

The M.P. Panchayats (Irrecoverable Sums) Rules, 1995

MADHYA PRADESH

India

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Rule

THE-M-P-PANCHAYATS-IRRECOVERABLE-SUMS-RULES-1995 of 1995

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The M.P. Panchayats (Irrecoverable Sums) Rules, 1995 Published vide Notification No. B-1-12-95-P-2-23, dated 28-3-1995, M.P. Rajpatra (Asadharan), dated 29-3-1995 at pp 306 (1-2) In exercise of the powers conferred by the sub-section (1) of Section 95 read with Section 116 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules, the same having been previously published as required by the sub-section (3) of Section 95 of the said Act, namely :-

1. Short title.

- These rules may be called the Madhya Pradesh Panchayats (Irrecoverable Sums) Rules, 1995.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994); (b) "Irrecoverable sums" means the irrecoverable sums due to Panchayats referred to in Section 116 of the Act; (c) "Quarter" means a quarter ending on the 31st March, 30th June, 30th September or 31st December of any year.

3. Authorities for writing off irrecoverable sums and unusable material.

- Irrecoverable sums due to a Panchayat or unusable material shall be written off by the authorities specified in the Schedule appended to these rules.

4. Writing off irrecoverable sums by passing a resolution.

- A Panchayat shall write off irrecoverable sums by passing a resolution.

5. Writing off at irrecoverable sums exceeding five rupees.

- No irrecoverable sum exceeding five rupees, shall be written off unless it has been established to the satisfaction of the authority that-(a)the person, from whom the sum due is too poor to pay it; or(b)such person has died and there is no likelihood of recovering the sum from the heirs or property of the deceased; or(c)all reasonable efforts to recover the sum have been made in accordance with the provisions of the Act and the rules or bye-laws made thereunder.

6. Manner in which irrecoverable sums or unusable materials shall be written off.

(1)The Panchayat shall at the end of each quarter prepare a statement of unusable materials and consider it in its meeting.(2)After due consideration the Panchayat may pass a resolution for writing off or refusing to write off irrecoverable sums, or unusable materials as the case may be.

7. Repeal.

- The previous rules on the subject shall stand repealed on the date of final publication of these rules in the Gazette.

Schedule

[See Rule 3]Irrecoverable sums or unusable material shall be written off,-(1)in the case of a Gram Panchayat-(a)if the sum or value of unusable material is or less than Rs. 2.000 by the Gram Panchayat;(b)if the sum or value of unusable material exceeds Rs. 2,000 but does not exceed Rs. 10,000 by the Gram Panchayat with the prior permission of the Collector;(c)If the sum or value of unusable material exceeds Rs. 10.000 by the Gram Panchayat with the prior permission of the Divisional Commissioner.(2)in the case of Janpad Panchayat-(a)if the sum or value of unusable material is or less than Rs. 5.000 by the Janpad Panchayat;(b)if the sum of value of unusable material exceed Rs. 5,000 but does not exceed Rs. 10,000 by the Janpad Panchayat with the prior permission of the Collector;(c)if the sum or value of unusable material exceeds Rs. 10,000 by the Janpad Panchayat with the prior permission of the Divisional Commissioner.(3)in the case of a Zila Panchayat-(a)if the sum or value of unusable material is or less than Rs. 10.000 by the Ziia Panchayat;(b)if the sum or value of unusable material exceeds Rs. 10,000 by the Zila Panchayat with the prior permission of the Divisional Commissioner.