

West Bengal Heritage Commission Rules, 2007

GOVERNMENT OF WEST BENGAL
Department of Information and Cultural Affairs
Writers' Buildings, Kolkata – 1

No. 3522-ICA Dated the 12th December, 2007

NOTIFICATION

In exercise of the power conferred by clauses (c), (d), (e), (f), (g) and (h) of Subsection (2) of Section 26 of the [West Bengal Heritage Commission Act, 2001](#), (West Ben. Act IX of 2001), the Governor is pleased hereby to make the following rules:-

RULES

1. Short title

(i) These rules may be called the West Bengal Heritage Commission Rules, 2007.

2. Definitions

In these Rules, unless the context otherwise requires:-

- (a) "Act" means the West Bengal Heritage Commission Act, 2001 (West Ben. Act IX of 2001);
- (b) "Administrative and Legal Committee" means a Committee appointed by the Commission;
- (c) "Allowance" means honorarium, travelling allowance, daily allowance, conveyance allowance etc. admissible to the members and employees of the Commission;
- (d) "Assembly" means West Bengal Legislative Assembly;
- (e) "Chairperson" means the Chairperson of the Commission;
- (f) "Commission" means the West Bengal Heritage Commission established under Section 3 of the Act.
- (g) "Finance Committee" means a Committee appointed by the Commission;
- (h) "Member" means a member of the Commission and includes its Chairperson;
- (i) "Project Committee" means a Committee appointed by the Commission;
- (j) "Section" means a Section of the Act;
- (k) "Secretary" means a person appointed by the State Government under Section 9 of the Act, for the management of the affairs of the Commission;

(i) "State Government" means the Government of West Bengal in the Department of Information & Cultural Affairs.

3. Administrative and Legal Committee

(1) The Commission will constitute an Administrative and Legal Committee in its meeting (in respect of matters of staff both redeployed employees from other Department of the Government or those engaged on contract or otherwise or any other matter of this nature) considering the following:-

(a) it will consist of one member of the Commission as Chairperson;

(b) three or four other members of the Commission of which one would be from legal profession.

(2) Secretary of the Commission shall be ex-officio member of the Committee and convene the meeting of the Committee.

4. Finance Committee

(1) The Commission will constitute a Finance Committee in its Meeting consisting of the following:-

(a) one member of the Commission as Chairperson;

(b) two other members of the Commission having some financial background;

(c) one representative from the Finance Department, Government of West Bengal;

(d) Deputy Director (Accounts) of the Directorate of Archaeology, Government of West Bengal.

(2) Secretary of the Commission shall be the Ex-Officio member of the Committee and convene the meeting of the Committee.

5. Project Committee

(1) The Commission will constitute a Project Committee in its Meeting consisting of the following:-

(a) the Project Committee shall have at least one Architect, one Engineer, one Conservationist, one Historian, one Archaeologist from amongst the members of the Commission and one Country Planner either from Kolkata Municipal Corporation or from Kolkata Metropolitan Development Authority or from Howrah Municipal Corporation;

(b) one member of the Commission as Chairperson.

(2) Secretary of the Commission shall be Ex-officio member of the Committee and convene the meeting of the Committee.

6. Functions of the Finance Committee

The functions of the Finance Committee shall be –

(a) to consider all matters having financial implications and requiring approval of the Commission;

- (b) to determine the norms of receipt and expenditure of any fund under subsections (4) and subsection (5) of Section 18 of the Act and to make a prospective planning for the next year and to complete the process by 31st March every year;
- (c) To advise on any financial matter that may be referred to it for opinion by any authority or body engaged in any business with the Commission;
- (d) To contract and fix financial norms of the day to day functioning of the Commission;
- (e) To consider and prepare before 30th November every year at a meeting convened for the purpose, the revised budget estimate for the current financial year and the budget proposal for the next financial year, and submit the same to the Commission for its approval and for onward transmission to the State Government for its approval.
- (f) to peruse the internal Audit Report;
- (g) to peruse and consider the report submitted by the Secretary and give its recommendations to the Commission.

7. Functions of the Administrative and Legal Committee

The functions of the Administrative and Legal Committee shall be –

- (a) to pursue and look into all the administrative and legal matters as placed by the Secretary or any other body engaged in business with the Commission or the Chairperson;
- (b) to deal with all legal matters in the manner as described in clause (a) above;
- (c) to determine the total number of various types of staff required for running the office and to frame the recruitment rules at the time of filling up such type of post;

8. Functions of the Project Committee

The functions of the Project Committee shall be –

- (a) to determine consultants having qualification, experience in the field of preservation and conservation of heritage buildings;
- (b) to check the plans and estimates of projects forwarded by Commission and approve those plans and estimates;
- (c) to give its opinion regarding inclusion of any property under heritage category and classify the gradation of heritage status of the proposal considering their historical, architectural or other importance and place before the Commission for final approval.

9. Other functions of the Commission

The other functions of the Commission shall be –

- (i) to advertise in daily newspapers (at least one in Bengali and one in English) and selecting deserving consultants from the applicants;

- (ii) to prepare panel of consultants on the determination of Project Committee;
- (ii) to ask the consultants to submit plans, programme and cost estimate and entrust the Project Committee to check the plans and estimates and approve the same;
- (iii) to receive application from local authorities or public for inclusion of any property or precincts under heritage category and placing the same before Project Committee or other Special expert Committee.

10. Internal Auditor

(1) The Commission shall appoint an Internal Auditor on contract basis or otherwise by giving advertisement in the daily newspapers (one in English and one in Bengali).

(1) The Internal Auditor will be in charge of preparing of book of accounts in such form as approved by the Principal Accountant General, West Bengal and submit a report to the Finance Committee.

11. Preparation of Annual Report

The Secretary shall prepare an Annual Report in such form as required under Section 21 of the Act in consultation with the Chairperson and shall place the same before Administrative and Legal Committee for recommendations. Then the report shall be placed before the Commission. The Commission, in its meeting, will discuss and approve the same. Thereafter, the report shall be sent to State Government for placing before the State Assembly.

Salaries, honorarium and other allowances, payable to and other terms and conditions of services of the Chairperson and other members of the Committees referred to in this Rule:-

(i) A Chairperson shall receive an honorarium of Rs. 500/- (Rupees Five Hundred) only per sitting of the Committee's meeting;

(ii) Other members of the Committees shall receive Rs. 400/- (Rupees Four Hundred) only per sitting of the Committee's meeting;

Provided that a member, who is an employee of the State Government or any other organization from which he/ she gets salary shall not be entitled for such an honorarium;

(iii) The Chairperson and the members of the Committees shall be entitled to such travelling allowance and daily allowance in respect of journeys performed in connection with the work of the Commission as are admissible to a Group 'A' Officer of the State Government;

Provided that if a member of the Committees is a State Government employee, he shall be entitled to draw the travelling allowance and the daily allowance in accordance with Travelling Allowance Rules applicable to him;

(iv) The Chairperson and the members of the Committees shall be entitled to such leave and medical benefit as are admissible to Group 'A' Officer of the State Government.

Provided that if a member is a State Government employee, he shall be entitled to such leave which he enjoys under the West Bengal Service Rule, Part – I.

By order of the Governor

Sd/- D K Chakraborty
Principal Secy. to the
Govt. of West Bengal

No. 3522-ICA dated 12.12.2007