

MADHYA PRADESH GRAM SABHA (APPEAL) RULES, 2001

(PR)846 GRAM SABHA (APPEAL) RULES 2001 MADHYA PRADESH GRAM SABHA (APPEAL) RULES 2001 1. Short Title and commencement.-(1) These rules, may be called the Madhya Pradesh Gram Sabha (Appeal) rules 2001 (2) They shall come into force with effect from the date of publication in the Madhya Pradesh Gazette

2. Definition.-In these rules, unless the context otherwise requires- (a) "Act" means the Madhya Pradesh Panchayat Avam Gra Swaraj, Adhiniyam 1993 (1 of 1994); (b) • "Appellate Authority" means the 'Appeal Committee ' constitute under Rule 3 of these rules; and (c) "Section" means a section of the Act

3. Appeal and Appellate Authority.-Save as otherwise provided in the Act or rules or byelaws made thereunder an appeal against the decision of a Gram Sabha shall lie to a committee constituting of the President of Janpad Panchayat, a member of Janpad Panchayat of that area and sub divisional officer (Revenue). The president of Janpad Panchayat of Janpad Panchayat shall be the Presidex of the Appeal Committee. COMMENTARY —s.D.O. alone-has no jurisdiction tohear an appeal.-Section 7-H of the Act, 1993 with Rule 3 01 above Rules, 2001 provides specific forumof appeal by which S.D.O. alone had no jurisdiction to decide an objec- tion/appeal preferred by respondent No.4. Held, Clause (b) of above Rule 2 defines Appellate Authority as Appeal Committee constituted under Rule 3 of the said Rules. Further held that Rule 3 ern>owers an Appeal Committee to decide the appeal and the S.D.O. (Revenue) is merely one pf the constituents of the Appeal Committee, This being the position, the S.D.O. alone could not have usurped the powers of the entire Committee. Prathmik Om Sai Gramin Mahda Bahuddeshiya Sahkari Maryadit, v. Sub-DivisionaL Officer, Baihar, AIR 2009 (NOC) 533 MP = 2008 (3) —TdPLJ-617--2008(2) 99

4. Limitation of appeal.-(1) No appeal shall lie to the Appellate Authority under rule 3 after the expiration of 30 days from the date of the decision against which the appeal is made. (2) "The Appellate Authority may admit an appeal after the expiry of 30 days referred to in sub-rule (1), if it is satisfied that there was sufficient cause for not presenting the appeal udthin that period. (3) An appeal shall be presented in sevriting mentioning the grounds of appeal clearly. The appeal will be presented to the President of the Appellate AUthority. If shall be td me with the appeal, a copy of the decision against which the appeal is presented, 5. Disposal of appeal.-(1) The Appellate Authority shall call for the relevant records concerning the appeal from the Gram Sabha to examine the facts. 1 Framed under sub-section (1) of Section 95 read with Section 7 (H). Published in M.P. Gaz. (Ext. ordy.) dated 5-3-2001, p

246. GRAM SABHA (SANCTION OF LOANS RULES 2001 (PR)847 (2) The appeal shall be disposed of expeditiously after hearing the parties concerned.(3) The decision of the Appellate Authority shall be final and binding

6. Stay of execution of orders or decision.-The Appellate Authority referred to in rules 3 may stay execution of the order appealed against pending decision of the appeal

7. Power of Appellate Authority.-The Appellate Authority after giving an opportunity to parties to be heard and after such inquiry, if any, as it may deem, necessary subject to the provisions of the Act and the Rules made there under, may confirm, vary or set aside the order or decision appealed against

8. Cost.-The Appellate Authority may award such costs to the parties as it may deem proper

9. Repeal and savings.-All rules corresponding to these rules and inforce 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 cor- responding provisions of these rules. MADHYA PRADESH GRAM SABHA (SANCTION OF LOANS TO THE INDIGENT PERSONS) 1. 2. 3. 4. 5. 6. 7. 8. 9

10. RULES 2001 CONTENTS Short Title and comrnencement Definitions When the sanction of loans can be made to the Indigent persons Terms of Loan Application for Loan Recovery of Loan Maintenance of the loan register Writing off of Loan Repeal and savings FORMS MADHYA PRADESH GRAM SABHA (SANCTION OF LOANS TO THE INDIGENT PERSONS) RULES 2001 1.Short Title and commencement.-(1) There rules, may be called the Madhya Pradesh Gram Sabha

(Sanction of loans to the Indigent persons) Rules 2001. 1 Framed under sub-section (1) of Section 95 read with Section 7 (1) (kk) (iii). Published in M.P. Gaz. (Ext. Ord.) dated 5-3-2001, p. 248 (2).

