
MANIPUR GRAM PANCHAYAT AND ZILLA PARISHAD (GENERAL) RULES, 1995

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MANIPUR GRAM PANCHAYAT AND ZILLA PARISHAD (GENERAL) RULES, 1995

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CHAPTER 1

Preliminary

1. Short title and commencement :-

(1) These rules may be called the Manipur Gram Panchayat and Zilla Parishad (General) Rules, 1995.

(2) These rules shall come into force from the date of their publication in the official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires

(a) "Act" means the Manipur Panchayati Raj Act, 1994 ;

(b) "Section" means a section of the Act;

(c) "Clear day" includes Sunday and holidays but does not include the day of the meeting and the day of the issue of the notice ;

(d) All words and expressions used herein but not defined shall have the same meaning assigned to them respectively in the Act.

CHAPTER 2

Conduct of business of the Gram Sabha

3. Date, time and place of the convening of the meeting of the Gram Sabha :-

(1) Subject to S. 5 and sub-S. (2) of S. 7 of the Act, the Pradhan shall determine the date, time and place of the meeting of the Gram Sabha. The Secretary of the Gram Panchayat shall notify the meeting of the Gram Sabha indicating therein the time, date and place of the meeting and the matters to be considered in such meeting.

(2) The notice of the meeting shall be published ten clear days prior to the date of the meeting, by affixing (a) wall posters and handbills in conspicuous places within the Gram Panchayat area concerned ; and (b) copy of the notice on the notice board of the Gram Panchayat.

4. Meeting to be presided over by the Pradhan, Up-pradhan or another member chosen for the purpose :-

The Pradhan or in his absence, the Up-pradhan shall preside over at every meeting of the Gram Sabha, and in the absence of both, one of the members of the Gram Panchayat present and chosen by the members of the Gram Sabha present in the meeting shall preside.

5. Conduct of the meeting of the Gram Sabha :-

(1) The Panchayat Secretary of the Gram Panchayat, under the direction of the Pradhan, shall prepare agenda of the meeting which shall be read over and explained to the members of the Gram Sabha who are present in the meeting.

(2) Proceedings of the meeting containing the views or suggestions and general consensus, opinion of the members present shall be

recorded in writing in Manipuri language in a register kept for the purpose. At the end of the meeting, the proceedings as recorded shall be read over and explained to the members.

(3) The proceedings recorded under sub-R. (2) shall, as far as possible, be based on unanimous approval of the members present. In case of division of opinion amongst the members, it shall be recorded on the basis of the majority of votes of the members present and voting. Vote shall be taken by raising of hands or in such manner as the presiding authority deems fit.

(4) The Panchayat Secretary shall cause a copy of the proceeding to be published by affixing it on the notice board of the Gram Panchayat. He shall also send copies of the proceedings to the Zilla Parishad and the Additional Development Commissioner of the District.

CHAPTER 3

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6. The first meeting of the Gram Panchayat :-

Notwithstanding any vacancy in the membership of the Gram Panchayat, the Deputy Commissioner or officers nominated by him shall, immediately after but before the expiration of 30 days from the date of publication of the names of the elected Pradhans and members under sub-R. (1) of R. 63 of the Manipur Panchayati Raj (Election) Rules, 1995 read with Ss. 24 and 26 of the Act, call the first meeting of the Gram Panchayat for administering oath/affirmation as Pradhan and members of the Gram Panchayat under S. 107 and for election of Up-pradhan under S. 26 of the Act from amongst the members themselves. Other members who are unable to take oath at the first meeting shall be administered oath/affirmation by the officer nominated by the Deputy Commissioner.

7. Meeting of the Gram Panchayat :-

(a) The meeting of the Gram Panchayat shall ordinarily be held at the office of the Gram Panchayat.

(b) Every Gram Panchayat shall meet at least once in every two months.

(c) An ordinary meeting of the Gram Panchayat shall usually be held on a fixed day every two months to be decided by the Panchayat at a meeting.

(d) The meeting of the Gram Panchayat shall be convened by the Pradhan or in his absence by the Up-pradhan.

8. Notice of the meeting of the Gram Panchayat :-

(a) At least seven clear days' notice shall be given for a meeting of the Gram Panchayat to every member. The notice shall be issued under the signature of the Panchayat Secretary and be served by the following methods :

(i) The notice shall be served to the member concerned as far as possible.

(ii) In the absence of the member concerned or failure to acknowledge receipt of the meeting notice, the same shall be served on a member of the family of the member.

(iii) In case of failure of (i) and (ii) above, the notice shall be pasted on the main door of the member's house.

(iv) Copy of the notice shall also be displayed on the notice board of the Panchayat :

Provided that special/emergency meeting of the Gram Panchayat may be held with three clear days' notice.

(b) The notice shall clearly and fully state the time, place and date of the meeting.

(c) If, due to some special reasons, a change has to be made in relation to the time, date and place of a meeting previously fixed or notified, a notice thereof shall be given to the members in this regard and in the manner provided under R. 8 (a).

9. Special meeting of the Gram Panchayat :-

The Pradhan or Up- pradhan at any time or on a requisition in writing signed by not less than one half of the total number of members then on the roll or on a direction of the Zilla Parishad or the Director of Panchayats shall, within fifteen days from the receipt of such requisition, convene a special meeting specifying the agenda which is proposed to move or the Zilla Parishad or the Director of Panchayats proposes to discuss, as the case may be.

10. Agenda for a meeting :-

(1) The agenda for the meeting shall be prepared by the Panchayat Secretary as per the directions of the Pradhan.

(2) A notice of a meeting of a Gram Panchayat shall state the nature of business to be transacted at the meeting. No business other than that specified in the notice and relating thereto, shall be transacted at a meeting except with the consent of two-thirds of the members present.

11. Quorum :-

A quorum for the meeting of a Gram Panchayat shall be not less than one half of the total number of members on the roll of the Panchayat.

12. Decision of the Gram Panchayat :-

(1) Any matter requiring decision of the Gram Panchayat shall be decided by means of a question put by the Pradhan/Up-pradhan of the Panchayat.

(2) When a question is put to vote, the Pradhan/Up-pradhan shall call for a show of hands and he shall count the hands shown for or against and then declare the result.

13. Minutes of the proceedings :-

Each Gram Panchayat shall draw up and keep in a register the minutes of the proceedings of each meeting. The minutes shall be signed by the Pradhan/Up-pradhan or in the absence of both, by any member presiding over the meeting after each meeting.

14. Rules to be observed in the meeting :-

A member, while speaking in a meeting shall not comment on any matter which is pending in a court, make a personal charge against a member of the Gram Panchayat, use offensive words, utter seditious or defamatory words.

15. Conduct of business of the Gram Panchayat :-

The Gram Pan-chayat shall devise its own procedure for conduct of business on various subjects.

16. Honoraria :-

Pradhan, Up-pradhan and members of the Gram Panchayat shall be entitled to a monthly honoraria as may be specified by the Government from time to time.

17. Resignation of Pradhan and Up-pradhan :-

The Pradhan and the Up-pradhan, as the case may be, may resign from his office by writing under his hand addressed to the Deputy Commissioner.

18. Motion of no-confidence :-

A written notice of the intention to move a motion of no-confidence against the Pradhan or the Up-pradhan shall be necessary. It shall be signed by not less than one half of the total number of members of the Gram Panchayat then on the roll and shall state the reasons for moving the motion and it shall state the reasons for moving the motion and it shall be delivered or caused to be delivered to the Deputy Commissioner along with a copy of the resolution proposed to be moved at a meeting.

19. Meeting for consideration of motion :-

(1) Upon delivery of the notice of a motion of no-confidence the Deputy Commissioner shall convene a meeting for consideration of the motion of no-confidence on such place and date appointed by him which shall not be later than seven days from the date on which the notice was delivered to him.

(2) The Deputy Commissioner or any other officer authorised by him on his behalf shall preside over such meeting.

20. Co-opted member of each Standing Committee of the Gram Panchayat :-

(1) The Standing Committee of the Panchayat shall be competent to select 2 (two) co-opted members, within the jurisdiction of Gram Panchayat concerned from the members of Farmers' Club, Mahila Mandals, Yuvak Mandals and other similar bodies recognised by the Government, in the manner as specified by the Government.

(2) The co-opted members shall have the voting rights in the meeting of the Standing Committee concerned and shall be entitled to a sitting allowance. Their term of office shall be co-terminus with the term of the Gram Panchayat.

CHAPTER 4

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21. Gram Panchayat fund :-

There shall be a Panchayat fund established and maintained for each Panchayat, into which shall be paid and credited all accounts under S. 39.

22. Procedure of accounts :-

Where no accounts rule or procedure for the regulation of any particular transaction exists in these rules, the rules or procedure

existing or in vogue under the State Government shall be followed in so far as they are not inconsistent with the provisions of these rules or those of the Acts.

23. Administration of the Gram Panchayat fund :-

Panchayat fund shall be lodged in a Government Treasury or Sub-Treasury or in a post office Saving Bank or the State Bank of -India or any other Nationalised Bank or Co-operative Bank approved by the State Government or in such other manner as may be specified by the Chief Executive Officer from time to time.

24. Maintenance of accounts :-

(1) The accounts shall be maintained separately for each month and year.

(2) All receipts of money whether by cash or by transfer should be acknowledged on printed receipt forms bearing the seal of the Panchayat.

25. All cash transactions to be accounted for :-

All cash transactions to which the Panchayat is a party shall, without any reservation, be brought to account.

26. Expenditure :-

All sums required by Panchayat for expenditure shall be drawn out of the Panchayat fund to the extent of account provided for in the budget.

CHAPTER 5

Imposition of taxes by the Gram Panchayat

27. Procedure for imposition of taxes etc :-

(1) Whenever it is proposed to impose/or enhance under S. 40, any tax, rate, toll or fees, the Pradhan, with the approval of Panchayat, shall prepare a memorandum stating therein the rate of tax, rate, toll or fees proposed to be fixed, the estimated amount that will be derived annually from such tax, rate, toll or fees and the date from which it shall take effect and place it before a meeting of the Gram Sabha specially convened for the purpose.

(2) Soon after the approval of the Gram Sabha, the Pradhan shall forward the proposal to the Zilla Parishad concerned for approval.

(3) The Zilla Parishad shall, on receipt of the proposal under sub-R. (2), communicate its decision.

28. Bye-laws :-

Bye-laws, not inconsistent with these rules, and any other law may be framed under the Act to supplement these rules in the regulation, assessment, payment etc. for any tax, rate, toll or fees due thereunder.

29. Remission of tax, rate, toll or fees :-

A Gram Panchayat may, by resolution remit the whole or part of any tax, rate, toll or fees imposed or levied by it in the case of natural calamity and as deem necessary by the Gram Sabha :

Provided that no such resolution shall take effect unless it is approved by the Zilla Parishad.

CHAPTER 6**Budget****30. Annual budget estimate of Gram Panchayat :-**

(1) The Pradhan of every Gram, Panchayat shall each year prepare or cause to be prepared a budget showing the estimated receipts and expenditure and the funds provided by the Government for any special item of work and any such other sums.

(2) The Pradhan shall circulate the budget estimate amongst the members of the Panchayat and shall discuss the budget at a meeting of the Gram Panchayat, specially convened for the purpose.

(3) The budget estimate shall be placed in a meeting of the Gram Sabha for approval.

(4) The Gram Panchayat shall then submit the estimate as approved by the Gram Sabha in triplicate to the Zilla Parishad concerned on or before 30th November of the year.

31. Approval of the budget estimate by the Zilla Parishad :-

(1) The Zilla Parishad concerned shall, as soon as possible, approve the budget with or without modification and return two copies of the budget estimate to the Pradhan of the Gram Panchayat before 31st December.

(2) If the budget or the supplementary demand revised budget of the Gram Panchayat are not approved by the Zilla Parishad on or before 28th February, the budget as passed by the Gram Panchayat shall become final.

32. Preparation of budget estimate :-

(1) Copies of explanatory note on the budget with suggestions, if any, of the individual members (unless incorporated in the budget) shall be sent to the Zilla Parishad along with the budget.

(2) The sums to be provided in the estimate of receipts and expenditures under a particular head of account must be such as can be reasonably expected to be received or expended during the year and must include the receipts or payment of the arrears during the year.

33. Supplementary budget :-

Panchayat may at any time within the financial year prepare a supplementary budget (that it may deem necessary and the procedure laid down in the foregoing rules regarding the preparation and approval of annual budget estimate shall apply in regard to the preparation) and submit the same to Zilla Parishad for approval.

34. Reappropriation :-

The amount provided under any head in the budget passed by the Zilla Parishad may be transferred wholly or partly to any other head by the Gram Panchayat, subject to the approval of the Zilla Parishad.

35. Audit of the accounts of Gram Panchayat :-

(1) The accounts of a Gram Panchayat shall be audited as soon as may be after the end of each financial year, by the Director, Local Fund Audit and Accounts of the State Government.

(2) The Director of Panchayats may also cause auditing of the accounts of the Gram Panchayats by the auditors (Panch) of the Directorate of Panchayats at any time and place to be fixed by him.

36. Staff of the Gram Panchayat :-

The Secretary of the Gram Panchayat shall be appointed as per the approved recruitment rules now in vogue.

37. Duties of the Panchayat Secretary :-

(1) The Secretary of the Gram Panchayat

(a) shall perform all clerical and other duties as may be entrusted to him by the Panchayat and obey all lawful orders issued by the officers of the Panchayat and Development Department.

(b) shall perform such other duties as the Zilla Parishad or the State Government may direct.

(2) In particular he shall perform the following duties, namely :

(a) record minutes of the meetings of the Panchayat;

(b) issue notice as and when directed by the Gram Panchayat ;

(c) keep and maintain proper accounts and other office records of the Gram Panchayat;

(d) act as custodian of all properties/store of the Panchayat;

(e) participate in the deliberation at such meeting without being entitled to vote or to move any resolution ;

(f) draw and disburse money out of the "Gram Panchayat Fund" subject to rules ;

(g) assist the Pradhan in exercising his powers/carrying out his functions ;

(h) guide and co-ordinate the activities of the staff of the Panchayat ;

(i) exercise such other duties of the Pradhan as may be entrusted to him by the Pradhan ;

(j) advise the Panchayat in procedural matters and point out provisions of the Act and rules or instructions issued ; and

(k) make such arrangement as may be necessary for smooth functioning of the office and also to be specified by the Government from time to time.

38. Preparation of development plan :-

The Gram Panchayat shall prepare every year a development plan and submit it to the Zilla Parishad on such time and in such form as may be specified by the District Planning Committee constituted under S. 96.

CHAPTER 7

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39. First meeting of the Zilla Parishad :-

(1) The Deputy Commissioner shall call the first meeting of the Zilla Parishad before the expiration of thirty days from the date of

publication of the names of elected members for administering oath/affirmation as the members of the Zilla Parishad under S. 107. The Deputy Commissioner shall also preside over the meeting.

(2) Within fifteen days from the date of the election of Adhyaksha and Up-Adhyaksha, the Deputy Commissioner of the District shall administer oath or affirmation to the Adhyaksha and Up-Adhyaksha as required under S. 107 of the Manipur Panchayati Raj Act, 1994. Salary and allowances of the Adhyaksha]Up-Adhyaksha, members of the Zilla Parishad.

40. Salary and allowances of the Adhyaksha and Up-Adhyaksha :-

The Adhyaksha and the Up-Adhyaksha shall be entitled to a fixed salary and allowances per month at such rate as to be fixed by the Government from time to time.

41. Honoraria and allowances to the members of the Zilla Parishad :-

The members of the Zilla Parishad other than the Adhyaksha and Up - Adhyaksha shall be entitled to a fixed (Honoraria and allowances per month), sitting fee and allowances as may be fixed by the Government from time to time.

CHAPTER 8

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42. Taxation :-

Levying of tolls, cess, fees and rates by the Zilla Parishad under S. 70 of the Act shall be subject to the bye-laws to be framed by the Zilla Parishad for the purpose and approval of the same by the Government.

43. Presentation of budget of the Zilla Parishad :-

(1) Every year, the Finance, Audit and Planning Committee of the Zilla Parishad shall prepare and lay before the Zilla Parishad at a meeting which shall be held before 15th day of December, a complete account of the actual and expected receipts and expenditures for the following financial year.

(2) The Zilla Parishad shall thereupon decide the appropriation and the ways and means contained in the budget of the year. The budget as passed by the Zilla Parishad shall be sent to the Government within 10th day of the January each year.

44. Accounts of the Zilla Parishad :-

- (1) The accounts of the Zilla Parishad shall be maintained separately for each financial year.
- (2) Compilation of accounts and all matters including preparation of annual accounts and budget of the Zilla Parishad shall be vested to the Finance, Audit and Planning Committee. The Chief Accounts Officer shall be the head of finance section of the Zilla Parishad.
- (3) Save as otherwise expressly provided in these rules, in all other matters relating to drawal of funds, form of bills, incurring expenditure maintenance of accounts, sending of accounts etc. the provisions of the manuals, standing orders and instructions applicable to the departments of the Government of Manipur shall mutatis mutandis apply.
- (4) In respect of the State or Central sector schemes implemented, transferred, or entrusted to the Zilla Parishad separate accounts shall be maintained in the formats, if any, specified by the Government.

45. Audit of the account of the Zilla Parishad :-

The accounts of the Zilla Parishad shall be audited by the Director, Local Fund Audit and Accounts of the Government of Manipur at such time and place as the Government desires and a copy of the audit report shall be forwarded to the Government and the Zilla Parishad within the month of the completion of the audit.

46. Appointment of the Chief Executive Officer, Additional Chief Executive Officer, Chief Accounts Officer and Chief Planning Officer :-

- (1) The State Government shall appoint an officer of M.C.S. Grade I and M.C.S. Grade II as the Chief Executive Officer and Additional Chief Executive Officer respectively of the Zilla Parishad as per the deputation rules of the State Government.
- (2) The Chief Accounts Officer of the Zilla Parishad shall be appointed by the State Government as per the existing recruitment rules for the post of the Chief Accounts Officer under State Government.
- (3) The Chief Planning Officer of the Zilla Parishad shall be appointed by the State Government on such terms and conditions to be specified by the Government.

47. Powers and functions of the Chief Executive Officer :-

(1) The Chief Executive Officer shall act as the head of the office and ex-officio Secretary of the Zilla Parishad, and control, guide and co-ordinate the activities of all the officers and staff of the Zilla Parishad.

(2) The Chief Executive Officer shall act as drawing and disbursing officer, maintain the account and act as the custodian of all the properties and stores of the Zilla Parishad. The delegation of financial powers shall be as empowered by the Government from time to time.