

# **The M.P. Panchayat (Inspection of Proceedings) Rules, 1995**

MADHYA PRADESH

India

## **The M.P. Panchayat (Inspection of Proceedings) Rules, 1995**

### **Rule**

### **THE-M-P-PANCHAYAT-INSPECTION-OF-PROCEEDINGS-RULES-1995 of 1995**

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The M.P. Panchayat (Inspection of Proceedings) Rules, 1995Published vide Notification No. B-1-19-95-P-2-22, dated 28-3-1995, M.P. Rajpatra (Asadharan), dated 29-3-1995In exercise of the powers conferred by sub-section (1) of Section 95 read with sub-sections (1) and (2) of Section 84 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 sub-section (3) of Section 95 of the said Act, namely :-

#### **1. Short title.**

- These rules may be called the Madhya Pradesh Panchayat (Inspection of Proceedings) Rules, 1995.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Raj Adhiniyam, 1993 (No. 1 of 1994);(b)"Section" means the Section of the Act.

#### **3. Inspection.**

(1)The officer authorised by the State Government under sub-section (1) of Section 84 may inspect the proceedings and works of a Panchayat from time to time.(2)The officer to be authorised under sub-section (1) of Section 84 may be-(a)in the case of a Gram Panchayat, the Panchayat and Social Education Organizer the Sub-Divisional Officer in whose jurisdiction the Gram Panchayat falls.(b)[ in the case of a Gram Panchayat and Janpad Panchayat, the Commissioner or the [Director of

Panchayat or the Joint Director/Deputy Director of the District Panchayat and Social Welfare] [Substituted by Notification No. B-1-19-95-XXII-P-2, dated 2-9-2000.] or the Collector in whose jurisdiction the Gram Panchayat falls, or any officer subordinate to the Collector as may be nominated by him in this behalf or any Subordinate Officer authorised by the State Government in this behalf];(c)[ in the case of Zila Panchayat the Commissioner or the Director of Panchayat or any officer subordinate to them, as may be nominated by them in this behalf or any subordinate officer authorised by the State Government in this behalf.] [Substituted by Notification No B-1-19-95-XXII-P-2, dated 2-9-2000.](3)[(a) The annual inspection shall be made once in a year in accordance with the inspection roster prepared by the Sub-Divisional Officer, Collector, the Commissioner or the Director of Panchayat, or any Subordinate Officer authorised by the State Government in this behalf as the case may be] [Substituted by Notification No B-1-19-95-XXII-P-2, dated 2-9-2000.];(b)The occasional inspection may be made on any information coming to his knowledge or otherwise warranting such inspection.(4)The inspection shall be made by the officer authorised under sub-section (1) of Section 84 for the purpose of satisfying himself as to the legality or propriety of any order or resolution passed or procedure followed or anything done or any action taken by the Panchayat.

#### **4. Power of Inspecting Officer.**

(1)The Inspecting Officer if he thinks necessary may-(a)Call witnesses;(b)Record evidence;(c)Take copies of records;(d)Seize records; or(e)Compel the production of documents :Provided that it shall only be necessary for the Inspecting Officer to make a memorandum of substance of the evidence of any witness examined by him.(2)If any record is seized by the Inspecting Officer he shall give the receipt therefor specifying therein the details of the record seized and retain it no longer than necessary.

#### **5. Inspection report.**

(1)The Inspecting Officer shall after the completion of inspection, prepare an inspection report as early as possible.(2)The inspection report shall point out :-(a)the illegality or impropriety of any thing done or any action taken by the Panchayat;(b)abuse of powers;(c)omission to do any thing;(d)irregularity in keeping accounts and records;(e)failure to follow the procedure prescribed;(f)persistent default in the discharge of duties imposed by or under the Act;(g)failure to obey the lawful order or direction given by any authority under the Act.(3)The report of inspection shall be submitted to the officer or authority directing the inspection.

#### **6. Repeal.**

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