MADHYA PRADESH SCHEDULED AREAS GRAM SABHA (CONSTITUTION, PROCEDURE OF MEETING AND CONDUCT OF BUSINESS) RULES, 1998

(PR)396 SCH. AREAS GRAM-SABHA (CONSTI. RULES, 1998 MADHYA PRADESH SCHEDULED AREAS GRAM- SABHA (CONSTITUTION, PROCEDURE OF MEETING AND CONDUCT OF BUSINESS) RULES, 1998 CONTENTS Short title and Application

1. Definitions

2. Constitution of Gram Sabha

3. Procedure for constituting more than one Gram Sabhas.4

5. Meeting of Gram Sabha.6. 7.' Date, time and place of meeting of Gram Sabha. 8. - Manner ofrgiving-notice of themeeting of Grarn Sabha

9. Quorum. Chairperson of meeting of Gram Sabha. IO. Conducting meeting of Gram Sabha. 11, Decision by the Gram Sabha

12. Attendance Register

13. Minutes record

14. Inspection of records placed before the Gram sabha

15. Repeal and Saving

16. MADHYA PRADESH SCHEDULED AREAS GRAM-SABHA (CONSTITUTION, PROCEDURE OF MEETING AND CONDUCT OF BUSINESS) RULES, 1998 [No.F. 1-11-98-XX11-P-2 dated 23rd December 1998, Pub.in M.P. Rgi- patra Exte dated 23-12-1998, p. 1398(5). As amended by Noti. No. F.-1-4- (B)-97-XX11-P-2, dt. 9-5-2001, published in M.P. Raj., Ext. Ordi., dt. 9-5-2001, pg. no. In exercise of the powers conferred by sub-section (1) of Section 95 read with Section 129-B of the•Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. I of 1994), the State Government hereby makes the following rules, the same having been previously published as required by sub-sec.- tion (3) of Section 95 of the said Act, namely:— 1. Short title and Application.-(l) These rules may be called the Madhya Pradesh Scheduled Areas Gram-Sabha (Constitution, Procedure of Meeting and Conduct of Business) Rules, 1998. (2) These rules shall apply to the Gram Panchayats of Scheduled areas of Madhya Pradesh

2. Definitions.-ln these rules, unless the context otherwise re- quires,— (a) "Form" means a form appended to these rules; (b) "Gram Sabha" means a Gram Sabha as defined in clause (a) of section 129-A of the Act; SCH. AREAS GRAM-SABHA (CONSTI. RULES, 1998 (PR)397 (c) -'Gram Panchayat" means a Gram Panchayat established under sub-section (1) of Section 10 of the Act; (d) "Janpad Panchayat" means a Janpad Panchayat established under sub-section (2) of Section 10 of the Act; (e) "Population" means the population as ascertained at the last preceding Census of which the relevant figures have been published by the Government of India or by the officer appointed in this behalf; (f) "Prescribed Authority" means the Sub-Divisional Officer (Revenue) of concern area; (g) "Sarpanch" means the Sarpanch elected under Section 17 or a Sarpanch officiating under clause (b) of sub-section (1) of Section 38; (h) "Scheduled Area" means the area specified in clause (1) of Article 244 of the Constitution of India; (i) "Up-Sarpanch" means a Up-Sarpanch elected under sub-section (5) of Section 17 of the Act; and (j) "Village'S means a village as defined under clause (b) of Section 129-A of the Act; 3. Constitution of Gram Sabha.- Generally there shall be a "Gram Sabha" for every "Village" specified in clause (b) of Section 129-A of the Act: Provided more than one Gram Sabhas may be constituted within a Gram Panchayat area according to the procedure laid down in Rule- 4

4. Procedure for constituting more than one Gram Sabhas.-(l) A separate Gram Sabha may be constituteWfor the following areas:- (a) a village or group of villages; (b) a hamlet or group of hamlets which included mohalla, majtä, tola or para etc.; and (c) habitation or group of habitations. comprising a community and managing its affairs in accordance with traditions and customs. (2) Gram Panchayat or Gram Sabha by passing a resolution of this effect cr the voters residing in that area by passing a resolution or by submitting anapplication in writing, may request the prescribed authority for establishment of a separate Gram Sabha for the area comprised in clause (a) or clause (b) or clause (c) of the sub-rule (1). (3) (a) On receipt of proposal or application specified in sub- rule (2) the prescribed officer shall issue a public notice in

form-I expressing the intention for establishing a separate Gram Sabha for the area mentioned in clause (a) or clause (b) or clause (c) of sub-rule (1). (b) Every such notice shall conzain description of the area comprising in the proposed new Gram Sabha and the area remained after exclusion from the existing Gram Sabha and its population. (c) Every such notice shall specify the date upto which objections and suggestions may be submitted and any objection and suggestion which may be received from any person before the expiry of the specified date shall be considered by the prescribed officer. (d) Every such notice shall be published on the notice board of the office of prescribed authority of the concerned Gram Panchayat and Janpad Panchayat and by affixing it at conspicuous place and by beat of (PR)398 SCH. AREAS GRAM-SABHA (CONSTI. RULES, 1998 drums in the areas to be affected by such intention. (e) The prescribed officer shall take the decision on the constitution of new Gram Sabha, after considering the objections or suggestion's, if any submitted according to the procedure mentioned in clause (c) and the area to be included in the new proposed Gram Sabha, its population, the distance from Gram Panchayat's head Quarter, the traditions and cus- toms of voters residing in the proposed are etc. 5. (1) The prescribed authority shall issue a notification in Form-2, which will contain the description and area of Gram Sabhas of that "Village". The reccnstituted Gram Sabhas shall come into existence from the first day of the next coming month. (2) The publication of such notification will be done in the manner laid down in clause (d) of sub-rule (3) of rule 4 and one copy of its shall be sent to the District Collector, Deputy Director, Panchayat and Social Welfare, Zila Panchayat, Janpad Panchayat, and the concerned Gram Panchayat

6. Meeting of Gram Sabha.- Meeting of Gram Sabha shall be held at such intervals as may be necessary on the basis of agenda under con- sideration beiöre it: Provided that shall be held at least one meeting of Gram SAbha every three months: Provided further that upon demand in writing by more than one third of members of Gram Sabha or requisition by Collector or Zila Panchayat, meeting of Gram Sabha shall be convened within the period of thirty days. and place of meeting of Gram Sabha.-(l) There shall be held at least one meeting of the Gram Sabha in every month which shall be convened by the Secretary of the Gram Sabha. The date, time and place of the first meeting of the Gram Sabha shall be fixed by the Sarpanch and thereafter the Gram Sabha shall fix the date, time and place at which subsequent meeting, shall be held, (2) If the Sarpanch, or more than ten percent of the members or fifty members of the Gram Sabha, whichever is less, give requisition in writing for a special meeting of the Gram Sabha, the Secretary shall call such a meeting within seven days of the receipt of such requisition.] 8. Manner of giving notice of the meeting of Gram Sabha.-The manner of giving notice of convening meeting of Gram Sabha shall be such as may be fixed by the Gram Sabha. Rule 4 of the Madhya Pradesh Gram Sabha (Procedure of Meeting) 2[Rules, 20011 shall be applicable in this respect. 9. guorum.-(l) The Ouorum for any meeting of Gram Sabha shall be one third of total number of members of Gram Sabha out of which one-third shall be the women members

10. Chairperson of meeting of Gram Sabha.-Meeting of Gram Sabha shall be presided by any member of Scheduled Tribe of Gram Sabha not being Sarpanch or Up-Sarpanch or a member of the Gram Panchayat, and shall be elected for this purpose by majority of members present for the 1 R. 7 subs. by Notfn. dated 9-5-2001. 2 Subs. for the words "Rules, 1994" by Notfn. dated 9-5-2001. 3 Sub-rule (2) and its proviso omitted by Notfn. dated 9-5-2001. R. 16 SCH. AREAS GRAM-SABHA (CONSTI. ...) RULES, 1998 (PR)399 duration of that meeting

11. Conducting meeting of Gram Sabha.-(l) Meeting of Gram Sabha shall be conducted by its presiding person who shall be addressed as Chairperson. (2) The Chair-person with the opinion of the Gram Sabha shall decide procedure for discussion on matter for consideration before Gram Sabha. (3) Summary of the decisions taken in the meeting shall be read out for information. The Secretary shall record the decisions in the minute's book accordingly. 1[12. Decision by the Gram Sabha.-(l) All matters brought before any meeting of Gram Sabha shall be decided, as far as possible, unanimously failing which by general consensus of the members present: Provided that where there is difference of opinion on any issue such matter shall be brought before the next meeting. If a decision is not taken unanimously or by general consensus in successive two deferred meetings than such matter shall be decided by majority of members present thereat by secret voting. In the case of an equality of votes, the person presiding over the meeting shall have a second or casting vote. (2) If any dispute arises as to whether a person is entitled to vote, the same shall be decided by the person presiding regard being had to the entry in the list of votes of the Gram Sabha area and his decision shall be final.] 13. Attendance Register.-Names ofmembers of Gram-Sabha attend- ing the meeting shall be entered in the attendance register kept in

14. Minutes record.-(l) Minutes, recording the proceedings and decisions of every meeting of Gram Sabha and the number of the members present thereat shall be entered by the Secretary of the Gram Panchayat in the Minutes Book in

Form-3 appended to these rules and shall be confirmed at the same meeting by the person presiding thereat. (2) The minutes shall be written in Hlndi, in Devnagri script. (3) Copy of minutes of proceedings of Gram Sabha shall be laid before the Gram Panchayat by the Secretary. (4) The Gram Panchayat shall execute or get executed the recommen- dations made by the Gram Sabha

15. Inspection of records placed before the Gram sabha.-Every Member of the Gram SAbha shall have the right to inspect the records to be placed before the Gram Sabha in the office of the Gram Panchayat during office hours

16. Repeal and Saving.-A11 rules and bye-laws corresponding to these rules in force immediately before the commencement of these rules are hereby repealed in respect of matters covered by these rules: Provided that any order made or action taken under the rules or bye-laws so repealed shall be deemed to have been made or taken under the corresponding provisions of these Rules. 1 Subs. by Notfn. dated 9-5-2001. (PR)400 SCH. AREAS GRAM-SABHA (CONSTL ...) RULES, 1998

FORM - 1 [See sub rule (3) of rule 41 NOTICE Forms In exercise of the powers conferred by clause (a) of sub-rule (3) of rule 4 of the Gram Sabha of Madhya Pradesh Scheduled Areas. (Constitution, Procedure of Meeting and Conduct of Business) Rules, 1998 read with sub-section (2) of Section 129-B of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994) the Prescribed Officer hereby publishes the information with the intention to constitute a separate Gram Sabha (for Village/ Group of Villages Majra/T01a etc.) described in column (5) within the limits of Gram Panchayat described in column (2) of the table given below:- Any objection and suggestions which may be received by •the under- signed before the expiry of the.....(date) shall be considered. •Objec- tions or suggestions received upto the fixed date, shall be heard in the (date). office on Name of Block S.No. 1. 2. 3. (1) of Gram Sabha (4) TABLE Name of Gram Panchayat (2) Proposed Gram Sabha. Area (Village, Majra Tola, Para) included in the Grarn Sabha (5) Other details (8) Area comprised within the existing Gram Sabha (3) Population (6) Patwari circle No. (7) Place• Date of issue:... Prescribed Officer Forms SCH. AREAS GRAM-SABHA (CONSTI. ...) RULES, 1998 FORM - 2 [See sub-rule (1) of rule 51 NOTIFICATION (PR)401 In exercise of the powers conferred by sub-rule (1) of rule 5 of the Gram Sabha of Madhya Pradesh Scheduled Areas (Constitution, Procedure of Meeting and Conduct of Business) Rules, 1998 read with sub-section (2) of Section 129-B of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. .1 of 1994) the Prescribed Officer hereby constitutes separate Gram Sabha (s) for the area described in column (5) within the limits of Gram Panchayat described in column (2) of the table given below, the same shall come into existence on the first day of ensuing month:— Name of Block (1) TABLE Name of Gram Panchayat (2) Area comprised within the existing Gram Sabha (3) Newly constituted Gram Sabha of Gram Sabha Area (Village, Majra S.No. 1. 2. 3. (4) Tola, Para) included in the Gram Sabha (5) Other details (8) Population (6) Patwari circle No. (7) Place• Date : 1. 2. 3

4. Prescribed Officer FORM - 3 (See rule 14) Record of Minutes Book of Gram Sabha Name of Gram Panchayat: Date OT Meeting: Place of Meetihg: Time of Meeting: (PR)402 GRAM PAN.(REG. OF SALE OF MEAT) RULES, 1998 5. Number of members of Gram Sabha present thereat.: S. No. (1) Place: Time and Date: Matters Placed before Gram Sabha (2) FORM - 4 (See rule 13) Minutes of meeting (3) Signature (Seal) of the Secretary of the Gram Panchayat. Attendance Register for Members Present in Gram Sabha Name of Gram Panchayat: 1

2. Name of Gram Sabha: 3. Date of Meeting: 4. Place of Meeting: 5. Time of Meeting: S.No. (1) 1. 2. to 10. Names of persons present at meeting (2) Signature of Members (3) Total No. of members present (in words) Signature of the Secretary (seal). MADHYA PRADESH GRAM PANCHAYAT (REGULA- TION OF SALE OF MEAT AND PRESERVATION) RULES, 1998 [No. F-1-21-98-XX11-P-2,dated 4th January 1999, Pub.in M.P. Rqjpatra Ext. dated 4-1-1999, p. 10]- In exercise of the powers conferred by sub-sec- tion (1) of Section 95 read with clause (14) of Section 49 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994), the State Govern- ment hereby, makes the following rules, the same having been previously published as required by sub-section (3) of Section 95 of the said Act, namely:— 1. Short title and commencement.-(l) These rules may be called the Madhya Pradesh Gram Panchayat (Regulation of sale of meat and preser-