

Tamil Nadu Panchayats (Quorum and Procedure For The Convening and Conduct of Meetings of Village Panchayat) Rules, 1999

TAMILNADU

India

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Rule

TAMIL-NADU-PANCHAYATS-QUORUM-AND-PROCEDURE-FOR-THE-C **of 1999**

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Tamil Nadu Panchayats (Quorum and Procedure For The Convening and Conduct of Meetings of Village Panchayat) Rules, 1999Published vide Notification No. G.O. Ms. No. 167, Rural Development (C-4), dated the 9th August 1999 - No. SRO A-59 (a-2)/99Published in Part III - Section 1(a), of the Tamil Nadu Government Gazette Extraordinary, dated the 11th August 1999.G.O. Ms. No. 167. - In exercise of the powers conferred by section 90 and sub-section (1) of section 94 and clause (vii) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) and in supersession of the rules relating to Proceedings of Panchayats and Committees of Panchayats, the Governor of Tamil Nadu hereby makes the following rules: -

1. Short title.

- These rules may be called the Tamil Nadu Panchayats (Quorum and Procedure for the Convening and Conduct of Meetings of Village Panchayat) Rules, 1999.

2. Definitions.

(a)"Act" means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994);(b)All other words and expressions used in these rules, but not defined therein shall have the meanings respectively assigned to them in the Act.

3. Duration between the meetings.

(1)The village panchayat shall meet in its office at least once in every month for the transaction of business on such days and at such times as it may arrange and also at such other times as often as a meeting shall be called by the President.(2)No meeting shall be held on any day declared by the Government as holiday and other local holidays declared by the Collector.

4. Notice of the meeting.

(1)Notice of not less than three clear days shall be given before the day of the meeting specifically indicating the date and time, the place of meeting and the business to be transacted thereat.(2)In cases of urgency, the president may convene a meeting on, giving notice of not less than twenty-four hours, clearly indicating the reasons of such urgency, and the place, date, and time of the meeting including the business to be transacted thereat.

5. Special meeting.

- A subject which is to be decided only in a meeting specially convened for a particular purpose as per the provisions of the Act, shall be decided only in a special meeting and no other subject shall be placed and decided at such a meeting.

6. Agenda.

(1)The agenda for the meeting shall be prepared by the president. The members may also bring agenda for discussions in the meeting and shall furnish details to the president not less than seven days prior to the date of meeting. The president, with his views thereon, shall place the agenda for discussion in the meeting.(2)The president, while preparing the agenda for the ordinary meeting, shall invariably include among others, the following subjects: -(a)a statement showing the monthly receipts and charges of the village panchayat under all accounts up to the month;(b)progress of all schemes, programmes and works up to the month;(c)administration report of the village panchayat for every financial year within three months in the next year;(d)audit report of the village panchayat with explanatory notes thereon at the first meeting of the village panchayat after the receipt of the same;(e)tour reports and inspection reports of every higher officer who inspected the schemes, programmes and works of the village panchayat at the first meeting of the village panchayat after their receipts, preparation of development plan for village panchayat.(3)In order to ensure the successful participation of the members in the administration of village panchayat, the president shall place various instructions, guidelines issued from time to time, by the Government of India, Government of Tamil Nadu, Director of Rural Development and the Collector of the District concerned before the village panchayat in the agenda.

7. Service of notice of meeting and agenda.

- The notice of meeting with the agenda shall be served on a member following the procedure specified below, in the order in which it is specified: -(a)by giving or tendering the notice, of meeting to the member concerned in person; or(b)in case personal service could not be effected, by tendering it to an adult member of his family; or(c)if no adult member of his family is also available for service, the notice of meeting shall be sent by registered post with acknowledgement due, or by affixing it on the conspicuous place of his last known address in the presence of the Village Administrative Officer of that village.

8. Validity of meeting.

- The entire proceedings shall be invalid if the notice of meeting with the agenda is not served to any member of the village panchayat.

9. Requisition meeting.

(1)The president shall, on the requisition in writing, of not less than one-third of the members, convene a meeting of the village panchayat provided that the requisition specifies the date on which and the purpose for which the meeting is to be held. The requisition shall be delivered at the village panchayat office during office hours to the president, or any other person who may, then, be in-charge of the office not less than seven clear days before the day of the meeting.(2)If the president fails within forty-eight hours from the delivery of such requisition to call a meeting on the day specified therein, or within three days thereafter, the meeting may be called by all the members who signed the requisition on giving the notice as provided in rule 4 to the other members.

10. Meeting open to public.

- All meetings shall be open to the public provided that the presiding member may at his discretion or at the request of the village panchayat shall, in any particular case for the reasons to be recorded in the minutes, direct that the public generally or any particular person shall withdraw.

11. Attendance of the meeting.

- The members and the presiding member attending the meeting shall sign in the attendance register. At the closure of the meeting, the presiding member shall close the attendance register by specifying the number of members attended in the register and sign at the end.

12. Quorum.

(1)No business shall be transacted at a meeting unless there be present at least three members or one-third of the number of member then on the village panchayat whichever is higher throughout the duration of the meeting.(2)If within half an hour after the time appointed for a meeting, a

quorum is not present, the meeting shall stand adjourned unless all the members present agree to wait longer.(3)If the meeting stands adjourned for want of quorum, the president shall give a fresh notice for such adjourned meeting, as; provided in rule 4.

13. Adjournment of the meeting for other reasons.

(1)The presiding member, while transacting business at the meeting may adjourn any meeting of a village panchayat with the consent of the majority of the members for valid reasons to be recorded in writing in the minutes. When once a meeting is adjourned sine die for valid reasons, it shall not continue its meeting.(2)While transacting the business, if a meeting is validly adjourned by the presiding member with the consent of the majority of the members present at the meeting, the meeting held on adjourned date shall, for all purposes, be a continuation of the original meeting and no fresh notice shall be necessary for such an adjourned meeting.(3)If the president adjourns the meeting contrary to the wishes of the members present and thereby interrupts or leaves unfinished, the business for which the meeting was convened, the remaining members may lawfully continue the business. In the absence of president, the vice-president, in the absence of vice-president, a member elected from among themselves may preside over the meeting and continue the business. Any business which was duly notified in the notice for the meeting shall alone be transacted to completion and if it is so transacted, it shall be valid.

14. Passing of resolution.

- Every question which may come before the village panchayat at any meeting shall be decided by a majority of the members present and voting at the meeting and, in every case of equality of votes, the presiding member shall have and exercise a second or casting vote. In the case of any resolution not carried unanimously, the names of the members who voted for and against it shall be recorded in the minutes.

15. Modification or cancellation of resolution.

- No resolution shall be modified or cancelled within three months after the passing thereof except at a meeting specially convened in that behalf and by a resolution supported by not less than one-half of the sanctioned number of members.

16. Minutes.

- Minutes of the proceedings of each meeting shall be drawn up and entered in a book to be kept for that purpose and as soon as the discussions on a subject are over, the presiding member shall record the decision of the village panchayat then and there, read the text of the decision to the members present and affix his signature immediately below the last line of the resolution. At the end of the meeting, he shall record in the minutes that all the resolutions passed have been readout in the open meeting and then only he shall sign at the end of the minutes and shall also obtain the signatures of all the members present at the meeting.

17. Custody of records.

- The president shall have the custody of the proceedings and records of the meetings of the village panchayat and may grant copies of any such proceedings and records on payment of such fees as the village panchayat may, by general or special order, determine. Copies shall be certified by the president as provided in section 76 of the Indian Evidence Act, 1872 (Central Act 1 of 1872), and copies so certified may be used to prove the records of the village panchayat in the manner as they may under clause (5) of section 78 of the said Act, be used to prove the proceedings of that body.