

Law. To Modify and Put Into Effect Decrees With
Law Force Concerning The Organization and Duties
of The General Directorate For Rural Affairs

Law No : 3202

Date of Acceptance : 9.5.1985

SECTION ONE

Purpose, Duty and Organization

Purpose

ARTICLE 1. The purpose of this Law is to establish the procedures concerning the establishment, organization, duties and jurisdictions of the General Directorate for Rural Services; an organization with annexed budget and juristic personality affiliated to the Ministry of Agriculture, Forestry and Rural Affairs.

Duty

ARTICLE 2. The duty of the General Directorate for Rural Affairs compose of the following :

a) To determine the road network for villages, affiliated settlement locations and forest and intra-forest roads that are not included into the state highways and provincial main roads network; to construct such roads with affiliated bridges, art constructions and in-village roads; to improve the existing ones and arrange for the erection of directional and other signs necessary for the safety of traffic movements.

b) To provide for the efficient utilization, preservation and improvement of soil and water resources in accordance with principles and policies set-out in development plans and programs; to make or have it made and to implement or cause the implementation of approved plans and projects concerning studies, researches, services and investments necessary for providing such resources to the service of the farmers.

c) To provide for the location of new settlement localities and the resettling, in agricultural and non-agricultural areas, of those who are liable of loosing partially or totally their livings due to constructions of dams, airports, factories, defence and other facilities or due to public seizures of land or application of special laws with the object of preserving historical and natural values; immigrants and nomads; inhabitants of intra-forest villages that cannot be developed because of their location or, provided the majority of inhabitants agrees to, integrate scattered settlement units such as quarters, combines etc.

d) To take necessary measures for arrangements of construction, maintenance, repair, improvement and management services concerning road, water electricity and sewage disposal facilities of villages and affiliated settlement locations; to determine and apply the basic principles concerning the maintenance, repair, management and improvement of such services.

e) To construct, improve and support construction of hygienic and sufficient drinking and domestic water supply facilities to villages, affiliated settlement locations and military garrisons; for this purpose to distribute according to needs to villages, affiliated settlement locations and military garrisons public water resources or resources allocated and turned-over to villages or villagers or resources that have been utilized by a village or group of villages; to allocate or modify existing allocations of such resources, partially or totally to other village or group of villages, affiliated settlement locations and military, garrisons.

To cause the public seizure, under the provisions of the «Public Seizure Law» no. 2492, of any water resources or other immovable property privately owned or possessed by villages against payment of costs and to establish building rights over such immovable property.

In cases where the land needed for the construction of water facilities and laying of water channels is state owned or is included in the public utility areas of the villages, the same provisions of above paragraph shall apply.

f) To carry out or have it carried out the planning and programming and implement or have it implemented the approved plans and programs for the improvement, rehabilitation and restoration of infrastructural facilities of state owned or in the possession of the state wild nut groves, olive groves, mastic tree ground, carab groves, brushwood land, maguis, meadows and pasture land.

g) To provide for the utilization of agricultural land in accordance with the purposes intended for; to control such utilization and to establish the necessary cooperation on this subject with other related organizations.

h) To render suitable for cultivation state owned or possessed stony, acidic, alkali or turbier land and drained areas.

i) To carry out soil irrigation services such as land levelling, field-side channels, in-land irrigation and drainage facilities necessary to utilization for farming purposes of water obtained from irrigation facilities constructed by the state or any other water resources existing in agricultural areas and to implement any other operations necessary for this purpose.

To cause that agricultural land divided, scattered and deformed so that no more economic production is possible, be integrated within technical, economical and management possibilities.

j) To cause the erection and provide for the management of facilities for requirements of upto 500 litres per second of irrigation water; to supplement, improve and enlarge and provide for the management of similar previously constructed facilities.

(Control gates erected for purposes of dams and hydroelectric activities are exempted. For the erection of facilities utilizing over 500 litres per second, the prior consent of the state Hydraulic Works is necessary.)

k) Where activities such as soil conservation, land development and irrigation works are needed; to arrange for the establishment of corporations, partnerships and rotating capital enterprises or to cause that existing rotating capital enterprises are put into partnerships with units, companies or managements operating in these areas and to conclude all necessary agreements on these subjects.

l) To construct or have it constructed facilities for the electrification of villages by using small running water, solar energy, wind and other energy sources or facilities.

m) To assort building sites for villages to be moved or integrated under the «Housing Law» no. 1306; to prepare or cause it to be prepared development plans of other towns and villages and standard projects for residential buildings and agricultural form facilities to those who need them; to supply the necessary financing credits to those who apply under the «build-your-house-yourself» scheme; to construct or have it constructed the village infrastructure, social and other employment creating facilities; to provide for the utilization of the Special Housing Fund by preparing annual expenditure plans and to cause the implementation of investment programs by using the resources provided by this Fund.

n) To supply financial credit to population living in villages that are situated on the most active earthquake band, with the object of helping them make their houses and farm facilities more resistible to earthquakes.

o) To carry out operations concerning free immigrants and to accept permanent lodged immigrants under special laws.

p) To determine stretch of Treasury land and its lease value and farmers with no land or insufficient land who wish to hire such land; to determine, assess and carry out all kinds of surveying of state owned or state possessed land and have such land registe-

red in the name of the Treasury and carry out operation in connection with modification, improvement and recovery of previously distributed land; to determine, restrict and allocate meadows, alpine pastures and winter quarters land; additionally, whenever necessary to determine any surpluses of such land and provide for its registrate in the name of the Treasury.

making, surveying, study, project making, observation, statistics

r) To render or have it rendered all activities such as map making, surveying, study, project making, observation, statistics inventory and unit prices analysis for the implementation of its services and duties.

s) To prepare the plans and projects and to construct or have it constructed necessary facilities, workshops, maintenance shops, laboratories, research and wireless communication centers and other administrative and social buildings that are need for the construction, improvement, repair, maintenance and safe management of services and facilities; to dermine the principles for the safe operation and protection of facilities and to implement and supervise implementation of such principles.

t) To determine and obtain all the necessary tools, accessories, machines and equipment; to determine, obtain and where necessary produce or cause it to be produced all material with proper specifications needed for the operation and repair of such tools, accessories, machines and equipment; to utilize temporarily or through public seizure or by procurement all necessary buildings and immovable property including cultivable land needed for above purposes.

u) To carry out all other duties to be given through other Laws and by the Ministry of Agriculture, Forestry and Rural Affairs.

Organization

ARTICLE 3. The General Directorate for Rural Affairs is composed of central and provincial organizations.

SECTION TWO

Central Organization of the General Directorate Central Organization

ARTICLE 4. The central organization of the General Directorate is composed of main services departments, advisory and supervising units and support service nits.

The lay-out of the central organization of the General Directorate is given on appendix 1.

PART ONE

The General Director

ARTICLE 5. The General Director is the top manager of the organization of the General Directorate. He is assigned with the supervision of services of the General Directorate being implemented within the provisions of governing regulations and in accordance with the scopes and policies of the Ministry and the national defence systems; that they are implemented according to development plans and related yearly programs; to provide the necessary cooperation and coordinations with other organizations and establishments concerning subjects that fall within the area of activity of the General Directorate.

The General Director, being responsible for activities and operations of personnel working under his supervision, is assigned and authorized to survey the activities, operations and accounts of the central and provincial organizations of the General Directorate.

Deputy General Directors

ARTICLE 6. The deputy general directors, as his assistants, are under the order of the General Director and such, they organize and manage the services of the General Directorate within provisions of governing legislations and in accordance with directions, orders, authority transfers and job-distributions of the General Director. For this purpose, they can give any orders to all units and organizations, except the Inspection Department, of the General Directorate and provide, follow-up and supervise the implementation of such order.

Four deputy general directors are assigned to work and they are directly responsible to the General Director.

PART TWO

Main Service Departments

Main Service Departments

ARTICLE 7. The General Directorate for Rural Services is composed of the following main service departments:

- a) Planning and Project Department
- b) Land and Housing Department
- c) Village and Forest Roads Department
- d) Basins Development and Artificial Lakes Department
- e) Irrigation Department
- f) Village Drinking Water Department

- g) Village Electrification Department
- h) In-village Construction Department
- i) Operations Department.

Planning and Project Department

ARTICLE 8. The assignments of the Planning and Project Department is composed of the following :

- a) To prepare plans and projects for roads, bridges, drinking and domestic water supplies to villages and, drinking and domestic water supplies to military garrisons.
- b) To make standard projects of art constructions for roads, bridges and drinking water facilities.
- c) To prepare plans and projects of various facilities to be constructed at central and provincial organizations.
- d) To prepare development plans and modifications to existing development plans for facility grounds of the central and provincial organizations.
- e) To prepare special projects for obtaining water from rivers, lakes and dams and projects for water purification facilities.
- f) To carry out or have it carried out drinking water analysis and soil and bitumen tests.
- g) To carry out or have it carried out land studies and all types of soil analysis, classifications and ground map reports.
- h) To make cost analysis concerning services and assignments of the General Directorate and prepare unit price lists.
- i) To implement similar assignments to be given by the General Directorate.

Land and Housing Department

ARTICLE 9. The assignments of the Land and Housing Department is composed of the following :

- a) To buy, obtain through public seizures or by way of allocation from the Treasury, sites and land needed in connection with the services of the General Directorate.
- b) To register in favour of the Treasury any land under the jurisdiction and possession of the State or any State owned land not utilized for public services; any land reserved for joint use and determined as surplus; land and sites gained from lakes, rivers and swamps developed by the State. To buy against payment of values and to follow-up allocation formalities of sites and land turned-over or to be turned-over to and utilized by municipalities, taking into consideration, also, of locality development plans including implementation, improvement and reserve areas.

c) To determine land ownership conditions, to make surveys and prepare maps; to follow - up village development plan implementations and complete allocation formalities concerning registrations and ownership transfers in favour of the Treasury,

d) To follow - up operations related to the determination, restriction, allocation modification or renewal of scope of existing allocations approved to be separated from farm land, taking into consideration cultivability, climatic and botanic characteristics and treated within the framework of this Law and provisions of by-laws to be issued based on this law, to be jointly used by village and surrounding area population as meadows, alpine pasture grounds, winter quarters, grazeland and similar purpose areas for the needs of their animal stock.

e) To carry out all kinds of pre - application preliminary and final planning studies for services, investment applications of which are to be started.

f) To provide for the subsistence and quartering of immigrants to our country until formalities for their acceptance as citizens are completed; to carry out all operations with regard to the housing of such immigrants in accordance with special legislations for foreigners to be accepted to live in this country.

g) To provide for the housing of those who have been forced to abandon, partially or totally, their immovable properties due to constructions by the State of economic and defence facilities such as dams, airports, factories or public seizures or applications of special laws for the preservation of historical and natural values.

h) To provide for the arrangements of in-village housing and village development centres in villages and rural areas; to carry out operations within the provisions of related legislations concerning the assortment of integration, shifting and housing improvement areas.

i) To provide for the housing of nomads and other drifting population living in various regions of our country.

j) To carry out operations for the study and implementation of matters related to land and meadow claims.

k) To cause that necessary modifications and improvements on previously distributed land, are made in conformity with Danıştay, court and administration rulings based on the provisions of legislations governing at the time of distribution.

l) To carry out operations concerning the redemption of previously distributed land not operated in accordance with the provisions of legislations governing at the time of distribution.

m) To implement similar assignments to be given by the General Directorate.

Village and Forest Roads Department.

ARTICLE 10. The assignments of the Village and Forest Roads Department is composed of the following:

To make or have it made the construction of village and affiliated settlement location roads, village municipality roads, and forest and intra-forest roads that are not included in the state highways and provincial main roads network. For these purposes:

- a) To construct, maintain and repair pre-determined roads network.
- b) To carry-out asphaltting operations where necessary
- c) To construct all necessary art construction and bridges
- d) To provide all necessary buildings and facilities
- e) To implement all kinds of jobs undertaken through protocols
- f) To carry out assignments given by traffic laws
- g) To prepare for training services related to the subject of operations; to prepare appraisals and carry out, follow up, finalize and supervise technical and administrative operations necessary for the realization of such activities.
- h) To carry out similar assignments to be given by the General Directorate.

Basin Improvement and Artificial Lakes Department

ARTICLE 11. The assignments of the Basin Improvement and Artificial Lakes Department is composed of the following:

- a) To construct or have it constructed artificial lakes and other facilities to prevent damages caused by downfalls or floods and intended as reservoirs of irrigation water for agricultural land and drinking water for animals.
- b) To take necessary steps towards the prevention, elimination or reduction of soil erosion and the establishment and preservation of soil and water balance; to construct or have it constructed the necessary facilities for this purpose.
- c) To make or cause it to be made and provide for the implementation of studies, planning, project and program making in connection with the erection, improvement and extension of irrigation facilities using up to 500 liters per second of irrigation water.
- d) To carry out similar assignments to be given by the General Directorate.

Irrigation Department

ARTICLE 12. The assignments of the Irrigation Department is composed of the following :

a) The improvement, development and making suitable for cultivation state owned land.

b) To carry out or cause it to be carried out services related to soil irrigation operations in state built irrigation networks and other irrigation plans.

c) To carry out or have it carried out studies, planning program and project making operations; to approve such activities and put or have it put into application operations for the integration of irrigable or dry land, on the request of the majority of the owners and have the allotments after such integration registered in the name of the new owners; to insert necessary caution notes in land registers so as to prevent further divisions and to effect public seizures, when and where needed, during the implementation process of operations.

Through a by-law to set-out procedures and principles for the implementation of integration operations.

d) To carry out similar assignments to be given by the General Directorate.

Village Drinking Water Department

ARTICLE 13. The assignments of the Village Drinking Water Department is composed of the following :

a) To provide hygienic and sufficient drinking water to villages, affiliated settlement locations and military garrisons.

b) To drill water wells for this purpose and, where necessary, to construct or have it constructed water treatment and collection facilities with the object of obtaining water from other facilities such as dams, artificial lakes and similar.

c) To carry out or have it carried out the maintenance and operation of completed village drinking water facilities.

d) To carry out operations for the repair and improvement of existing facilities and, where necessary, take all kinds of steps for the development of such facilities.

e) To provide environmental sanitation services in settlement locations and arrange for their implementation.

f) To meet, within capability limits, drinking water supply and water well drilling demands from public organizations and enterprises, societies, cooperatives, real and juristic person and render such services against payments to be arranged through protocols.

g) To carry out similar assignments to be given by the General Directorate.

Village Electrification Department

ARTICLE 14 The assignments of the Village Electrification Department is composed as follows.

For the electrification of villages and affiliated settlement locations to make or have it made.

a) Studies, projects, networks and facilities for hydraelectric power plants.

b) Studies on solar, wind and other energy-resources and facilities; preparations for plan and project making of such facilities and constructions thereof.

c) Power supply facilities for drinking, domestic and irrigation water supply networks operated by level raising pumps.

d) Electricity, wireless, telephone projects and installations of all buildings, facilities and areas related to the services of the General Directorate.

e) To carry out or have it carried out all related work undertaken through protocols.

f) To carry out similar assignments to be given by the General Directorate.

In-Village Construction Department

ARTICLE 15. The assignments of the In-Village Construction Departments is composed of the following :

a) To prepare projects for economical, social and physical infrastructure facilities of necessary development plans related to the arrangements for physical settlement of villages, towns and to be integrated or shifted settlement units such as villages, quarters, small farms, combines etc.; prepare the settlement locations suitable to climatic and physical characteristics and ensure or have it ensured that all constructions are implemented according to such projects.

b) To provide project and technical support for lodging and farm management facility needs of village population not to be shifted or integrated and in cases where such needs cannot be afforded by the population themselves.

c) To supervise the credit financed constructions of residential buildings and farm management facilities.

d) To make or have it made the construction of all buildings and facilities of the General Directorate.

e) To carry out similar assignments to be given by the General Directorate.

Operations Department

ARTICLE 16. The assignments of the Operations Department is composed of the following :

- a) To carry out applications financial subjects of the Housing Law and The Fund.; to arrange and submit modifications progosalo with the object of meeting upto date conditions.
- b) By preparing yearly expenditure plans, to evaluate the existing assets of the Special Housing Fund in the most possible efficient way and provide for the implementation of projects related to the Fund.
- c) To provide for the proper distribution of budgetary allocations according te expenditure plans and work programs; to follow - up applications and remittances in cash.
- d) To provide for the expenditures of the central and provincial organizations to be transacted within the provisions of governing legislations.
- e) To prepare instructions for procurements to be effected by the central and provincial organizations through the utilization of the Special Housing Fun; implement remiltances and close-up draws for advance payments.
- f) To guard and keep records of money, property and valuable documents belonging to the Fund.
- g) To keep records for money deposited to the Fund from funds of other organizations and intended for services requested to be rendered by the General Directorate; to spend or have it spent such money and close records upon implementation of services that were intended for.
- h) To provide credit financing and lend money from the Special Housing Fun for residential and form managment facility constructions included in approved yearly plans and projects; to follow - up repayments of such debts.
- i) To prepare audit balance sheets at the end of years and keep account records to form basis for such balance sheets; to participate in activities of the Central Tender Committees and implement tender formalities.
- j) To prepare or have it prepared, to approve and to provide for the support and supervision of technical aid project for the Controlled Agricultural Credits Special Project Fund and for subjects falling within the assignment area of the General Directorate for Rural Services.
- k) To promote and support farmers being organized under associations and cooperatives for management of activities related to agricultural irrigation, soil conservation and land development operations.

l) To carry out transactions, within the provisions of principles set-out by by-laws issued for this purpose, for repayments to be made by those benefitting from services related to the construction, maintenance, repair, operation and improvement of facilities implemented by the General Directorate in villages and rural areas.

m) To carry out similar assignments to be given by the General Directorate.

PART THREE

Advisory and Supervising Units

Advisory and Supervising Units

ARTICLE 17. The advisory and supervision units of the General Directorate is composed of the following :

- a) Inspection Department
- b) Study, Planning and Coordination Department
- c) Office of Legal Advisors

Inspection Department

ARTICLE 18. The Inspection Department carries out the following assignments in the name of the General Director and on orders or approval of the General Director :

- a) Make enquiries, inspection and investigation
- b) Carry out control and supervision operations
- c) Prepare and submit to the General Director necessary proposals for the better implementation of the aims of the General Directorate and see to it that activities are carried out within the provisions of governing legislations and frameworks of plans and programs.

d) Carry out similar assignments given by special laws and General Director.

The assignment of the Inspection Department covers all kinds of activities and operations of the central and provincial organizations of the General Directorate.

Study, Planning and Coordination Department

ARTICLE 19. The assignments of the Study, Planning and Coordination Departments is composed of the following :

a) To set-out working principles for the implementation of orders and assignments given to the General Directorate within the framework of Government programs, development plans, yearly programs, Governmental decrees and national defence policies; to assist in the preparation of the main services policies and plans of the General Directorate, consistent with such principles.

b) To provide for the determination, in accordance with sci-

entific research principles and procedures, of services, steps and affiliated basic policies seen necessary to take place with priority in long term plans, development plans and yearly programs.

c) To prepare the budget of the General Directorate, within principles set-out in current plans and programs and follow-up its realization so as to arrange that existing resources such as manpower, money and goods are utilized in the most proper and efficient way and thus, services and activities being implemented economically and efficiently.

d) To prepare the yearly work programs of the General Directorate and to accumulate and evaluate necessary statistical data.

e) To determine and submit to the evaluation of higher authorities, elimination steps for study on Ministerial and intra-cabinet levels for outstanding difficulties, obstructions and congestions occurring during the implementations of development plans, programs and yearly work programs of the General Directorate; to carry out organization and method services.

f) To accomplish other assignments on planning and coordination subjects and follow-up the implementation of yearly work programs.

g) To assist in the determination of the views of the General Directorate on law proposals or law, regulation and by-law propositions for which comments are requested.

h) To prepare the history of the General Directorate.

i) To carry out or have it carried out research activities related to the improvement and efficient utilization of land and water resources.

j) To carry out similar assignments to be given by the General Directorate.

Office of Legal Advisors

ARTICLE 20. The assignments of the Office of Legal Advisors is composed of the following.

a) To study agreement and specification drafts prepared by the central organization of the General Directorate and determine their juristic status and fitness to governing laws, to determine the results of disputes resulting from the application of such agreements and specifications.

b) To study investigation and enquiry reports against the clerical staff of the General Directorate and carry out necessary formalities for any legal actions.

c) To give legal advice on law, regulation and by-law propositions and other activities for which the views of the General Directorate are requested or which have been prepared by the General Directorate.

d) To control, from the central organization or on the spot, legal and executive cases originating in the provincial organizations of the General Directorate.

e) To prepare notifications and warning advices or answer notifications and warning advices as found necessary by the General Directorate and after obtaining the views of the related central organization.

f) To prepare all necessary information for legal and administrative cases and represent the General Directorate in courts, arbitration boards and executor offices.

The provisions of Law no. 1389 dated 2.2.1929 -Law Concerning Tariffs To Solicitors etc. Sitting as Defendants of state in Trials- are applied, on comparison basis, to advocates and legal advisors who can act as advocates and staff engaged by the General Directorate to carry out such services.

g) To carry out similar assignments to be given by the General Directorate.

PART FOUR

Supporting Units

Supporting Units

ARTICLE 21. The Supporting Units of the General Directorate for Rural Services is composed of the following :

- a) Personal and Training Department
- b) Administrative and Financial Affairs Department
- c) Machinery Supply Department
- d) Office For Civil Defence

Personell and Training Department

ARTICLE 22. The assignments of the Personell and Training Department is composed of the following :

a) To carry out operations concerning manpower planning and the personell policy of the General Directorate and submit proposals for improvement thereof.

b) To carry out operations concerning appointments, personell records, retirements and health matters of the staff of the General Directorate.

c) In cases of operations to be carried out by the General Directorate for Personell Affairs of the Ministry and on matters

related to the job-sites of the General Directorate; to provide the necessary coordination and cooperation activities so that employer-employee relations are run within the provisions of governing legislations and current social work agreements.

d) To carry out all transactions concerning the implementation of payments to the personell of the central organization and, where necessary, those of provincial organizations.

e) To prepare training programs for the General Directorate and to arrange for and apply pre-service and intra-service training programs.

f) To carry out all printing and publicity operations; to meet printing requirements and to execute activities related to copyright and translation matters.

g) To carry out operations and activities related to ex-office relations, mainly on personell matters.

h) To carry out similar assignments to be given by the General Directorate.

Administrative and Financial Affairs Department

ARTICLE 23. The assignments of the Administrative and Financial Affairs Department is composed of the following :

a) To carry out services related to the provision of vehicles, accessories and goods for the General Directorate.

b) To carry out transactions related to the procurement and lease of needed buildings and land.

c) To carry out all operations related to the financial activities of the General Directorate.

d) To carry out services pertaining to cleaning, illumination, heating, maintenance, repair and transport activities.

e) To arrange and operate services related to the organization and management of social facilities.

f) To provide that the staff of the General Directorate and their families benefit from health services.

g) To inform the related units about orders and directions of the General Directorate and follow-up related operations; to carry out internal and external protocol activities of the General Directorate.

h) To provide that urgent and time-limited documents are processed timely.

i) To arrange meetings, briefings and negotiations related to the services of the General Directorate; to take notes and prepare records of important phases during such activities and distribute such notes and records.

j) To provide for and implement services and activities related to general mailing, archive and documents handling.

k) To carry out similar assignments to be given by the General Directorate.

Machinery Supply Department

ARTICLE 24. The assignments of the Machinery Supply Department is composed of the following :

a) To determine the main specifications and quantities of machines, equipment and spare parts needed for the implementation of the services of the General Directorate and to submit proposals for their procurements.

b) To carry out operations related to the distribution and transfer of machines, equipment and spare parts; to improve the supply system so as to meet requirements.

c) To plan and provide for the implementation of producing equipment, spare parts and other cutfits in the workshops of the General Directorate.

d) To make or have it made necessary studies and modifications for the remedy of characteristic defects on machines, equipment and spare parts.

e) To supervise and cause the implementation of turn-over and write-off operations of inventory and consumable goods, to provide for their sale and scrap evaluation.

f) To prepare proposals for fiscal budgetary requirements related to the machinery park of the General Directorate.

g) To carry out similar assignments to be given by the General Directorate.

Office For Civil Defence

ARTICLE 25. The Office of Civil Defence carries out assignments set-out in the special law and other laws.

SECTION THREE

Provincial Organization

Provincial Organization

ARTICLE 26. The Provincial Organization of the General Directorate, as a necessity of the speciality of rural services, is composed of Regional Directorates at regional level and affiliated directorates.

Establishment of Regional Organization

ARTICLE 27. Juristictions, concerning the establishment of the provincial organization of the General Directorate. are vested as follows :

a) The Ministerial Cabinet is authorized to approve, upon the proposal of the Minister, the establishment or abolition of Regional and affiliated directorates.

b) The Minister, upon the proposal of the General Director, is authorized to approve the establishment, abolition and definition of intra-service activities of unit supervisors and clerical staff.

SECTION FOUR

Responsibilities and Jurisdiction

Responsibilities of Managers

ARTICLE 28. The managers at all levels of the central and provincial organizations are responsible to the next higher level superior for the arrangement and carrying out of the services and assignments they are charged with the implementation of, in accordance with the orders and directions of the General Directorate and within the framework of plans and programs.

Assignment, Jurisdiction and Responsibility of the General Directorate on matters of Cooperation and Coordination.

ARTICLE 29. The General Directorate, on matters related to main services and assignments, is charged with and authorized to provide the necessary cooperation and coordination with other public organizations and establishments, within the framework of principles set-out by the Ministry.

Responsibilities For Coordination With Local Administrations

ARTICLE 30. The General Directorate is responsible to provide coordination with local administrations on matters related to the area of services it is charged with.

Arrangement, Assignment and Jurisdiction of the General Directorate

ARTICLE 31. The General Directorate is assigned and authorized to arrange through regulations, by-laws, instructions and circulars that services, the implementation of which it is charged with by this law, are carried out in the directions set-out by the Minister.

Transfer of Authority

ARTICLE 32. The General Director may transfer some of his authorities to his deputies, provided the limits of such transfers are clearly defined. In any case, transfer of authority does not exempt the superior from responsibility.

The Regional Directors are managers of affiliated organizations and the most authorized representatives of the General Directorate in the provincial organization and as such, are responsible to the General Director for operations and activities in their regions.

In cases where no solicitors are available; the General Director may delegate one of his staff to represent him in courts and other related departments during hearings of cases started in favour of or against the General Directorate and follow-up such cases in ex-ecutors offices.

SECTION FIVE

Various Provisions

Appointments

ARTICLE 33. The appointments of staff, working in the central and provincial organizations of the General Directorate, that are not within the statute of Law no. 2451 dated 23.4.1981 are made as follows :

- a) Those occupying list positions 1 - 4 are appointed with the approval of the Minister, upon the proposal of the General Director.
- b) Those occupying list positions 5 - 15 are appointed with the approval of the General Director.

In any case, the Minister and the General Director may transfer their authorities to levels they deem necessary.

Personell List Positions

ARTICLE 34. The determination, establishment, utilization, abolition and other matters related to personell list positions are arranged within the provisions of «Legislation For General Personell Lists and Procedures».

Plans and Programs

ARTICLE 35. The General Directorate prepares its investment programs and projects within the framework of principles set-out by development plans and yearly programs and submits these to the State Planning Organization through the Ministry of Agriculture, Forestry and Rural Affairs. After the fiscal budget is legalized, the yearly investment and work programs are prepared and put into application after the approval of the Minister.

Village and Forest Roads Network

ARTICLE 36. Roads connecting villages, village municipalities and affiliated settlement locations that are outside the state highways and provincial main roads network, to province and county centers and forest and intra-forest roads incorporate the village and forest roads network.

Accordingly, roads within the service areas of the General Directorate for Rural Services are classified as follows :

- a) Village and Village Municipality roads
- b) Roads of settlement locations related to the above
- c) Roads connecting villages and village municipalities to the State highways and provincial main roads
- d) Forest and intra-forest roads

The network of roads defined in paragraphs (a), (b) and (c) above, is determined by the General Directorate for Rural Services by taking into consideration public benefit, national defence requirements and economical factors influencing the improvement of such roads. This network thus determined is put into application with the approval of the Minister and similarly modified whenever necessary.

The determination, planning and project operations of forest and intra-forest roads network related to production, forestation roads and fire-bands are implemented by the General Directorate of Forestry. Other principles for cooperation between the General Directorate for Rural Services and the General Directorate of Forestry on forest and intra-forest roads network, are set-out by the Ministry of Agriculture, Forestry and Rural Affairs.

Review and Approval of Plans and Projects

ARTICLE 37. The General Directorate for Rural Services is authorized :

- a) To review and approve projects and estimates related to operations implemented for «Public Benefit» public organizations and their affiliated units and other real and juristic persons.
- b) To inspect the fitness of constructions to projects and technical requirements
- c) To make or have it made surveys and projects of such operations against the remittance of an agreed sum.

Allocation of Treasury Land

ARTICLE 38. Public property with no fixed facilities on it and requested for utilization by the General Directorate for Rural Services, is allocated to the General Directorate by the Treasury.

Settlement of Disputes

ARTICLE 39. Whether there exist an agreement or not, settlement of the following issues is vested to the below described authorities within stated monetary limitations. Peaceful settlement of disputes that have come to exist between the General Directorate and other State departments, enterprises and organizations or real and juristic persons but not brought to the rulings of district authorities, courts or executors offices. Modification or cancellation of

contracts and agreements Starting legal processes or executors of-
fice operations for legal and material matters or following-up of
such started cases. Abandonment of claims for legal cases or execu-
ter's office operations lost and no benefit expected out of their br-
inging to the ruling of higher authorities or courts. Concessions and
abandonment of rights and interests where it is seen more profitable
to came to peaceful settlement of started legal cases or executor's
office operations.

- upto 1.500.000,— TL. with the decision of the General Director
- from 1.500.000,— TL. upto 10.000.000,— TL. with the decision
of the Minister
- over 10.000.000,— TL. with the decision of both, upon the posi-
tive comments of Danıştay.

The above monetary limits are determined annually through the
Budget Laws.

Records kept for legal cases and executor's office operations
that have lost topic, those found out to be erroneously started,
those not including any rights and interests in favour of the General
Directorate and those that have been peacefully settled or withdrawn
within the above monetary jurisdictions, are closed.

The provisions of the above paragraph apply also to lost cases
where claims to higher authorities or courts are abandoned and
criminal cases where the Organization is a part, but the suspect is
found not-guilty and prosecution ruled as dropped.

The decision to apply for correction of court rulings or return
for re-hearing and to bring objection to the rulings of the judges
under Law 3533, is upto the department manager or solicitor that
follows-up the case.

The related personell are charged with the taking of necessary
steps to prevent prescription and loss of rights. Unless decisions
have been taken within the provisions of the above paragraph, it is
obligatory to start, where deemed possible operations for legal acti-
ons and put claims to higher authorities or courts for partially or
totally cases. Besides legal actions being taken against solicitors or
managers of departments that, due to negligence on their part, are
found responsible for the becoming effective of a court ruling that
could possibly be annulled through material or legal reasons, they
shall be made to compensate for suffered losses.

Drinking Water Well Drills

ARTICLE 40. Drillings for wells with the object of providing
drinking and domestic water to villages, affiliated settlement locations
and military garrisons are carried out according to the provisions of
Law no. 167 «Underground Water Law» except those in restricted
areas.

Service Relations with State Organizations and Enterprises and Real and Juristic Persons

ARTICLE 41. The General Directorate for Rural Services is authorized to implement with its own capabilities and to make the necessary arrangements for the safety of facilities, the construction of which are requested by state organizations and enterprises, juristic public societies, cooperatives, companies and real persons. Such operations shall be related to the activity areas of those making the requests, implemented within provisions of agreement to be made for this purpose and costs absorbed by said organizations or persons.

Facilities, Property and Valuables of the General Directorate for Rural Services.

Facilities, Property and Valuables of the General Directorate for Rural Services.

ARTICLE 42. All property of the General Directorate for Rural Services and all valuables of its rotating capital enterprises are judged as State property.

Any persons offending these properties and valuables are punished in the same way as those offending State property.

Revenues and Exemptions

ARTICLE 43. The revenues of the General Directorate is composed of the following:

- a) Supports form the State general budget.
- b) All kinds of voluntary aids, donations, bank interests and other incomes
- c) Incomes from power plants constructed by the General Directorate
- d) Revenues registered as incomes from rotating capital enterprises,
- e) Incomes from disposing by sale of machines, workshops, tools and accessories, commodities and immovable property the economic and technical operations of which are no more considered profitable and thus discarded as scrap.
- f) Incomes from various funds, services and activities.
- g) cost of material and rentals from tools and accessories, machines, equipment, storage rooms, land and the similar, that have to be given to contractors in accordance with the provisions of agreements with them.
- h) Incomes from constructions, maintenance, repair, improvement, management and development of all kinds of services and facilities related to the assignment of the General Directorate.

i) Incomes from applications of delay penalties and other compensations received from contractors that have partially or totally, not completed their undertakings; revenue through the confiscation of guarantee money.

j) Kerosene money received from İller Bankası as per the provisions of article 16 of Law no. 951.

k) Funds and shares as provided by other laws to be appropriated for village roads, village drinking water supply operations and village electrification activities.

l) Remittances from rotating capital enterprises of the General Directorate of Forestry, made within the framework of principles set-out by the Ministry of Agriculture, Forestry and Rural Affairs for the construction, maintenance, repair, improvement and management of forest and intra-forest roads, bridges and art constructions.

m) Incomes from other sources.

On the one hand, these are recorded as revenues to a special paragraph in the budget of the General Directorate and, on the other hand, the Ministry of Finance and Customs enters them as budgetary allocations in the related project lists of the general budget.

Procedures and principles related to the repayment by those benefitting of costs and interests for the construction, maintenance, repair, improvement, management and development of facilities defined in paragraph (h) above, is approved by the Ministerial Cabinet upon the proposal of the Ministry of Agriculture, Forestry and Rural Affairs. The application of such procedures and principles is determined through by-laws.

The revenues of the General Directorate and imports of all kinds of raw material, goods, machines, implements, vehicles, tools and accessories and their spare parts are exempted from all kinds of dues, duties and taxes.

Rotating Capital

ARTICLE 44. The General Directorate for Rural Services is authorized to establish, with the consent of the Ministry and in centers found necessary and fit, rotating capital enterprises related to its assignments and services and with capitals upto 500.000.000,— TL. these enterprises may undertake works from other sources too.

The above capital amount may be increased through decrees issued by the Ministerial Cabinet.

The personell lists, jobs and operations of such enterprises is arranged through by-laws.

Revenue Transfers

ARTICLE 45. Balances from revenues of the General Directorate not utilized during the fiscal year, are transferred to the next year budget and recorded as revenues and budgetary allocations.

The General Directorate may, upon the approval of the Ministry of Agriculture, Forestry and Rural Affairs, enter into spreading undertakings for periods of upto 3 years for all kinds of projects, constructions and similar services falling within its area of services and for machines and goods necessary for the implementation of such services, provided that the amount to be reimbursed every year should not exceed 50 % of the revenues of the year remittance is effected.

Provisions Cancelled

ARTICLE 46. Law no. 5613 dated 20.3.1980 related to the establishment of the General Directorate for Land and Housing (Toprak-Iskan) and all modifications there of; Law no. 7457 dated 27.2.1980 and provisions of other laws that are adverse to the provisions of this Law, are hereby cancelled.

Provisions Transferred

ARTICLE 47. All assignment, jurisdictions, responsibilities, rights, and exemptions given to the General Directorates of Yol Su Elektrik (General Directorate for Village Road, Water and Electricity Affairs), TOPRAKSU (General Directorate for Soil and Irrigation Works) and Toprak-Iskan (General Directorate for Land and Housing) that were abolished before the enactment of this Law, are herewith transferred to the General Directorate for Rural Services, and its General Director.

Temporary Provisions

TEMPORARY ARTICLE 1. All personnel position lists that were in the custody of the General Directorate for Toprak-Iskan and furnished by the Ministry of Agriculture, Forestry and Rural Affairs to the General Directorates of Yol Su Elektrik and TOPRAKSU at the time Decree With Law Force no. 235 dated 18.6.1984 came into force, are transferred herewith, together with the personnel occupying the lists, to the order of the General Directorate for Rural Services.

TEMPORARY ARTICLE 2. The position lists occupied by the General Directors, Heads of Department and their Deputies of the General Directorates of Toprak-Iskan, Yol su Elektrik and TOPRAKSU, are bonded to the persons occupying them and once they are emptied in one way or the other, are considered as cancelled according to governing general provisions.

The Minister of Agriculture, Forestry and Rural Affairs may assign any of the existing General Directors, Deputy General Directors and Heads of Department to the management of services equal to the titles they occupy, until new personell position lists are determined and established.

TEMPORARY ARTILE 3. Staff that were under the employment of the General Directorates of Toprak - İskan, Yol Su Elektrik and TOPRAKSU and the list positions and assigment titles of whom have not changed as a result of new arrangements made under the provisions of Decree With Law Force no. 235 dated 18.6.1984, are considered as appointed to their new posts.

Staff, whose list positions and assigment titles have changed or were abolished and those occupying personal bonded list posts are, together with all their existing financial and social rights, assigned to jobs suitable to their status until appointed to a new post in the central or provincial organization of the Ministry.

In the case of their appointment to a new job in the central and provincial organization of the Ministry, they continue to receive salaries, extra allowances and all kinds of other rights appertaining to their old list posts during the total duration of their stay in the new job.

TEMPORARY ARTICLE 4. All movable and immovable properties and all other stocks and valuables belonging to the General Directorates of Toprak - İskan, Yol Su Elektrik and TOPRAKSU are considered as transferred to the General Directorate for Rural Services, together with all rights and commitments without necessiating further formalities.

TEMPORARY ARTICLE 5. Personell list posts related to assignments for the construction, maintenance and repair of forest and intra - forest roads and management of repair shops of the General Directorate of Forestry together with all kinds of vehicles, equipment, construction machinery repair shops and all movable and immovable property appertaining to these are, without further formalities and upon the consent of the Minister, transferred to the General Directorate for Rural Services.

TEMPORARY ARTICLE 6. Applications of the provisions of existing legislations and by-laws will continue to be effective until new by-laws, provided for by this Law, are prepared and put into operation.

TEMPORARY ARTICLE 7. Until the General Directorate and its central and provincial organizations are arranged within the provisions of this Law; assignments and services, expenditure and

remittances continue to be implemented under existing provisions and by existing provincial organizations under current procedures and principles.

TEMPORARY ARTICLE 8. The General Directorate shall arrange its organization and personell list posts in accordance with this Law, the latest by 18.6.1985. For this purpose, the Ministerial Cabinet is authorized to establish and abolish list posts or modify existing post classes, titles and levels, upon the proposal of the Ministry and obtaining views of the Ministry of Finance and Customs and State Personell Department .

TEMPORARY ARTICLE 9. Legal cases started by the Treasury for the recovery of immovable property, inside and outside the application areas and distributed under ex-Law 4753 «Law for Providing Land to Farmers» and Law 4486 «Law For Technical Agriculture and Gardening Schools» and also abolition cases started again by the Treasury under article 8 of Law 1617 «Land Reform Advance Measures Law» are herewith dropped no matter at what stage they may be.

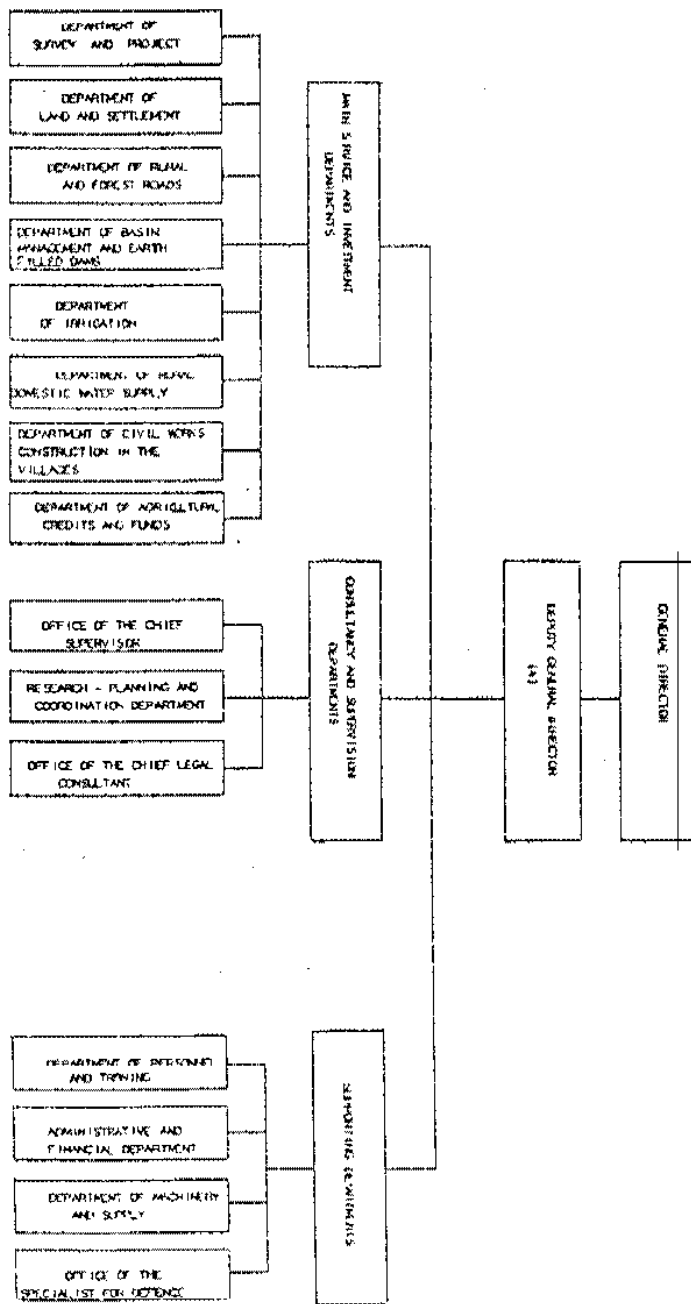
Effectiveness

ARTILCE 48. This Law comes into force on the date of its publication.

Enforcement

ARTICLE 49. This Law is enforced by the Ministerial Cabinet.

20/5/1985



GENERAL DIRECTORATE OF RURAL SERVICES