

The M.P. Panchayat Members (Nomination of Representative) Rules, 1997

MADHYA PRADESH

India

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Rule

THE-M-P-PANCHAYAT-MEMBERS-NOMINATION-OF-REPRESENTATIVE of 1997

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The M.P. Panchayat Members (Nomination of Representative) Rules, 1997Published vide Notification No. F.1-2-97-22-P-2, dated 20-3-1997, M.P. Rajpatra (Asadharan) dated 20-3-1997 at p. 220(1)In exercise of the powers conferred by sub-section (1) of Section 95 read with second proviso to clause (iii) of sub-section (1) of Section 22 and the second proviso to clause (v) of sub-section (1) of Section 29 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 the Section 95 of the said Act, namely :-

1. Short title.

- These rules may be called the Madhya Pradesh Panchayat Members (Nomination of Representative) Rules, 1997.

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)"Meeting" means the meeting of the Janpad Panchayat or Zila Panchayat or its Standing Committees;(c)"Panchayat Dues" means any sum payable to the Panchayat on account of any cess, land revenue, fees or other taxes;(d)"Representative" means a person nominated by the Member of the Legislative Assembly or Member of Parliament to represent himself in the meeting under the second proviso to clause (iii) of sub-section (1) of Section 22 or the second proviso to clause (v) of sub-section (1) of Section 29, as

the case may be;(c)"Section" means a section of the Act.

3. Nomination of Representative.

(1)Every' Member of the Legislative Assembly or Member of Parliament who is a Member of Janpad Panchayat or Zila Panchayat or ex-officio Member of its Standing Committee, as the case may be, may nominate a representative who possess the qualifications prescribed in Rule 4 to attend the meeting if he is unable to do so owing to absence, illness or any other cause.

4. Qualifications of the Representative.

(1)A person shall not be qualified to be nominated as a representative unless he :-(a)is a voter of the concerned Panchayat;(b)is not disqualified for being an office bearer of the Panchayat;(c)does not have any interest directly or indirectly in any matter under consideration of the Panchayat;(d)does not have any direct or indirect interest in any contract or employment with, by or on behalf of the Panchayat;(e)is not in arrears of Panchayat dues;(f)has not been convicted for any offence involving moral turpitude;(g)possesses such other disqualifications as may be specified by the State Government.(2)The nomination of representative under Rule 3 shall be in writing addressed to the Chief Executive Officer of the Panchayat.(3)The nomination shall be valid only for the meeting for which it is made :Provided that a nomination may be valid for more than one meeting, if the inability of the Member of Legislative Assembly or Member of Parliament, as the case may be, to attend the meeting persists or is likely to persist, for the subsequent meetings.(4)The Chief Executive Officer of the Panchayat shall on receipt of the nomination acknowledge the same in writing.(5)Any dispute with regard to the qualifications of a representative shall, within a period of 15 days from the date of receipt of nomination, be brought to the notice of the Member of the Legislative Assembly or Member of Parliament, as the case may be, in writing by the Chief Executive Officer, specifying the reasons thereof.(6)The Member of the Legislative Assembly or the Member of Parliament shall on receipt of communication under sub-rule (5), either change the nomination or refer the dispute to the State Government and the decision of the State Government thereon shall be final.

5. Conduct of Representative.

(1)The representative shall be eligible to attend the meeting and take part in the deliberations therein, but shall not be eligible to cast his vote in the meeting.(2)The representative shall not be entitled for any travelling allowance or remuneration for attending the meeting.(3)The representative shall at all time during the meeting conduct himself in a manner be fitting the members present at the meeting, and shall not violate the rules prescribed under Chapter V of the Act and the procedures laid down by the person presiding the meeting.