

MADHYA PRADESH GRAM SABHA (CONSTITUTION OF STANDING COMMITTEES, PROCEDURE FOR CONDUCT OF BUSINESS AND ALLIED MATTERS) RU

MATTERS) RULES, 2012 (PR)159 15. 16. 17. 18. 19. 20. 21. 22. M.P. GRAM SABHA (CONSTITUTION OF STANDING COMMITTEES, PROCEDURE FOR CONDUCT OF BUSINESS AND ALLIED MATTERS) RULES, 2012 Noffn. No.-F-2-5-12-22-P-2, dated 24-11-2012, Pub. in M.P. Rajpatra (Asadharan), dated 24-11-2012, p. 970(6).-In exercise of the powers conferred under sub-section (1) of Section 95 read with sub-section (4) of Section 7 of Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules, the same having been previously published by the sub-section (3) of the Section 95 of the said Act namely:- 1. Short title 1) These rules may be called the Madhya Pradesh Gram Sabha (Constitution of Standing Committees, Procedure for conduct of Business and Allied Matters) Rules, 2012. (2) These rules shall come into force from the date of their publication in the "Madhya Pradesh Gazette"

2. Definitions.-In these rules unless the context otherwise requires- (a) "Act" means the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994); (b) "Appeal Committee" means an Appeal Committee of Janpad panchayat as per Section 7 H; (c) "Chairperson" means Chairman of any Committee of Gram Sabha; (d) "Form" means the Forms appended to these rules; (e) "Members" means member of any Committee or Adhoc Committee; (f) "Sarpanch" means the Sarpanch of Gram Panchayat; (g) "Section".means Section of the Act; (h) "Stake Holders" means any person whether he is beneficiary of any scheme of keeps a stake in the matters under consideration; (i) "Standing Committee" or "Adhoc Committee" means the Standing Committee or Adhoc Committee of Gram Sabha which is constituted under section 7-A; (j) "Vice-Chairperson" means Vice-Chairman of any Standing Committee of Gram Sabha; (k) "words and expressions" as defined and used in the Act but not defined in these rules shall have the same meaning as assigned to them in the Act. (PR)160 M.P. GRAM SABHA (CONSTITUTION OF STANDING COMMITTEES, PROCEDURE FOR CONDUCT OF BUSINESS AND ALLIED MATTERS) RULES, 2012 CHAPTER - 1 Election of Members of Standing Committees 3. Number of Members of Standing Committees of Gram Sabha. The following shall be the members of Gram Sabha in every Standing Committees:- (i) Sarpanch Chairperson; (ii) Up-Sarpanch Vice-Chairperson; (iii) One Member of concerning Gram Sabha; (iv) One Member From amongst the persons belonging to Scheduled Caste or Scheduled Tribe or Other Backward Classes; (v) One Woman Member. If the person belonging to Scheduled Caste or Scheduled Tribe or Other Backward Classes is not available then the post shall be filled up from the unreserved category: Provided that one person is only eligible for one category to fill up the post

4. Meeting for constitution of Standing Committee.-(1) The Gram Sabha shall call the meeting within one month from the date of publication of notification in the Madhya Pradesh Gazette for constitution of Standing Committee. (2) An election for each Standing Committee shall be held separately. (3) The Sarpanch shall be the Chairperson and Up-Sarpanch shall be the Vice-Chairperson of the Standing Committee, respectively. (4) Nomination to be invited for the vacant post for filling of the remaining posts. (5) Nomination papers shall be signed by the candidates and shall be proposed by a person. (6) Nomination papers can be withdrawn on the demand of contesting candidates. (7) After scrutiny, if the number of candidates and vacant posts are equal then the candidate shall be declared to be elected. (8) If the number of candidates is more than the vacant posts then the result shall be declared through the voting by raising hands

5. Term of Chairperson and Members of the Standing Committee.(1) The term of Members of the Standing Committee shall remain as same as of the Members of Gram Panchayat concerned. (2) In case of vacant post of Sarpanch, the Up-Sarpanch shall officiate the position of Chairperson in the Standing Committee till the election

6. Eligibility of the Members.-(1) Any person whose name is in the voter list of concerned village and has not in the category of disqualification as mentioned in Section 36 of Panchayat Act, can be member of any

Committee. (2) At any instance one cannot be a member of more than one Committee, Panch Of the Gram Panchayat may be Member of any one Committee

7. Resignation of the Members of Standing Committee.-The Member of any Standing Committee may resign from his post by submitting his resignation to the Chairperson of the Gram Sabha. 11 R. 12 M.P. GRAM SABHA (CONSTITUTIONAL MATTERS) RULES, 2012 (PR)161 8. Removal of the Members of the Standing Committee.-The Member of any Standing Committee may be removed at any time by the Gram Sabha by a reasoned order in writing which shall be recorded in the proceedings

9. Filling up of the vacancies.-The casual vacancy which arises in the event of death, resignation or removal of members of the Standing Committee may be filled up by Gram Sabha within a period of one month for the remaining term of the vacant post. CHAPTER - 2 Powers, Functions and duties of Standing Committee IO. Power, functions and duties of the Standing Committee.- Subject to the provisions of the Act and the rules in force and the instructions issued by the Government from time to time, the Standing Committee shall have the following powers, functions and duties, namely:- (1) To call for the papers, letters, documents and other information called in the same manner and in such way as the Gram Sabha has powers to call. (2) To supervise the departments, schemes, programmes and construction work within the operational areas and to support the Gram Sabha in presenting the social audit. (3) Every Standing Committee has the power to inspect and supervise the work of Government servant and has the power to withhold the salary of the concerned Government servant if he is found regular absent from his duties. (4) To perform or to implement the work as directed by the State Government, Zila Panchayat, Janpad Panchayat and Gram Panchayat, from time to time. (5) The Standing Committee shall be responsible to the of Gram Sabha

11. Gram Nirman Samiti.-(a) The said Committee shall perform construction work upto 5 lac (Five Lac) rupees and shall act as construction agency for Gram Panchayat and shall work under the supervising and instructions of Gram Panchayat or Gram Sabha. (b) After being approved by the Gram Sabha of all types of construction works in the areas of Gram-Sabha. (c) Expenditure incurred on the construction work shall be submitted in the next meeting of Gram Sabha for its approval. (d) The Gram Nirman Samiti and Vikas Samiti of Gram Panchayat shall be responsible to submit regular progress report and pointwise details of monthly expenditure of construction work. (e) Gram Nirman Samiti shall submit a consolidated progress report on all construction works to Gram Sabha. (f) It shall be responsible for all the relevant construction works for submitting information and document, technical valuation and for audit work as specified in Section 7-K of the Act. (g) All other matters which may be assigned to the Gram Nirman Samiti by the Gram Sabha

12. Gram Vikas Samiti.-(a) All matters pertaining to the village development, Rural Development Programmes, Planning, Budget, Finance, Accounts, Taxation and all the matters connected with public estate, agriculture, public health, village safety, village infrastructure i.e. rural communication, rural housing etc. and primary education and -t (PR)162 M.P. GRAM SABHA (CONSTITUTIONAL MATTERS) RULES, 2012 R. 13 literacy and subjects not covered by the functions which have been allotted to the Gram Nirman Samiti. (b) All other matters which may be assigned to it by the Gram Sabha. CHAPTER - 3 PROCEDURE OF CONDUCT OF BUSINESS 13. Secretary of the Standing Committee.-(1) The Secretary of the Gram Panchayat shall be a Secretary of the Standing Committee as well as the ex-officio Secretary of the Gram Nirman Samiti and Gram Vikas Samiti. (2) The Secretary of the Standing Committee shall provide all necessary information, norms, provisions and rules on the subject matter discussed in the Committee meetings. (3) The Secretary of the Standing Committee shall be responsible to the Committee. 14. Meeting of the Standing Committee.-(1) The Chairperson of Standing Committee has empowered to call the meeting of the Standing Committee at such number of times as he feels the necessity of it but there shall be at least one meeting, in a month. (2) The notice of meeting shall be served by the Secretary to all its members five days prior to the date of meeting in Form - 1 appended to these rules. (3) In case the Chairperson of the Standing Committee may not call the meeting as expected on the receipt of the requisition within 10 days, in that case Secretary of the Committee may declare the date of meeting on the next working day. (4) The quorum of the meeting shall be formed by fifty percent members of the Standing Committee excluding the Chairperson. Signature of the members who have attended the meeting shall be entered in Form-2. The chairperson shall have a casting vote, if necessary. (5) In case

the quorum is not fulfilled then the Presiding Officer may adjourn the meeting for such a date, as deemed fit and may announce the date of the next following meeting immediately

15. Special Meeting.-(1) On written requisition duly signed by minimum fifty percent members of the Standing Committee, the Chairperson may call a special meeting. (2) The notice of the special meeting may be given by the Secretary to all its members within three days prior to the date of meeting. (3) There shall be no new agenda for the adjourned meeting but the quorum shall be mandatory

16. Chairperson of the meeting.-The Sarpanch shall be the Chairperson for all the Standing Committee's meetings, in the event of his absence, the Up-Sarpanch shall preside over the meetings

17. Conduct of Business.-(1) In the meeting any additional agenda during the conduct of business may be kept for discussion only after consent of the members. (2) If any issue is related to more than one Standing Committee in that case the issue may be placed before the Gram Sabha for its decision. (3) If the issue is concerned with policy matters it shall be decided by the Gram Sabha. The said issues shall be forwarded to Gram Sabha for R. 20 M.P. GRAM SABHA (CONSTITUTION OF ... MATTERS) RULES, 2012 (PR)163 taking decisions on the recommendations of the Committee Members

18. Decision on the issues of agenda.-(1) The decision on the agenda brought before the Standing Committee may be decided on the basis of consensus or opinion of the Standing Committee. (2) In case of difference in opinion among the members, the decision may be taken by voting on majority basis

19. Minutes of the meeting.-(1) The minutes book shall be maintained in Form-3. The minutes of each meeting shall be written in devnagri Hindi and shall be duly signed by the Presiding Officer as well as by the Secretary. (2) The progress of the action taken on the decisions of the Standing Committee shall be brought before the next meeting of Gram Sabha

20. Reconsideration of subject finally disposed of.-The decision once taken by the Standing Committee shall not be reconsidered within a period of six months unless the consent of three fourth of the majority of members is obtained

21. Constitution of Adhoc Committee.-(1) The Gram Sabha, in addition to the Standing Committee mentioned in sub-section (1) of section 7 -A of the Act, may constitute such adhoc committee as per the implementation of any law and subject to the directions from the Government or Collector the number of members in the adhoc committee may be as per directives from either Gram Sabha or by the Government. (2) The composition and procedure of business allied matters shall be such as directed by the Government or decided by the Gram Sabha. (3) Each adhoc committee shall be accountable to the Gram Sabha. (4) Any Panch may be a member of such adhoc committee to which pertains such Panch's constituency

22. Repeal and Saving.-All rules corresponding to these rules including Madhya Pradesh Gram Sabha (Procedure of meeting of the Committees, Conduct of Business and Allied Matters) Rules, 2005 force immediately before the commencement of these rules are hereby repealed in respect of the matters covered by these rules: Provided that anything done or any action taken under the rules so repealed shall, so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules. Form - 1 (See rule 14) Notice of meeting of Standing Committee of Gram Sabha Notice is hereby given to all members of Gram Nirman Samiti/Gram Vikas Samiti of Gram Sabha. 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) With the previous permission of the Chairperson of the Samiti, any member who desires to raise any matter or to suggest anything in the 11 (PR)164 M.P. GRAM SABHA (CONSTITUTION OF ... MATTERS) RULES, 2012 Forms meeting he shall intimate the Secretary in writing within three days from the date of notice of the meeting. Place • Dated • Gram Secretary, Gram Nirman / Vikas Samiti District Form - 2 [See side 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. S. No. (1) 1. 2. 3. 4. 5. 6. 7. 8. 9

10. Name of the member present in the meeting (2) Signature of member (3) 4 3 Number of members present (in words) :- Place • Dated • (Signature) President Gram Vikas / Nirman Samiti (Signature) Secretary, Gram Vikas / Nirman Samiti Form - 3 (See rule 19) Minutes Book of Gram Samiti of

Gram Sabha (i) Name of Gram Sabha. (ii) Place of meeting. (iii) Date of meeting. (iv) Time of meeting.
S. No. (1) 1

2. Matters placed before the Samiti (2) Minutes of Meeting (3) GRAM SABHA SWASTH GRAM SAMITI .. NIYAM, 2010 (PR)165 3. 4. 5. 6. 7. 8. 9

10. Number of members present (in words) • Place • Dated • (Signature) President Gram Vikas / Nirman Samiti (Signature) Secretary, Gram Vikas / Nirman Samiti MADHYA PRADESH GRAM SABHA SWASTH GRAM TADARTH SAMITI (GATHAN, KARBAR SANCHALAN TATHA BAITHAK) NIYAM, 2010 2.4. 5. 6. 7. 9. IO. —11. CONTENTS -Short title. Definitions. Constitution of the-Committee. Secretary of the Committee. Account of the Committee. Cash Register. Meetings of the Committee. Terms of the Committee. Powers, functions and responsibilities of the Committee. Training. —127 -Audits and-accounts

13. Miscellaneous.MADHYA PRADESH GRAM SABHA SWASTH GRAM TADARTH SAMITI (GATHAN, KARBAR SANCHALAN TATHA BAITHAK) NIYAM, 2010 Notfn. No. F. 1-7-2009-nal-po, dated 1-9-2010, Pub. in M.P. Rqjpatra (Asadharan), dated 1-9-2010, p. exercise of the powers conferred by sub-section (f) of Section 95 read with sub-section (4) of Section 7-A of the Madhya Pradesh Panchayat Raj Bham Gram Swaraj Adhiniyam, 1993-(No. 1 of State Government. hereby. makes the following rules, the same having been previously published as required by sub-section of Section 95 of the said Act, namely:— 1. Short title.-These rules may be called the Madhya Pradesh Gram Sabha Swasth Gram Tadarth Samiti (Gathan, Karbar Sanchalan Tatha Baithak) Niyam, 2010

2. Definitions.-(1) In these rules, unless the context otherwise requires,-

