

The M.P. Panchayat (Powers and Functions of Chief Executive Officer) Rules, 1995

MADHYA PRADESH

India

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Rule

THE-M-P-PANCHAYAT-POWERS-AND-FUNCTIONS-OF-CHIEF-EXECUTIVE OFFICER of 1995

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The M.P. Panchayat (Powers and Functions of Chief Executive Officer) Rules, 1995Published vide Notification No. B-1-25-95-22-P-2, dated 14-8-1995, M.P. Rajpatra (Asadharan), dated 14-8-1995 at p. 772 (2)In exercise of the powers conferred by the sub-section (1) of Section 95 read with Section 72 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 and 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 Panchayat (Powers and Functions of Chief Executive Officer) 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)"Chief Executive Officer" means the Chief Executive Officer of a Zila Panchayat or Janpad Panchayat as the case may be;(c)"Section" means Section of Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994);(d)"Panchayat" means the Zila Panchayat or a Janpad Panchayat as the case may be.

3.

Save as otherwise expressly provided by or under the Act, the executive power for the purposes of carrying out the provisions of the Act shall vest in the Chief Executive Officer, who-(a)shall exercise all the powers specifically conferred upon him by or under the Act, or under any other law for the time being in force;(b)shall lay down the duties and supervise and control the officers and servant of the Panchayat subject to the general superintendence of the President and in accordance with rules made by the State Government;(c)subject to the provisions of Sections 44 and 47 and rules made thereunder, shall convene the meeting of Panchayat and its Standing Committee and maintain proceeding thereof;(d)shall attend meeting of the Panchayat and its Standing Committee unless prevented by a reasonable and sufficient cause;(e)may lender information or clarification in respect of any matter under discussions in the meeting of Panchayat;(f)shall take action to implement the resolutions of the Panchayat;(g)have custody of all papers and documents connected with proceedings of meeting of Panchayat and its Standing Committees;(h)shall furnish the returns, statements, estimates, statistics or other information relating to the administration of Panchayat;(i)shall report within three days from the date of meeting of Panchayat or Standing Committee all such cases to the prescribed officer where in his opinion any act or execution of any order or resolution of Panchayat or of the President or of the Chairperson of any Standing Committee is not in accordance with the provisions of the Act or the rules framed thereunder or any directions or instructions issued by the State Government under the Act.

4.

Subject to the provisions of the Act and the rules made thereunder, the Chief Executive Officer of Panchayat,-(i)may call for any information, return, statement or report from any officer or employee holding office under the Panchayat or from any other district office of any department;(ii)may sanction leave of absence to employees of Panchayat in accordance with the rules made for this purpose;(iii)may during the absence on leave or on transfer of any officer, make temporary' provisions for holding charge and the discharge of the functions of the office;(iv)may call an explanation from any officer or employee of holding office under the Panchayat;(v)shall supervise and control the execution of all activities of the Panchayat;(vi)shall take necessary measures for the speedy execution of all works and development scheme of Panchayat;(vii)initiate or conduct proceedings, civil or criminal on behalf of Panchayat;(viii)shall assess and give the opinion confidentially every year on the work of the official servants holding office under the Panchayat and forward it to President;(ix)may draw and disburse money out of the Panchayat Fund, as per the financial Rules made in this regard;(x)shall prepare annual development plans and budget and ensure efficient execution of schemes included for all matters relating to the accounts of Panchayat;(xi)shall examine every proposal sent by Janpad or Gram Panchayat as the case may be, for imposition of a tax mentioned in Schedule II of the Act as per provision of Section 77 (2) of the Act;(xii)shall publish under his signatures all regulations and bye-laws made by the Panchayat;(xiii)shall ensure against loss of money or property of the Panchayat in possession or charge of employees of the Panchayat in the discharge of the duties and to place before the Panchayat or Standing Committee empowered;(xiv)shall examine and report on any of the matters regarding delegation of powers by the Panchayat to any of its authorities with a view to ensure that

action proposed is in accordance with the rules or executive instructions issued by the State Government to this behalf;(xv)shall immediately report to the President every case where danger to life or extensive damage of property of residence of the district has been caused by natural calamity and where any damage has been caused to the property of the Panchayat shall also take immediate suitable action under instructions from Panchayat;(xvi)shall take steps to remove any defect or irregularity brought to the notice of the Panchayat in the course of audit of its account.

5.

The Chief Executive Officer shall also exercise all such powers and perform such other functions and duties as may be delegated to him by Panchayat or assigned by the State Government.

6.

Any order of the Panchayat shall only be valid when it is issued under the seal and signature of the Chief Executive Officer.

7. Repeal.

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