

Rules Regarding Irrecoverable Sums

MADHYA PRADESH

India

Rules Regarding Irrecoverable Sums

Rule RULES-REGARDING-IRRECOVERABLE-SUMS of 1962

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1. Definitions.

- In these rules unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Municipalities Act, 1961;(b)"Irrecoverable sums" means irrecoverable sums due to the Council referred to in Section 178;(c)"Quarter" means a quarter ending on the 31st March, 30th June, 30th September, or 31st December of any year;(d)"Section" means a section of the Act.

2. Authorities for writing off irrecoverable sums.

- Irrecoverable sums shall be written off-

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| (a) if the sum is or is less than Rs. 100 | by the Finance Committee or where there is no Finance Committee, by the Standing Committee, |
| (b) if the sum exceeds Rs. 100 but does not exceed Rs. 250 | by the Council, |
| (c) if the sum exceeds Rs. 250 but does not exceed Rs. 500 | by the [Deputy Director of Local Bodies] [Substituted by Notification 836-XVIII-II-73. dated 22-10-1973.] |
| (d) If the sum exceeds Rs. 500 but does not exceed Rs. 1,000 | by the [Director of Local Bodies] [Substituted by Notification 836-XVIII-II-73. dated 22-10-1973.] |
| (e) If the sum exceed Rs. 1,000 | by the State Government. |

3. Writing off irrecoverable sums by passing a resolution.

- Finance Committee or Standing Committee or Council shall write off irrecoverable sums by passing a resolution.

4. Writing off irrecoverable sums exceeding Five Rupees.

- No irrecoverable sum exceeding five rupees, shall be written off unless it has been established to the satisfaction of the authority that-(a)the person, from whom the sum is due is too poor to pay it, or(b)such person has died and there is no likelihood of recovering the sum from the heirs or property of the deceased, or(c)all reasonable efforts to recover the sum have been made in accordance with the provisions of the Act and the rules or bye-laws made thereunder.

5. Manner of writing off irrecoverable sums.

(1)The Chief Municipal Officer shall, at the end of each quarter, prepare a statement of irrecoverable sums and submit the same to the Finance Committee or where there is no Finance Committee to the Standing Committee, with his reasons and recommendations.(2)The Finance Committee or the Standing Committee, as the case may be, may, after due consideration, if it is empowered by Rule 2, pass a resolution for writing off or refusing to write off irrecoverable sums, otherwise it shall submit the case with its report and recommendations thereon to the Council.(3)On receipt of the case, the Council shall consider the report and recommendations of the Finance Committee or the Standing Committee, as the case may be, and if it is empowered by Rule 2, pass a resolution for writing off or refusing to write off irrecoverable sums. In other cases the Council shall forward the case with its report and recommendations thereon, through the usual channel prescribed by the rules made under the Act, to the [Deputy Director of Local Bodies] [Substituted by Notification 836-XVIII-II-73 dated 22-10-1973.] or [Director of Local Bodies] [Substituted by Notification 836-XVIII-II-73 dated 22-10-1973.] or State Government, as the case may be, who may pass appropriate orders in the case.(4)The Finance Committee or Standing Committee or Council, shall give reasons for each sum ordered to be written off by it under these rules.

6. Rules to be general.

- These rules shall be general for all municipalities.