

Governance in Bodoland Territorial Region

Constitution of BTC

- The Bodoland Territorial Council was constituted under the Sixth Schedule to the Constitution of India in the year 2003 after the signing of Memorandum of Settlement on 10th February 2003, to fulfil economic, educational and linguistic aspiration and the preservation of land-rights, socio-cultural and ethnic identity of the Bodos; and to speed up infrastructure development in these areas.
- The Council aims at bringing about accelerated progress to one of the most backward regions of Assam with special focus on the development of the Bodo people in the field of education, preservation of land rights, linguistic aspiration, culture and its ethnic identity.
- The underlying idea was to place emphasis on development of the economic infrastructure of entire area for the uplift of the downtrodden people irrespective of caste, creed and religion living in this part of the country.

Powers and Functions of BTC . . . 1

□ Powers In Respect of Subjects Transferred

- The Council has legislative powers in respect of subjects transferred to it. The BTC also have executive, administrative and financial powers in respect of subjects transferred to it.

□ The Executive Council

- There is an Executive Council, one whom shall be the Chief and another one the Deputy Chief of the said Executive Council.
- There shall be adequate representation for the non-tribal members in the Executive Council.
- The Chief and the Deputy Chief of the Council shall have the status of equivalent to the Cabinet Minister and the other Executive Members equivalent to the Minister of State of Assam for protocol purposes in the BTC area.

Powers and Functions of BTC . . . 2

- Control Over the Staff
 - The BTC have full control over the officers and staff connected with the delegated subjects working in the BTC area and competent to transfer these officers and staff within the BTC area.
 - ACRs of these officers shall also be written by the appropriate BTC authority.
- Competent To Make Appointments
 - BTC shall also be competent to make appointments for all posts under its control in accordance with the rules of appointment followed by the Govt of Assam. However, the posts, where recruitment is made on the recommendation of APSC, shall not be covered under this provision.
 - BTC has constituted Central Selection Board and on recommendation of the Board appointments are made.

Bodoland Territorial Council Legislative Assembly

- The Bodoland Territorial Council shall consist of not more than forty-six members, of whom:
 - forty shall be elected on the basis of adult suffrage, of whom -
 - thirty shall be reserved for the Scheduled Tribes
 - five for non-tribal communities
 - five open for all communities; and
 - the remaining six shall be nominated by the Governor having same rights and privileges as other members, including voting rights, from amongst the unrepresented communities of the Bodoland Territorial Areas District, of which at least two shall be women.
- The Bodoland Territorial Council Legislative Assembly consists of Speaker, Deputy Speaker and other elected MCLAs of the Bodoland Territorial Council.

Executive Functions

- The executive functions of the Council shall be exercised through its Principal Secretary/ CEO, who shall be an officer not below the rank of Principal Secretary to Govt of Assam
- The Principal Secretary is assisted by Secretaries, Joint Secretaries, Deputy Secretaries, Under Secretaries, Superintendents supported by Sr. Administrative Assistants and Jr. Administrative Assistants etc.
- The sanctioning powers of the Govt. of Assam shall be vested with the Principal Secretary/ CEO of the Council and sanctioning powers of head(s) of the Department(s) including for technical sanction shall be conferred on the senior most officer of that Department preferably not below the rank of Additional Director, who may be designated as Director of the Council for that department.
- The Principal Secretary and other officers shall exercise their powers under the overall guidance and supervision of the Chief Executive Member

Principles and Procedure for Devolution of Fund

- This is done on the basis of paragraph 5.8 of the MoS 2003 read with paragraph (A) of Office Memorandum No. TAD/BTC/222/03/51 dated 16th October, 2004, i.e., the State Government would give an amount to be decided every year on population ratio basis, as grants-in-aid in two equal instalments to the Council for executing development works.
- The proportionate share for the Council is calculated by the State Govt on the basis of the central fund/ SOPD fund available after setting aside the funds required for earmarked sectors and the salary.
- Allocation thus determined is communicated to the Council for preparation of budget and annual operational/ action plan.
- After the State Budget is passed by the State Assembly and the budget is communicated by the State Govt, the fund is released to the Council as per the above-mentioned paragraph of the MoS, i.e., two equal instalments in a year as advance by book transfer.

Formulation of Schemes

- Schemes are formulated taking into account the various developmental needs of the area to do away with the backwardness that existed for long in this area of the State and also to fulfil the peoples' aspiration of this region. While formulating the schemes, the expertise of the entrusted departments is utilized and elected representatives/ Executive Members must be involved in selecting the schemes.
- The guidelines issued by the Govt governing formulation and implementation of the schemes are also observed while preparing a scheme.
- There should be a Planning and Development Board under the Chairmanship of the Chief of BTR to guide the development process in the BTR areas.

Annual Operational/ Action Plan

- On receiving the allocation from the State Govt, BTC prepares and communicates department wise allocation of fund to the entrusted departments.
- The entrusted departments prepare departmental annual operation/ action plan and submit the same to the Council along with the budget proposal
- The annual operational/ action plan for the Council is prepared incorporating schemes/ projects to be implemented which is also placed in the Council Legislative Assembly for approval.

Preparation of Budget

The Council prepares two sets of budgets –

- **Entrusted Budget** - mainly expenditure budget pertaining to salary, etc. and development works of transferred subjects under Grant Number 78 which is passed in the State Assembly; and
- **Normal Budget** - pertaining mainly to establishment, expenditure and revenue receipts of the Council itself which is placed in the Council Legislative Assembly for approval.
- The entrusted budget particularly for development activities (SOPD Budget) is also placed in the Council Legislative Assembly for discussion and approval
- The SOPD budget is prepared based on SOPD allocation made by Govt whereas budget for Establishment Expenditure is prepared on the basis of requirement supported by the relevant documents.

Execution of Schemes

- After the budget is approved by the State Assembly, and on receiving the Budget Communication from the State Govt., executing departments starts issuance of Administrative Approval to the projects/schemes and steps like tendering, works order, etc follow.
- As soon as the State Govt. releases fund to the Council, the same is released to the executing departments for implementation of projects/schemes by observing all relevant rules and procedures etc.

Monitoring and Evaluation

- Progress of implementation of the schemes are monitored by the departmental Secretaries and also by the Principal Secretary to sort out bottlenecks and remove the same to achieve the target fixed. Bi-monthly review meetings are held under the Chairmanship of the Principal Secretary at regular intervals
- At District level, DDC Meetings are held in the districts to assess the progress of implementation of the schemes under the designated Chairman of the DDC who is one of the Secretaries of the Council
- Shortcomings, if any, found in the progress of implementation of schemes, are removed, to achieve the targets fixed
- There is District Vigilance and Monitoring Committees for each district and these Committees are headed by a Chairman nominated by the Chief Executive Member from the general public
- This Committee suggests remedial measures for removal of any impediments

Submission of Utilization Certificate

- Funds are being utilized as per the guidelines/ sanction by Government of India and State Government related to particular schemes.
- In case of projects under Government of India, UCs are submitted through Government of Assam.
- Monthly Accounts of BTC are submitted to AG, Assam and also regular Audit on the Accounts of BTC are conducted by AG, Assam.
- The Utilization Certificates are to be submitted by BTC to Government of Assam.

Financial Procedures . . . 1

- The guiding principle for carrying out the financial activities is enumerated in Office Memorandum No. TAD/BTC/222/03/51 dated 16th October 2004
- The Bodoland Territorial Council has framed its own Fund Rules called “Bodoland Territorial Council Fund Rules, 2012” which mainly deals with the management of BTC funds and procedures to be followed in respect of payment of money into the said fund, the withdrawal of moneys there-from, the custody of money therein and other matters connected therewith or ancillary thereto
- In the absence of specific rules and regulations framed by BTC, the existing Government rules and procedures for carrying out the financial transactions are being followed as per the aforesaid Office Memorandum

Financial Procedures . . . 2

- The Council has a Personal Ledger Account (PLA) with Kokrajhar Treasury under the Head of Account “8443-K-Deposits & Advances – (B) deposit not bearing interest – 8443 Civil deposit-K Deposits (Personnel) deposit (BTC)” as per sanction by Govt and approval from AG, Assam. Accordingly, all receipts and expenditure in connection with the affairs of the Council are credited into and withdrawn from the said PL Account.
- The fund is released by Govt on a six-monthly basis in April and October of each financial year by issuing a sanction as advance under the Head of Account “K-Deposit and Advances – (C) Advances 8550-Civil Advances not bearing Interest-103-Other Departmental Advances” and this is credited to the PL Account.
- The expenditure is incurred under the relevant head as per budget provision and is adjusted against the PL Account
- The Account Branch maintains Cash Book including reconciliation with Treasury. The Account Branch also prepares and submits monthly accounts to AG, Assam in respect of transferred subjects excluding accounts of works departments which are submitted to AG, Assam by the works divisions. BTC also prepares its annual accounts and submits it to AG, Assam with the approval of Executive Council and the AG conducts Audit. The report of the Comptroller and Auditor General of India is placed before the Council Legislative Assembly with the approval of the Hon’ble Governor of Assam.

Thank you