

## **KARNATAKA ZILLA PANCHAYAT (BUSINESS) RULES, 1998**

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## **KARNATAKA ZILLA PANCHAYAT (BUSINESS) RULES, 1998**

Whereas, the draft of the Karnataka Panchayat Raj (Business) Rules, 1998 was published in Notification No. RDP 7 ZPS97, dated 7-10-1998 in the Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 8-10-1998 are required by sub-section (1) of Section 11 of Karnataka Panchayat Raj Act, 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 8-10-1998. And whereas, no objections 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 Zilla Panchayat (Business) Rules, 1998.

(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.

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

(c) "Department" means a Department or part thereof of the Zilla Panchayat;

(d) "Standing Committee" means a Standing Committee constituted under Section 186;

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

## **3. Matters to be brought before the Zilla Panchayat :-**

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

(a) Subject to the provisions of sub-section (1) of Section 236, 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 Zilla Panchayat;

(c) the annual accounts of the Zilla Panchayat;

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

(e) the report of Committees of Inquiry appointed by the Zilla Panchayat;

(f) any proposal against the advice tendered by legal consultant or counsel;

(g) all proposals involving alienation, whether temporary or permanent by way of sale, grant or lease of any immoveable property of the Zilla Panchayat;

- (h) all proposals for raising of loans by the Zilla Panchayat;
- (i) all contracts requiring sanction of Zilla Panchayat under Section 195;
- (j) details of amounts sanctioned by the Adhyaksha for immediate relief of those affected by natural calamities under Section 193(e);
- (k) subject to Section 180(2)(k) cases which require modification or cancellation of the decisions already taken by the Zilla Panchayat; and
- (l) any other matter which in the opinion of the Adhyaksha or the Chief Executive Officer is necessary to bring to the notice of or for the consideration of the Zilla Panchayat.

#### **4. Memorandum to accompany proposals :-**

- (1) Every proposal submitted for the consideration of the Zilla Panchayat shall be accompanied by a memorandum setting out with sufficient precision, the points, which require decision by the Zilla Panchayat.
- (2) The Chief Executive Officer shall ensure that every memorandum submitted to the Zilla 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 Zilla Panchayat, the Chief 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 Zilla Panchayat :-**

Without prejudice to the provisions of Rule 3, the Adhyaksha shall be responsible for ensuring the proper conduct of the business of the Zilla Panchayat in accordance with the provisions contained in Sections 180 and 181 of the Act and any regulations framed in this behalf.

## **7. Submission of files to Adhyaksha :-**

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

## **8. Review by the Chief Executive Officer :-**

The Chief Executive Officer by himself or through a Deputy Secretary or other officer specified by him shall review the performance of every Department periodically and submit a brief note on the functioning of each Department reviewed to the Adhyaksha and the Zilla Panchayat.

## **9. Compilation of orders :-**

A compilation of abstracts of orders issued by the officers of the Zilla Panchayat relating to policy decisions and matters of importance shall be prepared and submitted to the Adhyaksha every week.

## **10. Submission of communications to Adhyaksha :-**

Copies of communications received from Government or a Court of Law other than those of a routine nature and report of calamities of 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 Zilla 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, release of grants as per approved action plan etc., covered by rules, standing Government Orders, decided policies or precedents shall be disposed of by the Chief Executive Officer and other officers subordinate to him.

## **13. Business of Standing Committees :-**

(1) Meetings of the Standing Committees shall ordinarily be held in the headquarters of the Zilla Panchayat. The Zilla Panchayat may however for reasons to be recorded in its resolution permit a Standing Committee to hold one or more of its meetings at a

specified place or places outside the headquarters of the Zilla Panchayat.

(2) The Chairpersons and the Secretaries 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.

(3) Where the Chief Executive Officer is not the Ex-officio Secretary of a Standing Committee any matter involving financial implications or relating to policy decisions proposed to be placed before the Standing Committee shall be brought to the notice of the Chief Executive Officer by the Ex-officio Secretary of the Standing Committee before including the subject in the Agenda for the meeting of the Standing Committee.

#### **14. Recording of proceedings :-**

The record of the proceedings of the meetings of the Zilla 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 Zilla 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 Zilla Panchayat or a standing committee may require the Chief 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 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 Zilla Panchayat, a standing committee or an officer of the Zilla Panchayat involving purchase of materials or award of contracts exceeding Rupees Twenty five thousand in value shall be published on the notice board and shall also be circulated among all members of the Zilla Panchayat for information.

**18. Exercise of powers by officers :-**

The administrative and financial powers delegated to the officers of Zilla Panchayat shall be exercised by them subject to such policy as may be laid down by the Zilla 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, the Zilla Panchayat or the Government as the case may be shall be obtained as required by the rules or guidelines issued in this regard.

**19. Notification of details of works :-**

The Chief Executive Officers shall cause to be displayed on the Notice Board of the Office of the Zilla 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 Chief Executive Officer may otherwise permit in specific matters, the Zilla Panchayat Office shall follow the single file system in processing of matters relating to various departments under its control and orders and decisions of the Adhyaksha, Upadhyaksha, the Chief Executive Officer and other authorities in the Zilla Panchayat may be recorded on the files of the concerned departments.