

Regulations made under the Tamil Nadu Bhoodan Yagna Act, 1958

TAMILNADU

India

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Rule

REGULATIONS-MADE-UNDER-THE-TAMIL-NADU-BHOODAN-YAGNA- of 1958

- Published on 12 December 1968
- Commenced on 12 December 1968
- [This is the version of this document from 12 December 1968.]
- [Note: The original publication document is not available and this content could not be verified.]

Regulations made under the Tamil Nadu Bhoodan Yagna Act, 1958 In exercise of the powers conferred by sub sections (1) and (2) of sections 27 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Bhoodan Yagna Act, 1956 (Tamil Nadu Act XV of 1958) and after consultation with the Government of Tamil Nadu, the Tamil Nadu State Bhoodan Yagna Board hereby makes the following Regulations:-

1. Short title.

- These regulations may be called the Tamil Nadu Bhoodan Yagna Regulations, 1961.

2. Definitions.

- In these regulations unless the context otherwise requires,-(a)"Adult" means any person who is not less than 21 years of age;(b)"Local Committee" means a local committee constituted under sub-section (1) of section 15;(c)"Rules" means the "Tamil Nadu Bhoodan Yagna Rules, 1959;(d)all expressions not defined in the regulations but defined either in the Act or the Rules shall have the respective meaning assigned to them in the Act, or as the case may be, the Rules.

3. Membership.

(a) All the adult residents of Gramdan village, who have opted for Gramdan, shall be the members of Sarvodaya Panchayat. (b) A register of such members shall be prepared, revised and brought up-to-date on the 31st March of every year by the Sarvodaya Panchayat.

4. Election of Panchayatdars.

- Any person-(i) who is not a citizen of India; (ii) who is of unsound mind, dumb, deaf, and mute; and (iii) who has been convicted for any criminal offence other than of political character or an offence involving moral delinquency, such sentence not having been reversed or pardoned or a period of 5 years from the date of expiration of such sentence has not elapsed, shall be disqualified for membership in Sarvodaya Panchayat. Subject to such control of the General body of the Sarvodaya Panchayat which may pass necessary resolution, from time to time, the executive management of the day-to-day affairs of the villagers shall vest in a Sarvodaya Panchayat consisting of not less than five and not more than 15 members elected among themselves unanimously. In the event of there being more candidates than the required number seeking for the membership of the panchayat, then, the members of the panchayat shall be elected by casting lots. Any dispute regarding the election shall be referred to the Chairman, State Board whose decision in the matter is final.

5. Term of members of Sarvodaya panchayat and filling up of vacancies.

(1) The term of office of the Sarvodaya Panchayatdars shall, save as otherwise expressly provided, be three years from the first April to the end of 31st March (financial year). (2) The ordinary and casual vacancy that may arise be generally filled according to regulation 4. (3) A panchayatdar appointed in such vacancy shall hold the office only so long as he would have been entitled to hold office if he had been elected before the occurrence of the vacancy. (4) Any of the Panchayatdar may, at any time, tender his resignation in writing to the Secretary of the Sarvodaya Panchayat, but such resignation should be unconditional and shall take effect only from the date on which it was accepted by the Sarvodaya Panchayat.

6. Election of Chairman and Secretary.

- After the Panchayatdars of the Sarvodaya Panchayat are elected, they shall elect among themselves a Chairman and a Secretary within thirty days from the date of election of the Panchayatdars.

7. Meeting of the Sarvodaya Panchayat.

- The Chairman of the Local Committee will call for the first meeting for electing the office bearers. The Sarvodaya Panchayat shall meet once in a fortnight or often if necessary to conduct the affairs of the Sarvodaya Panchayat.

8. Quorum for the meeting.

- The quorum for a meeting of the Sarvodaya Panchayat shall be the majority of the strength fixed for the Sarvodaya Panchayat

9. Proceedings of the Sarvodaya Panchayat.

- All the questions before the panchayat shall be decided unanimously. Should there be any difference of opinion, it shall be decided by casting lots.

10. Absence of a member consecutively from Sarvodaya Panchayat.

- A Panchayatdar who absents himself from four meetings consecutively shall automatically cease to be a Panchayatdar of the Sarvodaya Panchayat unless he is reinstated by a resolution of the Sarvodaya Panchayat in the subsequent meeting by condoning such absence

11. Power of the several office bearers of the Panchayat.

- Subject to such resolution as the Sarvodaya Panchayat may pass, from time to time, the several office bearers of the panchayat shall exercise the following powers:-(a)The Chairman shall exercise over all and general control over all the affairs of Sarvodaya Panchayat and shall be the ex-officio treasurer and shall have the custody of all the moveable properties of the Sarvodaya Panchayat.(b)The Secretary shall, subject to the control of the Chairman, be responsible for the executive administration of the Sarvodaya Panchayat.(c)The Secretary shall be the Officer to sue or be sued on behalf of the Sarvodaya Panchayat and all instruments and contracts by, or on behalf of, the Sarvodaya Panchayat shall be in the name of the Secretary(d)Whenever the Secretary requires relief from work, it shall be competent for the Chairman to grant such relief by making such suitable arrangements as necessary for the conduct of the work by utilising the services of one or more panchayatdars of the panchayat.

12. Establishment of the Sarvodaya Panchayat.

- Subject to the budget allotment sanctioned by the general body of the village, it shall be competent for the Sarvodaya Panchayat to prescribe, from time to time, the strength of the establishment and the scale of pay and allowances admissible to each member thereof. All the members of the establishment of the Sarvodaya Panchayat shall be appointed by the Chairman, Sarvodaya Panchayat and the State Bhoodan Yagna Board shall be the controlling authority.

13. Funds of the Sarvodaya Panchayat.

- The funds of the Sarvodaya Panchayat may be raised in any or all of the following ways and means as resolved by the general body of the Sarvodaya Panchayat.

1. Grants, Donations, gifts, subscription loans from the State Government, Local authority, or persons or State Board or Local Committee.

2. It may collect a levy either in cash or in kind from every family in the Gramdan village for being utilised for purposes of common benefit to the village.

14. Maximum borrowing power of the Sarvodaya Panchayat.

- The lands gifted to the Sarvodaya Panchayat shall be valued at least once in 3 years by an Officer authorised by the Collector on this behalf. The borrowings of the Sarvodaya Panchayat shall not, at any time, exceed 50% of the market value of the lands gifted. Only in exceptional cases, the State Bhoodan Yagna Board may, after getting the approval of the Government, grant loans to the Sarvodaya Panchayat in excess of the borrowing power. The Sarvodaya Panchayat shall arrange for repayment of the loans on the due dates. The receipts shall be issued by the Secretary for all moneys paid to the Sarvodaya Panchayat. In the case of borrowings, the bond or agreement executed by the Sarvodaya Panchayat shall be signed by 3 members of the Sarvodaya Panchayat of whom the Chairman or the Secretary shall be one. A form of agreement to be executed in this regard is appended (annexure).

15. Budget.

- The Sarvodaya Panchayat shall submit to the State Bhoodan Yagna Board the budget estimate for the next year and the revised estimate for the current year before the 15th August of the year. The Sarvodaya Panchayat shall assess the financial requirements of the Gramdan village every year in advance by the end of February in respect of agricultural and allied operations, such as sinking of new wells, deepening of old wells, reclamation, purchase of pumpsets, purchase of bulls, purchase of seeds and manures and cottage industries and its general working in the nature of a Budget with reference to the overall plan prepared for the development of the village. The budget should have the approval of the local committee. The Sarvodaya Panchayat shall be responsible for the proper utilisation and the timely repayment of the funds involved.

16. Borrowings.

- The Sarvodaya Panchayat shall not borrow without the previous permission of the local committee and shall abide by the conditions imposed by the local committees in this regard.

17. Travelling Allowance.

- The Services of the members of the Sarvodaya Panchayat shall be honorary, but they may be paid travelling allowance for the journeys performed by them in connection with the affairs of the Sarvodaya Panchayat at the following rate provided funds are allotted in the annual budget and

available for disbursement:-

- 1. Single III Class Railway fare for the journeys by rail plus daily allowance of Rs 2 per day for the absence exceeding 8 hours from the headquarters.**
- 2. Actual bus fare for the journeys by bus plus daily allowance.**
- 3. Mileage at 12 Nps per mile for the journeys not connected by bus or rail.**
- 4. A daily allowance of Rs. 2 per day provided the journeys so performed exceeds a radius of 5 miles from the village where the Sarvodaya Panchayat is situated.**

18. Accounts of Sarvodaya Panchayat.

- The Sarvodaya Panchayat shall maintain proper accounts and vouchers for the funds handled by it in addition to the following registers and records:-

- 1. Register of lands held by the Sarvodaya Panchayat and their market value to be revised every 3 years.**
- 2. Register showing the adult persons in the Sarvodaya, Panchayat (to be prepared, revised and brought up-to-date on the 31st March of every year).**
- 3. Register showing the names of the panchayat members and the date of election and the term of office.**
- 4. Register showing the names of the persons disqualified and the nature of disqualification.**
- 5. Minutes Book.**
- 6. Receipt Book.**
- 7. Voucher file.**
- 8. Cashbook.**

9. Personal ledger of advances made to members.

10. Cultivation accounts.

11. Borrowing Ledger.

12. General Ledger.

13. Monthly statement of receipts and charges.

14. Property Register (Register of lands vested with the State Board in the area).

15. After the expiry of the financial year ending 31st March, the Sarvodaya Panchayat shall prepare immediately or at least within 30 days.

1. A Statement of receipts and charges for the previous year.

2. A Statement of income and expenditure for the previous year.

3. A statement of funds available and obligation to be fulfilled, (i. e. assets and liabilities) as it stood on the last day of the previous year.

4. Such other statement as may be prescribed by the Local committee and the State Board. These statements shall be placed before the general body and sent to the Local committee and State Board.

19. Audit of the accounts of the Sarvodaya Panchayat.

- The accounts of the Sarvodaya Panchayat shall be audited either by the Extension Officer (Co-operation) or Extension Officer (Panchayat) of the block every year before the end of the month of May, free of cost and a certificate issued by him together with the audited statements. In the case of Sarvodaya Panchayat situated outside the blocks, the nearest block officers will attend to the audit. All funds, which the panchayat shall be deposited in a bank approved by the Government or the State Board.

20. Expulsion from membership.

- It shall be open for the general body to expel any member from the panchayat-(i)who dishonestly deceives, the Sarvodaya Panchayat by false or fraudulent statement or in any other way;(ii)who intentionally causes or does anything detrimental to the interest of the Sarvodaya Panchayat;

and(iii)who conducts himself in such a manner as to render his removal necessary in the interest of the Sarvodaya Panchayat.

21. Regulation for local committee.

(a)The Chairman of the Local committee shall have a general control over the administration of the local committee both general and executive.(b)The local committee shall maintain all registers prescribed for and by the State Board in respect of its jurisdiction.(c)The accounts of the local committee shall be audited by tire Local Fund Account Department free of cost annually.

22. Service conditions of employees of State Board & Local Committee Head Clerk.

- Qualification. - He should have put in not less than three years of service as Assistant under the Bhoodan Yagna Board. Pay and allowances. - He will be paid in the time scale of pay applicable for similar post in Government service . Assistants Qualifications. - (a) They should have completed their probation in the cadre of Junior Assistants. (b) They should have passed the test on the District Office Manual and the Account Test for Subordinate Officers - Part I. Pay and allowances. - They will be Paid in the time scale of pay applicable for similar posts in Government service. Clerks Qualification. - They should be eligible for college course. Age. - Should be not less than 18 years and should not exceed 25 years. Pay and allowances. - They will be paid according to the scale prescribed by the Government for similar posts in Government sendee. Typist Qualification. - They should be eligible for college course and should have passed the Higher Grade Typewriting examination. Age. - Should not be less than 18 years and should not be more than 25 years. Pay and allowances. - They will be paid according to the Government scale of pay for similar posts in Government Service. Last Grade Servants Qualification. - They should be able to read and write well in Tamil. Age. - Should be not less than 18 years and should not be more than 25 years. Pay and allowances. - They will be paid according to the scale of pay prescribed by the Government for similar posts in Government service. Jeep Driver Qualification. - He should hold a driving licence of a light vehicle. Age. - He should be more than 18 years of age and the age should not have exceeded 30 years. Pay and allowances. - He will be paid according to the scale of pay for similar post in Government service. Bhoodan Inspectors Qualification. - They should have at least appeared for the S. S. L. C Examination. They should have experience in Sarvodaya Work. Age. - They should be not less than 18 years and not more than 25 years In the case of Sarvodaya Worker, age and qualification will be relaxed at the discretion of the Chairman, State Board. Pay and allowances. - They will be paid according to the scale of pay for lower Division Clerks in the Government Service. Explanation I. - The employees of the State Board, who appointed for the first time to the categories of Junior Assistants, Typists, Bhoodan Inspectors and Jeep Drivers shall be on probation for a total period of two years on duty within a continuous period of three years; and in the case of promotion to a higher post, the period of probation shall be one year on duty within a continuous period of two years . Explanation II. - The employees of the State Board shall, with effect on and from the 12th December 1968, be allowed the benefits of increments and leave as in the case of Government servants. In the matter of emoluments, leave and privileges, they shall not be entitled to concessions or benefits in excess of those enjoyed by Government servants of equal status and standing. Explanation III. - Tire

requirement of probation shall be waived in the case of those who have put in not less than three years of service in the State Board; and they shall be deemed to have completed their probation, provided that their conduct has been found satisfactory by the State Board. Explanation IV. - The Special Officer shall be the appointing authority for the posts of Junior Assistants, Typists, Bhoodan Inspectors, Jeep Drivers and peons under the Statue Board. Appointment to the said posits shall be made from among the candidates selected by a Committee consisting of the Chairman, Secretary and the Special officer. All appointments to the posts of Junior Assistants, Typists, Jeep Drivers and peons in the State Board shall be made only from the list of candidate furnished by the District Employment Exchange concerned. Explanation V. - An appeal shall lie to the Chairman of the State Board against any orders of the Special Officer. Explanation VI. - Any employees aggrieved by the orders of the Chairman shall be entitled to prefer a revision petition so the Government within sixty days from the date of receipt of the orders of the Chairman. Annexure This Agreement entered into this day of One thousand nine hundred and Between The Tamil Nadu State Bhoodan Yagna Board (hereinafter called "the Board" which expression shall, where the context admits, include its successors and assigns) of the one part..... And The Sarvodaya Panchayat, a Sarvodaya Panchayat, constituted under the Tamil Nadu Bhoodan Yagna Act, 1958 (Tamil Nadu Act XV of 1958), having its registered office at. hereinafter called The Sarvodaya Panchayat which expression shall, where the context admits, include its successors and assigns) of the other part; Whereas the Sarvodaya Panchayat has applied to the Board for an advance of a sum of Rs..... for the purchase of pumpsets/ agricultural implements/ Bulls/ Sheep for the purpose of bee keeping/ poultry farming/ hand-loom weaving and for deepening of wells and for sinking of new wells And Whereas the Board has agreed to advance the said sum on and subject to the terms and conditions hereinafter contained. Now This Indenture Witnesseth As Follows:-

1. In consideration of the sum of Rs..... (Rupees..... only) now advanced and paid by the Board to the Sarvodaya Panchayat (receipt where of the Sarvodaya Panchayat both hereby acknowledge the Sarvodaya Panchayat covenants with the Board that the Sarvodaya Panchayat shall duly and punctually repay the Board at the said sum of Rs..... (Rupees only) by equal annual payments of the sum of Rs..... (Rupees.....) during the period of..... years, the first of such payments to be made on the..... day of..... One thousand nine hundred and sixty and the subsequent payments to be made on the..... day of..... in each subsequent year.

2. The Sarvodaya Panchayat shall utilise the a amount advanced under these presents only for the purpose herein before stated.

3. The Sarvodaya Panchayat shall, at all times and from time to time, furnish to the Board such information as it may, from time to time, required by notice in writing.

4. If it shall be proved to the satisfaction of the Board, that the whole or any part of the amount hereby advanced has not been utilised by the Sarvodaya Panchayat for the purpose herein before stated or if the Sarvodaya Panchayat shall be guilty of any breach or non-observance of all or any of the covenants and conditions herein contained and to be performed and observed by the Sarvodaya Panchayat, then, and in any such case and without prejudice to the Board's other rights and remedies arising on such default, and notwithstanding anything herein contained to the contrary, the total amount due under these presents shall forthwith become payable and it shall be lawful for the Board or its duly authorised agents and servants at any time thereafter in addition to and without prejudice to the other rights and remedies of the Board, to recover any amounts that may from time to time be due and payable by the Sarvodaya Panchayat as if it were an arrear of land revenue under the provisions of the Tamil Nadu Revenue Recovery' Act 1864, (Tamil Nadu Act II of 1864).

In Witness Whereof..... the three members including the Secretary of the Sarvodaya Panchayat acting for and on behalf of the Sarvodaya Panchayat and Sri the Chairman, acting for and on behalf of the Board hath hereunto set their hands. Signed by the above named

1. Secretary of the Sarvodaya Panchayat

2.

3.

In the presence of Witnesses:-

1.

.....

2.

.....Signed by the above named. In the presence of Chairman. The Tamil Nadu State Bhoodan Yagna Board Seal of the Board has here unto been affixed. Witnesses:-

1.

2.