

Chhattisgarh Panchayat Raj (Sanshodhan) Adhiniyam, 2004**9 of 2004****[03 August 2004]****CONTENTS**

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Chhattisgarh Panchayat Raj (Sanshodhan) Adhiniyam, 2004**9 of 2004****[03 August 2004]**

An Act further to amend the Chhattisgarh Panchayat Raj Adhiniyam, 1993. Be it enacted by the Chhattisgarh Legislature in the Fifty-fifth Year of the Republic of India as follows:-- * Published in C.G. Rajpatra (Asadharan) dated 3-8-2004 Pages 564(3-8).

1. Short Title And Commencement :-

- (1) This Act may be called the Chhattisgarh Panchayat Raj (Sanshodhan) Adhiniyam, 2004.
- (2) It shall extend to the whole of Chhattisgarh State.
- (3) It shall come into force on such date as the State Government, by notification, appoint.

2. Amendment Of Section 6 :-

- (1) In sub-section (1) of Section 6 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994) (hereinafter referred to as the Principal Act) the following shall be inserted:--

"(1-A) The meetings of the Gram Sabha shall be organised in each

village of the Gram Panchayat.

(2) In clause (a) of sub-section (2) of Section 6 of the Principal Act, the following shall be added:--

"The Sarpanch & Panch shall be responsible for the quorum of the meetings of the Gram Sabha for their constituencies as the case may be".

(3) In clause (b) of sub-section (2) of Section 6, after proviso, the following proviso shall be added:--

"Provided further that the resolutions for the Annual working plan, selection of beneficiaries, Annual budget, Audit report and Annual accounts and administrative report, shall be passed in the meeting which has requisite quorum."

(4) In sub-section (3) of Section 6 of the Principal Act, the following proviso shall be inserted:--

"In case of absence of quorum in three consecutive meetings of the Gram Sabha, notice shall be served on the Panch/Sarpanch and two more opportunities shall be provided to him to fulfill quorum in the next two meetings of the Gram Sabha. In case of failure to, do so, proceedings shall be initiated for removal of the office bearer."

3. Amendment Of Section 36 :-

After clause (m) of sub-section (1) of Section 36 of the Principal Act, the following clauses shall be inserted:--

"(n) who are not literate:

Provided that this condition shall not be applicable to the person who has exceeded the age of 30 years;

(o) even after 1 year of being elected, does not have pour flush latrine in his residential premise;

(p) has not paid all the dues, which are recoverable by Panchayat against any type of outstanding dues of on account of advance or any other account even after giving demand notice which of not less than 30 days, and has not filed with nomination paper, the declaration of such intention that no money is due to be paid by him on any account payable to the Panchayat.

(q) has encroached upon any land and buildings of Panchayat or Government."

4. Amendment In Section 39 :-

In sub-section (1) of Section 39 of the Principal Act, after clause (a) the following clause (b) shall be inserted:--

"(b) on whom, show cause notice along with charge sheet under

this Act, has been served for removal from office."

5. Amendment. In Section 46 :-

In Section 46 of the Principal Act,--

(1) In sub-section (1) for the word "three", the word "five" shall be substituted;

(2) After sub-section (2) of Section 46 of the Principal Act, the following proviso shall be inserted:--

"Provided that any committee may co-opt not more than two such members who have the necessary experience or special knowledge of the subject assigned to that committee. The member co-opted as such shall not have the power to vote in the proceedings of the committee:

Provided that, the Gram Panchayat, may invite Government officers or subject matter specialists to advice it on any subject under its consideration."

6. Amendment Of Section 49 :-

(1) After clause (b) of serial no. (25) of Section 49 of the Principal Act, the following clause shall be inserted:--

"(25-c) the free food grains shall be provided to the needy persons out of the grant made available for basic services.

(2) After the serial no. (29) of Section 49 of the Principal Act, the following serial number shall be inserted:--

"(30) the establishment, maintenance and supervision of fair price shops under public distribution system."

7. Amendment Of Section 55 :-

In sub-section (1) of Section 55 of the Principal Act, the following sub-section shall be inserted:--

"(1-A) After 1 January, 2005, permission of construction/reconstruction/ repairing of any building, shall not be granted by the Gram Panchayat unless it has provision of pour flush latrine."

8. Amendment Of Section 65 :-

In sub-section (1) of Section 65 of the Principal Act, for the words "Three years", the words "Five years" shall be substituted.

9. Amendment Of Section 88 :-

In Section 88 of the Principal Act, the following proviso shall be inserted:--

"Provided that the Collector may cause an enquiry into the activities of any Gram Panchayat conducted by any officer not below Class II.".