

The M.P. Panchayats (Inspection of Records and Copies) Rules, 1995

MADHYA PRADESH

India

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Rule

THE-M-P-PANCHAYATS-INSPECTION-OF-RECORDS-AND-COPIES-RULES of 1995

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The M.P. Panchayats (Inspection of Records and Copies) Rules, 1995 Published vide Notification No. B-1-20-95-P-2-22, dated 28-3-1995, M.P. Rajpatra (Asadharan), dated 29-3-1995 at pp. 320 (4-8) In exercise of the powers conferred by sub-section (1) of Section 95 read with Section 118 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 Panchayats (Inspection of Records and Copies) Rules, 1995.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Competent authority" means-(i)in the case of Gram Panchayat or its Committee, the Sarpanch, Secretary;(ii)in the case of Janpad Panchayat or its Committee, the Chief Executive Officer or the Officer authorised by him;(iii)in the case of Zila Panchayat or its Committee, the Chief Executive Officer or the Officer Authorised by him.(b)"Form" means a form appended to these rules.

3. Inspection of certain records free of charge.

- Any person desiring to inspect the following records of the Panchayat or any Committee thereof may, with the previous sanction of the competent authority, inspect such record free of charge :- (a) The budget; (b) Annual accounts of receipt and expenditure; (c) Assessment list of any tax; (d) Register of information such as birth & deaths, house No. homeless etc.; (e) The register of decisions of the Panchayat; (f) Record mentioned in clauses (a) to (d) of sub-section (I) of Section 7.

4. Inspection of the record of case.

(1) The record of case which is pending or which has been decided but the record of which has not been deposited in the Panchayat office may, after the previous permission of the competent authority, be inspected by a party thereto free of charge. (2) Any other person desiring to inspect the record other than those specified in Rule 3 may do so by presenting an application in Form I stating therein the nature of the interest and the purpose for which inspection is sought, and on payment of inspection fee prescribed in Rule 5.

5. Inspection Fee.

(1) The inspection fee for every record inspected shall be rupee two for the first hour and fifty paise for any subsequent hour or fraction thereof. (2) The fee chargeable under sub-rule (1) shall be paid in cash with the application for inspection to the competent authority who shall credit it into the Fund of the Panchayat and shall forthwith give a receipt under his signature in Form II.

6. Place and time for inspection.

- The inspection shall be made in the office of the Panchayat during the office hours of the Panchayat.

7. Inspection Book.

- A book called the Inspection Book in Form III shall be kept by each Panchayat. Every person desiring inspection shall fill in the particulars in columns one to six of the Inspection Book.

8. General Restrictions.

- The use of pen and ink during inspection is strictly prohibited, Pencil and paper may be used for taking any notes or making copies from the record inspected but no marks shall be made on any record inspected.

9. Application for copy of records.

- An application in Form I for obtaining a copy of the records of a Panchayat or any Committee thereof shall be made to the competent authority giving full details of the record of which a copy is required.

10. Power of the competent Authority to refuse to grant a copy of the record.

(1)The competent authority may refuse to grant a copy of any of the following records, recording his reasons for so doing :-(i)letters or reports which do not contain a final order affecting the applicant;(ii)any correspondence between the Panchayat and Government authorities or the State Government;(iii)record, the grants of copies of which in the opinion of the competent authority is detrimental to the interest of the Panchayat;(iv)extract from documents which, when read, part from the rest of the file, is capable of misrepresenting the final order passed by the Panchayat or any Committee thereof;(v)extract from proceeding of the Panchayat or any Committee thereof.(2)All applications rejected under sub-rule (1) shall be laid before the next meeting of the Panchayat for approval of the action of the competent authority.(3)No copy of a letter received in the office of the Panchayat shall be granted without the sanction of the office of issue.(4)Copies of confidential letters and papers shall not be given under any circumstances.

11. Employee punished entitled to a copy free of charge.

(1)A copy of an order punishing an employee of the Panchayat shall be given free of charge to the employee concerned.

12. Copies of audit notes.

- The competent authority shall grant copies of audit notes and connected papers on payment of fees to any person who applies for them :Provided that the competent authority shall grant copies of such notes and papers free of charge to a person against whom a charge is made in respect of illegal payment or loss caused by gross negligence or misconduct.

13. Fees for search.

- If a search is necessary to trace a record of which a copy is required, fees shall be charged at the rate of fifty paise an hour or fraction of an hour. The search shall be made in the immediate presence of the competent authority or some responsible officer of the Panchayat appointed by the competent authority in this behalf.

14. Fees for preparing copies.

(1)The fee for preparing copies shall be Rupees 5 per page or part thereof whether in English or Hindi.(2)Copying fees for maps and plans shall be charged at the rate of one rupee per hundred

square centimeter including cost of tracing cloth subject to the minimum charge of Rupees five :Provided that if a Panchayat is required to get copies of maps and plans prepared by persons other than its employees the charges for such copies shall be the actual wages paid to such persons plus an extra fee of one rupee each copy.

15. Copies to be certified.

- The competent authority shall certify all copies as true copies.

16. Fees payable in advance.

- Every application for obtaining copy of record shall be accompanied by an advance sufficient to cover the estimated cost of the copy applied for.

17. Fees to be credited in the Fund of the Panchayat.

- All fees payable for obtaining copies of the record shall be paid in cash to the competent authority who shall credit them to the Fund of the Panchayat and forthwith give a receipt under his signature in Form II.

18. Copying Register.

- The competent authority shall maintain or cause to be maintained a Copying Register in Form IV.

19. Refund.

- If the inspection is not allowed on receipt of application for inspection or a copy of records is not given on receipt of application therefor, the fee deposited for inspection or for copy of record shall be refunded to the applicant.

20. Repeal.

- The previous rules on the subject shall stand repealed on the date of final publication of these rules in the "Madhya Pradesh Gazette".Form I[See Rule 4 (2) and Rule 9]To,The Sarpanch/Chief Executive OfficerGram/Janpad/Zila PanchayatSubject : - Application for inspection/obtaining certified copy of record.

1. Full name of applicant.....

Father's name and caste.....

2. Postal address.....

3. Details of record.....

4. Object.....

5. Details of advance amount deposited.....

6. Remarks.....

.....Signature of applicantForm IIReceipt Form[See sub-rule (2) of Rule 5 and Rule 17)

Receipt No.....Date.....

Receipt No.....Date.....

Received from.....

Received from.....

Son of.....Caste.....thesum of Rs.
(in words).....

Son of.....Caste..... the sum of Rs.(in
words).....

on account of.. Rs.....p.....

on accountof.....Rs.....p.....

Signature of Sarpanch/Chief Executive
OfficerSecretaryof. Panchayat.

Signature of Sarpanch/ Chief Executive
OfficerSecretaryof. Panchayat.

Form IIIInspection Book[See Rule 7]

Date	Name and occupation of applicant	Record of which inspection is sought	Purpose of which inspection is sought
(1)	(2)	(3)	(4)

Signature of the applicant	Hours of Inspection	Initials of the persons or officer orderinginspection	Amount paid Rs. np.	Remarks
(5)	(6)	(7)	(8)	(9)

Form IV[See Rule 18]

Serial No.	Name of applicant	Date of Receipt of application	Description of the document of which copy isrequired	Language
(1)	(2)	(3)	(4)	(5)

Service of documents

Serial No.	Name of applicant	Date of Receipt of application	Description of the document of which copy isrequired	Language
(1)	(2)	(3)	(4)	(5)