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**KARNATAKA PANCHAYAT RAJ (MOTION OF NO-CONFIDENCE  
AGAINST ADHYAKSHA AND UPADHYAKSHA OF GRAMA  
PANCHAYAT) RULES, 1994**

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**KARNATAKA PANCHAYAT RAJ (MOTION OF NO-CONFIDENCE  
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PANCHAYAT) RULES, 1994**

Whereas the draft of the Karnataka Panchayat Raj (Motion of no-confidence against-Adhyaksha and Upadhyaksha of Grama Panchayats) Rules, 1994 in Notification No. RDP 722 ZPS 94, dated 23-8-1994 was published in the Part IV, Section 2C(i) of the Karnataka Gazette, Extraordinary, dated 23-8-1994 as requested by Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) inviting objections and suggestions to the said draft from persons likely to be affected there to within 15 days of its publication in the Official Gazette. And, whereas, the said Gazette was made available to the public on 23-8-1994. And, whereas, no objection or suggestions have been received by the State Government in respect of the said draft. Now, therefore, in exercise of the powers conferred by Section 49 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993) read with Section 311 of the said Act the Government of Karnataka hereby makes the following rules namely:

**1. Title and commencement :-**

(1) These rules may be called the Karnataka Panchayat Raj (Motion of no-confidence against Adhyaksha and Upadhyaksha of Grama Panchayat) Rules, 1994.

(2) They shall come into force at once.

**2. Definitions :-**

In these rules unless the context otherwise requires,

(a) "Act" means the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993).

(b) "Form" means form appended to these rules.

(c) "Section" means a section of the Act.

### **3. Motion of No-confidence :-**

(1) A written notice of intention to make the motion under the proviso to S.49 OF THE Karnataka Panchayat Raj Act,1993 shall be in Form I signed by not less than one-third of the total number of members together with a copy of the proposed motion shall be delivered in person by any two of the members signing the notice to the Assistant Commissioner.

(2) The Assistant Commissioner shall thereafter convene a meeting for the consideration of the said motion at the office of the Grama Panchayat on the date appointed by him which shall not be later than thirty days from the date on which the notice under sub-rule (1) was delivered to him. He shall give to the members a notice of not less than fifteen clear days of such meeting in Form II:

Provided that where the holding of such meeting is stayed by an order of a Court, the Assistant Commissioner shall adjourn the said meeting and shall hold the adjourned meeting on a date not later than thirty days from the date on which he receives the intimation about the vacation of stay, after giving to the members, after giving to the members a notice of not less than fifteen clear days of such adjourned meeting.

(3) A notice in Form II shall be given to every member including the Adhyaksha and Upadhyaksha.

(a) by delivering or tendering the said notice to such member; or

(b) if such member is not found, by leaving such notice at his last known place of residence or business within the Grama Panchayat or by giving or tendering the same to some adult member or servant of his family; or

(c) by registered posts; or

(d) if none of the means aforesaid be available, by affixing such notice on some conspicuous part of the house, if any, in which the member is known to have last resided or carried on business within the Grama panchayat.

(4) The quorum for such meeting shall be two thirds of the total number of members of the Grama Panchayat. The Assistant Commissioner shall preside at such meeting.

Explanation. For determination of two third of total number of members under this sub-rule any fraction arrived at shall be construed as one.

(5) Save as otherwise provided in the Act or these rules, a meeting convened for the purpose of considering a motion under sub-rule (2) shall not for any reason be adjourned.

(6) If there is no quorum, within one hour after the time appointed for the meeting, the meeting shall stand dissolved and the notice given under sub-rule (1) shall lapse.

(7) As soon as the meeting convened and sub-rule (2) commences the Assistant Commissioner shall read to the members of the Grama Panchayat, the motion for the consideration of which the meeting has been convened and shall put it to vote without any debate.

(8) The Assistant Commissioner shall not speak on the merits of the motion and he shall not be entitled to vote thereon.

(9) If the motion is carried by a majority of not less than two thirds of the total number of members of the Grama Panchayat, the Adhyaksha or Upadhyaksha, as the case may be, shall forthwith cease to function as such and the Assistant Commissioner shall, as soon as may be, notify such cessation on the notice board of the office of the Grama Panchayat and also inform the Adhyaksha or Upadhyaksha, as the case may be, regarding such cessation, if he is not present at the meeting.

(10) After the cessation is notified under sub-rule (9) the Adhyaksha or Upadhyaksha as the case may be shall, immediately hand over all documents, moneys or other properties of the Grama Panchayat in his custody to the Secretary of the Grama Panchayat.

(11) The election to the office of Adhyaksha or Upadhyaksha shall not be held until the notification under sub-rule (9) removing the Adhyaksha or Upadhyaksha, as the case may be, is published.