MADHYA PRADESH PANCHAYATS (INSPECTION OF RECORD AND COPIES) RULES, 1995

(PR)173 to n e PANCH. (INSPECTION OF RECORD ...) RULES, 1995 18. Copying Register

19. Refund

20. Repeal.FORMS THE MADHYA PRADESH PANCHAYATS (INSPECTION OF RECORDS AND COPIES) RULES, 1995 [NotUication No. B-l-20-95-P-2-XN1, 28th March, 1995, published in M.P. Rqjpatra, Extraordinary, datéd 29th March, 1995, p. 320 (4)-(8)l.-In exercise of the powers conferred by the sub-section (1) of Section 95 read with Section 118 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (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 Section 95 of the said Act, namely — 1. Short title.-These rules may be called the Madhya Pradesh Panchayats (Inspection of Records and Copies) Rules, 1995

2. Definitions.-In these rules, unless the context otherwise re- quires,— (a) "Competent authority" means— (i) in the case of Gram Panchayat or its Comillittee, the Sarpanch, Secretary; (ii) in the case of Janapad Panchayat or its Committee, the Chief Officer orthe by him: (iii) in the case of Zila Panchayat or its Committee, the Chief Executive Officer or the Officer Authorised by him. (b) 'Form" means a form appended to these rules

3. Inspection of certain records free of charge.-Any person desiring to inspect the following records of the Panchayat or any Cornmittee thereof may, with the previous sanction of the competent authority, inspect such record free of charge:— (a) The budget; (b) Annual accounts of receipt and expenditure: (c) Assessment list of any tax; (d) Register of information such as birth & deaths, house No. homeless etc:; (e) The register of decisions cf the Panchayat; (t) Record mentioned in clauses (a) to (d) of sub-section (1) of Section 7

4. Inspection of the record of case.-(l) The record of case which is pending or which has been decided but the record of which has not been deposited in the Panchayat office may, after the previous permission of the competent authority, be inspected by a party thereto free of charge. (2) Any other person desiring to inspect the record other than those specified in rule 3 may do sb by presenting an application in

form I stating therein the nature of the interest and the purpose for which inspection is sought. and on payment of inspection fee prescribed in rule 5

5. Inspection Fee.-(l) The inspection fee for every record insøected shall be rupee two for the first hour and fifty paise for any subsequent hour or fraction thereof. I (PR)174 PANCH. (INSPECTION OF RECORD RULES, 1995 (2) The fee chargeable under sub-rule (1) shall be paid in cash with the application for inspection to the competent authority who shall credit it into the Fund of the Panchayat and shall forthwith give a receipt under his signature in

Form 11

6. Place and time for inspection.-The inspection shall be made in the office of the Panchayat during the office hours of the Panchayat

Form Ill shall be kept by each Panchayat. Every person desiring inspection shall fill in the particulars in columns one to six of the Inspection Book

8. General Restrictions.-The use of pen and ink during inspection is strictly prohibited. Pencil and paper may be used for taking any notes or making copies from the record inspected but no marks shall be made on any record inspected

9. Application for copy of records.-An application in Form I for obtaining a copy of the records of a Panchayat or any Committee thereof shall be made to the competent authority giving full details of the record of which a copy is required

10. Power of the competent authority to refuse to grant a copy of the record.-(l) The competent authority may refuse to grant a copy of any of the following records, recording his reasons for so doing:— (ii) (iii) (iv) (v) letters or reports which do not contain a final order affecting the applicant; any correspondence Inetween the -Panchayat and Gov_ernmen! authorities or the State Government; record, the grants of copies of which in the opinion of the com- petent authority is detrimental to the interest of the Panchayat; extract from documents which, when read, part from the rest of the file, is capable of misrepresenting the final order passed by the Panchayat or any Committee thereof; extract from proceeding of the panchayat or any Committee thereof. (2) All applications rejected under sub-rule (1) shall be laid before the next meeting of the Panchayat for approval of the action of the competent authority. (3) No copy of a letter received in the office of the Panchayat shall be granted without the sanction of the office of issue. (4) Copies of confidential letters and papers shall not be given under any circumstances

11. Employee punished entitled to a copy free of charge.-(l) A copy or an order punishing an employee of the panchayat shall be given free of charge to the employee concerned

12. Copies of audit notes.-The competeht authority shall grant copies of audit notes and connected papers on payment of fees to any person who for them: Provided that-the competent authority shall grant copies of such notes and papers free of charge to a person against whom a charge is made in respect of illegal payment or loss caused by gross negligence or misconduct

13. Fees for search.-lf a search is necessary to trace a record of which a copy is required, fees shall be charged at the rate of fifty paise an hour or fraction of an hour. The search shall be made in the immédiate presence R. PANCH. (INSPECTION OF RECORD ...) RULES, 1995 (PR)175 of the competent authority or some responsible officer of the Panchayat appointed by the competent authority in this behalf

14. Fees for preparing copies.-(l) The fee for preparing copies shall be rupees 5 per page or part thereof whether in English or Hindi. (2) Copying fees for maps and plans shall be charged at the rate of one rupee per hundred square centimeter including cost of tracing cloth subject to the minimum charge of rupees five: Provided that if a Panchayat is required to get copies of maps and plans prepared by persons other than its employees the charges for such copies shall be the actual wages paid to such persons plus an extra fee of one rupee each copy

15. Copies to be certified.-The ccmpetent authority shall certify all copies as true copies

16. Fees payable in advance.-Every application for obtaining copy of record shall be accompanied by an advance sufficient to cover the es- timated cost of the copy applied for

17. Fees to be credited in the Fund of the Panchayat.-All fees payable for obtaining copies of the record shall be paid in cash to the competent authority who shall credit them to the Fund of the Panchayat and forthwith give a receipt under his signature in

18. Copying Register.-The competent authority shall maintain or cause to be maintained a Copying Register in

Form I V

19. Refund.-li _the inspection not allowed on receipt of application for inspection or a copy of records is not given on receipt of application therefor, the fee deposited for inspeoüon or for copy of record shall be refunded to the applicant

20. Repeal.-The previous rules on tlr subject shall stand repealed on the date of final publication of these rules in the "Madhya Pradesh Gazette".

FORM 1 [See Rule 4 (2) and rule 91 To The Sarpanch/Chief Executive Officer Gram/Janpada/Zila Panchayat Subject:- Application for inspection/obtaining certified copy of record

1. Full name of applicant, father's name and caste 2. Postal address 3. Details of record 4. Object 5. Details of advance amount deposited 6. Remarks. Signature of applicant. (PR)176 PANCH. (INSPECTION OF RECORD FORM 11 Receipt Form ...) RULES, 1995 [See sub-rule (2) of rule 5 and rule 17] Receipt No Date Received fram Son of Caste the sum of Rs. (in words) on account Df Rs Signature of Sarpanch/ Chief Executive Officer Secretary of Panchayat. Receipt No Date Received from .. Son of Caste the sum of Rs. (in words) on account of Rs P Signature of Sarpanch/ Chief Executive Officer Secretary of Panchayat FORM 111 Inspection Book (See Rule 7) Date 1 Name and occupa- tion of applicant Record of which inspection is Purpose of which in- spection is sought Signature of the ap- plicant 5 2 Hours of In- spection 6 sought 3 Initials of the person or of- ficer ordering inspection 7 FORM IV (See Rule 18) Amount paid Rs. np. 8 Serial No. 1 Name Of applicant Date of Receipt of ap- plication 3 Description of the document of which copy is required 4 4 Remarks 9 Language 5 Service of documents M. P. PANCH. (MODES OF ... CONTRACT) RULES, 1995 (PR)177 Number of pages yo be copied 6 Fee to be levied 7 Fee received with the date 8 Date on which Remarks. copy was delivered or posted 9 10 THE MADHYA PRADESH PANCHAYAT (MODES OF 1. 2. 3. 4. 5. 6

7. EXECUTING CONTRACT) RULES, 1995 CONTENTS Short title. Definitions. Proposal of executing Contracts by Panchayats. Mode of executing Contracts by Gram Panchayat. Mode of executing contracz by Janapad Panchayat and Zila Panchayat. Contract Qt ag-egnent to be-binding. Répéål arid- THE MADHYA PRADESH PANCHAYAT (MODES OF EXECUTNG CONTRACT) RULES, 1995 [Notification No. B-l-17-95-P-2-XX11, dated 28th March. 1935, publisle ed in M.P. Rqjpatra; Extraordinary, dated 29th March, 1995, p. 314- 314(1)l.-In exercise of the powers unferred by the sub-section (1) of Section 95 read with Section 67 of the Madhya Pradesh Panchayat Raj Adhii-iiyam, -1993 (Nö.¯ 1 ofl 994), the-State-Government-frerebyxnakes-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 -Praclesh Panchayat (Modes of Executing Contract) Rules, 1995

2. Definitions.-ln these rules, unless the context ot herwise re- quires,— (a) "Act" means the Madhya Pradesh Panchayat Raj Ädhiniyqun, 1993 (No. 1 of 1994); (b) "Section" -means_: 11(.' Section of the Acte 3. PrQ20sa1 of Panchayats.-(l) The proposal of QeeÜtfng a contract by or Ö1ibeHf of dlVVanchayat shall beÄåéed before the Panchayat for approval in accordance wåth the provision of the Act. (2) After the Panchayat has accorded its approval to the proposed execution of the contract, it shall be executed in the manner hereinafter laid down.