

GOVERNMENT OF RAJASTHAN
PUBLIC WORKS DEPARTMENT

NOTIFICATION

G.S.R.-3 In exercise of the powers conferred by sub section (1) of section 12 of the Rajasthan State Road Development Fund Act, 2004 (Act No. 13 of 2004), the State Government hereby makes the following rules further to amend the Rajasthan State Road Development Fund Rules, 2004.

1. Short title and commencement:

(1) These rules may be called the Rajasthan State Road Development Fund (Amendment) Rules, 2005.

(2) These shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 2:

After the existing clause (a) of sub rule (1) of rule 2 of the Rajasthan State Road Development Fund Rules, 2004, hereinafter referred to as the said rules, following new clauses (aa) and (aaa) shall be added; namely:-

(aa) "Board" means State Road Development Fund Management Board.

(aaa) "Project" means proposals for Development of any State Road".

3. Amendment of rule 3:

in rule 3 of the said rules;

(i) the existing heading "Point of Tax" shall be substituted by the heading "Point of Cess".

(ii) after the existing sub-rule (4), following new sub-rule (5) shall be added; namely

"(5) The cess under the Value Added Tax (VAT) System shall be paid at the point in the series of sales within the State, as may be notified by the State Government".

4. Insertion of new rules. 4,5,6,7,8 & 9- after the existing rule 3 of the said rules, the following new rules 4,5,6,7,8 & 9 shall be inserted, namely:-

"4. Constitution of the Fund:

The Fund would be constituted in the Public Account and classified under the Head 8225 - Roads and Bridges Fund - 02-101.(01) in the accounts of the State Government. This account would be a non-interest bearing account.

5. Accounting procedure for contribution to the Fund and for its utilization:

(1) The amount of Cess collected as per section 3 of the Act, would be credited to the following Receipt Head:-

- 0040 - Sales Tax, Taxes on Trade etc.
- 800 - Other Receipts
- (03) - Cess on Diesel and Petrol

(2) In the following expenditure head, appropriate budget provision would be made so that funds may be transferred from the Consolidated Fund to the Fund:-

- 3054 - Roads & Bridges
- 80 - General
- 797 - Reserve Fund / To Deposit
- (02) - Accounts from internal
- From State Road Development Fund/To internal
- 82 - Internal to Fund

(3) Amounts would be transferred to the Fund at such intervals as may be decided by the Board on the basis of actual receipts, after deducting the expenses of collection duly verified by the Commercial Taxes Department.

(4) The total expenditure would be made from the relevant Budget Head of the Department (already existing budget heads) following the procedure outlined in the Public Works Financial and Accounts Rules.

6. Allocation of Fund:
The State Government may allocate and disburse such funds, as it considers necessary, for the implementation of road projects in the State.
7. Constitution of the State Road Development Fund Management Board:
- (1) For the management of the State Road Development Fund, a State Road Development Management Board shall be constituted by the State Government under sub section (2) of Section 9 of the Act.
 - (2) At least fifty percent members of the Board, excluding the Chairperson, shall be representatives of the State Government and such members shall not be below the rank of Secretary to Government and shall function in an ex-officio capacity.
 - (3) The remaining members shall be individuals of eminence drawn from the various road user groups including the automobile/transport industry, representative of truck operators association, financial institutions/business community, professional bodies and academic and research institutions, representative of insurance companies, representative of NGO and they shall be nominated by the State Government.
 - (4) The Board shall consist at any time of not less than 9 and not more than 15 members, including the Chairperson.
 - (5) Members of the Board, other than the ex-officio members, shall hold office for three years. Upon completion of their tenure, the non-official members are eligible for re-appointment for another term.
 - (6) The non-official members shall be entitled to remuneration per meeting as specified by the State Govt. from time to time.

(7) The Board shall meet at least once in six months at such time and place as the Chairperson may decide. The Chairperson and, in his absence, the Vice Chairperson, shall preside at each meeting of the Board.

8. Powers & Functions of the Board:

The Board shall exercise the following powers and discharge the following functions:

- (i) Formulate and recommend to the State Government operational policies and procedures to facilitate management of the Fund.
- (ii) Draw up long term and annual operating plans.
- (iii) Recommend to the State Government allocation of the fund for the projects under these rules.
- (iv) Identify various options for Projects, consider and recommend financing plans and implementation schedules for selected Projects.
- (v) Ensure development, construction, repair, rehabilitation, up-gradation, improvement, operation and maintenance of Projects with implementing agencies or any other persons.
- (vi) Monitor implementation of Projects and provide necessary advice and guidance to ensure that Projects are implemented as per schedule and quality stipulations.
- (vii) Authorize disbursement of funds to implementing agencies, consultants or any other persons appointed for implementing the objectives of the Fund pursuant to the operational policies and procedures.
- (viii) Act as a focal point for information and suggestions from various road users and formulate investment policies of the Fund accordingly.

- (vi) Create strategic alliances/associations with domestic and international experts in the transportation sector to introduce and nature modern technologies and management practices in the road sector.
- (vii) Commission feasibility studies, traffic and detailed engineering surveys and other studies/surveys in order to create a shelf of projects for future application of the Fund.
- (viii) Recommend to the State Government for grant of subsidy or other capital support for State Road Development Projects.
- (ix) Recommend to the State Government securitizing of future receipts into the Fund for leveraging loans to be taken for State Road Development Projects.
- (x) The Board may assign the discharge of the day to day affairs to a committee under the chairmanship of the Secretary PWD with the representative of the Finance department not below the rank of Secretary, one technical member of the rank of Chief Engineer PWD, one non-official Board member, as members.
- (xi) The Board may also assign such other functions to the Committee as are not inconsistent with the provisions of the Act.

9.

Administrative department:

The Public Works Department (PWD) would serve as the Administrative department and the Secretariat for all matters pertaining to the operation of these Rules."

N. F. 8 (11) PW/94 Jaipur, Dated 04.04.2005.

By Order of the Governor,

(H.S. Meena)

Dy. Secretary to Govt.

राज्य केन्द्रीय मुद्रणालय, जयपुर।