

Gram Sabha  
Holding of the meetings of..

78  
105  
GOVERNMENT OF MAHARASHTRA  
Rural Development Department,  
Circular No. PRC-1076/2411/CR-1824/XXIII-B,  
Mantralaya, Bombay-400 032, Dated the 19th June, 1979.

C I R C U L A R

Sub-Section (1) of section 7 of the Bombay Village Panchayats Act, 1958 provides that there shall be held at least two meetings of the Gram Sabha every financial year on such date, on such time and place, as may be prescribed and if the Sarpanch, or in his absence the Upa-Sarpanch fails without sufficient cause to hold any one of such two meetings, he shall be disqualified for continuing as Sarpanch or, as the case may be, Upa-Sarpanch. It has also been provided in section 38 ibid that the Sarpanch shall call meetings of Gram Sabha as provided in section 7 and preside over them. The above position clearly shows that the Sarpanch or in his absence Upa-Sarpanch is responsible to hold two meetings of Gram Sabha in every financial year and if he fails to hold any one of such two meetings, the Collector can disqualify him for being continued in office. With a view to ensuring that two meetings of Gram Sabha are invariably held by the Sarpanch or in his absence by the Upa-Sarpanch in every financial year Government is pleased to direct :-

(1) The Gram Sevak is the Secretary of Village Panchayat. He shall, therefore, periodically remind the Sarpanch, or in his absence the Upa-Sarpanch of the statutory requirements to be complied with for holding the meetings of Gram Sabha by the Sarpanch or, as the case may be Upa-Sarpanch. The Gram Sevak shall also render all necessary assistance to him with regard to holding of the meetings of Gram Sabha. After the Gram Sevak has done this it shall be the statutory duty of the Sarpanch or, as the case may be, Upa-Sarpanch to convene the periodical meetings of Gram Sabha.

(2) The Gram Sevak of Village Panchayat concerned shall communicate to the Block Development Officer of Panchayat Samiti before 31st March in every year whether or not the Sarpanch held two meetings of Gram Sabha in that financial year.

(3) On receipt of the report from the Gram Sevak the Block Development Officer shall require the Sarpanch or, as the case may be Upa-Sarpanch to give his clarification within a month. On the expiry of this period, whether clarifications from the Sarpanch/Upa-Sarpanch have been received or not, the Block Development Officer shall prepare a list of Village Panchayats with the names of their respective Sarpanch or Upa-Sarpanch who failed to hold two statutory meetings of Gram Sabha and send it in duplicate with the clarification, if any, received from the Sarpanch or Upa-Sarpanch to the Chief Executive Officer of Zilla Parishad before 31st May, positively.

(4) The Chief Executive Officer of Zilla Parishad shall ensure that the information as stated at (3) above is received from all Block Development Officers working under him before 31st May and on receipt of two copies of the list containing the names of defaulter Sarpanchas/Upa-Sarpanchas he shall send one copy with the clarification, if any, to the Collector by 15th June at the latest.

So file  
OFFICE OF THE COLLECTOR

RATNAGIRI

Date..... 23 JUN 1979

Branch..... V/B

Put up DO. Act, 1958 provides that there shall be held at least two meetings of the Gram Sabha every financial year on such date, on such time and place, as may be prescribed and if the Sarpanch, or in his absence the Upa-Sarpanch fails without sufficient cause to hold any one of such two meetings, he shall be disqualified for continuing as Sarpanch or, as the case may be, Upa-Sarpanch. It has also been provided in section 38 ibid that the Sarpanch shall call meetings of Gram Sabha as provided in section 7 and preside over them. The above position clearly shows that the Sarpanch or in his absence Upa-Sarpanch is responsible to hold two meetings of Gram Sabha in every financial year and if he fails to hold any one of such two meetings, the Collector can disqualify him for being continued in office. With a view to ensuring that two meetings of Gram Sabha are invariably held by the Sarpanch or in his absence by the Upa-Sarpanch in every financial year Government is pleased to direct :-

123

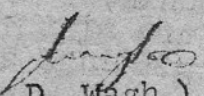
79

I

(5) After receipt of the lists of defaulter Sarpanchas/Upa-Sarpanchas and after examination of the clarifications if any received from them the Collector shall issue a show cause notice to each of the defaulter Sarpanchas/Upa-Sarpanchas who have not held two meeting of Gram Sabha in the preceding year to furnish their explanation within a period of one month from the date of issue of the notice. If they do not give their reply to the show cause notice within the prescribed period the Collector has to assume that they have nothing to say in the matter. Thereafter he shall take action as contemplated in Sec. 7 of the Bombay Village Panchayats Act, 1958. The Collector shall ensure that action under section 7 is completed before 31st August positively.

2. Since the Collector is the competent authority to disqualify the defaulter Sarpanch/Upa-Sarpanch under section 7, it is not necessary for the Chief Executive Officers of Zilla Parishads to call for clarification of the defaulter Sarpanchas/Upa-Sarpanchas and they should merely communicate the names of the defaulter Sarpanch/Upa-Sarpanch to the Collectors for taking necessary action. The Chief Executive Officers of all Zilla Parishads are requested to bring the above instructions to the notice of all Block Development Officers of Panchayat Samitis and Gram Sevaks working under their respective Zilla Parishads and direct them that these instructions are followed by them scrupulously. They are also requested to issue instructions to the Deputy Chief Executive Officers (Village Panchayat) and Extension Officers (Panchayat) that at the time of inspection of Village Panchayats they should invariably verify whether the meetings of Gram Sabha are held regularly and if not, whether the Gram Sevak has reported the name of Sarpanch or, as the case may be, Upa-Sarpanch to the Block Development Officer as required in para 1(1) above. They should also be asked to record their findings in their inspection reports.

By order and in the name of the  
Governor of Maharashtra,

  
( D. D. Wagh )  
Desk Officer,  
Rural Development Department.  
(Tel. 244243 Ext. 310)

To

- All Chief Executive Officers of Zilla Parishads,
- All Collectors of District (except Collector, Bombay),
- All Divisional Commissioners,
- Desk-XXVI of Rural Development Department.

Mls.  
19679: