

MINORITY WELFARE SECRETARIAT
NOTIFICATION

No. MWD 04 WHJ 2008, Bangalore, Dated: 25th March 2011

In exercise of the powers conferred by Section 47 read with Section 20 and 34 of the Haj Committee Act, 2002, (Central Act 35 of 2002) and in consultation with the Central Government, the Government of Karnataka is hereby makes the following rules namely:-

RULES

PART-I

Preliminary

1. Title and Commencement:

- (1) These rules may be called the Karnataka State Haj Committee Rules, 2010
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions:- In these rules, unless the context otherwise requires:-

- (a) "ACT" means the Haj Committee Act, 2002(Central Act 35 of 2002)
- (b) "Chairperson" means the Chairperson of the Karnataka State Haj Committee;
- (c) "COMMITTEE" means Karnataka State Haj Committee, Bangalore constituted under section - 3;
- (d) "SECTION" means the Section of the ACT;
- (e) "SCHEDULE" means scheduled to the Act;
- (f) "ZONE" means a zone specified in the Schedule;

PART - II

NOMINATIONS OR ELECTIONS OF MEMBERS OF THE COMMITTEE

3. Head Quarters of the Committee:-

The Committee shall have its Head-quarters at BANGALORE.

4. Allowances Payable to the Chairperson and other Members:

The allowances payable to and the other terms and conditions of the Chairperson and members shall be:-

- a) Travelling allowance and daily allowance as applicable to a Group-A Officer of State Civil Services, except Air Journey;
Air fare for journey to be performed by air with the prior approval of the Government.
- b) Sitting fees of Rs.500/- (Rupees five hundred only) as daily allowance to every member who attends the Haj Committee meetings;
- c) All journeys to be performed by the Chairman/Members outside the State shall be with the prior permission of the State Government.
- d) Chairman shall be paid special allowances as decided by the Government;

5. Election of Chairperson:

If the State Committee fails to elect a Chairperson, then the State Government may appoint a member of the State Committee to be the Chairperson thereof.

6. Meeting of the Committee:

The Meeting of the Committee, after its constitution and election of the Chairperson, shall be held on such day, time and place as may be fixed by the Chairperson. However, for any reason such meeting is not held on the day fixed it shall be held on any other day to be fixed by the Chairperson.

7. Renomination of Members:

Names of persons considered for re-nomination are one member each to be from each of the categories mentioned in sub-clause (i) and (ii) of sub-Section (1) of Section 18 of the Act, if available and one member from category mentioned at sub-clause (iii) of sub-section(1) of Section 18 and four members from category (iv) of sub-section(1) Section 18.

8. Duties of the Committee:

The Committee shall take steps to:-

- (1) To organise Camps to the Haj pilgrims to provide medical facilities such as; Inoculation of meningitis, cholera, polio etc.

- (2) To organise orientation programme for the intending Haj pilgrims in Bangalore and district headquarters.
- (3) To arrange facilities for embarkation and dis-embarkation of Haj pilgrims to and from Saudi Arabia;
- (4) To Liaison with the various authorities such as Airlines/Airport, authorities Immigration, Customs, Police, CISF, Airport Authority of India etc. for the smooth passage of Haj pilgrims;
- (5) To all such other activities, which are, required for the smooth and successful passage of the Haj pilgrims.
- (6) To do all such functions as directed by State Government for the Welfare of Haj Pilgrims; Sub committees may be constituted if necessary, to meet the above objectives.

9. Convening the Meetings:

The Executive Officer shall be responsible to convene the regular Committee meetings as per schedule in consultation with the Chairperson and to record the proceedings.

CHAPTER - III

TERMS AND CONDITIONS OF THE OFFICERS AND OTHER EMPLOYEES OF THE COMMITTEE.

10. Staff Pattern of the Committee: - The Committee may have the cadres specified in column (2) of the Table below, their method of recruitment and minimum qualification as specified in corresponding entries in column (4) and (5) there of:-

TABLE

Sl. No	Category of Post	Number of Post	Method of Recruitment	Minimum Qualification
(1)	(2)	(3)	(4)	(5)
1	Executive Officer	1	To be appointed by State Government.	Must be an Officer not below the rank of Deputy Secretary to Government.
2	Assistant Officer Executive	1	to be appointed by the State Government on deputation.	Group 'B' Officer

3	Accountant/ Manager	1	To be appointed by the State Government by deputation of an accountant from State Accounts Department.	Group 'C' Official
4	Steno cum Computer operator	1	To be filled by deputation or through outsourcing.	SSLC Senior typewriting
5	First Division Assistants	2	To be filled by deputation or through outsourcing.	Must have put in service of not less than three years in the cadre of SDA.
6	Second Division Assistants	4	To be filled by deputation or through outsourcing.	SSLC with knowledge of computer
7	Computer Operators	2	To be filled by deputation or through outsourcing.	SSLC with knowledge of computer application
8	Office Attendants	4	To be filled by deputation or by through outsourcing.	SSLC
9	Sweepers	3	To be filled by deputation or through outsourcing.	VII th standard
10	Drivers	2	To be filled through outsourcing.	VII Standard with LMV driving license

11. Rules Applicable to the Employees of the Committee:-

(1) The Karnataka Civil Service Rules as amended from time to time and all other rules governing the conditions of service of the government servants shall be applicable to all matters covering services of the employees of the committee on deputation.

12. Appointing Authority, Disciplinary Authority and Appellate Authority:-

- (1) The provisions contained in the Karnataka Civil Services (Control, Classification and Appeal) Rules 1957, applicable to the State Government employees are also applicable to the Officers/Employees of the Committee subject to the following modifications, namely:-
- (2) Appointing Authority, Disciplinary Authority and Appellate Authority in respect of the posts under the Committee shall be as specified below, namely:-

T A B L E

Category of Posts	Appointing Authority	Disciplinary Authority	Appellate Authority.
Group-A Group-B	Government -do-	Government -do-	Government -do-
Group-C	Executive Officer	Executive Officer	Government
Group-D	Executive Officer	Executive Officer	Government

13. Financial Discipline:-

The provisions contained in the Karnataka Financial Code, Karnataka Treasury Code, the manual of contingent expenditure shall apply in respect of exercise of financial powers.

14. Powers of the Executive Officer:-

- (1) The Executive Officer shall incur all expenses and charges incidental to the due performance of his duties as specified in the Act. The Executive Officer shall have same administrative and financial powers as are delegated to the Heads of Department.
- (2) Subject to the provisions of the Act, the Committee may by general or special order in writing delegate, such of its powers to the Chairperson or any Member or Executive Officer of the Committee subject to such conditions and limitations, as may be specified in the order.
- (3) The Executive Officer shall, subject to delegation of powers by the State Government, be competent to enter into any contract or incur any expenditure necessary for the performance of duties of the Committee.
- (4) The Statutory payments like salaries, medical reimbursement charges, taxes, telephone bills, electricity bills, maintenance charges, TA and DA of members, repairs and maintenance etc., shall be paid by the Executive Officer.
- (5) Every contract shall be in writing and shall be signed by the Executive Officer on behalf of the Committee.
- (6) The Executive Officer of the State Haj Committee may sue or be sued in any legal matters pertaining to the Haj matters and the performance of the Committee.
- (7) All the Bank transactions shall be operated by the Executive Officer.
- (8) The Executive Officer shall follow KTTP Act, for purchase of goods and services of the Haj Committee;

- (9) If any decision is taken by the Chairman/Committee in violation of provisions of Act/Rules and directions issued by Government, he shall report it to Government and orders of Government on it shall be final.

15. Funds of the State Haj Committee:

The State Haj Committee shall have its own funds to be called the Karnataka State Haj Committee Fund and the following sums shall be credited thereof namely:-

- (1) Sums realised from any fees and service charges which may be levied by the Committee:-
 - a) for registration of applications for Haj;
 - b) money collected from Haj pilgrims for performance of Haj;
 - c) the Income from all deposits and investments of Committee funds;
 - d) sums realised from the sale of assets of deceased Haj pilgrims and sums of money left by them, which are bequeathed or unclaimed and have lapsed to the State Haj Committee etc.
- (2) Any grant that may be made to the State Committee by the State Government, Central Haj Committee or any other source for the purposes as approved by the State Government.
- (3) Any amount if any standing to the credit of the State Haj Committee at the commencement of the Act.
- (4) All monies that are received as rents advances etc., from the properties of Haj Committee.
 - (5) The Committee shall obtain prior approval of Government for construction, sale, purchase, lease agreement etc., of all immovable properties of the Haj Committee.
 - (6) The State Government may construct buildings/structures etc., for the welfare of Haj pilgrims and entrust it to Haj Committee for maintenance as per the conditions prescribed by Government.

16. Budget, Accounts and Audit:

- (1) The Haj Committee shall prepare an estimate of the Income and Expenditure of the Committee for the year commencing on the 1st day of April next ensuing year and be submitted in duplicate to the State Government for approval during the first week of March of each year.
- (2) The Government shall consider the estimate and shall sanction such estimates or amend or subject to such alteration as it may think fit.

- (3) The statements of accounts regarding the receipt of budgetary grants and the statement of accounts of expenditure incurred in respect of the budgetary grants in respect of each financial year and all accounts shall be maintained in accordance with the Karnataka Financial Code, and in accordance with the instructions of Government issued from time to time

17. Payment of Monies into Committee Funds & Investment:-

- (1) The Executive Officer is authorized to receive all payment to Committee funds and to pass receipts for the same on behalf of the Committee and to make payment on behalf of the Committee.
- (2) The Executive Officer is authorized to grant receipts for all monies, received by him to the credit of the Committee Funds. A counter – foil receipt bearing printed receipt numbers shall be maintained for the purpose.
- (3) All such monies shall immediately be deposited in the account in the name of the Karnataka State Haj Committee in any of the Nationalized Banks only.
- (4) The Executive Officer shall have powers to operate the bank account. If the Executive Officer is absent due to any circumstances, the Assistant Executive Officer may be authorized to operate the Bank account.
- (5) No money shall be withdrawn from the Bank for keeping in the office of the Committee or no money shall be kept in the office of the Committee, unless it is required for immediate payment for the immediate purpose of the Committee.

Provided that, before keeping money in the office of the Committee or before withdrawal of the money from the Bank for the purpose of keeping the same in the office of the Committee for immediate payment for immediate purpose, the reasons for doing so be recorded.

- (6) The Executive Officer is authorized to hold a recoupable permanent advance not exceeding Rs.10,000/- for meeting any petty expenditures.
- (7) The appropriation of receipts to expenditure shall not be effected.
- (8) All payments from the Committees Funds, exceeding Rs.1000/-(one thousand only) shall be made by cheque.
- (9) Money payable shall not be left un-paid and kept out of the account a day longer than absolutely necessary.
- (10) Any person having a claim against the Committee shall present a voucher to which an advance receipt shall be enclosed.

- (11) Date of payment shall be noted by the payee in his acknowledgement.
- (12) Every claim against the Committee shall be checked by the Accounts Officer of the Committee before payment. Any excess payment made in the bill shall be recovered in cash from the payee or by deducting the amount equal to the amount paid in excess from the subsequent bill of the payee.
- (13) Any amount not required immediately may be deposited, in any nationalized Bank as defined in the Reserve Bank of India Act, 1934.

18. Registers of Account of Haj Committee :-

(1) In addition to the register of Haj Committee under the Act and these rules, the following registers shall also be maintained by the Committee in its office in connection with Haj Committee Funds and other income;-

- (i) A pay bill register;
- (ii) Ledger Account;
- (iii) Cash Book;
- (iv) Register of Deposits and advances;
- (v) A demand, collection and balance register to check the realization of Fund contributed;
- (vi) Acquaintance Roll;
- (vii) Register of Contingent charges;
- (viii) Stamps & Seal Register;
- (ix) Register of securities, stocks & debentures;
- (x) Establishment audit register;
- (xi) Stock Register showing the receipts; issues, debentures;
 - a) Stationery & Printed forms;
 - b) Furniture's; and
 - c) Vehicles, typewriters, computers, fittings, fixtures, etc., plants, other articles, etc., in the office of the State Haj Committee.

- (xii) Permanent advance accounts;
- (xiii) Register of all immovable properties of the Haj Committee institutions under the direct management of the Committee;
- (xiv) Register of movable properties of the Haj Committee;
- (xv) Register of dead stock articles;
- (xvi) Attendance register;
- (xvii) Court's Litigation's relating to pending cases in;
 - a) Supreme Court of India with stages of the Case
 - b) High Court of Karnataka with stages of the case;
 - c) Other district Courts with stages of the cases; and
 - d) Revenue Courts with stages of the cases;
- (xviii) All litigations's before the Courts

Jurisdiction of Courts:

All disputes relating to matters shall be at the Courts at the State Capital and competent Courts at State Head- Quarters.

- (2) In maintaining its accounts, the Haj Committee shall observe the following rules, namely:-
 - (i) The account shall be maintained separately for each financial year.
 - (ii) All sums received in the office of the Haj Committee (or) paid into the Bank to the Credit of the Haj Committee, shall be taken into the account under the appropriate head and the entries shall be initiated by the Accountant of the Karnataka State Haj Committee.
- (3) Similar forms as contained in the State Accounts code and in the State Treasury code for preparation and control of pay bills, travelling allowance bills & contingent bills be maintained.
- (4) Postage stamps shall be purchased & issued for use in the office of the Haj Committee out of the Haj Fund. The charge for Postage Stamp shall be drawn on separate contingent bills.

19. Auditing of Haj Committee's Accounts:

(1) In auditing the accounts of the Haj Committee, the auditor shall verify the cash balance and mentioned in the report whether the cash was readily forthcoming for verification.

(2) The auditor shall, in course of the audit, verify the debentures, share certificates, Government bonds & other securities, the Bank Pass Books & report whether they were found correct.

(3) The auditor shall report among other points arising in the audit:-

- i) Whether the accounts & registers required to be maintained are maintained properly;
- ii) Whether the contributions & other receipts due to the Committee have been realized at the proper time & whether steps have been taken to recover the sums & other dues & if not, in which cases, such action has not been taken;
- iii) Whether collections have been brought to account properly;
- iv) Whether any contribution has been remitted or reduced & if so Whether it was done under proper authority as required under these rules;
- v) Whether the expenditures incurred is in accordance with the sanctioned budget & if there are any deviations / diversions from such budget, what are the deviation with reasons thereof.
- vi) Whether every items of expenditure has been sanctioned by competent authority & is supported by proper voucher;
- vii) Whether there is any item of expenditure which is in opinion of the auditor, is extravagant; and
- viii) Whether the monies not required for immediate expenditure have all been deposited in banks and surplus funds have been properly invested.

(4) The auditor shall report misappropriation, impropriety or irregularity, which he may observe in the expenditure in collection of contributions due to the Haj Committee, or in the accounts, and also all cases of loss or waste of money together with names of the persons directly or indirectly responsible for such loss or waste.

(5) The auditor shall append to his report:-

- i) a statement of receipt & charges under the budget heads;
- ii) a statement of income & expenditure;

- iii) a consolidated statement of assets & liabilities;
 - iv) a statement of debentures, share certificates, Government Bonds & other securities; and
 - v) a consolidated statement of demand & collection & balance of all items of revenue, including contributions and current outstanding whether in cash or in kind.
- (6) The Auditor shall prepare an abstract of the audited accounts (receipt charges & balance sheet) & submit two copies thereof along with the audit report.
- (7) Annual Financial Accounts and Audit Report of the State Haj Committee shall be submitted to the State Government.
- (8) The accounts of the State Haj Committee shall be audited every year by State Accounts Department.
- (9) A copy of the Audit note and the replies thereto shall be submitted to the State Government for its consideration.

20. Annual Report:-The State Haj Committee shall prepare and forward to the Government an Annual Report within three months from the completion of the Financial year giving complete account of its activities during the previous year.

The State Government shall place the Annual Report of the State Haj Committee as soon as it is received, before the State Legislature.

BY ORDER AND IN THE NAME OF
GOVERNOR OF KARNATAKA

ABBAS SHARIEFF

Under Secretary to Government
Minority Welfare Department