# 1.13 The Tamil Nadu Village Panchayats (Devolution and Delegation of President's Function) Rules, 1999

(G.O. (Ms) No. 178, Rural Development (C4) Department, Dated :30th August 1999)

In exercise of the powers conferred by sub-section (2) of section 47, Section 48 and Section 242 of the Tamil Nadu Panchayats Act-1994, (Tamil Nadu Act.21 of 1994) and in supersession of the Rules relating to devolution of President functions, the Governor of Tamil Nadu hereby makes the following Rules -

RULES

1. Short title – These Rules may be called the Tamil Nadu Village Panchayats (Devolution and delegation of President's Function) Rules 1999.

2. Definition – In these Rules, unless the context otherwise requires, "Act" means the Tamil Nadu Panchayats Act 1994 (Tamil Nadu Act 21 of 1994).

3. Absence of the President from his 'Jurisdiction – Where the absence of the President from his jurisdiction is within the State of Tamil Nadu and is on business connected with the Village Panchayat his functions except to the extent, if any to which the functions have been delegated to the Vice President, shall not devolve on the said Vice – President under sub section (2) of section 47 of the Act.

4. Delegation of functions - (1) The President shall not delegate under Section 48 of the Act any of his functions including his function as Executive Authority to the Vice President or a member which the Village Panchayat expressly forbids him to delegate.

(2) The President may delegate his any function to a member only when there is a vacancy in the office of Vice President or when the Vice President is away from the jurisdiction of the Village Panchayat for more than thirty days or incapacitated.

5. Nomenclature during delegation period – The member to whom the functions of the President including this function as Executive Authority have been delegated shall be styled the President delegate during the period of delegation.

6. Restriction for delegation to another member – When an order of delegation made to a member inforce, no other order of delegation of any function shall be made in favour of any member than the member in whose favour the order of the delegation inforce was made.

7. Maximum period delegation – No delegation shall be made by the President to a member for any period exceeding in the aggregate 90 days in any year without the special sanction of Village Panchayat.

8. Intimation about delegation - (1) Every order of delegation made by the President to the Vice President or a member shall be communicated to the Village Panchayat and its next meeting, to the Inspector.

(2) The provisions of Rules 5 to 7 shall not apply to the delegation by the President of his functions to the Vice President.

9. Restrictions and control imposed on temporary Presidents – The temporary President appointed under sub-section (3) of the section 47 of the Act shall perform the functions of the President, subject to the restrictions and conditions that he shall not-

(i) Appoint, promote or punish any officer servant of the Village Panchayat.

(ii) Conduct publication of annual sales of leases of markets, slaughter houses, fishery rights and other like lease;

(iii) Enter into contract on behalf of the Village Panchayat and withdraw any money belonging to the Village Panchayat by means of cheque except salary bills and electricity consumption charges;

(iv) Pass final orders of disposal on applications, petitions, and other complaints received from public involving administrative problems;

(v) Grant leave other than casual leave to the officers and servants of the Village Panchayat.

(vi) Pass orders on petitions for revision of house tax.

RAMESH CHANDRA PANDA