

Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011

RAJASTHAN

India

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Rule

RAJASTHAN-PANCHAYATI-RAJ-TRANSFERRED-ACTIVITIES-RULES- of 2011

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Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011Published vide Notification No. G.S.R. 110, dated 14.3.2011G.S.R. 110. - In exercise of the powers conferred by Section 102 read with Sections 44, 50, 51 and 52 of the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994) and all other powers enabling it in this behalf, the Government of Rajasthan hereby makes the following rules, namely: -

Chapter Preliminary

1. Short title and commencement.

(1)These rules may be called the Rajasthan Panchayati Raj (Transferred Activities) Rules, 2011.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Interpretation.

(1)In these rules, unless the subject or the context otherwise requires, -(i)"Act" means the Rajasthan Panchayati Raj Act, (Act No. 13 of 1994);(ii)"Competent Officer" means such officer or authority authorized by the State Government to issue administrative, technical and financial sanctions;(iii)"Transferred Activities" means activities, schemes, programs, missions of the Central or State Government entrusted to Panchayati Raj Institutions time to time;(iv)"Transferred Employees" means employees working on the posts relating to activities transferred to the Panchayati Raj Institutions; and(v)"Transferred Funds" means the funds allotted for implementation of transferred activities including wages of employees and other administrative

expenditure.(2)All words and expressions used but not defined in these rules have the same meanings as are respectively assigned to them in the Act.Chapter - II Control of Transferred Employees

3. Status.

(1)The transferred employees of State Government shall remain the employees of the State Government and their services shall be governed by the service rules concerned of the State Government.(2)The cadre control of the transferred employees shall be with the department concerned of the State Government.

4. Appointment.

- The appointment on the posts, transferred from various departments, shall be made by the appointing authority concerned as per the provisions of the rules, governing the recruitment of the post concerned.

5. Attendance, Leave and Tours.

- Attendance, leave and tours of transferred employees shall be sanctioned and controlled by the Chief Executive Officer/Block Development Officer under general supervision and monitoring of the Administration and Establishment Committee of Panchayati Raj Institution concerned.

6. Annual Performance Appraisal Reports.

- The Annual Performance Appraisal Report of the transferred employees shall be governed as per the directions issued by the State Government from time to time.

7. Disciplinary proceedings.

- The disciplinary matters of the transferred employees shall be governed by the provisions of the Rajasthan Civil Services (Classification, Control, and Appeal) Rules, 1958 and notification, order or circular issued under the said Rules of 1958.

8. Transfer.

- Transfer of such transferred employees shall be made under the transfer policy and directions issued by the State Government from time to time, by: -(i)the Administration and Establishment Committee of the Panchayat Samiti concerned within the same Panchayat Samiti.(ii)the District Establishment Committee of the Zila Parishad concerned from one Panchayat Samiti to another Panchayat Samiti within the same District.(iii)the department concerned from one district to another district with the consent of the Panchayati Raj Department.Chapter - III Conduct of Business, Sanctions, Responsibility and Funds

9. Conduct of transferred activities.

(1)The transferred activities shall be executed by the Panchayati Raj Institutions through its Standing Committees.(2)The Annual Budget, Annual Plan and Annual Action Plan of the transferred activities shall be approved by the General Body of the Panchayati Raj Institution concerned.(3)No sanction shall be issued for an activity which is not included in the Annual Action Plan of the respective activity.(4)All decisions of the Standing Committees taken regarding transferred activities shall be placed before the next meeting of the General Body by the Gram Sewak, Block Development Officer or Chief Executive Officer, as the case may be.(5)The decisions taken by the Standing Committees regarding transferred activities, shall be treated as decisions of the Panchayati Raj Institutions subject to the provisions of Section 59 of the Act.(6)Notwithstanding anything contained in these rules, the General Body of the Panchayati Raj Institution may by a two thirds majority control any function or any power regarding the transferred activities of a Standing Committee.

10. Agenda for a meeting.

- The Secretary of the Panchayati Raj Institution shall prepare an agenda for every meeting of the Standing Committee and such agenda shall include the following items, namely: -(i)The compliance report of the decisions taken in the previous meeting;(ii)Progress of the activities and the details of expenditure incurred; and(iii)Issues for discussion and decision before the Standing Committee.Provided that with the permission of the Chairperson of the Standing Committee any other issue, other than presented by the Secretary, can be discussed.

11. Administrative, technical and financial sanction.

- For works of the transferred activities, the administrative, technical and financial sanction shall be issued by the Competent Officer as per provisions of law and guide-lines issued by the State Government from time to time.

12. Responsibility.

(1)The Officer of transferred departments working at Zila Parishad or Panchayat Samiti and Block Development Officer and Chief Executive Officer respectively, shall be responsible for proper utilization and management of funds and achieving the physical and financial targets regarding transferred activities.(2)The supervisory responsibility shall be jointly borne by the Panchayati Raj Institutions and the Department concerned.(3)The department concerned or the Panchayati Raj Department can issue guidelines/directions regarding departmental policy/ technical and contemporary decisions of the Government in regard to implementation of the transferred activities and the Panchayati Raj Institutions shall follow such guidelines/directions. In case the guidelines/directions so issued are not followed, Panchayati Raj Department could initiate action against the Panchayati Raj Institution/ Office Bearer/ Officials concerned.(4)All correspondence relating to transferred activities shall be addressed to the Block Development Officer/Chief

Executive Officer/ Addl. Chief Executive Officer.(5)No order/ sanction or authorization shall be issued without the signature of the Gram Sewak/ Block Development Officer/Chief Executive Officer/ Addl. Chief Executive Officer or Competent Officer, as the case may be.(6)The Chairpersons of Panchayati Raj Institutions or their Standing Committees may visit or inspect any office/institution or institute along with an officer authorized by the Executive Officer of the Panchayati Raj Institution concerned.(7)The officer so authorized shall prepare a report of the visit or inspection and submit it to the Gram Panchayat or Block Development Officer or Chief Executive Officer, as the case may be.

13. Removal of doubts.

- If any doubt arises relating to the application, interpretation and scope of these rules, the decision of the Panchayati Raj Department shall be final.

14. Funds.

- The funds relating to establishment of transferred employees and transferred activities shall be regulated as per the provisions of General Finance & Accounts Rules and directions issued by the State Government.