

BOMBAY VILLAGE PANCHAYATS (VESTING OF PROPERTIES AND WORKS) RULES, 1971

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SCHEDULE 1 :- AGRICULTURE

BOMBAY VILLAGE PANCHAYATS (VESTING OF PROPERTIES AND WORKS) RULES, 1971

In exercise of the powers conferred by sub-section (1) and clause (xii-a) of sub-section (2) of Section 176 read with Section 56 of the Bombay Village Panchayats Act, 1958 (Bom III of 1959) and of all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (4) of the said Section 176, namely :-

1. Short title :-

These rules may be called the BOMBAY VILLAGE PANCHAYATS (VESTING OF PROPERTIES AND WORKS) RULES, 1971 .

2. Definitions :-

In these rules, unless the context requires otherwise,

- (a) "Act" means the Bombay Village Panchayats Act, 1958 ;
- (b) "Section" means a section of the Act.

3. Procedure for vesting property in panchayat :-

(1) Subject to the provisions of the rules, a Zilla Parishad may, by order, transfer any property, vested in it in relation to any subjects specified in the Schedule hereto to any panchayat within its jurisdiction.

(2) On such transfer, the property shall vest in the panchayat but subject to the terms and conditions, prescribed in Rule 4 and to such other terms and conditions, as may be specified by the zilla parishad in the order under sub-rule(I) which may be modified, from time to time, as mutually agreed upon between the zilla parishad and the panchayat;

Provided that, on breach of any of the terms and conditions, the property vesting in the panchayat shall revert in the Zilla Parishad, and it shall be lawful for the Zilla Parishad to resume possession thereof:

Provided further that, where the Zilla Parishad is of the opinion that any property vested in a panchayat under sub-rule (2) is required for the purpose of any of its development plans or for any other public purpose, or where any such property is not required by the panchayat for the purpose for which it was vested in it, the Zilla Parishad may resume such property and upon such resumption, the property shall cease to vest in the panchayat, and shall revert in the Zilla Parishad.

4. Terms and conditions for vesting of property in panchayat :-

Subject to the provisions of the proviso to sub-section (1) of Section 56 , -

(i) the property shall be solely used for the purpose for which it is intended to be used;

(ii) the property shall be maintained in accordance with the instructions, if any, given by the Zilla Parishad from time to time;

(iii) the income deriving from the property shall, so long as such property vests in the panchayat, be credited to the village fund;

(iv) the property shall also be subject to such other terms and conditions attached thereto at the time of its vesting in the Zilla Parishad by the State Government.

5. Procedure for vesting of works in panchayat :-

(1) Subject to the provisions of these rules, where any work is constructed by a panchayat with the assistance of a Zilla Parishad or Panchayat Samiti, the Zilla Parishad shall, by order, transfer such work (together with any property appertaining to it) to the

panchayat.

(2) On such transfer, the work (together with any property appertaining to it) shall vest in the panchayat.

(3) The income deriving from such works shall be credited to the village fund.

6. Properties which may not be vested in panchayats :-

The following types of properties shall not be vested in a panchayat, namely ;-

(i) the property, the maintenance of which involves more than ordinary technical knowledge;

(ii) the property which involves financial outlay exceeding twenty thousand rupees;

(iii) the property which, in the opinion of a Zilla Parishad, is of common interest to the residents of areas within the jurisdiction of two or more panchayat;

(iv) the property which is situated, or which operates in, an area over which no panchayat has jurisdiction:

Provided that, the Zilla Parishad may, having regard to the special circumstances obtaining in any case and recorded in writing, vest any property falling under clauses (i) and (ii) in a panchayat which communicates its willingness in writing to maintain such property.

7. Zilla Parishad to make available necessary funds and staff to panchayats :-

Where any property or work is vested in a panchayat in accordance with the provisions of these rules, the Zilla Parishad shall make available the necessary funds and staff to the panchayat, as it may deem necessary, for the maintenance of such property or work.

SCHEDULE 1

AGRICULTURE

SCHEDULE

[See rule 3(1)]

AGRICULTURE

1. Compost pits and manure pits.
2. Plant protection appliances.
3. Fertilizers, manures and composting.

ANIMAL HUSBANDRY

1. Village Veterinary Chests.
2. Fodder development plots and silo pits.

SOCIAL WELFARE

1. Communications in backward areas (see Item 1 under Buildings and Communications)
2. Women's and Children's Welfare programmes or projects (see Item 4 under Social Education.)
3. Establishment and maintenance of Balwadis.
4. Sanskar Kendtas, community-cum-

recreation centres and community hall for backward classes.

5. Provisions of drinking water wells (see Item 2 under Public Health Engineering)

6. Supply of oil engines and pumps.

PUBLIC HEALTH

1. Medicine boxes in villages.

2. Rural sanitation.

3. Measures in the interest of public health (such as construction of latrines, gutters and the like).

BUILDINGS AND COMMUNICATIONS

1. Village roads (see Item 1, under Social Welfare)

2. Bridges and culverts on village roads.

3. Rural parks and

gardens (see Item 3
under Miscellaneous)

4. Trees in the vicinity of
village roads (see Item 3
under Miscellaneous)

5. Construction,
maintenance and repairs
of Primary School
Buildings, Gram Sevaks
Quarters and Panchayat
Bhavans.

AYURVEDA

1. Ayurvedic medicine
chests in villages.

PUBLIC HEALTH ENGINEERING

1. Village piped water supply schemes
(Completed piped water supply works for single villages)

2. Wells under rural water supply schemes
(completed wells for single villages) (see Item 5 under Social Welfare)

COMMUNITY DEVELOPMENT

1. Local Development
Works Programmed
(Covering all items
included in the Schedule)

SOCIAL EDUCATION

1. Community recreation
centers.

2. sports, games,
playgrounds, equipment
and welfare
organizations.

3. Dissemination of information.

4. Women's and Children's organization and Welfare (see Item 2 under Social Welfare)

5. Libraries and Reading rooms.

MISCELLANEOUS

1. Local works or measures likely to promote health, safety, comfort or convenience

of public.

2. Caddis.

3. Trees on public grounds and gardens (see Item 3 and 4 under Buildings and Communications)

4. Burial and cremation grounds.

5. Local vagrancy relief for the poor.

6. Poor houses.