above in your bank. The number, amount and term/ period proposal for these deposits is given below:-

S.No.	Amount for FDR in Rupees	Terms for FDR
1.	96,00,000	36 months ✓
2.	97,00,000	36 months 5 days ✓
3.	95,00,000	36 months 9 days ✓
4.	97,00,000	36 months 14 days ✓
5.	94,00,000	36 months 19 days ✓
6.	98,00,000	36 months 24 days ✓
7.	96,00,000	37 Months ✓
8.	98,00,000	37 Months 7 days ✓
9.	95,00,000	37 Months 10 days ✓
10.	94,00,000	37 Months 15 days ✓
11.	99,00,000	37 Months 20 days ✓
12.	93,00,000	37 Months 24 days ✓
13.	93,00,000	37 Months 29 days ✓
14.	94,00,000	38 Months 7 days ✓
15.	95,00,000	38 Months 10 days ✓
16.	96,00,000	38 Months 15 days ✓
17.	97,00,000	38 Months 20 days ✓
18.	99,00,000	38 Months 24 days ✓
19.	93,00,000	38 Months 29 days ✓
20.	94,00,000	39 Months 7 days ✓
21.	95,00,000	39 Months 10 days ✓
22.	96,00,000	39 Months 15 days ✓
23.	97,00,000	39 Months 20 days ✓
24.	98,00,000	39 Months 24 days ✓
25.	96,00,000	39 months 29 days ✓
Total	23,95,00,000	

You are requested to kindly make term deposits as mentioned above by debiting our Saving bank account number 61087162999 and credit quarterly interest in the abovesaid account number .

Yours sincerely



Rajasthan Protected Areas Conservation Society (RPACS)

1.

IA No. 1698 में उच्चतम न्यायालय के आदेश दिनांक 17.10.08 द्वारा पारित निर्णय के कम में राजस्थान संस्था रजिस्ट्रेशन अधिनियम 1958 के अन्तर्गत प्रोटेक्टेड एरीया कंजरवेशन सोसायटी का रजिस्ट्रेशन करवाया गया है। सर्वोच्च न्यायालय के द्वारा यह आदेश IA No. 1698/2006 चम्बल घड़ियाल अभयारण्य क्षेत्र में सवाई माधोपुर-नादौती पेयजल परियोजना के (for construction of intakewell) प्रकरण के अन्तर्गत जारी किये गये थे। आदेशानुसार उक्त परियोजना हेतु चम्बल अभयारण्य की प्रत्यावर्तित भूमि के एवज में 5 प्रतिशत *cost of the project cost* राशि को सोसायटी में जमा कराई गई। इस राशि के एवज में प्राप्त होने वाली ब्याज राशि को *perpetuity basis* पर राजस्थान में स्थित नेशनल पार्क एवं सेन्चुरी की सुरक्षा एवं संरक्षण कार्य हेतु काम में लिया जाना है।

इस संदर्भ में दिनांक 29.1.2010 को सोसायटी के खाते में रुपये 23.95 करोड़ जमा हो चुका है। सोसायटी के खाते में जमा हुई इस राशि को *fix deposit* में रखने का निर्णय लिया जाना है। विभिन्न बैंकों से प्राप्त होने वाली ब्याज दरों का पता लगवाया गया। इसके अनुसार तीन वर्ष से पाँच वर्ष की अवधि हेतु ब्याज दर स्टेट बैंक ऑफ बीकानेर एण्ड जयपुर 7.25 प्रतिशत, कॉर्पोरेशन बैंक 7.25 प्रतिशत, ऑरियन्टल बैंक ऑफ कॉमर्स 7 प्रतिशत, तथा पंजाब नेशनल बैंक 7 प्रतिशत, स्टेट बैंक ऑफ इण्डिया 6.5 प्रतिशत, बैंक ऑफ बड़ौदा 7 प्रतिशत, इलाहाबाद बैंक 7 प्रतिशत, बैंक ऑफ इण्डिया 6.5 प्रतिशत, देना बैंक 7 प्रतिशत, बैंक ऑफ महाराष्ट्र 7 प्रतिशत, यूनियन बैंक 6.5 प्रतिशत, केनरा बैंक 7 प्रतिशत है। पाँच वर्ष से अधिक की अवधि की *fix deposit* कराने पर कुछ बैंकों की ब्याज दरें तीन वर्ष से पाँच वर्ष की अवधि से 0.25 प्रतिशत अधिक हैं। बैंकों की ब्याज दरों में उतार-चढ़ाव होता रहता है परन्तु ब्याज दरों के भविष्य में बढ़ने की संभावना अधिक है। अतः उचित यह होगा कि FDs को अधिक अवधि के लिए नहीं करायी जा कर, तीन से चार वर्ष की अवधि की करायी जावे।

चूँकि एक करोड़ से अधिक राशि की *fix deposit* पर ब्याज दरें कम हैं, उचित यह है कि एक करोड़ से कम राशि की 25 FDs इस राशि से करायी जावे।

अतः स्टेट बैंक बीकानेर एण्ड जयपुर एवं कॉर्पोरेशन बैंक द्वारा 3 से 5 वर्ष की अवधि हेतु दी जा रही ब्याज दर अन्य राष्ट्रीकृत बैंकों से अधिक है अतः उक्तानुसार *fix deposit* उक्त दोनों बैंकों में किया जाना उचित होगा।

राजस्थान प्रोटेक्टेड एरीया कंजरवेशन सोसायटी (RPACS) के *bye-law 5.7* के अनुसार सोसायटी से संबंधित फण्ड्स का इनवेस्टमेंट किये जाने के विषय में जनरल बॉडी द्वारा निर्णय किया जाना है। गठित जनरल बॉडी की बैठक बुलाने में समय लगने की संभावना को देखते हुए पत्रावली पर जनरल बॉडी के सदस्यों से (*by circulation*) सहमति प्राप्त कर प्रस्ताव को अनुमोदित किया जाना प्रस्तावित है।

मुख्य वन संरक्षक(वन्यजीव) एवं सदस्य सचिव
राजप्रोटेक्टेड एरीया कंजरवेशन सोसायटी

2.

Chief Secretary
(President)

Pr. Secretary, Forests
Member

PCCF, Rajasthan
Member

PCCF & CWLW

APCCF(WL)

APCCF(Dev)

Rajasthan Protected Areas Conservation Society
(RPACS)

3.

कृपया पैरा १ का अवलोकन करें। सोसायटी के खाते में जमा राशि 23.95 करोड़ रुपये को एक करोड़ रुपये से कम की राशि की 25 Fixed deposits कराने हेतु प्रस्ताव पैरा १ में वर्णित किये गये हैं, जिनका अनुमोदन समिति के सदस्यों द्वारा कर दिया गया है।

श्रीमान अध्यक्ष महोदय के समक्ष उक्त प्रस्ताव अनुमोदनार्थ प्रस्तुत है।

अनुमोदन की स्थिति में सोसायटी का Resolution हस्ताक्षरार्थ प्रस्तुत है।


सदस्य सचिव एव

मुख्य वन संरक्षक (वन्य जीव) जयपुर

मुख्य सचिव,
राजस्थान सरकार

1. (i) Which is the Nationalized Bank wherein the Society's acct. is maintained?

(ii) Does that bank offer the highest interest on the deposits comparable?

P.I. ensure that SC's order along with the above criteria need to be kept in mind. Was the above condition proposal is approved

MS 5

P.I. Sp. 9/21

Why two banks?

MS 1

9/2

Rajasthan Protected Areas Conservation Society -

53555

6. Discussed. As the Society's account is maintained in SBB3, it would be in order to keep the FOR

in SBB3 -
se order also indicates
bank account maintained
by the Society.
MS/

7. As per P. 6/N, the revised resolution (Placed below) submitted for signature pl.

16/CS/II/10
10/2/10

(P.S. Somashekhar)
(Member Secretary
& CCA (W.L.))

8. Chief Secretary,
Govt. of Rajasthan.

MS/

A
1971

25

Rajasthan Protected Areas Conservation Society

Resolution no. 1

Date: .02.2010

Subject: Approval of investment of Society funds as per bye law 5.7 of the Society

The Hon'ble Supreme Court in its order dated 17.10.2008 in I.A. no. 1698 has issued following directions w.r.t. Project for supply of drinking water to Karauli & Sawai Madhopur districts by drawing water from river Chambal to be implemented by the PHED department:

1. *"A Society would be constituted to manage the funds under the chairmanship of the Chief Secretary, Govt. of Rajasthan with an officer not below the rank of Chief Conservator of Forests as Member Secretary.*
2. *The project authorities will deposit 5% of the estimated project cost of Rs. 478.91 crores i.e 23.95 crores for conservation & protection of National Parks and Sanctuaries in the State.*
3. *This amount along with amount payable towards the NPV would be deposited in a separate interest bearing bank account of a nationalized bank maintained by the society.*
4. *Income received by way of interest should be used in perpetuity for conservation & protection of National Parks & Sanctuaries in the State.*
5. *The procedure and guidelines for utilization of the funds may be decided by the State Government."*

In lieu, a Society in the name of "Rajasthan Protected Areas Conservation Society" has been constituted on 30.12.2009 as per the directions of the State Government vide their letter no. F 4(26) Forest/2008 Part dated 23.12.2009. A saving bank account in the name of the society has been opened in the Tilak Marg

(26)

branch of SBBJ at Jaipur. As per the Government sanction dated 20.1.2010 an amount of Rs.23.95 crores has been deposited in the Bank account of the RPACS on 29.01.2010. This amount is proposed to be kept in fixed deposit with quarterly interest payments so that maximum rate of interest may be effected. The interest rates of various Nationalized Banks were reviewed. It was found that best interest rates for a period of three to five years are offered by the State Bank of Bikaner & Jaipur & Corporation Bank.

Since the Society's saving Bank account is being maintained in SBBJ Tilak Marg branch, Jaipur, therefore for the purpose of convenience it would be proper to keep the fixed deposits in the same bank.

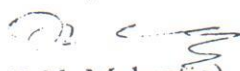
Hence in the interest of the Society, it is resolved that the available amount of Rs 23.95 crores may be invested in the fixed deposits for three years in the SBBJ Bank. Quarterly interest accrued on these FDRs would be deposited in the Saving Bank account of the Society for use for funding activities related to conservation & protection of National Parks and Sanctuaries in the State, as per directions of Honorable Supreme Court of India.

It is resolved to approve the above proposal.


(T. Srinivasan)

Chief Secretary

(President)


(R.N. Mehrotra)

PCCF & CWLW

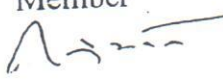
Member


(P.S. Somashekar)

Member Secretary, CCF, Wildlife, Jaipur

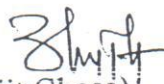

(B.L. Arya)
Pr. Secretary, Forests

Member

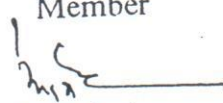

(Rahul Kumar)

APCCF (WL)

Member


(Abhijit Ghose)
PCCF, Rajasthan

Member


(O.P. Mehta)

APCCF (Dev)

Member

RAJASTHAN PROTECTED AREA CONSERVATION SOCIETY

Operational Guidelines

OPERATIONAL GUIDELINES

A. MANAGEMENT OF THE SOCIETY

Organisational set-up for Implementation

- 1 The Society would provide for implementation of conservation of Protected Areas in the State. The Society consists of two-tier set-up, namely The Society's General Body and the Executive Committee and the Forest Divisions (Wildlife& Territorial) .
- 2 Forest Divisions territorial/ wildlife would function as a implementing agency for the field work of improvement of wildlife habitat and conservation/ protection measures.

Project Area

The RPAC would implement the development works for wildlife protection and conservation measures in Protected Areas and adjoining lands, under both public as well as private land in the State.

Project Planning

- 1 Forest division will be the central and integral part of the works implemented under RPACS.
- 2 To this end, focused effort will be made at all levels for constitution of EDCs in the Protected Areas where the wildlife protection and conservation activities would be taken up.
- 3 The projects would be prepared by the DCF/ DFO for PAs under their jurisdiction.
- 4 He would consult the local Wildlife CCFs/ CFs for project formulation.
- 5 The guidelines of the Ministry of Environment & Forests, GOI and National Tiger Conservation Authority for the CSS schemes of "Integrated Development of Wildlife Habitats" and " Project Tiger " would be applicable.
- 6 The works proposed would be in accordance with the approved Management Plan of the PA as far as possible.
- 7 Emphasis would be laid on those items which are very essential for conservation and protection of PAs, but are not covered under CSS.

Project Proposal:

1. Forest divisions may draw a 5-year perspective (5-Year Plan) and year-wise Annual Work Plan (AWO) for wildlife protection and conservation works.
2. While formulating a project proposal, the divisions shall take due care to ensure that duplication of endeavours, under various schemes of Departments by way of taking up the same activity in the same area, is avoided.
3. Due consideration of the existing and potential resources and constraints (financial, natural and human) will be taken into account for phasing and sizing of activities so as to ensure that there is no routine spill-over of work to another year. Spill-over work may be allowed only on proper justification by the Divisions and its due consideration by the RPACS.
4. The proposals formulated by the Divisions under the guidance of their Controlling officer may be forwarded to the RPACS through their respective CCFs.
5. The proposals would be scrutinised by a committee set up for this purpose amongst the members of the Executive Committee. The Executive committee would nominate the members of the said committee in its meeting.
6. The final proposals would be placed in the meeting of the Executive Committee and thereafter in the General Body for approval.
7. After approval of the project proposals by the General Body, the Executive Committee would decide to release the funds to the division in instalments.
8. Format for project proposal, checklist of documents to be submitted by Divisions to RPACS, certificates to be submitted by RPACS to GOI etc. would be as per the guidelines of Ministry of Environment & Forests, GOI and National Tiger Conservation Authority for the CSS schemes of "Integrated Development of Wildlife Habitats" and "Project Tiger" GOI.

BROAD PARAMETERS PERTAINING TO FUND FLOW MECHANISM AND FINANCIAL PROCEDURES

1. The funds received by the RPACS from the funding agency shall be deposited in its exclusive and separate Bank account, which would be operated jointly by its Chairperson and the Member Secretary of the Executive Committee.
2. The RPACS shall transfer the amount, sanctioned by the RPACS to the concerned Divisions.
3. Each Division shall submit a quarterly statement of accounts and progress of works carried out by them to the Member Secretary of Executive Committee.
4. The Divisions shall submit a comprehensive annual report on the progress of works and Utilisation Certificate of funds. However, these details have to be furnished by the Divisions, each time they seek for release of the next instalment of funds under the project.
5. The interest amount if any, accrued on the deposits of these funds shall be treated as a part of the RPACS additional resource and would be adjusted towards further instalments of the grant.

6. The funds released by RPACS shall be subject to audit by the Comptroller and Auditor General of India or his nominated officer. Any other agency/ officer (s) authorised by RPACS shall have the right of access to the books and accounts of the Divisions.
7. The RPACS Executive Committee shall be responsible for nomination of the auditor from the panel of Chartered Accountants registered by CAG.
8. The RPACS Executive Committee shall be responsible for guidance, coordination, supervision, periodical reporting and monitoring the implementation of the works.
9. The divisions would furnish a detailed report including Utilization Certificate and Work Completion certificate within one month of the completion of the sanctioned works, to the RPACS Executive Committee.
10. The Executive Committee of RPACS reserves the right to terminate the sanction at any stage if it is convinced that the grant has not been properly utilised or appropriate progress has not been made.
11. In case, the Divisions fails to execute the works within the stipulated time, including such extensions as may be granted by RPACS, Executive Committee may, in its discretion, require the Divisions to refund the grant in whole or in such part on account of the Divisions along with interest thereon as the Committee may specify.
12. There will be no diversion of funds from one item to other and one Division to another Division except in exceptional circumstances and with the prior approval of RPACS Executive Committee.
13. The division will submit non-diversion certificate, each time a request for release of grant is made to RPACS.
14. The auditing of accounts of the RPACS/ Divisions will have to be carried out by a reputed Chartered Accountant, whose nomination is approved by the Executive Committee.
15. Divisions will maintain a record of all assets created under the project as per prescribed form.

Monitoring and Evaluation

Monitoring and Evaluation

1. Each work under the RPACS will be monitored by the Divisions and their respective CCFs through field inspections.
2. The Range Forest Officer/ Divisional Officer will undertake field checks of the works undertaken and submit periodical reports to the DCFs/DFOs.
3. The norms set out by the State Forest Department for field inspection of departmental works for its officers will also apply to RPACS works.
4. In addition to above, the RPACS Executive Committee and the General Body will also meet periodically to monitor the progress of the scheme as per the Bye laws.
5. The RPACS may undertake the independent evaluation of works.

(Finance and Accounts) RULES

Financial Rules for the Rajasthan Protected Area Conservation Society (RPACS)

I. Short Title:

These Rules may be called "Rajasthan Protected Area Conservation Society" (RPACS) (Finance and Accounts) Rules.

II. Scope and Application:

This Rule shall extend to all the units and activities of the Society and the Forest Divisions.

III. Amendments and changes in the Rules can be made only with the approval of the General Body along with reasons/justifications.

IV. These Rules shall come into force with immediate effect.

V. The items not covered under these Rules shall be dealt with as per the Executive Committee directions.

VI. Any other item not covered under these rules shall be governed by Rajasthan GF & AR Rules.

VII. Rajasthan Protected Area Conservation Society shall have all the residual powers and shall have the power of superintendence over all the activities of Forest divisions.

Definition

Rule-1: Definition

Unless the context otherwise requires, the terms defined in these Rules have the following meaning:

- I. "Accountant General" means the Accountant General, Rajasthan;
- II. "Account Officer" means head of Finance and Accounts;
- III. "AWP" means the Annual Work Plan of the RPACS ;

- IV. "Chairperson" means the Chairman of the Executive committee of the Society;
- V. "Drawing and Disbursing Officer" means officer in charge of establishment, general administration and store purchase etc at the State Level;
- VI. "E.C." means Executive Committee of the RPACS ;
- VII. "Executive Committee" means the Executive body of the Society;
- VIII. "Financial year" means the year commencing on 1st April and ending on 31st March;
- IX. "Government" means the Government of Rajasthan;
- X. "Central Government " means the Government of India;
- XI. "Secretary" means Member Secretary of the RPACS ;
- XII. "Non-recurring expenditure" means expenditure other than recurring expenditure to provide general articles of permanent nature;
- XIII. "Recurring expenditure" means the expenditure of general nature incurred at periodical intervals;
- XIV. "RPACS" means Rajasthan Protected Area Conservation Society ;;

Rule-2: Annual Work Plan:

Wildlife Conservation and Protection works in the Protected Areas shall be implemented through RPACS and the Forest divisions for which an Annual Work Plan shall be prepared stating clearly physical and financial targets for the financial year. The programme shall be implemented as per the physical and financial budgetary provisions stated in the Annual Work Plan approved by the competent authorities, unless otherwise decided by the E.C. The works would be carried out as per the directions laid down by GOI/ GOR for APOs.

Forest divisions shall be subordinate to RPACS and shall carry out all the directions issued by RPACS. It shall be the duty of every Division to carry out the physical and financial targets allotted to them.

RPACS shall be competent to issue directions to change the internal allocation of targets to the various Divisions and every division shall comply with such direction forthwith.

The Society shall maintain a fund, which shall be credited by:

- i. All sums of money that may be provided by the User agencies as compensation for diversion of forest land to the Forest department. Grants from other sources;
- ii. Receipt of the Society;
- iii. Assistance;
- iv. Government Grants etc.
- v. Levies to be charged by Divisions

In addition to this, Society may maintain a Society Reserve Fund and such other special funds that may aid the efficiency of the Society. Society may take loan from the Central Government, Board, NGO, and Financial Institutions, if required.

Rule-3: Payments:-

A bank account would be operated for the Society. All funds shall be deposited into the Society account in a Scheduled Bank and shall not be withdrawn except through a cheque signed by officers having cheque drawing powers.

Rule-4: Investment: -

- i. The funds surplus to the requirement of the Society may be invested in Govt. Securities or the fixed deposit receipts of a bank and such other instruments as may be decided by the E.C. All investments of fund shall be made in the name of the Society and shall be transacted under the joint signatures of Member Secretary & Chairperson of the Executive Committee.
- ii. The income from such investments shall be deemed to be the income of the Society and shall be credited to interest bearing accounts.

Reguation-5: Drawl of Money, General Principles:

- i. No money shall be drawn from the Bank unless it is required for immediate payment.
- ii. Money shall be drawn from the bank by means of a cheque only. The following procedure will be adopted for withdrawing the money from the Bank:
 1. At the RPACS office: upto Rs. 50,000/- by the Secretary and above Rs. 50,000/- under joint signature of Secretary & Chairperson.
- iii. A reference to cheque number, date and name of party shall always be entered in the Cheque Register.
- iv. No officers shall incur expenditure from Society's account unless it has been sanctioned by the competent authority.

10

Rule-6: Allocation and Transfer of Funds:-

Allocation and transfer of funds shall be done from the RPACS office on the basis of financial demand submitted by the district/subordinate offices. RPACS shall be competent to order transfer of funds from one division to another.

Rule-7: Monthly Accounts:-

- (a) When the statements from all the divisions have been received, the Accounts Officer(AO) at head office shall reconcile the accounts, and then prepare a consolidated monthly account showing receipt and expenditure upto the end of the preceding month against the sanctioned appropriation under each head.
- (b) The AO shall be responsible to watch the progress of the expenditure as compared to provisions made in AWP and grants received or expected to be received from the Central/State Govt. He shall also prepare a statement of savings and excesses and submit the same with the consolidated monthly statement to the Member Secretary who shall place the annual statement of expenditure before General Body.

Rule-8: Principles of Financial Propriety:

Every person authorized to incur expenditure is expected to exercise the same vigilance in respect of payments made from funds of the Society as a person of ordinary prudence would exercise in respect of payments of his own money.

Rule-9: Control of expenditure:-

A person authorized to incur expenditure, must ensure that all relevant financial rules, Rules, orders, directions and instructions have been followed. He will also see that items of expenditure are of obvious necessity, at fair and reasonable rates and sanction has been obtained from the competent authority.

Rule-10: Payment to Parties:

All payments shall be made through Account payee cheques only.

Rule-11: Specimen Signature:

Specimen signature of officers authorized to operate the Bank account shall be sent to the Bank for record.

Rule-12: Examination of Cheque Book:

On receipt, cheque book shall be carefully examined, forms counted and a certificate recorded on the fly leaf.

Rule-13: Accounting and Custody of cheque Books:

Each Cheque Book shall be entered in the Register of Cheque Books. These will be kept under lock and key in the personal custody of the Secretary.

TRANSACTIONS

Rule-14: Cash Book:

A two columnar (*Cash & Bank*) cash book for keeping record of the receipt and payment of money on behalf of the Society shall be maintained.

A separate Bank Account will be opened at the level of Implementing level and accordingly separate cash book, Voucher file, tender file etc. will be maintained so the accounts can be inspected by the authority of society and C.A./ A.G. appointed by the society.

The implementing agency will render original vouchers & U.C. at the time of further advance or at the end of the financial year.

Rule-15: Entry in Cash Book:

- i. All monetary transactions shall be entered in the cash book as soon as they occur and would be attested by the Secretary.
- ii. When the Society's money is remitted into the Bank, the Secretary shall compare the Bank receipt with the entry in the cash book before attesting it. He will ensure that the amount has actually been credited into the Society's account.
- iii. Sufficient details should be given in the column "Particulars" to identify each transaction.
- iv. The sums paid into the Bank shall be shown as "Deposits in the Bank" even though the remittance has been made by cheque and not in cash.
- v. The value of all cheques shall be credited to "Withdrawal from Bank" irrespective of whether or not they have been encashed immediately.

Rule-16: Closing of Cash Book:

The Cash Bok shall be closed daily and checked by Accountant and Secretary with reference to receipt, pay in slips and vouchers. They will also verify the total of the Cash Book including opening and closing balances and initial each entry.

Rule-17: Correction of Errors:

- i. Any erasure or overwriting of an entry once made in the cash book is strictly prohibited. In case of error, it shall be corrected by red ink entry under the signature of the Secretary along with the date.

Rule-18: Ledger:

- i. Ledger is a register in which all transactions recorded in the Cash Book shall be classified under different heads of accounts or objects of expenditure of any sub-unit thereof.
- ii. The ledger shall be kept in the prescribed form.
- iii. The ledger accounts shall be arranged and grouped in such a manner that the desired information is promptly secured.
- iv. All items of debits and credits of the cash book shall be posted on the same day in the respective ledger account

- v. Daily totals shall invariably be drawn and progressive totals shown wherever necessary.
- vi. All the ledger accounts shall be closed at the end of the year. Totals shall also be made in the classified account.

Rule-19: Permanent Advance/Imprest:

- i. A Permanent Advance of Rs. 10,000/- will be given to Secretary who has to make payment of urgent nature frequently.
- ii. The imprest holder shall be responsible for the safe custody of imprest money and he must at all times be ready to produce the total amount of imprest either in the form of vouchers or in cash.

Rule-20: Bank Reconciliation:

Entries shown in the Pass Book/Bank Statement shall be reconciliated monthly from the Bank with the entries made in the Cash Book. Any discrepancy will be rectified.

Rule-21: Receipt of Money:

- i. Money on behalf of the Society in the form of cash, cheque, demand draft, banker's cheque etc. shall be received by the cashier or any other authorized officer. All the money receipts shall promptly be accounted for into the Society's accounts and deposited in the Bank.
- ii. The payer must be given a receipt duly signed by the cashier for the amount paid.
- iii. The amount in receipt shall be written both in figures and words.
- iv. The Accountant and the Secretary shall ensure that all the money received has been properly entered into the cashbook.
- v. In the event of a cheque being dishonoured by the bank on presentation, the fact shall be promptly reported to the tenderer by the Secretary for payment in cash/cheque. However, not more than one opportunity would be provided to the tenderer for repaying the dishonoured cheque by way of a cheque.

Rule-22: Account of Receipt Books:

- i. Printed Receipt Books containing receipts with their counter foils shall be machine numbered and their record be kept in the Register of Receipt books.
- ii. Before the Receipt Book is brought into the use, the number of receipts contained therein shall be counted and the result recorded in a conspicuous place in the Receipt Book under the signatures of the Secretary.
- iii. The blank receipt books shall be kept under lock and key of the Secretary.
- iv. Counter foils of the used receipt books shall be kept in the personal custody of the Secretary.
- v. The physical verification of blank receipt books in stock shall be carried out on 30th June and 31st December by the Accounts Officer and a certificate to that effect recorded in the register of Receipt Books.

Rule-23: Transfer of Charge:

- i. When an employee of RPACS, entrusted with the charge of cash, stores, stationery, valuable articles or any other asset is transferred or has to

relinquish his charge due to retirement, resignation or for any other reason, the full charge thereof shall be given by him to his successor in the following manner :

- (a) The cash book, imprest account and other accounts shall be closed on the date of transfer and a note recorded in each of them over the signature of both the relieved and relieving employees, showing the cash balance, number of unused cheques, blank receipt books, Govt. securities, balance of postage stamps etc.
- (b) In case of stores and stationery, a list of articles handed over giving reference of page number of the Stock Register where the articles in balance are recorded shall be signed by the respective employees.
- (c) Any shortage or irregularity noticed during the taking over/handing over of charge shall be brought to the notice of the concerned Member Secretary.

ADVANCES TO EMPLOYEES AND PARTIES

Rule-24: Advance to Parties:

For a contracted work, no advance shall be given except with the prior permission of the Chairperson. Such advance shall always be against an irrevocable Bank Guarantee which may be accepted only after legal vetting.

For Store purchases, advance may be given by the Secretary for purchase of items only with the prior permission of the Chairperson.

CONTINGENT EXPENDITURE

Rule-25: Contingent Expenditure:

Contingent expenditure means all incidental and other expenses which are incurred for the management of an office or for the technical working of the project other than those which fall under specified items of expenditure.

Rule-26: Advances to Employees for Specific Work Activity:

- i. Temporary advances may be given to the officers/employees for meeting specific project activity after approval of the competent authority. The Member Secretary shall ensure that advances are not allowed to remain unadjusted for a duration exceeding one month.
- ii. Any unspent balance shall be deposited soon after the purpose is accomplished. In case the account of such advances together with unspent balances is not given/paid within one month after accomplishment of work, the amount shall be recovered from the salary of such employee together with interest @ 18% p.a..
- iii. Second advance shall not be given unless the account of first advance has been rendered.

Rule-27: Repairs And Maintenance of Machinery and Equipments:

- i. Office equipments like photocopiers, computer, fax and other equipments like air conditioners, television, cameras, projectors, motor vehicles etc shall be got repaired and maintained through their manufacturers, or original suppliers, or distributor, or authorized dealer. An annual rate contract may be got entered into after expiry of warranty/guarantee period well in advance.
- ii. In case, manufacturers, suppliers etc. do not agree to such rate contracts, tenders shall be invited and repairs got done from established mechanics having well-equipped workshops. Spare parts will always be purchased from authorized dealers.

Rule-28: Account of Newspapers, Periodicals and Books etc.:

Account will be maintained in the prescribed form for making payments and for issue and disposal by the library section.

Rule-29: Refunds:

- i. Refund of any excess or recovery of amount made and credited to the Society account shall be made with the prior approval of Secretary on demand to the person entitled to receive the amount on production of proper authority.
- ii. Before a refund is allowed, the original receipt and entries in the cash book etc. should be traced and a note of refund of the sum ordered should be kept against original entries so as to avoid double claim in future.

ACCOUNT AND AUDIT**Rule-30: Responsibility Regarding Accounts:**

Responsibility regarding maintenance of proper accounts and audit will be with the Secretary and the Accounts Officer.

Rule-31: Audit:

The accounts of the society shall be audited concurrently at RPACS office and at Division Office/ Implementing Agency offices by a Chartered Accountant appointed by the Society after taking approval of EC. The accounts shall be audited at least once a year and any expenditure incurred to this effect shall be payable by the Society. The auditor of the Society shall have the right to demand production of books, accounts, concerning vouchers and other documents as may be required for audit. The auditor shall have the same rights, privileges and authority in connection with audit of accounts of the Society as the Accountant General has in connection with the audit of Government accounts.

The auditor can also inspect any of the offices of the Society, if required.

Rule-32: Pursuance of Audit Objections:

The Accounts Wing shall maintain an audit objection register to record all audit objections. The progress made towards the settlement of outstanding audit objections shall be reviewed quarterly by the Chairperson/ Member Secretary and appropriate further action will be taken to ensure their speedy settlements.

Rule-33: Rendition of Audit Report and Annual Accounts:

Annual Accounts as certified by the Auditor together with the Audit Report thereon, shall be placed by the Member Secretary of General Body for approval before the General Body.

Rule-34: Misappropriation, Fraud, Losses, and Write-Off Etc.

- i. Every employee of the Society should realize clearly that he will be held responsible for any loss sustained by the Society through fraud or negligence on his part.
- ii. Whenever any loss of receipts, or stores caused by misappropriation, fraudulent drawl/ payment or otherwise is discovered or suspected, the matter shall immediately be enquired into by the Member Secretary. If need be, assistance of Auditors may be taken and the matter will be reported to the Chairperson, Executive Committee along with detailed report on the causes or circumstances which led to the misappropriation etc., the steps taken to recover the loss and to prevent the recurrence and the disciplinary or any other action proposed as regards the persons responsible.
- iii. In case of criminal offence, a report will be lodged with the police for necessary action.

Rule-35: Write-Off Losses:

The losses etc shall be written off by the authority specified under Delegation of Powers to the extent and conditions prescribed.

Rule-36: Delegations of Powers:

Delegations of administrative and financial powers to various authorities have been prescribed in Annexure-I & II of these Rules.

Rule-37: Residual Powers:

All Residual Powers related to these Rules shall vest in the Chairman. They can also exercise any power, vested in a subordinate officer at any time.

STORES**Rule-38 :Stores :**

The term "Stores" applies generally to all articles and materials purchased or otherwise acquired for the use in offices and units of the Society and includes not only expendable, consumable or issuable items in use or accumulated for specific purpose, but also goods, vehicles and items of permanent stock.

Divisions shall not be competent to relax any provisions of the Rule at their level.

Rule-39 : General Principles of Purchases

- i. Purchases shall be made in the most economical manner in accordance with the requirements of the Society.
- ii. Stores shall not be purchased in piece meals or split up to avoid sanction of higher authorities.
- iii. Stores shall not be purchased in advance of actual requirement.
- iv. Purchases through tenders, except for purchases upto Rs. 3,000/-, shall be made only from those firms, which are registered with the State Commercial Taxes Department.
- v. Purchases will be subject to the budget provisions, or by special authorization of EC.
- vi. In case of such purchase, where there is a system of allowing discount or rebate in particular period of the year, purchases may be so regulated that facility of such discount or rebate is available to the fullest extent.

Rule-40 : Purchases As Per DGS&D Rate Contract:

All the goods which are on DGS&D Rate Contract can be purchased without calling tenders. Branded items can also be purchased without calling tenders after getting approval of the Chairperson, Executive Committee.

Rule-41 : Principles of Procurement:

The authorities who are required to procure materials for the Society, shall follow the following principles of financial propriety:

- i. Whether the selected offer will adequately meet the requirements for which it is being procured;
- ii. Whether the price of offer is reasonable in comparison to the prevailing market rates and consonant with the quality required; and
- iii. Above all, whether the offer being accepted is the most appropriate one taking all relevant factors into account and in keeping with the principles of financial propriety.

Rule – 42: Purchases through Tenders:

Tenders shall be invited for supply of all articles unless the value of the order to be placed is up to Rs. 3,000/- or the Purchase Committee is satisfied that sufficient reasons, which shall be recorded in writing, exist that it is not in the public interest to call for tenders or the demand is urgent or the sources of supply are limited or where the article is not manufactured by any other manufacturer or where there is no substitute or where even after two attempts tenders have not been received.

Rule – 43: System of Tenders:

Tenders shall be obtained in the following manner:

- i. Open tender (by advertisement in newspaper) where value of tender is above Rs. 50,000/-

- ii. Limited Tender (by direct invitation to a limited number of firms) where value of tender is upto Rs. 50,000/- and above Rs. 3,000/-.

Note: However, in urgent and emergent circumstances, the Chairperson of Executive Committee shall have the power to relax the condition of tenders.

Rule-44 : Time limit for opening of Tenders:

The following time limit will be followed:

Amount of NIT	Time Limit
1. In case of advertisement for value above Rs. 50,000/- upto Rs. 5 lakh.	10 days
2. Above Rs. 5 lakh upto Rs. 10 lakh	15 days
3. Above Rs. 10 lakh	30 days

Rule – 45: Publicity of NIT:

The publicity shall be as follows:

Amount of NIT	Mode of Publicity
1. Above Rs. 50,000/- upto Rs. 5 lakh	Minimum one State level newspaper and one local newspaper.
2. Above Rs. 5 lakh upto Rs. 10 lakh	Minimum two state level newspapers.
3. Above Rs. 10 lakh	Minimum two State level newspaper and one National level newspaper and on the Web site.

Rule – 46 : Short Notice Tender :

In case of emergent circumstances, which shall be recorded in writing, the Chairperson may reduce the period of publicity.

Rule – 47: Purchases through Limited Tenders:

Tender shall be obtained from S.S.I. units/wholesalers/Producers/Manufacturers/Sole-Sub-Distributors/Authorized Dealers/Established retailers.

Rule – 48: Tender Notice:

Tender notice should contain the following particulars:

- i. Office of issue and tender number.

- ii. Brief specification of stores;
- iii. Quantity and estimated value;
- iv. Office from which tender forms and the time and date upto which these can be obtained;
- v. The time and date by which the tender should reach the office.
- vi. Cost of tender forms, mode of payment and the fact that tender fees once paid would not be refundable;
- vii. Earnest money and its form;
- viii. Time, Date and Place where tenders will be opened;
- ix. Delivery period;
- x. Pre-bid conference, if any, and
- xi. Validity of tender.

Rule – 49: Earnest Money and Security Deposits:

Earnest Money (EMD) and Security Deposit (S.D.) shall be obtained at 2% and 5% respectively of the estimated value in case of purchases valuing above Rs. 50,000/-.

Rule-50 : Form of Earnest Money/ Security Deposit:

Earnest Money/Security Deposit may be obtained in cash/Bank Drafts/Banker Cheque or Bank Guarantee.

Rule – 51: Refund.

- i. The Earnest Money of unsuccessful tenderers shall be refunded soon after the final acceptance of tender.
- ii. The Security Deposit shall normally be refunded within one month of the final supply and installation of the articles. If the guarantee/warranty period is more than one month, it will be refunded on the expiry of guarantee/warranty period only.

Rule-52: Forfeiture of Earnest Money / Security Deposit:

- i. The earnest money shall be forfeited in the following cases:
 - (a) When the tenderer withdraws or modifies the offer after opening of tender but before acceptance of tender;
 - (b) When he fails to commence the supply of the item ordered within the time prescribed;
 - (c) When the tenderer does not deposit the security deposit after the purchase order is given.
- ii. Forfeiture of Security deposit:

Security deposit shall be forfeited in the following cases:

- (a) When any term and condition is impinged;
- (b) When the tenderer fails to make complete supply satisfactorily.

(Note: Notice will be give with reasonable time before forfeiture.)

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Rule – 53: Extension and Delay in Supplies:

- i. If the supplier requires an extension of time before completion of contractual supply on account of occurrence of any hindrance, he shall apply in writing for extension on occurrence of hindrance but not after the stipulated date of completion of supply.
- ii. The purchase officer may extend the delivery period with or without liquidated damages in case he is satisfied that the delay in the supply of goods is on account of hindrance. Reasons shall be recorded.
- iii. Extension in delivery period:

In case of extension in the delivery period with liquidated damages, the recovery shall be made on the basis of following percentages of value of stores which the tenderer has failed to supply:

a.	Delay up to one-fourth of the period of the prescribed deliver period	2.5%
b.	Delay exceeding one-fourth but not exceeding half of the prescribed deliver period	5%
c.	Delay exceeding half but not exceeding three-fourth of the prescribed deliver period.	7.5%
d.	Delay exceeding three-fourth of the prescribed delivery period.	10%

Note : Fraction of a day in reckoning period of delay in supplies shall be eliminated if it is less than half a day. The maximum amount of liquidated damages shall be 10%.

Rule -54: Negotiations:

Negotiations may be undertaken only with the lowest bidder.

Rule – 55: Repeat Orders:

Purchases may be increased by 50% of the quantity, originally ordered by repeat orders after recording reasons provided that such orders shall not be given for a period exceeding one month from the date of the expiry of last supply made and also subject to the condition that prices have since not reduced and purchases were not made on urgent basis.

EC shall be competent to increase the value of repeat orders up to any amount within six months of the original order.

Rule – 56: Advances to Suppliers:

Advances to suppliers will normally not be given unless provided in the tender document. In exceptional cases, advances not exceeding 20% of value of the contract

will be given only against irrevocable and unconditional bank guarantee for entire supply period and with the approval of Member Secretary.

Rule – 57: Recoveries from Suppliers:

Recovery of short supply, breakage, rejected articles shall ordinarily be done from the bills of suppliers. It can also be made from his dues and security deposits available with the Society.

Rule – 58: Purchase on Failure of Original Tenderers:

In case a tenderer does not make supply or fails to make a complete supply as per purchase order, the Member Secretary may give the supply order to another tenderer. However, in case the other tenderer does not agree to the supply at the original rate and terms, purchases may be made from other tenderers at the higher rate at the risk and cost of the original tenderer who fails to make supply or does not make supply.

Note: Where time is essence of contract, purchases may be made from tenderer at higher rate, even where the difference is more than the amount EMD/SD forfeited.

Rule – 59: Receipt of Stores:

- i. The Secretary shall be responsible to ensure the quality of stores purchased and its proper accounting and custody.
- ii. All stores on receipt, shall be thoroughly checked to ensure that quantities are correct and of good quality and that the articles are in accordance with the approved specifications where prescribed.
- iii. Stores on receipt shall be entered in the appropriate Stock Register.
- iv. All entries in the Stock Register and certificate on the supplier's bills etc. shall be recorded by the person who has received the stores. He shall also be responsible for custody of stores and updating of Stock Register.

Rule – 60: Inspection of Stores:

- i. Immediately on receipt of stores, the in-charge of stores shall ensure that:
 - (a) There is a purchase order for that item;
 - (b) The supply is made within the time specified in the supply order;
 - (c) The supply is made at the correct receiving point;
 - (d) The item is conforming to the specification, nomenclature/part number and description as mentioned in the invoice which shall be tallied with the purchase order.
- ii. 100% quantity check shall be ensured by actual accounting or weighing, as the case may be, and tallying with the invoice.
- iii. Quantity inspection shall be carried out by two officers (other than the purchase committee and purchase stores officer) nominated by the Secretary for the stores of the value exceeding Rs. 10,000/- They shall see manufacturer's mark, trade mark, part number, ISI number, dimensional details, specifications as per purchase order, compare with sample, if any.

- arrange to carry out test, if prescribed and record the inspection note which shall be a pre-requisite for making payment to the suppliers.
- iv. In case of valuable stores, machinery and vehicles, technical officers shall be associated.

Rule – 61: Custody of Stores:

The Member Secretary shall ensure that suitable accommodation exists for safe custody of stores, for keeping them in good condition and for protecting them from loss, damage or deterioration.

Rule – 62: Account of Stores:

The officer entrusted with the custody of stores shall maintain accounts and inventories and also prepare correct returns in respect of stores in his charge with a view to preventing losses due to theft, fraud, accident or otherwise, thus making it possible to check the actual physical balance with the book-balance at any time.

Separate accounts shall be kept of:

- (a) Permanent stock
 - (b) Consumable stock
- i. Permanent stock shall include items of non-consumable nature like office equipments, machines, tools, furniture, carpets etc. which are also termed as assets of the Society. Values of account will be maintained for purpose of annual account.
 - ii. An account for consumable articles shall also be maintained. The balance remaining at the end of year shall be valued for annual accounts.

Rule – 63: Issue of Stores:

- i. When items are issued from store for office use, the officer in-charge of the stores shall ensure that an indent in the prescribed form is given, mentioning quantity of the items indented both in words and figures. A written acknowledgement shall be obtained on the indent from the employee receiving the items.
- ii. Issue of stores shall be entered in the Stock Register without any delay.
- iii. Items of dead stock shall not be shown as issued in the name of any person and balance made out.

Rule – 64: Transfer of Charge:

In the event of transfers, the officer in-charge of stores shall see that the stores in his custody are handed over correctly to his successor and a proper receipt obtained from him as per entries in the Stock Register.

Rule – 65: Payment for Stores and Supplies:

The following points shall be kept in view in respect of bills for stores and supplies while making payment.

- i. The bills are signed by the persons who are entitled to receive payments for supplies made or services rendered;
- ii. The sub-vouchers are attached to the bills;
- iii. The amount of bills is expressed in figures as well as in words;
- iv. The expenditure is supported by proper sanction and is not beyond the power of the sanctioning authority;
- v. The bill is accompanied by the following certificates:
 - (a) The articles detailed in the vouchers have actually been received and their quantities are correct and quality good and conform to prescribed specifications;
 - (b) The rates and other conditions are in accordance with the terms agreed upon;
 - (c) Suitable notes of payment have been made in the purchase order and invoices to prevent double payment;
 - (d) Supplies have been recorded in the relevant Stock Registers.

Rule – 66: Physical Verification of Stores:

- i. A Physical verification of stores shall be made at least once in a year by the Accounts Officer. He will record certificate of physical checking and correctness in the respective account/register. Any Shortage, excess, surplus, deficiencies noticed, shall be reported separately. Stores becoming unsuitable due to wear and tear etc. shall also be reported. The officer conducting physical verification, while declaring items of stores as unserviceable, shall take into account minimum period of serviceability obtained from a technical person.
- ii. The surplus and unserviceable stores shall be disposed off through auction by a committee comprising:

Senior most member of Accounts Service and the senior most member of Subordinate Accounts Service at State level or District level	Convener
An officer nominated by the Secretary	Member
Store in-charge	Member

The decision of the committee shall be final.

- iii. Notice for the auction will be displayed in local newspapers for a period of 10 days in cases of value of stores exceeding Rs. 50,000/-. In case of value less than Rs.50000/-, it would be sufficient if local persons etc. dealing in purchases of such stores (kabadi, Raddi purchaser) are informed through letters only.
- iv. For waste papers, firms using waste papers for manufacture of indigenous papers as a cottage industry shall also be informed

- v. The earnest money to be taken from bidders before the start of auction shall be fixed by the committee keeping in view the value of stores and its conditions.

Rule – 67: Purchase Committee:

- i. The EC at its discretion may form Purchase Committee of at least three Members for recommending purchases for the value of items exceeding Rs. 50,000/- or for those common items whose rate contracts are required to be entered into. The senior most member of Accounts background should necessarily be made the member of the committee and the other will be technical officer.
- ii. Out of three Members, one would be Secretary who would be presiding officer, second member would be the senior most account person of accounts wing. The third member shall be as nominated by the presiding officer. The meeting of the purchase committee shall not be held unless the Accounts member is present.
- iii. The purchase committee may associate experts/ technical officers in cases where they are required to make purchases involving technical aspects.
- iv. Cases of limited and open tenders shall be placed before the committee.

Note: The purchasing officer will get the committee appointed before issue of the tender notice. The tender conditions and other formalities of the tender would be approved by the committee before floating N.I.T. (Notice Inviting Tender).

Rule – 68: Residual Powers:

All Residual Powers related to these Rules shall vest in the Chairperson. They can also exercise any power vested in a subordinate officer at any time.

Rule – 69: Relaxation of Rules:

The EC of RPACS shall have the power to relax any Rule of any Part if a case is made out on the basis of cogent reasons.

Rule – 70: Procurement of Consultancy Services:-

To facilitate the functioning of the RPACS, the need of procurement of consultancy services may arise from time to time. For procurement of services, the lowest tender procedure would not be followed and the bids would be evaluated on 80:20 basis where 80% weightage would be given to quality and 20% weightage would be given to price quote.

Annexure-1

Rajasthan Protected Area Conservation Society
Schedule of Administrative Powers

1. All Residual Powers shall vest in the Chairperson He can also exercise any power vested in a subordinate officer at anytime.
2. All administrative and financial powers are exercisable on behalf of the Executive Committee of the RPACS. The EC directions shall always supersede any delegated power.

S. No.	Item of Administrative activity	Chairperson	Member Secretary	Remarks
1	2	3	4	5
1.	Monitoring of Programmes	-	Full power	-
2.	Attending meetings outside the State	Full Power	-	-
3.	Re-appropriation from one minor head to another	Full Power	-	-
4.	Re-appropriation from one Detailed head to another	Full Power	-	-
5.	Sending EDC members & officers on visits to other states	Full Power	-	-
6.	Travel by officers & employees	-	Full Power for Rail/Bus	-
7.	Re-allocation of targets among Divisions	Full Power	To make recommendations to Chairperson	-
8.	Re-allocation of targets within Districts	Full Power	To make recommendations to Chairperson	-

Annexure-II

Rajasthan Protected Area Conservation Society

Schedule of Financial Powers in specific cases

General Conditions –

The powers contained in the delegation of financial powers are subject to the following general conditions:-

1. No expenditure shall be incurred from the Society funds except on legitimate objects of expenditure relating to the aims and objectives of the Society.
2. The powers shall be subject to the budget provisions and Budget, Finance and Accounts Rules. Till such time the said Rules do not come into force, the power shall continue to be exercised as per EC directions.
3. Items of non-recurring nature specified in the delegation will be subject to specific budget provisions.

S.No	Item of Expenditure	Chairpers on	Member Secretary	Remarks
1	2	3	4	5
1.	Engagement of Consultants (firms/individuals)	Full Powers	Upto Rs. 1.00 lac per annum	-
2.	Issue of administrative sanctions of technical projects/works	-	Full power	As per approval in AWP
3.	Allotment of funds from RPACS	Full Powers	-	Subject to specific budget provision
4.	Organisation of seminars workshops, training	Full Powers	Upto Rs. 1 Lacs per annum	As per budget provision in the scheme
5.	Training of departmental Officials including supervisors	Full Powers including outside state	Upto Rs. 20,000/- per annum with in state	-
6.	Printing of literature.	Full	Up to Rs. 1.00 Lac per	As per budget

	pamphlets, brochures, booklets, sign boards	Powers	annum	provision
7.	Purchase/making of films, Video films and other media materials	Full Powers	Upto Rs. 1.00 Lakh per annum	Specific budget provision or as approved by Executive Committee.
8.	Hiring of furniture, tents and touring/camp equipment	Full Powers	Up to Rs. 50,000/- per annum	Subject to budget provision
9.	Conveyance Hire I. Re-imbursement of conveyance charges to officers and staff		Full Power	As per norms approved by Executive Committee
	II. Hire of Taxies	Full Powers		As per norms approved by Executive Committee
10.	Power of Purchase			
	a) Office furnitures – tables, chairs, almirah, sofas, book shelves, filing cabinets, curtains and display boards	Full Powers	Upto Rs. 1.00 Lac per annum	As per provision in Budget
	b) Computers, hardware/software, Photocopier, LCD Projectors, fax, store items/equipments, air-conditioners, coolers, Heaters, Water Coolers etc.	Full Powers	Up to Rs. 1.00 Lac per annum	As per provision in Budget

11.	Honorarium to be paid to regular govt. Employees for work of Society	-	Full Powers	Subject to EC guidelines
12.	POL	-	Full Powers	Subject to budget provisions
13.	Purchase of books, periodicals	-	Full Powers	Subject to budget Provisions
14.	Crockery & Cutlery	Full Powers	0.10 lacs in each case	Subject to budget provisions
15.	Maintenance & Repairs of equipments/ Motor vehicles	-	Full Powers	Subject to budget provisions
16.	Telephone charges (For Mobile Phones)	Full Power	* Upto Rs.500/-	Subject to budget provisions
17.	Expenditure on refreshment during meetings, workshops, and conferences etc	-	Full powers	Subject to budget provision
18.	Write off losses	Full Powers	Upto Rs. 0.20 Lac per annum	-
19.	Non specified contingent expenditure			
	a) Recurring	Full Powers	Upto Rs. 50,000/ per annum	-
	b) Non recurring	Full Powers	Upto Rs. 10000/- per annum	-
20.	Advertisement charges			
	i) For NITs	Full Powers	Full Powers	Subject to budget provision
	ii) Publicity & Others	Full Powers	Upto Rs. 20,000/- per annum	Subject to budget provision

21.	Insurance of vehicles/ building	-	Full Powers	Subject to budget provision
22.	Postal charges <i>etc.</i>	Full Powers	Upto Rs. 20,000/- per annum	Subject to budget provision
23.	Legal matters	Full Powers	Upto Rs. 25,000/- per annum	Subject to budget provision
24.	Approval of rates of works	Full Powers	-	Subject to budget provision

* In each case other than those persons who are not covered under the Government order Pa (31)/ GAD/ 3/ 82 dated 30.10.2007

Note:-

1. RPACS Works will be implemented by the DFOs/ DCFs/ Implementing Agencies as per their existing powers for regular works.