

THE MADHYA PRADESH PANCHAYAT (POWERS AND FUNCTION OF SARPANCH AND UP-SARPANCH OF GRAM PANCHAYAT, PRESIDENT AND VICE-PRESIDENT OF JANAPAD PANCHAYAT AND ZILA PANCHAYAT) RULES, 1994

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C O N T E N T S

1. Short title.
2. Definitions.
3. Powers and Functions of Sarpanch and Up-Sarpanch of Gram Panchayat.
4. Powers and Functions of President and Vice-President of Janapad Panchayat.
5. Powers and Functions of the President and Vice-President of Zila Panchayat.
6. Repeal.

[Notification No. B-1-2-95-P-2-XXII, dated 9th January, 1995, published in M.P. Rajpatra, Extraordinary, dated 10th January, 1995, p. 20 (2) to 20 (4)].-In exercise of the powers conferred by the sub-section (1) of Section 95 read with Section 48 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 the sub-section (3) of the Section 95 of the said Act, namely:—

1. Short title.-These rules may be called the Madhya Pradesh Panchayat (Powers and Function of Sarpanch and Up-Sarpanch of Gram Panchayat, President and Vice-President of Janapad Panchayat and Zila Panchayat) Rules, 1994.

2. Definitions.-In these rules, unless the context otherwise requires,—

- (a) "Act" means the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994);
- (b) "Chief Executive Officer" or "Additional Chief Executive Officer" means Chief Executive Officer or Additional Chief Executive Officer of Janapad Panchayat or Zila Panchayat as the case may be;
- (c) "Secretary" means the Secretary of Gram Panchayat;
- (d) "Section" means the section of the Act.

3. Powers and Functions of Sarpanch and Up-Sarpanch of Gram Panchayat.-(1) The Sarpanch shall be directly responsible for carrying out or getting to be carried out:—

- (a) the resolutions of the Gram Panchayat passed by it for the purpose of carrying out the provisions of the Act;
- (b) all directions issued by the State Government or any other authority authorised by the State Government under the Act; and
- (c) all functions assigned to the Gram Panchayat under Section 49 of the Act.

(2) In the absence of the Sarpanch, the powers and functions of the Sarpanch shall be exercised and performed by the Up-Sarpanch.

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(3) In addition to the powers and functions which are specifically conferred by or under the Act:—

(i) the Sarpanch shall-

- (a) preside over and regulate the meetings of the Gram Panchayat;
- (b) ensure proper custody and maintenance of records and register of the Gram Panchayat;
- (c) exercise supervision and control over the acts done and action taken by the employees of the Gram Panchayat;
- (d) be responsible for the safe custody of the Gram Panchayat Fund;
- (e) operate the Gram Panchayat Fund including authorisation of Payment, issue of cheques and refunds etc. as per the provisions of the Act;
- (f) cause to be prepared all statements and reports required by or under the Act.

(ii) the Up-Sarpanch shall-

- (a) in the absence of the Sarpanch preside over and regulate proceedings of the meetings of the Gram Panchayat;
- (b) exercise the powers and perform the functions of the Sarpanch pending the election of the Sarpanch or in case the Sarpanch is unable to attend the meeting due to any reason.

4. Powers and Functions of President and Vice-President of Janapad Panchayat.-(1) The President shall be directly responsible for carrying out or getting to be carried out:—

- (a) the resolutions of the Janapad Panchayat passed by it for the purpose of carrying out the provisions of the Act;
- (b) all directions issued by the State Government or any other authority authorised by the State Government under the Act;
- (c) all functions assigned to the Janapad Panchayat under Section 50 of the Act.

(2) In addition to the powers and functions which are specifically conferred by or under the Act:—

(i) the President shall—

- (a) preside over and regulate the meetings of the Janapad Panchayat;
- (b) ensure proper custody and maintenance of records and registers of the Janapad Panchayat;
- (c) exercise supervision and control over the acts done and action taken by the employees of the Janapad Panchayat;
- (d) be responsible for the safe custody of the Janapad Panchayat Fund;
- (e) operate the Janapad Panchayat Fund including authorisation of payment, issue of cheques and refunds etc. as per the provision of the Act;
- (f) cause to be prepared all statements and reports required by or under the Act, and
- (g) submit to the Janapad Panchayat all matters which require its sanction.

(ii) the Vice-President shall—

- (a) in the absence of President, preside over the meetings of Janapad Panchayat;
- (b) exercise the powers and perform the functions of the President pending the election of the President or in case the President is unable to attend the meeting due to any reason.

5. Powers and Functions of the President and Vice-President of Zila Panchayat.—(1) The President shall be directly responsible for carrying out or getting to be carried out:—

- (a) the resolutions of the Zila Panchayat passed by it for the purpose of carrying out the provisions of the Act;
- (b) all directions issued by the State Government or any other authority authorised by the State Government under the Act; and
- (c) all functions assigned to the Zila Panchayat under Section 52 of the Act.

(2) In addition to the powers and functions which are specifically assigned by or under the Act:—

(i) the President shall—

- (a) preside over and regulate the meetings of the Zila Panchayat;
- (b) ensure proper custody and maintenance of records and registers of the Zila Panchayat;
- (c) exercise supervision and control over the acts done and action taken by the employees of the Zila Panchayat;
- (d) be responsible for the safe custody of the Zila Panchayat Fund;
- (e) operate the Zila Panchayat Fund including authorisation of payment, issue of cheques and refunds etc., as per the provisions of the Act;
- (f) cause to be prepared all statements and reports required by or under the Act;
- (g) submit to the Zila Panchayat all matters which require its sanction.

(ii) the Vice-President shall—

- (a) in the absence of President, preside over the meetings of Zila Panchayat; and
- (b) exercise the powers and perform the functions of the President pending the election of the President or in case the President is unable to attend the meeting due to any reason.

6. Repeal.—All rules previously made in this behalf are hereby repealed.