



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XLVII] MONDAY, MARCH 6, 2006/PHALGUNA 15, 1927

Separate paging is given to this Part in order that it may be filed as a Separate
Compilation.

PART IV-B

**Rules and Orders (Other than those published in Part I, I-A and I-L) made
by the Government of Gujarat under the Gujarat Acts.**

REVENUE DEPARTMENT

Notification

Sachivalaya, Gandhinagar, 4th March, 2006.

GUJARAT STATE DISASTER MANAGEMENT ACT, 2003

No :- GHM-2006-10-M-DMA -102003-2055-Rehabilitation & Reconstruction,

In exercise of the powers conferred by sub-section of section 47 of the Gujarat State Disaster Management Act, 2003 (Guj. 20 of 2003), the Government of Gujarat hereby makes the following Rules, namely:-

1. Short title and commencement:-

- (1) These Rules may be called the Gujarat State Disaster Management Rules, 2006.
- (2) They shall come into force on the date of publication in the *Official Gazette*.

2. Definitions:-

In these rules, unless the context otherwise requires,--

- (1) (a) "Act" means the Gujarat State Disaster Management Act, 2003 (Guj 20 of 2003).
- (b) "form" means a form appended to these rules;
- (c) "section" means a section of the Act;
- (d) "year" means a financial year;
- (2) The words and expressions used but not defined in these rules shall have the meaning as assigned to them in the Act.

3. Remuneration to be received by the members:-

A member shall receive such traveling and daily allowances for undertaking journey in connection with the work of the Authority as are admissible to him under the rules for the time being in force and applicable to him for undertaking journey in connection with his duty of office by virtue of which he is a member;

Provided that such member shall not receive any traveling and daily allowance under this rule for the journey undertaken by him in connection with the work of the Authority if he receives such allowance for the same journey under the rules for the time being in force and applicable to him.

4. Salary and allowances and conditions of service of the Chief Executive Officer and the Commissioner:-

- (1) The Chief Executive Officer shall be entitled to receive such salary and allowances and shall be governed by such conditions of service which would have been receivable by him or by which he would have been governed under the rules made by the Government and applicable to him if he had not been appointed as the Chief Executive Officer.
- (2) The Commissioner shall be entitled to receive such salary and allowances and shall be governed by such conditions of service which would have been receivable by him or by which he would have been governed under the rules made by the Government and applicable to him if he had not been appointed as the Commissioner.

5. Terms and conditions of taking possession of property, vehicles etc.:-

- (1) If it appears to the State Relief Commissioner or as the case may be, the Collector in connection with the disaster management, that:
 - (a) any building is needed or is likely to be needed for being used or
 - (b) any property, vehicle, equipment or means of communication is needed or is likely to be needed for use or transport, the Commissioner or, as the case may be, the Collector may, by order in writing, requisition such building or such property, vehicle, equipment or, as the case may be, means of communication and may make such further orders as may appear to him to be necessary or expedient in connection with the requisitioning.
- (2) The requisition shall be effected by an order in writing addressed to the person deemed by the Commissioner or, as the case may be, the Collector to be the owner or person in possessing of the building, or property, vehicle, equipment or, as the case may be, means of communication and such order shall be served by post, or by any other suitable means,
- (3) The period of such requisition shall not extend beyond the period for which such building, or property, vehicle, equipment or, as the case may be, the means of communication is required for the purpose mentioned in sub-rule (1).
- (4) Whenever under this rule or sub-clause (xi) of clause (d) of sub-section (2) of section 21 or, as the case may be, clause (x) of sub-section (2) of section 23, the Commissioner or, as the case may be, the Collector takes possession of any building, then the compensation, shall be paid to the persons interested, the amount of which shall be determined by the State Government by taking into consideration the following factors, namely:-
 - (i) the rent payable in respect of the building or, if no rent is so payable, the rent payable for similar building in the locality;
 - (ii) if, in consequence of the taking of possession of the building, the person interested is compelled to change his residence or place of business, the reasonable expenses if any incidental to such change:

Provided that where any person interested being aggrieved by the amount of compensation so determined makes an application within sixty days from the date of determination of compensation to the State Government for referring the matter to an arbitrator the amount of

compensation to be paid shall be such as the arbitrator appointed in this behalf by the State Government may determine:

Provided further that where there is any dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, it shall be referred by the State Government to an arbitrator appointed in this behalf by the Government for determination and shall be determined in accordance with the decision of such arbitrator.

Explanation:- In this sub-rule, expression "person interested" means the person who was in actual possession of the building requisitioned under this rule immediately before the requisition or where no person was in such actual possession, the owner of such building.

- (5) Whenever under this rule or sub-clause (xi) of clause (d) of sub-section (2) of section 21 or, as the case may be, clause (x) of sub-section (2) of section 23 the Commissioner or the Collector takes possession of property, vehicle, equipment or means of communication, the compensation shall be paid to the owner of the amount of which shall be determined by the State Government on the basis of the fares or rates prevailing in the "locality for the hire of such property, vehicle, equipment or means of communication:

Provided that where the owner of such property, vehicle, equipment or means of communication being aggrieved by the amount of compensation so determined makes an application within sixty days from the date of determination of compensation for referring the matter to an arbitrator the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the State Government may determine:

Provided further that where the possession of the property, vehicle, equipment or means of communication was taken from a person other than the owner who, by virtue of a hire purchase agreement, was in possession of such property, vehicle, equipment or means of communication, the amount determined under this sub-rule as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon, and in default of agreement in such manner as an arbitrator appointed by the State Government in this behalf may decide.

6. Reimbursement of expenses for other payments:-

Notwithstanding anything contained in section 33, any costs, charges and expenses incurred by members in relation to exercise of powers and performance of functions under the Act, or any expenses incurred by the Chief Executive Officer in relation to performance of functions prescribed by regulations shall be paid from the fund.

7. Submission of budget to the State Government for its approval:-

The Authority shall on or before the 1st day of February in each financial year, submit to the State Government for approval a budget in Form 1, 2 and 3 for the next financial year showing the estimated receipts and expenditure and the sums which would be required from the State Government during that financial year.

8. Preparation and maintenance of accounts:-

The Authority shall prepare the accounts and maintain in Form 4.

9. Preparation of annual statement of accounts:-

The Authority shall prepare an annual statement of accounts in Form 5 and 6 for each financial year.

10. Annual Report and Programme of Work:-

The Authority shall once in a year prepare in Form 7 within three months after the end of the financial year-

- (a) an annual report giving a full, true and fair account of its activities during the previous year and
- (b) programme of work likely to be undertaken by the Authority in the next year.

FORM 1
BUDGET OF PROJECT ACTIVITIES
 (See rule 7)

BUDGET HEAD	LAST YEAR BUDGET ESTIMATES		LAST YEAR REVISED BUDGET ESTIMATES		LAST YEAR ACTUALS		CURRENT YEAR BUDGET ESTIMATES	
	Physical Unit	Amount Rs.	Physical Unit	Amount Rs.	Physical Unit	Amount Rs.	Physical Unit	Amount Rs.

EXPENDITURE**HOUSING**

GOODS
 WORKS
 CONSULTING SERVICE
 OTHERS

SOCIAL SECTOR

GOODS
 WORKS
 CONSULTING SERVICE
 OTHERS

URBAN AND RURAL INFRASTRUCTURE

GOODS
 WORKS
 CONSULTING SERVICE
 OTHERS

COMMUNITY PARTICIPATION SUPPORT

GOODS
 WORKS
 CONSULTING SERVICE
 OTHERS

DISASTER MANAGEMENT CAPACITY

GOODS
 WORKS
 CONSULTING SERVICE
 OTHERS

INCOME

Grants
 Government of India
 Government of Gujarat
 World Bank
 Asian Development Bank
 Donation

FORM 2
BUDGET OF ADMINISTRATIVE ACTIVITIES
(See rule 7)

BUDGET HEAD	LAST YEAR BUDGET ESTIMATES	LAST YEAR REVISED BUDGET ESTIMATES	LAST YEAR ACTUALS	CURRENT YEAR BUDGET ESTIMATES
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INCOME

GRANTS

INTEREST

OTHERS

EXPENDITURE

CAPITAL EXP.

FURNITURE

OFFICE

VEHICLES

OTHERS

REVENUE EXP.

SALARIES-ALLOWNACE TO STAFF

SALARIES-ALLOWNACE TO CEO / ACEO

TRAVELLING EXPENSES TO STAFF

TRAVELLING EXPENSES TO CEO / ACEO

ADVERTISEMENT

AUDIT

RENT

RATES AND TAXES

REPAIRS TO ASSETS

STATIONARY AND PRINTING

BOOKS AND PERIODICALS

TELEPHONE EXPENSES

MISCELLANEOUS EXPENSE

INSURANCE

FINANCIAL EXPENSE

VEHICLE MAINTENANCE

FORM 3

ANALYSIS OF BUDGET VARIANCE FOR THE PERIOD OF _____

(See Rule 7)

ACCOUNT HEAD	BUDGET AMOUNT	ACTUAL AMOUNT	VARIANCE Plus/Minus	REMARKS / REASONS

FORM 4

RECEIPT AND PAYMENT ACCCOUNT FOR THE MONTH OF _____

_____ DEPARTMENT

(See rule 8)

Statement of funds lying with banks as on _____

Sr. No.	Name of the Bank	A/c No.	Balance	
			Debit	Credit
TOTAL				

SL NO	RECEIPT	FOR THE MONTH	CUKULATIVE RS.	SL NO	PAYMENTS	FOR THE MONTH	CUKULATIVE RS.
A.	OPENING BALANCE			A	PROJECT EXPENDITURE		
i.	Cash				HOUSING		
ii.	Bank Balance				Goods		
					Works		
B.	AMOUNT RECEIVED				Consultant Service		
	[Give details viz. Ch. No. NO. And Name of Bank and Branch]				Others		
					SOCIAL SECTOR		
					Goods		
					Works		
					Consultant Service		
					Others		
					URBANE AND RURAL INFRASTRUCTURE		
					Goods		
					Works		
					Consultant Service		
					Others		
					COMMUNITY PARTICIPATION SUPPORT		
					Goods		
					Works		
					Consultant Service		
					Others		
					DISASTER MANAGEMENT CAPACITY		
					Goods		
					Works		
					Consultants Service		
					Others		
				B	CLSING BALANCE		
					Cash on Hand		
					Bank Balance		
	TOTAL				TOTAL		
	Signatur _____				Signature _____		
	Head - Project Implementation Cell				Head of Department		

FORM 5

Registration NO.F/762/GANDHINAGAR

Balance sheet as at _____

(See rule 9)

Funds & Liabilities	Current Year Rs. Ps.	Previous Year Rs. Ps.	Property & Assets	Current Year Rs. Ps.	Previous Year Rs. Ps.
CORPUS			Immovable Properties (Suitably classified giving mode of valuation)		
Balance as per last balance sheet.			Balance as per last balance sheet		
Adjustment during the year (with details)-			Addition of deductions (including those of depreciations) if any, during the year		
Other Earmarked Funds			Investments (Suitably classified giving mode of valuation). *		
Depreciation fund			Balance as per last balance Sheet.		
Sinking fund			Addition or deduction if any During the year		
Reserve fund			Furniture and Fixtures		
Any other Fund or Funds (with details)			Balance as per last Balance Sheet		
Grants Received from :-			Addition or deductions (including those Depreciations) if any, during the year		
Government of India			Loans (secured and unsecured).		
Government of Gujarat			Goods: Doubtful Loans, Scholarship		
GOG (World Bank)			Other Loans		
GOG (Asian Development Bank)			Advances-		
Less Project expenditure			To members		
Housing			To employees		
Social Sector			To contractors		
Urban & Rural Infrastructure			To others		
Community Participation			Income Outstanding		
Support			Rent		
Disaster management			Interest		
Capacity			Subscriptions		
Loan (secured or unsecured).			Fees		
From members			Other income		
From others			Cash and Bank		
Liabilities			Balances-		
For expenses			(a) In Current Account for fixed deposit account with (give names of and state in whose name the account stands).		
For advances			(b) With the members (give names).		
For rent and other deposits			(c) With others (give names)		
For Sundry Creditors					
Balances					
Total	_____	_____		_____	_____

The above balance sheet to the best of my / our belief contains a true account of the funds and liabilities and of the property and assets of the society.

Dated

As per our report of even date.
Signature
Chartered Accountants
Auditors

Signature

Full name and address of the Chartered Accountants / Auditors

Full name and address of the signatory.

1. Market value on the date of the balance sheet should also be given by way of a note.
2. Particulars of investments in concerns in which the members are interested shall be given separately by way of a note.

FORM 6

Registered No. F/762/Gandhinagar

Income and Expenditure Account for the Year ending _____

(See rule 9)

Expenditure	Current Year	Previous Year	Income	Current Year	Previous Year
To expenses in respect of Properties-			By rent accrued / realized		
Rates, Taxes, cesses			By Interest accrued *		
Repairs and maintenance			realized		
Salaries			(a) On Securities		
Insurance			(b) On loans		
Depreciation (by way of provisions or adjustments)			(c) On Account		
To Establishment Expenses			By Dividends		
To remuneration to office bearers			By Donation in cash or in kind		
To legal Expenses			By Grants		
To audit fees			Govt. of India		
To amount written off-			Govt. of Gujarat		
(a) Bad debts			By fees		
(b) Loan Scholarships			By subscription		
(c) Irrecoverable rents			By income from other sources (give details as far as possible)		
(d) Subscriptions and fees			By transfer from reserve		
(e) Other items			By deficit carried over to balance sheet		
To Miscellaneous Expenses					
To Depreciation					
To amounts transferred to reserve or specific funds					
To expenditure on objects of the Society					
To surplus carried over to balance sheet					
TOTAL	_____	_____	TOTAL	_____	_____

Date :

As per our report of even date.
Signature
Chartered Accountants
Auditors

Place :

Signature :

Full name and address of the signatory

Full name and address of the Auditors

FORM 7

Annual Report for the Year ending _____

(See rule 10)

Part A (Activities during the year)

Sr. No.	Details of Activity, Important Event	Financial Source	Achievement During the year		Remarks
			Physical	Financial	
1	2	3	4	5	6

Part B (Activities likely to be undertaken during the next year)

Sr. No.	Details of Activity, Important Event	Financial Source	Likely Achievement		Remarks
			Physical	Financial	
1	2	3	4	5	6

By order and in the name of the Governor of Gujarat,

RAJESH KISHORE
Principal Secretary to Government

Government Central Press, Gandhinagar.

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