
KARNATAKA TALUK PANCHAYAT (BUSINESS) RULES, 1999

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KARNATAKA TALUK PANCHAYAT (BUSINESS) RULES, 1999

Whereas, the draft of the Karnataka Panchayat Raj Taluk Panchayat (Business) Rules, 1998 was published in Notification No. RDP 259 TPS 98, dated 7-5-1999 in Part IV, Section 2C(i) of the Karnataka Extraordinary Gazette, dated 15-5-1999 are required by sub-section (1) of Section 311 of Karnataka Panchayat Raj, 1993 (Karnataka Act 14 of 1993) inviting objections and suggestions to the said draft from persons likely to be affected thereby within 15 days of its publication in the Official Gazette. And whereas, the said Gazette was made available to the public on 15-5-1999. 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 power conferred by sub-section (1) of Section 311 of the Karnataka Panchayat Raj Act, 1993 (Karnataka Act 14 of 1993), the Government of Karnataka hereby makes the following rules, namely.

1. Title and commencement :-

(1) These rules may be called the Karnataka Taluk Panchayat (Business) Rules, 1999.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions :-

(1) In these rules unless the context otherwise requires.

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

(b) "Adhyaksha" means the Adhyaksha of the Taluk Panchayat;

(c) "Department" means a Department entrusted with any of the functions of the Taluk Panchayat;

(d) "Standing Committee" means a Standing Committee constituted under Section 148;

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

3. Matters to be brought before the Taluk Panchayat :-

Without prejudice to any other powers conferred on the Taluk Panchayat Standing Committees or any other authority under the Act the following matters shall be brought before the Taluk Panchayat for consideration, namely.

(a) Subject to the provisions of sub-section (1) of Section 247, the annual financial statement (Budget) and proposals for supplementary demands and re-appropriation within a grant;

(b) the annual action plan or any modification to the action plan already approved by the Taluk Panchayat;

(c) the annual accounts of the Taluk Panchayat;

(d) the annual administration report of the Taluk Panchayat;

(e) the annual administration reports of the Grama Panchayats within the Taluk;

(f) the report of Committees of Inquiry appointed by the Taluk Panchayat;

(g) any proposal against the advice tendered by legal consultant or

Counsel;

(h) all proposals involving alienation, whether temporary or permanent, by way of sale, grant or lease of any immovable property of the Taluk Panchayat,

(i) all proposals for raising of loans by the Taluk Panchayat;

(j) all contracts requiring sanction of Taluk Panchayat under Section 154;

(k) details of amounts sanctioned by the Adhyaksha for immediate relief of those affected by natural calamities under Section 152(e);

(l) subject to Section 141(2)(k) cases which require modification or cancellation of the decisions already taken by the Taluk Panchayat; and

(m) any other matter, which in the opinion of the Adhyaksha or the Executive Officer is necessary to bring to the notice of or for the consideration of the Taluk Panchayat.

4. Memorandum to accompany proposals :-

(1) Every proposal submitted for the consideration of the Taluk Panchayat shall be accompanied by a memorandum setting out with sufficient precision, the points, which require decision by the Taluk Panchayat.

(2) The Executive Officer shall ensure that every memorandum submitted to the Taluk Panchayat under sub-rule (1) explains the position relating to law, rules, regulations, Government Orders or guidelines having a bearing on the matter and the financial and administrative aspects including the availability of the budget provision where any expenditure is warranted.

(3) When a proposal concerns more than one department, the memorandum shall ordinarily be prepared in consultation with all such departments unless it is one of extreme urgency.

5. Implementation of Decisions :-

When a proposal has been decided upon by the Taluk Panchayat, the Executive Officer shall take action to give effect to the decision by sending an extract of the decision to the Department or officer concerned and authorising necessary action.

6. Transaction of Business of the Taluk Panchayat :-

Without prejudice to the provisions of Rule 3, the Adhyaksha shall be responsible for ensuring the proper conduct of the business of the Taluk Panchayat in accordance with the provisions contained in Sections 141 and 142 and any regulations framed in this behalf.

7. Submission of files to Adhyaksha :-

The Adhyaksha may call for files from any department or office of the Taluk Panchayat and express his views and tender advice on any matter and all such files shall be submitted to him by the Executive Officer, with his opinion or remarks.

8. Review by the Executive Officer :-

The Executive Officer, shall review the performance of programmes entrusted to every Department/Officer or branch of the Taluk Panchayat periodically and shall submit a brief note on the functioning of each Department to the Adhyaksha and the Taluk Panchayat.

9. Compilation of orders made by Taluk Panchayat :-

The Executive Officer shall prepare a compilation of abstracts of orders issued by the officers of the Taluk Panchayat relating to all matters of importance and submit to the Adhyaksha every month.

10. Submission of communications to Adhyaksha :-

Copies of communications received from Government or Zilla Panchayat or a Court of law other than those of a routine nature and report of calamities, or unusual happenings shall immediately be submitted to the Adhyaksha for information.

11. Public Grievances :-

There shall be a public grievances cell in the office of the Taluk Panchayat and the Adhyaksha shall be informed in writing every month about the number of petitions received and action taken thereon.

12. Routine Administrative matters :-

Routine administrative and financial matters like sanction of leave, sanction of advances to employees, disciplinary action, covered by rules, standing Government Orders or guidelines shall be disposed off by the Executive Officer.

13. Business of Standing Committees :-

The Chairperson and the Secretary of the Standing Committees shall be responsible to ensure proper observance of the procedure and conduct of business of the Standing Committees as per the

regulations framed in this behalf.

14. Recording of proceedings :-

The record of the proceedings of the meetings of the Taluk Panchayat and its standing committees shall consist of a brief summary of the discussions on the subjects considered at the meetings along with any resolutions passed thereon.

15. Papers circulated among members :-

Any papers circulated among members of Taluk Panchayat or its standing committees, including proceedings of previous meetings, shall be taken as read and it shall not be necessary for the papers to be read out at the meetings. However, the Taluk Panchayat or a standing committee may require the Executive Officer or any other officer to explain any part of the circulated papers to facilitate consideration of any subject.

16. Procedure of Purchase Committee :-

(1) Proposals for purchase of materials placed before a purchase committee or any other committee authorised to approve purchase of any materials shall invariably contain a detailed memorandum submitted by the Executive Officer explaining the need for the purchase of materials, the existing stock position if any, the estimated requirement of materials over a reasonable period, the sources from which purchases are proposed to be made the procedure that is required to be followed, the availability of funds, and such other matters.

(2) Purchase of materials in excess of the immediate requirement of the department and in excess of the budget provided or funds available for the purpose shall be strictly avoided.

17. Publication of decisions on purchases etc :-

Every decision approved by the Taluk Panchayat, a standing committee, or an officer of the Taluk Panchayat, involving purchase of materials or award of contracts exceeding Rs. Ten thousand in value shall be published on the notice board and shall also be circulated among all members of the Taluk Panchayat for information.

18. Exercise of powers by officers :-

The administrative and financial powers delegated to the officers of Taluk Panchayat shall be exercised by them subject to such policy as may be laid down by the Taluk Panchayat and such rules and

guidelines as may be issued by the Government from time to time. In respect of matters which require exercise of powers exceeding those delegated to the officers approval of the standing committees or other authorities shall be obtained as required by the rules or guidelines issued in this regard.

19. Notification of details of works :-

The Executive Officer shall cause to be displayed on the Notice Board of the Office of the Taluk Panchayat the brief particulars of every work approved and proposed to be taken up, along with its estimated cost the name/s of the contractor if any, etc. to ensure transparency in the implementation of the programmes.

20. Single file system :-

Except as the Executive Officer may otherwise permit in specific matters, the Taluk Panchayat Office shall follow the single file system in processing of matters relating to various departments and orders and decisions of the Adhyaksha, Upadhyaksha, the Executive Officer and other authorities in the Taluk Panchayat may be recorded on the files of the concerned departments.