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Duties of Village Panchayat Secretaries  
in regard to holding of Gramsabha and  
Panchayat meeting under Section 7 & 36  
of the Bombay Village Panchayats Act, 1958.

(27)  
GOVERNMENT OF MAHARASHTRA,  
Rural Development Department,  
Circular No. VPM 1309/14608-E,  
Sachivalaya, Bombay-32, Dated 14th May, 1969.

C I R C U L A R

Section 7(1) of the Bombay Village Panchayats Act, 1958 read with rule 3(1) of the Bombay Village Panchayats (Gramsabha Meetings) Rules, 1959 requires a Sarpanch to hold at least two meetings of the Gramsabha every financial year. The first meeting is to be held within 2 months from the commencement of the financial year and the second in November every year on such date as may be fixed by the Sarpanch or in his absence by the Upa-Sarpanch. Failure to hold any one of these two meetings disqualifies the Sarpanch/Upa-Sarpanch. Similarly, according to Section 36 of the said Act read with rule 3 of the Bombay Village Panchayats (Meetings) Rules, 1959 the Sarpanch is required to hold a meeting of the Panchayat at least once in every month on such date as may be fixed by him or in his absence by the Upa-Sarpanch. Failure to hold even one such meeting of Panchayat disqualifies the Sarpanch/Upa-Sarpanch. It has been argued in certain Revision petitions recently filed before Government that the Secretary of the concerned Panchayat did not advise the Sarpanch properly about the obligation of the Sarpanch who are generally not aware of the consequences of the failure on their part. As a result of this, in many cases the Sarpanchas are disqualified on account of the the above failure.

2. Under Section 38 of the Bombay Village Panchayats Act, 1958, it is the Sarpanch who is the executive head of the Panchayat and is therefore responsible for convening the statutory meetings of the Gramsabha and the Panchayat and has to face the consequences of his failure. It is, however, considered that the Village Panchayat Secretary should also be made responsible in this regard. Section 60(2) of the Bombay Village Panchayats Act, 1958 provides that, the Chief Executive Officer, shall appoint a Secretary from District Service (Class III). Under Section 95(1)(b) of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 the Chief Executive Officer is empowered to lay down duties of all officers and servants of or holding office under the Zilla Parishads. The Chief Executive Officers of Zilla Parishads are hereby advised that they should lay down the duties of the Village Panchayat Secretaries by virtue of their power under section 95(1)(b) of the Act, *ibid*, if they have not already done so, and specifically include therein that the Village Panchayat Secretary shall be responsible for advising the Sarpanch/Upa-Sarpanch in regard to holding the Gramsabha and Monthly meeting of the Panchayat by due dates.

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

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OFFICE OF THE COLLECTOR,  
NATNAGIRI. ab  
Date 22 MAY 1969  
Branch .....

(Y. R. Supre)

Under Secretary to the Government of Maharashtra,  
Rural Development Department.