

The M.P. Gram Sabha (Procedure of Meeting of the Committees, Conduct of Business and Allied Matters) Rules, 2005

MADHYA PRADESH

India

The M.P. Gram Sabha (Procedure of Meeting of the Committees, Conduct of Business and Allied Matters) Rules, 2005

Rule

THE-M-P-GRAM-SABHA-PROCEDURE-OF-MEETING-OF-THE-COMMITTEE of 2005

- Published on 2 April 2005
- Commenced on 2 April 2005
- [This is the version of this document from 2 April 2005.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Gram Sabha (Procedure of Meeting of the Committees, Conduct of Business and Allied Matters) Rules, 2005 Published vide Notification No. F. 16-38-2004-22-P-2, M.P. Rajpatra (Asadharan), dated 2-4-2005 at pages 322 (8-14) In exercise of the powers conferred by sub-sections (1) and (4) of Section 7-A read with sub-section (1) of Section 95 of the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules, the same have been previously published as required by sub-section (3) of Section 95 of the said Adhiniyam, namely :-

1. Short title and commencement.

(1) These Rules may be called the Madhya Pradesh Gram Sabha (Procedure of Meeting of the Committees, Conduct of Business and Allied Matters) Rules, 2005. (2) These rules shall come into force from the date of their publication in "Madhya Pradesh Gazette".

2. Definitions.

- In these Rules, unless the context otherwise requires :- (a) "Act" means Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994); (b) "Form" means the forms appended to these rules; (c) "President" means the President of a Standing Committee of the Gram Sabha; (d) "Sarpanch" means the Sarpanch of the Gram Panchayat; (e) "Scheduled Area" means the

Scheduled Area as referred to in clause (1) of Article 244 of the Constitution of India;(f)"Section" means a Section of the Act;(g)"Stake Holder" means a person who is a beneficiary of any scheme of a programme or has a stake in the matters under consideration;(h)"Standing Committee" or "Adhoc Committee" means the Standing Committee or Adhoc Committee of the Gram Sabha constituted under Section 7-A of the Act;(i)"Technical Valuation" means technical valuation submitted by an Agency duly directed by the District Collector or Zila Panchayat, after enquiring the quality of construction work; and(j)"Member" means the elector of Gram Sabha.

Chapter I

3. Constitution of the Standing Committees.

(1)The Standing/ Adhoc Committee shall consist of members, who are stake holders of the work assigned to it.(2)The Gram Sabha shall determine the number of members of each Standing Committee, subject to the provisions of Section 7-A of the Act. Gram Sabha shall determine the number of members of such Standing Committees by resolution as mentioned in Section 7-A.(3)Total number of members in the Gram Nirman Samiti, shall in no case be more than six including President.(4)Total number of members in the Gram Vikas Samiti, shall in no case be more than ten including President.

4. Meeting of the Gram Sabha for the constitution of the Standing Committees.

(1)The Sarpanch of the Gram Panchayat shall call-upon the first meeting of the Gram Sabha on the appointed date, time and place to constitute the Standing Committees of Gram Sabha within one month from the notification of these rules. Members of Gram Sabha shall elect such person as President and members of Standing Committees who are member of Gram Sabha. Thereafter, the meeting of the committees shall be convened by the elected President of the committees.(2)The Secretary of Gram Panchayat/ Ex-officio Secretary of Gram Sabha shall as per order of the Sarpanch convene the meeting of the Gram Sabha. The District Collector shall nominate a Government officer/ employee for suitable arrangement of such meetings who shall ensure that the agenda and notice of the meeting be properly issued and the proceedings of the meeting be recorded. The Sarpanch of Gram Panchayat, shall preside the meeting.(3)In the meeting of the Gram Sabha, the Gram Nirman Samiti and the Gram Vikas Samiti shall be constituted according to the procedure mentioned in Chapter II.

Chapter II

5. Election of President of the Standing Committees.

- Sarpanch of the Gram Panchayat shall not be eligible for the post of the President of Gram Nirman Samiti and Gram Vikas Samiti of the Gram Sabha.

6.

For each Standing Committee of the Gram Sabha, the President shall be elected unanimously by the members of the Gram Sabha, If there is no consensus, person obtaining larger number of votes shall be elected as President of the committee. In the event of equality of votes, it shall be determined by the drawing of lots.

7. Term of Office of the President of Standing Committees.

(1) There shall be no reservation for the post of the President of Gram Nirman Samiti and Gram Vikas Samiti except in the Scheduled Area. (2) The President of the Gram Vikas Samiti in the village of the Scheduled Area, where the population of the Scheduled Tribes is more than 50 per cent of the total population, shall only be from Scheduled Tribes. (3) The term of office of the President of each Standing Committee shall be two and half years and after the expiration of the term, the election shall be again conducted by the Gram Sabha and the previous President, if he is not disqualified under the provisions of the Act, shall be qualified for the election. (4) One fifth (i.e., 1/5) Panch amongst the elected Panch shall be members of Gram Vikas Samiti for a term of one year. (5) Panch of such ward in which construction work is being carried out by the Gram Nirman Samiti, shall be co-opted as special member in the Gram Nirman Samiti. (6) In the Gram Vikas Samiti, members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes shall be in proportion with the total population of the Gram Sabha. There shall be one-third women members in the Samiti.

8. Resignation of the office-bearers of the Standing Committees.

- The President of Gram Nirman Samiti and Gram Vikas Samiti may resign from the post by submitting their resignation to the Sarpanch, while members of these samitis may resign from the post by submitting their resignation to the President of their respective samitis showing the reasons therefor.

9. Removal of a member.

- The Gram Sabha may remove any member of a committee at any time for reasons to be recorded in writing.

10. Filling up of vacancies.

- In the case of casual vacancy of a member occurring due to death, resignation or removal of any member of the Standing Committee, the vacancy so caused shall be filled within one month from the same category for the remaining period of the tenure in accordance with the provisions of these rules.

11.

On dissolution of the Gram Panchayat due to unavoidable circumstances, the Gram Sabha may elect two additional members for the period of such dissolution and such members shall continue to perform their functions as a member of the committee till the elections of Gram Panchayat are completed.

Chapter III

Powers and Functions

12. Powers, functions and duties of Standing Committees.

(1) Subject to the provisions of the Act and the rules in force and the instructions issued by the State Government from time to time, the Standing Committees shall have such powers, functions and duties, as may be entrusted to them by the Gram Sabha and in relation to such powers, functions and duties, the Standing Committees shall, - (a) call for papers, documents and other information in the same manner and to the same extent, as the Gram Sabha has the power to call; (b) prepare and submit progress reports of the schemes and programmes falling within their purview to the Gram Sabha from time to time; (c) function within the policy frame work laid down by the Gram Sabha; and (d) perform such functions as may be delegated/ assigned by the State Government, Zila Panchayat, Janpad Panchayat and Gram Panchayat. (2) No construction work shall be executed by the Nirman and Vikas Samiti of Gram Panchayat within the jurisdiction of the Gram Sabha area. The over all construction works shall be executed by the Gram Nirman Samiti constituted by the Gram Sabha. The Gram Panchayat shall deposit the whole amount which is transferable in the Gram Kosh of the concerned Gram Sabha for its construction work within a week from the date of its receipt. The issuance of such amount shall not be prevented on any ground and in any circumstances by the Gram Panchayat. Gram Nirman Samiti of Gram Sabha shall perform only such construction work which have been included in the long term plan. Report of works sanctioned from "Sansad Nidhi" and "Vidhayak Nidhi" for the development of village shall be submitted by the Gram Nirman Samiti to the Gram Sabha for approval. (3) Gram Nirman Samiti shall be competent to perform the construction works upto rupees 5 lacs. (4) Technical valuation for all construction works within the area of Gram Sabha shall be compulsory. (5) The President of the Gram Nirman Samiti shall be deemed to be public servant under Section 111 of the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), for all the construction works performed by him. (6) The Gram Vikas Samiti shall select only such number of beneficiaries, for beneficiary oriented scheme, as are within the target for the year.

13. Assignment of the subjects to the Standing Committees.

- The Standing Committees shall be assigned the subjects mentioned below in general: - (1) Gram Nirman Samiti: (a) This committee shall perform all type of construction works upto rupees 5 lac within the Gram Sabha area as an agency of Gram Panchayat under its directions after being approved by the Gram Sabha. It shall also perform other functions assigned (b) Details of

expenditure incurred on the construction work shall be submitted in the next meeting to the Gram Sabha for its approval;(c)The Gram Nirman Samiti shall be liable to regularly submit item-wise details of monthly expenditure of the construction work together with the details of work progress before "Nirman and Vikas Samiti" of Gram Panchayat;(d)The Gram Panchayat shall have the right to supervise the construction work being performed by the Gram Nirman Samiti;(e)The Gram Panchayat may, if it considers necessary, call for any information in respect of the construction work assigned to the Gram Nirman Samiti and may inform its opinion thereon;(f)The Gram Nirman Samiti shall submit a consolidated progress report on all construction works to the Gram Sabha and thereon execute the decision as taken by the Gram Sabha;(g)It shall be necessary to get technical valuation of all the construction work by an agency which is duly authorized by the Collector or Zila Panchayat;(h)The Gram Sabha shall manage the Gram Kosh. The Gram Nirman Samiti shall adjust the amount given by the concerning Panchayat to each village in the stipulated period; and(i)All other matters which may be assigned to Gram Nirman Samiti by the Gram Sabha.(2)Gram Vikas Samiti :(a)All matters of village development connected with all rural development programmes, planning, budget, account, taxation and other financial matters and subjects not converted by the functions allotted to Gram Nirman Samiti;(b)Matters connected with public estate such as land, forest, water resources, mineral resources and environment and encroachment thereon;(c)Matters connected with agriculture, animal husbandry, co-operation, reclamation, including soil conservation and contour bunding and fisheries, compost manuring, seed distribution and other matters connected with the development of agriculture and livestock;(d)Matters connected with the public health such as inoculation, measure for prevention of diseases, family planning, pulse, polio, supervision of primary health centres and dispensaries in the Gram Sabha Area, cleanliness, water supply and drainage etc.:(e)All works relating to village safety such as safety of life and property, relief of distress caused by flood, drought, earthquake etc.:(f)Matters connected with infrastructure such as rural roads, communication, rural housing, public building and works and energy etc.:(g)All matters relating to primary education and literacy;(h)All matters related to removal of untouchability, welfare of Scheduled Castes, Scheduled Tribes and Other Backward Classes. Removal of social evils like dowry and welfare of disabled, old and destitute, women and child welfare; and(i)All other matters which may be assigned to Gram Vikas Samiti by the Gram Sabha.

Chapter IV

14. Convening of meeting.

(1)The President of the Standing Committee may convene a meeting of the Standing Committee once in a month compulsorily and may convene extra meeting when necessary.(2)The President shall convene a meeting of the Standing Committee on a written requisition signed by at least fifty percent members of the Standing Committee.(3)If a meeting is not held within 10 days of the receipt of the said requisition, the Secretary of the committee shall call such meeting compulsorily.

15. Notice of meeting.

- Notice of every meeting specifying the date, time and place thereof and business to be transacted

thereat shall be given to each member by the Secretary of the committee, at least three days before the meeting in Form 1.

16. Quorum.

(1)The quorum necessary for the meeting of the Standing Committee shall be from one-half of the members constituting the Standing Committee including the presiding authority Attendance shall be filled in Form 2.(2)If at any meeting, there are not sufficient members present to form the quorum, the presiding authority shall adjourn the meeting to such time or date, as he thinks fit and announce the same at once and the business which would have been brought before the original meeting had there been a quorum thereat, shall be brought before the adjourned meeting and may be disposed of at such meeting or at any subsequent adjourned meeting subject to the quorum.

17. President of the meeting.

- The President shall preside over all meetings of the Standing Committee but in his absence, the members present shall elect one from amongst themselves to preside over that meeting.

18. Business to be transacted.

- No business other than that specified in the notice for the meeting shall be transacted at a meeting except with the previous approval of the presiding authority.

19. Joint meeting of committees.

(1)Where any matters concerned with both committees i.e., Gram Nirman Samiti and also the Gram Vikas Samiti, it shall be placed before the joint meeting.(2)Where any matter concerns with policy matter, it shall be placed for decision before the Gram Sabha.(3)At the lime of planning for overall development of village, all members of Gram Nirman Samiti shall be included in the Gram Vikas Samiti.

20. Secretary of the Standing Committee.

(1)The Secretary of the Gram Panchayat shall be the Secretary of Gram Nirman Samiti.(2)The Secretary of the Standing Committee shall attend the meeting of the Standing Committee unless prevented by a reasonable and sufficient cause and may tender information or clarification in respect of any matter under discussion.(3)The Secretary of the Standing Committee may at any meeting of the Standing Committee explain or make statement in regard to any subject under discussion at such meeting.(4)The Secretary of the Standing Committee shall be accountable to the Standing Committee and to the Gram Sabha.

21. Decision on item of business.

(1) All items of business brought before any meeting of the Standing Committee shall be decided on the basis of consensus of opinion among the members of the Standing Committee : Provided that in case of difference in opinion, the matter shall be referred for consideration and decision to the Gram Sabha. (2) All decisions of the Standing Committee shall be recorded in a register in Form 3 maintained for the purpose.

22. Proceedings of the Standing Committees.

(1) Minutes of each meeting of Standing Committee shall be drawn up in Hindi written in devnagari script and recorded in a book to be kept for the purpose and shall be signed by the Presiding Authority of the meeting and the Secretary of the Standing Committee. (2) The abstract of the decision taken and the minutes of the meeting of the Standing Committee shall be placed in the next meeting of the Gram Sabha.

23. Reconsideration of subject finally disposed of.

- No subject once finally disposed of by the Standing Committee shall be reconsidered by it within a period of one year, without consent of a consensus of the members of the Standing Committee.

24. Constitution of Adhoc Committee.

(1) In addition to the Standing Committee mentioned in sub-section (1) of Section 7-A of the Act, the Gram Sabha may constitute one or more such adhoc committees, as it may deem necessary for the implementation of any time bound work as decided upon by the Gram Sabha. The Gram Sabha may also constitute Adhoc Committees for specific purposes, if any. The Adhoc Committee shall comprise of members who are stake holders. The Adhoc Committee shall cease to exist after the submission of completion report to the Gram Sabha and evaluation of work done by such committee by the Gram Sabha, unless the Gram Sabha decides otherwise. The Adhoc Committee shall have such number of members, as the Gram Sabha may deem fit and shall include youth and women members as far as possible. (2) The composition and procedure of the conduct of business and all other allied matters shall be such, as decided by the Gram Sabha. (3) Each Adhoc Committee shall elect a Chairperson from amongst its members. (4) Each Adhoc Committee shall nominate a Member-Secretary, who shall, with the approval of the Chairperson of the Committee convene the meeting of the committee, as and when required. (5) The Member-Secretary shall keep a record of the proceedings of the meeting of the Adhoc Committees. (6) All decisions by the Adhoc Committees shall be taken by consensus failing which decision shall be taken by simple majority. (7) Each Adhoc Committee shall perform such functions, as assigned to it by the Gram Sabha, and shall be bound by the decision of the Gram Sabha. (8) Each Adhoc Committee shall be accountable to the Gram Sabha. (9) A Panch may be a member of such Adhoc Committee which pertains to the Panch's constituency or in which Panch is a stake holder.

25. Repeal and Saving.

- All rules corresponding to these rules including Madhya Pradesh Gram Sabha (Procedure of Committees Meeting, Conduct of Business and Allied Matters) Rules, 2001 and in force immediately before the commencement of these rules are hereby repealed in respect of the matters covered by these rules : Provided that any order made or any action taken under the rules so repealed, shall be deemed to have been made or taken under the corresponding provisions of these rules. Form 1[See Rule 15] Notice of meeting of Gram Nirman Samiti/ Gram Vikas Samiti of Gram Sabha Notice is hereby given to all members of Gram Nirman Samiti/ Gram Vikas Samiti of Gram Sabha that the meeting of the Samiti shall be held on the following date, place and time :-(i) Date of meeting(ii) Place of meeting(iii) Time of meeting(2) The quorum for the meeting of the Samiti shall be by more than half of the total members of the Samiti. The meeting shall be adjourned for want of quorum. The adjourned meeting shall be held at the same place after half an hour for which quorum shall be necessary. In case of no quorum a next date shall be fixed.(3) With the previous permission of the President of the Samiti, any member who desires to raise any matter or to suggest anything in the meeting he shall intimate the Secretary in writing within three days from the date of notice of the meeting.

Place: Secretary,

Date : Gram Nirman/ Vikas Samiti

Gram..... District.....

Form 2[See Rule 16 (1)] Attendance register of Gram Nirman Samiti/Gram Vikas Samiti of Gram Sabha for the purpose of quorum-(i) Name of Gram Sabha(ii) Place of meeting(iii) Date of meeting(iv) Time of meeting

Serial Number	Name of the member present in the meeting	Signature of member
(1)	(2)	(3)

1.2.3.4.5.6.7.8.9.

Number of members present (in words) :.....Place :Date :

(Signature) (Signature)

President Secretary

Gram Vikas/ Nirman Samiti Gram Vikas/ Nirman Samiti

Form 3[See Rule 21 (2)] Minute book of Gram Samiti of Gram Sabha(i) Name of Gram Sabha(ii) Place of meeting(iii) Date of meeting(iv) Time of meeting

Matters placed before the Samiti Minutes of the meeting

(1) (2)

1.2.3.4.5.6.7.8.9.10.

Number of members present (in words) :.....Place :Date :

(Signature) (Signature)

President Secretary

Gram Vikas/ Nirman Samiti Gram Vikas/ Nirman Samiti