

3.7 Tamil Nadu Panchayats (Procedure for Convening and Conduct of Meetings of Panchayat Union Council and its Committees) Rules, 1999**(G.O. (Ms) No. 260 Rural Development (C-4) Department, Dated 17th December, 1999)**

In exercise of the powers conferred by Sections 90, 94 and clause (vii) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), and in supersession of the Rules relating to Mode of Transacting Business, the Governor of Tamil Nadu hereby makes the following Rules -

RULES

1. Short title - These Rules may be called the Tamil Nadu Panchayats (Procedure for Convening and Conduct of meetings of Panchayat Union Council and its Committees) Rules, 1999.

2. Definition - In these Rules, unless the context otherwise required,-

(a) "**Act**" means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994);

(b) All other words and expressions used in these Rules but not defined therein shall have the meaning respectively assigned to them in the Act.

3. Location of the office and the meetings - (1) Unless the Government, by order otherwise direct, the office of the Panchayat Union Council shall be located in the Block Development Office concerned.

(2) No meeting shall be held on any day declared by the Government as holiday and other local holidays declared by the Collector.

(3) The Panchayat Union Council shall meet in the office so located at least once in every month for the transaction of the business on such days and at such times as it may arrange and also at such other times as often as a meeting shall be called by the Chairman.

4. Notice of the meeting - No meeting shall be held unless notice of the day and time when the meeting is to be held and of the business to be transacted thereat has been given at least five clear days before the day of the meeting:

Provided that, in cases of urgency, the Chairman may convene a meeting on giving a notice of not less than twenty-four hours, clearly indicating in writing the reason of urgency and the date and time including the business to be transacted thereat.

5. Special meeting - (1) The subject which is to be decided only in a meeting specially convened for a particular purpose as per the provisions of the Act, shall be decided only in a special meeting and no other subject shall be placed and decided at such a meeting.

6. Agenda - (1) The Agenda for the meeting shall be prepared by the Commissioner and approved by the Chairman. The Commissioner may include in the Agenda any subject which, as per the provision of the Act and in his opinion should be considered by the Panchayat Union Council and shall include therein any subject specified by the Chairman. On any subject included in the Agenda, the Chairman as well as the Commissioner shall have the right of recording his views in a note and such note shall be circulated to the members or placed before the Council before or at the time of the consideration of such subject by the Panchayat Union Council.

(2) If a member of the Panchayat Union Council is desirous of bringing a subject for discussion, shall send detailed note to the Commissioner fifteen days in advance; and the Commissioner on receipt of the same, shall examine the relevance and furnish his views and get the views of the Chairman in writing before placing the Agenda for the meeting.

(3) The Commissioner, while preparing the Agenda for the ordinary meeting, shall invariably include among others, the following subjects -

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- (a) a statement showing the monthly receipts and charges of the Panchayat Union under all accounts during the month and upto the month for every financial year;
- (b) preparation of development plan for Panchayat Union;
- (c) progress of all schemes, programmes and works during the month and upto the month;
- (d) audit report of the Panchayat Union with explanatory notes on the audit objection at the first meeting of the Panchayat Union Council after the receipt of the same;
- (e) administration report of Panchayat Union for each financial year;
- (f) diaries of the Commissioner and other subordinate officers of the previous months;
- (g) tour reports and inspection reports of all higher officers who inspected the schemes, programmes and works of the Panchayat Union at the first meeting of the Panchayat Union Council after their receipt;
- (h) review of schemes, programmes and other activities executed in the Panchayat Union area for which Government have, by order, entrusted the review powers to the Panchayat Union Council.

(4) In order to ensure the successful participation of the Chairman and members of the Panchayat Union Council in the administration of Panchayat Union, the Commissioner shall place the various instructions, guidelines issued, from time to time, by the Government of India, Government of Tamil Nadu, Director of Rural Development and the Collector, before the Panchayat Union Council.

7. Service of notice of the meeting and Agenda - (1) The notice of the meeting with the Agenda shall be served on all the members of the Panchayat Union Council following the procedure specified below, in the order in which it is specified -

- (a) by giving or tendering the notice of the meeting to the member concerned in person; or
- (b) in case personal service could not be effected, by tendering it to an adult member of his family; or
- (c) if no adult member of his family is available for service, it shall be sent by registered post with acknowledgement due; and if the notice with the Agenda returns back from the post, the same may be affixed on the conspicuous place of his last known address in the presence of Village Administrative Officer of the Village concerned.

(2) The copies of the notice of the meeting and Agenda of the meeting of the Panchayat Union Council may be supplied to the local press representatives.

(3) The entire proceedings of the meeting of the Panchayat Union Council shall be invalid, if the notice with the Agenda of the meeting is not served to any member of the Panchayat Union Council.

8. Requisition of meeting - (1) The Chairman shall, on the requisition in writing of not less than one-third of the members of the Council, convene a meeting of the Council provided the requisition specifies the day when and the purpose for which the meeting is to be held. The requisition shall be delivered at the Panchayat Union Office during office hours to the Chairman, or any other person who may then be in charge of the office, not less than fifteen clear days before the date of the meeting.

(2) If the Chairman fails within forty-eight hours from the delivery of such requisition to call a meeting on the date specified therein, or within three days, thereafter, the meeting may be called by all the members who signed the requisition on giving the notice as provided in Rule 4 to the other members of the Panchayat Union Council.

9. Meetings open to public - Every meeting of the Panchayat Union Council shall be open to the public, provided the presiding member may and at the request of the Panchayat Union Council shall in any particular case, for reasons to be recorded in the minutes book, restrict the number of public to witness the meeting or direct that the public generally or any particular person, shall withdraw.

10. Attendance of the meeting - The members and the presiding member attending the meeting shall sign in the attendance register. At the closure of the meeting, the presiding member shall close the attendance register by specifying the number of members attended in the register and sign at the end.

11. Commissioner to be present and responsible for other subordinate officers and other Government officers to be present -

- (1) The Commissioner shall attend the meeting. It is the responsibility of the Commissioner to make available at the meeting of the Panchayat Union Council and the Committee thereof all information which may be required at such meetings. The Block Engineer shall also attend the meeting. If the Commissioner considers that the presence of any other subordinate officers working under him at any of the meeting may be necessary, it is his responsibility to make arrangement for their presence, provided the Council or the Committee, as the case may be, has no objection to their presence.
- (2) The Commissioner shall request the Government Officer concerned in the Panchayat Union area to attend the meeting for review of the programmes. In all such cases, the Commissioner shall get the order of the Chairman and communicate the same to the officer concerned in advance.

12. Quorum

- (1) No business shall be transacted at a meeting unless there be present not less than one-third of the number of members of the Panchayat Union Council throughout the duration of the meeting.
- (2) If, within half an hour after the time appointed for a meeting, a quorum is not present, the meeting shall stand adjourned unless all the members present agree to wait longer.
- (3) If the meeting stands adjourned for want of quorum, the Chairman shall give a fresh notice for the adjourned meeting.

13. Adjournment of the meeting for other reasons

- (1) The presiding member of a Panchayat Union Council, while transacting business at the meeting may adjourn any meeting of a Panchayat Union Council with the consent of the majority of the members for valid reasons to be recorded in writing in the minutes book. Once a meeting is adjourned sine die for valid reasons, it shall not continue its meeting.
- (2) While transacting the business, if a meeting is validly adjourned by the presiding member with the consent of the majority of the members present at the meeting, the meeting held on the adjourned date shall, for all purposes, be a continuation of the original meeting and no fresh notice shall be necessary for such an adjourned meeting.
- (3) If the Chairman adjourns the meeting contrary to the wishes of the members present and thereby interrupts or leaves the meeting un-finished, the remaining members may lawfully continue the business for which the meeting was convened. In the absence of Chairman or Vice-Chairman, a member elected from among themselves may preside over the meeting and continue the business. Any business which was duly notified in the notice of the meeting shall be transacted to the completion and if it is so transacted, it shall be valid.

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14. Passing of resolution.- Every question which may come before the Panchayat Union Council at any meeting shall be decided by a majority of the members present and voting at the meeting and in every case of equality of votes, the presiding member shall have and exercise a second or casting vote. In the case of any resolution not carried unanimously, the names of the members who voted for and against it shall be recorded in the minutes.

15. Modification or cancellation of resolution - No resolution of the Panchayat Union Council shall be modified or cancelled within three months after the passing thereof except at a meeting specially convened in that behalf and by a resolution of the Panchayat Union Council supported by not less than one-half of the number of members.

16. Minutes - Minutes of the proceedings at each meeting of the Panchayat Union Council shall be drawn up and entered in a book to be kept for that purpose and as soon as the discussions on a subject are over, the presiding member shall record the decision of the Panchayat Union Council then and there, read the text of the decision to the members present and affix his signature immediately below the last line of the resolution. At the end of the meeting, he shall record in the Minutes Book that all the resolutions passed have been read out in the open meeting and then only he shall sign at the end of the Minutes and shall also obtain the signatures of all the members present at the meeting.

17. Custody of records - The Commissioner shall have the custody of the proceedings and records of the Panchayat Union Council and may grant copies of any such proceedings and records on payment of such fees as the Panchayat Union Council may by general or special order, determine. Copies shall be certified by the Commissioner as provided in Section 76 of the Indian Evidence Act, 1872 and copies so certified may be used to prove the records of the Panchayat Union Council in the same manner as they may under sub-section (5) of Section 78 of the said Act, be used to prove the proceedings of that body.

18. Procedure for Committee meetings - Every Committee constituted by the Panchayat Union Council under Section 96 of the Act shall meet in the Panchayat Union Office and shall follow all the procedures laid down for the meetings of Panchayat Union Council in these Rules, for the transaction of its business.

19. Placing of Minutes of the meeting of the Committee - A copy of the Minutes of Proceedings of every meeting of any Committee of the Panchayat Union Council shall be placed before the Panchayat Union Council at its first meeting to be held, after the receipt thereof, for its approval. The Panchayat Union Council shall have the power to modify, alter or rescind any resolution of the Committee.

RAMESH CHANDRA PANDA
SECRETARY TO GOVERNMENT