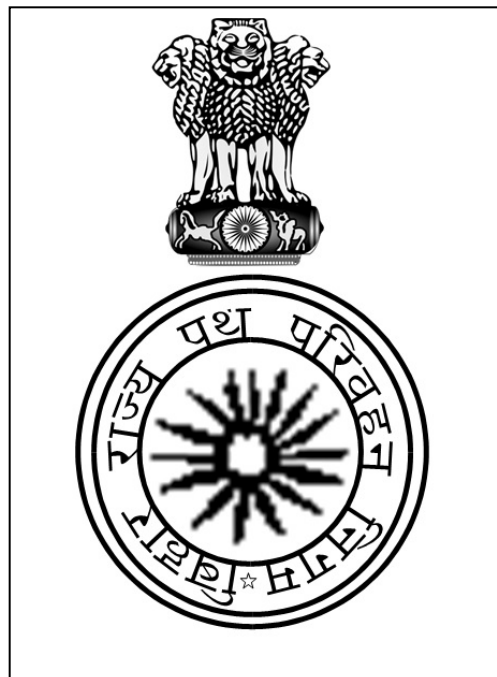


THE BIHAR STATE ROAD TRANSPORT CORPORATION RULES, 1959



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CHAPTER 1

PRELIMINARY

1. Short Title- these rules may be called the Bihar state road transport corporation Rules' 1959.
2. Definitions- In these rules, unless there is anything repugnant in the subject or context,-
 - a) " Act" means the road transport corporation Act, 1950;
 - b) " Bihar state transport employee service regulations" means the regulations made by the corporation under clause(c) of sub-section (2) of section 45 of the act;
 - c) "Division" means such areas as may be established by the corporation from time to time for the proper operation and control of its undertaking from the administrative point of view;
 - d) "Director" means a director of the corporation and includes the chairman and the vice-chairman;
 - e) "Schedule" means a schedule appended to these rules;
 - f) All other words and expression used in these rules' but not specifically defined herein, have the same meaning as have been respectively assigned to them in the Act.

CHAPTER II

CONSTITUTION OF CORPORATION.

3. Constitution .- (1) The Board shall consist of such number of directors as the state Government may from time to time determine; Provided that the total number of directors shall not be more than seventeen and less than five out of which the number of official and non-official directors shall be such as the State Government may from time to time determine.
- (2) The Directors shall be appointed by the state Government except the official directors nominated by the Government of India as their representatives.
- (3) The state government shall appoint either an official director of the board of directors not below the rank of the commissioner or a non- official director of the board of directors as chairman' and if it so thinks fit' may appoint one other director as vice- chairman.
4. Terms Of Office. - the term of office of the non-official directors shall be three years from the date of their appointment subject to the condition that the state government may terminates their appointment any time by giving them one month's notice.
5. Emoluments Of Directors- (1) the emoluments of a non-official director appointed as chairman shall be such as may be determined by the state government.
- (2) The other non-official director shall hold their office in an honorary capacity.

(3) In official director appointed as a whole-time director shall be entitled to such salary and other allowances as may be specified by the state government' or the central government, as the case may be. The state government or the central government as the case may be, may require the corporation to pay leave salary and pension contribution of any official whole-time director, according to the rules in this behalf applicable to such officer. Official directors who are part-time directors shall not be eligible to any allowance except as provided in rule 6.

6. Traveling And Daily Allowance.-(1) all non-official directors, except the chairman, shall be eligible to draw a daily allowance of Rs.10 for every day on which they attend a meeting of the board of directors, any of its sub-committees, or the divisional advisory councils, formed under chapter vii of these rules. In addition to the daily allowance, the non-official directors shall also be entitled to draw mileage allowance, at the rate admissible to an officer of the first grade under the Bihar traveling allowance rules. The non-official director shall not be entitled to draw any halting allowance in addition to the daily allowance. For other journeys under taken by the non-official directors in connection with their duties as such directors they shall be entitled to draw traveling allowance as admissible to an officer of the first grade under the Bihar traveling allowance rules and a halting allowance at the rate of Rs.7 for each night's halt.

(2) The chairman shall be eligible to draw traveling and halting allowance, for journeys performed in connection with his duties as chairman of the

corporation, at the same rates as are admissible to an officer of the first grade under the bihar traveling allowance rules.

(3) the official directors shall be eligible to draw such traveling and halting allowance as may be admissible to them under the traveling allowance rules applicable to such directors;

Provided that such directors shall not draw traveling and halting allowance admissible under these rules if for the same journey or for the same halt they have drawn traveling allowances and halting allowance, as the case may be, from the central or state government.

(4) A bill for traveling, daily or halting allowance, claimed under this rules, shall, in the case of non-official directors, be countersigned either by the chairman or the vice- chairman and in other cases, by the director himself, before such bill is submitted for audit and payment.

7. Traveling allowance may be drawn in advance. - the corporation may, at the request of any director, grant him an advance against the traveling allowance to which he may be entitled under rule 6 for journey to be undertaken by him. Such advance shall not exceed the estimated amount of the traveling allowance admissible to such director for the journey and shall be recovered in full on submission of the director's traveling allowance bill;

Provided that no such subsequent advance shall be granted to any director unless the amount of the previous advance has been recovered from him in full and the director has furnished the following certificate, namely:-

Certified that the full amount of the previous traveling allowance advance for journey on tour has been recovered in full, vide my, dated for the month of

Note. - The above certificate shall be attached to the application of a director for subsequent advance.

8. Temporary Vacancy.- all casual vacancies among the directors shall be filled up as soon as conveniently may be in the manner provided in the rules 3 by the state government , provided the vacancies among the directors representing the central government shall be filled up by the central government .

The person appointed to fill a casual vacancy shall hold office so long as the director in whose place he is appointed would have held it if the vacancy had not occurred.

9. Quorum. - The number of directors necessary to constitute a quorum at a meeting of the board of directors shall be four including the chairman.

10. remuneration to the persons associated with corporation.-

(1) a person temporarily associated with the corporation or any of its committees (hereinafter referred to in these rules as "associated person") may be so associated in an honorary capacity, or on payment of such remuneration as may be determined by the corporation with the prior approval of the state government.

(2) Such associated person shall be entitled-

(a) if he is in the service of the government of India or the government of a state, or a statutory corporation, to such travelling allowance and halting allowance as may be admissible to him under the rules governing him as a servant of the appropriate government or such corporation;

Provided that he shall not draw travelling or halting allowance admissible under these rules, if for the same journey or halt he

has drawn travelling or daily allowance from the state government or the funds of the corporation in another capacity;

(b) if he is not in such services, to such travelling and daily allowance are admissible to a non-official director of the board of directors, under clause(1) of rules 6.

Chapter III

FINANCIAL STRUCTURE

11. Bihar state road transport corporation fund. - (1) the corporation shall have a fund under section 27 called "the bihar state road transport corporation fund".
- (2) The monies to the said fund shall remain deposited in government treasuries or sub-treasuries in the state of Bihar unless otherwise decided by the state government.

CHAPTER IV

BUDGET

12. Form of budget. - (10 the budget estimate of the corporation shall consist of seven parts:-
- Part.I- A detailed estimate of expenditure on capital account;
- Part II. - A detailed estimate of (a) receipt and (b) the expenditure on revenue account;
- Part III. A detailed estimate of contribution from the state government and the central government and other receipts on capital account to be exhibited under various heads to show the nature of the receipts; and a summary of the amounts due to and by the central and state government;
- Part IV. Expenditure statement regarding funds, deposits and advances;
- Part V. A detailed statement of the appropriation of net profits.
- PartVI. Cash account of the Bihar state road transport corporation fund;

Part VII. Summary of the financial results of the corporation.

(2). The budget estimate shall give the anticipated receipts and expenditure for the financial year to which it pertains under the major, minor, sub and detailed heads, of account in the form in schedule I. It should also clearly indicate the extent to which amounts, from any of the funds, which the corporation, are proposed to be appropriated towards expenditure during the course of the year.

13. Procedure for forwarding budget to government. - (1) the budget estimate for any year shall be laid before the board of directors on or the 1st day of December of the previous year and after it is approved by the board of directors shall be forwarded to the state government for approval before the 15th February after making such amendment and alteration as it considers necessary.

(2) The Budget thus amended or altered and approved shall constitute the Budget of the corporation for the ensuing financial year and shall be issued under the seal of the corporation and signed by the officer or officers of the corporation duly authorised in this behalf. Authenticated copies of the Budget shall be forwarded to the Central and State Governments and the Accountant – General, Bihar, or on before the 1st March.

14. Sanction of expenditure under the grants .- The Sanction to the expenditure shall be granted under the following grants :-

REVENUE EXPENDITURE.

(The figures in brackets refer to items in Part II of Schedule 1.)

Grant 1 – Administration :- This grant will include expenditure on General Administration, Accounts Department, Traffic (Administrative), Expenses on departmental vehicles, and Miscellaneous expenditure (Items I,II,III,XVI and XVII).

- Grant 2 - Operations :- This grant should include expenses under Traffic (operational) (Item IV).
- Grant 3 - Workshops and Maintenance - This grant should include expenditure on Workshops and on Maintenance (Items V and VI).
- Grant 4 - Civil Engineering :- This grant should include expenditure on Civil Engineering (Item VII).
- Grant 5 - Contingencies, Supplies and Taxes :- This grant should include expenditure on general contingencies (of all departments excepting Civil Engineering), fuel supplies, stores charges and rates and taxes (Item VIII, IX, X and XI).
- Grant 6 - Petty Works and Repairs :- This grant should include the expenditure on repairs and maintenance of buildings and petty temporary works, experimental works and repairs to furniture and other equipment (Items XII, XIII, XIV and XV).
- Grant 7 - Contribution to funds :- This grant includes expenditure on the contributions to the various funds set up by the corporation (Item XVIII).
- Grant 8 - Interest :- This grant should include expenditure on the interest to be paid by the Corporation (Item XIX).

CAPITAL EXPENDITURE

(The figures in brackets refer to items in Part I of Schedule I).

- Grant 1 - Lands, Buildings and Electrical Installations (Items 1, 2 and 3).
- Grant 2 - Vehicles (Item 4).
- Grant 3 - Equipment and Machinery (Item 5).
- Grant 4 - Miscellaneous (Item 6).
- Grant 5 - Suspense (Item 7).
- Grant 6 - Compensation (Item 8).
- Grant 7 - Deduct – Expenditure to be transferred to the General and Various other funds.

15. Contingency Fund :- There shall be established a Contingency Fund in the nature of an imprest entitled the Contingency Fund of the Corporation into which shall be paid from and out of the Bihar State Road Transport Corporation Fund a sum not exceeding three lakhs of rupees. The Contingency Fund so established shall be held on behalf of the Corporation by the Managing Director and no advances shall be made out of such funds excepts for the purpose of meeting unforeseen expenditure pending authorisation of such expenditure by the State Government to which a report detailing the expenditure with drawn from the fund and the nature

of emergency which necessitated such expenditure shall be sent by the corporation as soon as possible after incurring such expenditure ;

Provided that the Managing Director shall not incur unforeseen expenditure exceeding twenty – five thousand rupees at any time on any specific object or item except with the approval of the Board of Directors.

16. Unanticipated Expenditure :- If during the course of a year, it becomes necessary to incur expenditure over and above the provision made in the Budget, the Corporation should immediately forward to the State Government the details of the proposed expenditure along with the manner in which it is proposed to meet the additional expenditure. The State Government shall either approve the proposed expenditure after making such modifications as it consider necessary or reject it. A copy of the order of the State Government on every such request shall be communicated to the Corporation and to the Accountant – General, Bihar.

CHAPTER V.

ACCOUNTS AND AUDIT

17. The form and manner or maintainance of Accounts of Corporation :- The receipts and expenditure of the Corporation classified under the various major, minor and subordinate heads of account prescribed in Schedule I shall be booked under such further detailed heads of account as the Corporation may deem necessary for purposes of information and control.

18. Major Heads of Accounts :- The following shall be the major heads of accounts, named :-

- A. Capital
- B. Revenue
- C. Capital receipts
- D. Funds, Deposits and Advances.

19. Capital Expenditure :- Capital expenditure shall represent all expenditure incurred in acquiring assests for the purpose of earning the income, or increasing the earning capacity of the Corporation and includes charges in creating and bringing the assets into beneficial use.

20. Major Head Revenue and Minor Heads Under it :- (1) Major Head " Revenue " shall be cover the recurring transactions and shall be divided into the following three minor heads subject to such modifications and additions, as the Corporation may think fit, namely :-

- (a) Passangers Bus Service.
- (b) Interest from Depreciation, Reserve and other Funds.
- (c) Net Revenue.

(d) The Corporation shall communicate forth with to the State Government for its approval any modification or additions, made by the Corporation in the nomenclature or order of the minor heads reffered to in sub – rule (1) above.

21. Recording Debits and Credits under Funds :- Debits and credits pertaining to the various fund shall be recorded seperately undersuitable minor heads under each fund. Similarly, transactions pertaining to each group of Deposits and Advances shall be recorded under suitable minor heads.

22. Major Head " Capital Receipts " :- The major head " Capital Receipts " shall record all contributions towards capital received from the State Government and the Central Government as well as share capital, if any, raised under sections 23 and 24 of the Act, or amounts ----- under sections 26 of the act.

23. Mode of payment :- All payments from the Bihar State Road Transport Corporation Fund shall be made through cheques issued by such officers as may be authorised by the Corporation provided the payments amounting to less than twenty rupees may be made in cash.

24. Procedure for payment :- (1) Subject to such limitations as the Corporation may lay down, payments, other than those made from the permanent advance, shall be made after pre – audit by the Internal Auditor : provided that the Chief Accounts Officer, when circumstances justify it and no loss is anticipated to the corporation, may make payments before audit but vouchers in respect to all such payments shall be sent to the Internal Auditor for the post – audit and a monthly statement of such payments together with the reasons therefore shall be submitted to the Board of Directors for approval.

(2) It shall be the responsibility of the Managing Director to see that no payment from the Bihar State Road Transport Corporation Fund shall be made which is not covered by an existing budget grant or by an approval given under rule 16, or which cannot be met from the contingency fund of the Corporation. Where any demand for payment is received and it is not possible to make the payment in view of this limitation the Managing Director shall place the case before the Board of Directors with a request to secure the approval of the State Government under rule 16 for the payment. The payment shall be made only after the approval of the State Government is received.

25. Principal Books of ----- :- The principal books of accounts shall consist of the ledger, the journal and the cash book. ----- shall be maintained in accordance with such instructions as may be issued from time to time by the Chief Accounts Officer.

26. Subsidiary Registers :- Besides these principal books, such subsidiary registers as may be prescribed by the Chief Accounts Officer shall be maintained to record the receipts and expenditure in details and to keep a proper detailed account of all assets, such as land, building, plant and machinery, vehicles and tools, stores, raw materials, spare parts, investments, advances deposits etc., and also to watch the clearance of suspense transactions. These subsidiary registers shall be reconciled monthly with the cash book and ledger.

27. Investment of Surplus Money :- (1) Any monies lying at the credit of the Corporation, and not immediately required by the Corporation may be invested by the Corporation in the deposits of the State Bank of India or any securities authorised by the Indian Trusts Act, 1882.

(2) The cash balances of Depreciation, Reserve and other Funds which are not immediately required for disbursement may similarly be invested.

28. Physical verification of assets :- A Physical verification of all the assets of the Corporation, both moveable and immovable, shall be made at least once a year by officers of the Corporation, Specially authorised in this behalf, who are not the custodians thereof. The results of verification indicating shortages or excesses or both shall be recorded in writing and orders of the Board of Directors or any other authorised in this behalf shall be obtained thereon an action shall be taken in accordance with those orders.

29. Annual Accounts :- The annual accounts for each financial year, showing the financial results of the undertaking, shall be drawn up within six months from the close of the financial year, provided that on the application of the Corporation, the State Government may, in consultation with the Accountant - General, Bihar,----- the time for drawing up any such accounts by such period as it may deem necessary. These accounts shall take into account all liabilities for the year incurred but not liquidated is also all expenditure incurred in the year in advance of the period to which it pertains. The annual accounts shall consist of –

- (a) Statement of Capital Receipts :- Showing the Contributions due and the contributions received from the Central and State Governments.
- (b) Statement of loan capital :- Showing the amount of loans borrowed, rate of interest, amount of loans repaid, balances outstanding, etc.
- (c) Statement of Capital Account :- Showing on the debit side the account of capital expenditure of fixed assets at the beginning of the year, expenditure of fixed assets at the beginning of the year, expenditure incurred during the year on the different assets, sales, disposals and write – off, balance at the end of the year and on the credit side the receipts on capital account.
- (d) Revenue Account :- Showing the gross earnings, direct operational costs, administration expenses, other indirect charges and net revenue.
- (e) Net Revenue Account :- Showing the interest paid on capital and loans, income –tax, etc., and the appropriation of the net revenue after meeting these charges to such of the funds as are not provided for under ” Working Expenses ” .
- (f) Statement of Depreciation Fund, Provident Fund, Reserve and other Funds :- Showing the opening balance, appropriation during the year, interest realised from investments, withdrawals from the fund and balance at the end of the year.
- (g) Statement of investments of Depreciation Fund, Provident Fund, Reserve and other Funds :- Showing the investments held at the

beginning of the year, investments made during the year, investments sold or disposed of and balance of investments held at the end the year.

(h) General Balance Sheet.

(i) Statement of Stores.

30. Internal Audit :- The Accounts of the Corporation shall be subjected to internal (departmental) concurrent audit supplemented inspections of initial records.

31. Outside Audit :- The accounts of the Corporation shall be audited by the Accountant – General, Bihar, in the manner prescribed by him and any expenditure incurred by him in connection with such audit shall be payable by the Corporation to the Accountant – General, Bihar.

CHAPTER VI. STATISTICS.

32. Statistical Returns and Reports :- (1) Report called the operational review shall be submitted to the State Government each month containing details of statistical returns and other information relating to the operation and other general progress of the undertaking.

(2) (i) The Operation Review shall contain details relating to :-

(a) the analysis of operation;

(b) the vehicle position;

(c) the revenue analysis;

(d) the cost analysis on major items including fuel consumption, staff position, consumable stores, departmental mileages, estimate of operational margin or deficit in actual and in Naya Paise per bus mile;

(e) general statistics of accidents and breakdowns, analysis of irregularities in service, classification of public complaints and summary of default cases.

(ii) The Operational Review may consist of statistical statements in the Forms in Schedules II to XI and such other statements as the State Government may direct.

CHAPTER VI. DIVISIONAL ADVISORY COUNCIL.

33. Definitions :- For the purpose of this Chapter, unless there is anything repugnant in the subject or context :-

(a) " Advisory Council " means a Divisional Advisory Council constituted under section 17 of the Act.

(b) " Chairman " means the Chairman of the Advisory Council.

(c) " Secretary " means the Secretary of the Advisory Council.

34. Constitution :- The Advisory Council shall consist of not more than eleven members including the Chairman and the Secretary. The members and the Chairman and the Secretary shall be appointed by the State Government.

35. Subject to the provisions of rule 37 the members of the Advisory Council shall serve in an honorary capacity.

36. Term of Office :- Subject to the provision of rule 49, the members other than the official members shall hold office for a period of two years from the date of their appointment or until their successors have been appointed, whichever is longer, and shall be eligible for re – appointment.

Provided that the tenure of appointment of any such member may be terminated by the State Government at any time without assigning any reason.

37. Travelling and Daily Allowances :- All non – official members shall be eligible to draw such travelling and daily allowances as may be admissible to non – official members of the District Committees appointed by Government.

38. Casual Vacancy :- All casual vacancies among the members of the Advisory Council shall be filled up as soon as may conveniently be by the State Government. The person appointed to fill a casual vacancy shall hold office would have held it if the vacancy had not occurred.

39. Procedure for the Conduct of the Meeting of the Advisory Council :- (1) The Advisory Council shall ordinary hold a meeting at least once in two months on such days as may be fixed by the chairman.

(2) Subject to the provision of sub – rule :- (1) The Chairman may in consultation with the members of the Advisory Council, decided that such meeting shall be held on a specified day during such two months.

(3) The time and place at which a meeting shall be held shall be fixed by the Secretary in Consultation with the Chairman.

(4) The Secretary shall send intimation of the date, time and place of all ordinary meetings to all the members of the Advisory Council at least seven days before the date fixed for the meeting.

Provided that no such intimation shall be necessary when the meeting has been fixed on a specified day under sub – rule (2).

(40) Special Meeting :- (1) The Chairman on the written requisition of not less than five members, shall call a special meeting of the Council.

(2) The written requisition shall be accompanied by a list of subjects which are proposed to be discussed at the meeting with the notes on each subject.

(3) The Secretary shall send intimation of a special meeting to the members at least ten days before the date fixed for the meeting together with a copy of the agenda and of the notes.

41. Agenda :- A copy of the agenda, with notes, if any, shall be circulated by the Secretary to all members at least four days before the date fixed for the ordinary meeting.

42. Not with standing anything contained in rule, 41 the Chairman may himself place or allow any member to place for the consideration of the Advisory Council any matter to place for the consideration of the Advisory Council any matter not included in the agenda on which advice or recommendation of the Advisory Council is urgently required and the Advisory Council shall consider the matter at such meeting.

43. Notice of the Proposition :- Any member who desires to move any preposition at any ordinary meeting shall send a notice of such preposition together with a brief note setting out the reasons in support of the preposition to the Secretary at least 15 days in advance of the date fixed for the meeting.

44. Chairman to preside :- (1) Every meeting shall be presided over by the Chairman.

(2) If at any meeting the Chairman is not present, the meeting as may be presided over by such one of the members present be may be chosen by the members present at the meeting to be the Chairman for the meeting.

45. Quorum :- Four members including the Chairman shall form a quorum.

46. Adjourned Meeting for want of Quorum :- If within fifteen minutes from the time appointed for the meeting, a quorum is not present, shall be dissolved and in any other case, it shall stand adjourned and at such adjourned meeting it shall not be necessary to have a quorum.

47. Questions to be decided by majority :- (1) All questions coming before a meeting shall be decided by the majority of the votes of the members present and voting.

(2) In the case of an equality of votes the Chairman shall have a second or casting vote.

48. Minutes :- The minutes of the proceedings of each meeting shall be drawn by the Secretary and circulated to the members of Advisory Council. After such circulation the minutes shall be deemed to have been read at the next succeeding meeting. The minutes shall be signed by the Chairman at succeeding meeting unless any member present at the previous meeting objects to the minutes having been incorrectly or incompletely recorded in which case, the Chairman after taking the sense of the members present at the meeting may make such amendments in the minutes as he thinks proper and the amended minutes shall then be confirmed and signed by the Chairman.

49. Disqualification of a Member :- If any member other than an official member absents himself from three consecutive meetings, without the permission of the Chairman, he shall cease to be a member of the Advisory Council.