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GOVERNMENT OF KARNATAKA
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYAT RAJ

KARNATAKA PANCHAYAT RAJ ACT, 1993
AMENDMENT COMMITTEE

KARNATAKA PANCHAYAT RAJ ACT (AMENDMENT) BILL, 2014

DRAFT

A Bill to provide for the decentralisation of Panchayat Raj Institutions in the State in its true sense of devolution where the State shall endow Panchayats with powers, authority, functions, finance and functionaries as may be necessary to enable them to function as autonomous institutions of self-government and shall contain safeguards to ensure that the Governments and Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha.

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THE KARNATAKA PANCHAYAT RAJ (AMENDMENT) BILL, 2014

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KARNATAKA BILL No... .. OF 2014

THE KARNATAKA PANCHAYAT RAJ (AMENDMENT) BILL, 2014

An Act further to amend the Karnataka Panchayat Raj Act, 1993

WHEREAS it is expedient to provide for the decentralisation of Panchayat Raj Institutions in the State in its true sense of devolution where the State shall endow Panchayats with powers, authority, functions, finance and functionaries as may be necessary to enable them to function as autonomous institutions of self-government and shall contain safeguards to ensure that the Governments and Panchayats at the higher level do not assume the powers and authority of any Panchayat at the lower level or of the Gram Sabha and for matters incidental thereto,

BE it enacted by the Karnataka State Legislature in the Fifty-fifth year of the Republic of India as follows:

**CHAPTER I
PRELIMINARY**

1. Short title and commencement: (1) This Act may be called the Karnataka Panchayat Raj (Amendment) Act, 2014.

Amendment to the name of the Act: This Act may be hereinafter called the Karnataka Gram Swaraj Panchayat Raj Act, 2014.

(2) It shall come into force at once.

2. Amendment of Section 2: In the Karnataka Panchayat Raj Act, 1993 as so re-titled (hereinafter called 'the Principal Act'), in Section 2 of the principal Act,-

(a) for clause (6) the following shall be substituted, namely:

“(6) ‘**Chief Secretary**’ means the Panchayat Development Officers of a Gram Panchayat, the Executive Officers of a Taluk Panchayat and the Chief Executive Officers of a Zilla Panchayat, who shall henceforth be known as the ‘**Chief Secretary, Gram Panchayat**’ ‘**Chief Secretary, Taluk Panchayat**’ and ‘**Chief Secretary, Zilla Panchayat**’ and be the chief executive officers of their Panchayats respectively”

(b) After clause (9), the following new clause shall be inserted, namely:

(9A) ‘Designated Court’ means, the Court of the jurisdictional Civil Judge (Senior Division) designated for the trial of election disputes related to Gram Panchayats and Taluk Panchayats, and the Court of the jurisdictional District Judge for the trial of election disputes relating to Zilla Panchayats, in whose territorial jurisdiction respectively, the Panchayat area or a major portion the Panchayat area is situate.

(b) in clause (11), after the existing item no (x) the following new item shall be inserted, namely:

‘(xi) Putting up a mobile tower on the roof of any building or on a platform within the compound, or in any land adjunct thereto”

(c) Clause (12) shall be deleted

(d) After clause (16) the following new clause shall be inserted namely:

“(16A) ‘habitation’ means a hamlet or other small settlement by whatever name called, or a group of such hamlets or settlements located within the surrounding of a village

(e) After clause (27) the following new clause shall be inserted, namely:

“(27A) ‘Panchayat’ means a Gram Panchayat, a Taluk Panchayat or a Zilla Panchayat established under this Act.

(f) Clause (28A) shall be deleted

(g) After clause (28B) the following new clauses (28C) to (28E) shall be inserted, namely:

“(28C) ‘Panchayat Staff’ and ‘Panchayat Cadres’ means, respectively, the staff and staff cadres recruited for the Karnataka Panchayat Raj Administrative Service provided for in this Act and includes devolved staff that are absorbed under the Karnataka Panchayat Raj Administrative Service (KPAS).

(28D) “Responsibility (Activity) Map” means the detailed enumeration of responsibilities of the Panchayat Raj Institutions prescribed in the ‘ Rules’

(28E) “Returning Officer”, “Assistant Returning Officer”, “Presiding Officer”, and “Polling Officer” wherever used in this Act shall bear the context mutatis- mutandis of sections 21 to 28A of the Representation of People’s Act, 1951(Act No.43 of 1951) for conduct of elections to Panchayats by the State Election Commission”.

(h) After clause (42) the following new clauses (42A) and (42B) shall be inserted, namely:

(42A) “Vision Plan” means a long term forward looking plan for achieving overall development in the area of a Panchayat

(42B) “Vulnerable sections of society’ means the children, adolescents and women; senior citizens; the sick and the infirm; the disabled and the differently-abled; the Scheduled Castes and the Scheduled Tribes; the religious, linguistic and sexual minorities; the disenfranchised, nomadic and tribal groups and migrant labour”

(h) The existing clause (42A) shall be renumbered as (42D) and before the clause (42D) as so renumbered the following new clause shall be inserted, namely:

(42C) “Ward” means a local constituency delineated within a Gram Panchayat for the purpose of conduct of elections to the Gram Panchayat.

CHAPTER II

HABITATION SABHA, WARD SABHA AND GRAM SABHA

3. Amendment of Section 3: For Section 3 the following shall be substituted, namely:

“**3. Units of Gram Swaraj:** (1) Based on the principle of Subsidiarity the primary components of Gram Swaraj shall be established in every Gram Panchayat as follows:

(1) As many Habitation Sabhas as there are habitations or small settlements within a Gram Panchayat.

(2) As many Ward Sabhas as there are wards or constituencies within the Gram Panchayat; and

(3) A Gram Sabha for each village or group of villages as defined in clause (g) of Article 243 of the Constitution consisting of all persons whose names are borne on the electoral rolls of a village within the Gram Panchayat.

“3A. Habitation Sabha: (1) A Habitation Sabha consists of all persons residing within a habitation whose names are on the electoral rolls of a village, located within the area of a Gram Panchayat.

(2) The Habitation Sabha within their respective areas of operation, shall be responsible for:

(i) Ensuring an environment that upholds social justice and is safe and congenial for all people generally and, in particular, people of the vulnerable sections of the society to exercise their rights;

(ii) Identifying hazards and suggest measures for the safety, security and freedom of all the residents of the village in an environment that is clean and healthy;

(iii) Assisting the Gram Panchayat to conduct surveys or Participatory Rural Appraisals to collect essential socio-economic data and assess the needs of residents and their requirements for the development of the Habitation in order to enable the Gram Panchayat to compile and draw up a Forward Looking Plan called the Vision Plan;

(iv) Fixing the priority of the economic, social, cultural and environmental development Programmes and schemes to be implemented in the area of the Habitation, taking into account the interests of every group constituting the Habitation and place them before the Gram Sabha for inclusion in the Vision Plan and the Annual Development Plans of the Gram Panchayat;

(v) Recommending the proper location of street lights, street or community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes and to identify the deficiencies and suggest remedial measures and report the satisfactory completion of the works and manage the affairs of the Habitation;

(vi) Identify the deficiencies in the water supply and street lighting arrangements in the area of Habitation and suggest remedial measures;

(vii) Be responsible for the identification or selection of the most eligible beneficiaries from the area of Habitation under poverty alleviation and other welfare programmes;

(viii) To assist the Gram Sabha and the Gram Panchayat in planning, monitoring and implementing the plans, schemes and projects undertaken;

(ix) Initiating action to prevent discrimination on the basis of caste, religion and sex etc;

- (x) Addressing the issue of child work and labour as defined by the Child Labour (Prohibition and Regulation) Act 1986 if any residing or working within the area of the Gram Panchayat and address the concerns of working children;
- (xi) Act vigilantly to prevent Child Marriages and ensure the protection of children from this practice and informing the Gram Panchayat and the Elected Members or the local officers of the concerned department so they shall take action thereon;
- (xii) Ensuring that no traditional social and religious practices that denigrate the rights, dignity and freedom of any individual, especially women and children from the scheduled castes and tribes and all weaker sections, are performed in the village;
- (xiii) Assisting the Gram Panchayat in its efforts at eradication of un-touchability and social boycotts of any kind and in promoting harmony and unity among various groups of people in the area of the Habitation;
- (xiv) Organising cultural festivals, literary activities and sporting events that promote and nurture local games, athletics, the literature, arts and culture of the area and provide opportunities for the residents to give expression to their talents; and
- (xv) Preventing activities of illegal money lenders in the Panchayat area and bring to the notice of the Gram Sabha and Gram Panchayat to take necessary action.

“3B. Additional Functions of Habitation Sabha: In addition to the above Habitation sabhas shall also achieve the following, within the area of the Habitation, namely:

- (i) Imparting awareness on matters of public interest such as cleanliness, preservation of the environment, prevention of public nuisance, pollution and ensuring public peace, safety and security of all people;
- (ii) Addressing issues of water conservation, preservation of natural habitat and recycling of bio-degradable waste and to ensure that the area is plastic free;
- (iii) Promoting Programmes of adult education, enhancing literacy and education levels and for family-counselling, character building and de-addiction among the youth, adults and senior citizens;
- (iv) Promoting village, small and medium industries, businesses and commercial enterprises in consultation with associations of women, youth and senior citizens and provide training and capacity building opportunities for their gainful employment and present proposals before the Gram Sabha for action;
- (v) Monitoring the functioning of Public Health Centres in the area of the Ward and assist in the implementation of health programmes, especially in the prevention of infectious diseases and family welfare measures and promptly report the incidence of epidemics and natural calamities to the Gram Panchayat, the elected members and concerned Panchayat functionaries;
- (vi) Taking care of public properties such as gomaala, pasture lands, tanks, tank beds, ground water sources, roads, bridges, mines etc., within the area of the Gram Panchayat with a view to their conservation and maintenance;

- (vii) Reviving and developing folk arts, handicrafts and home and cottage industries;
- (viii) Mobilising voluntary labour and contributions in cash and kind for development work and supervise such development work through volunteer teams;
- (ix) Assisting functionaries of the Gram Panchayat in the providing of sanitation arrangements in the area of Habitation and render voluntary service in the removal of garbage, and
- (x) Persuading the residents of the Habitation to pay taxes and to repay loans owed to the Gram Panchayat.

“3C. Powers of the Habitation Sabha: (1) For the effective discharge of their responsibilities enumerated in section 6 and Subject to such rules as may be prescribed, every Habitation Sabha shall mutatis-mutandis have the following powers, namely, to:

- (i) Seek and secure information from the functionaries of the Gram Panchayat as to the services they shall render, the Programmes and projects they shall implement and the public works they propose to carry out in the succeeding period of six months after the meeting of the Habitation Sabha;
- (ii) Seek and secure information from the Gram Panchayat on the follow up action taken on the decisions of the Gram Sabha in relation to that Habitation;
- (iii) Decide the location where the Gram Panchayat may grant license to shops vending liquor or places of gambling;
- (iv) Assist the Gram Panchayat to prevent the sale of narcotic drugs or any other activity prejudicial to public interest, health and safety and in locations that are detrimental to the residents of the Habitation;
- (v) Notwithstanding anything contained in any Act and Rules for the time being in force the Habitation Sabha may decide to prohibit sale and consumption of liquor and gambling in the area of the Habitation;

Provided that such a decision is taken at a meeting of the Habitation Sabha where 50% of the total members of the Habitation Sabha are present and voting and such a resolution is passed by a majority of not less than 2/3 of the members present; and such resolution shall be forwarded to the Gram Panchayat to initiate necessary action.

- (vi) Take such measures and discharge such other functions as may be specified in the Rules.

“3D. Meetings of Habitation Sabha: (1) A Habitation Sabha shall meet to transact its business once in six months which shall be at least one month ahead of the meeting of the Gram Sabha and the manner of conduct of the meeting shall be as hereinafter provided, namely:

- (i) Every Meeting held under this section shall be presided over by the member of the Gram Panchayat elected from the area of the concerned Habitation and in his/her absence, by any other voter of the Gram Panchayat elected from the said Habitation at the Meeting.

(ii) Where an elected member of the Habitation fails to convene and preside over a Meeting of the Habitation Sabha as the case may be, when due or is necessary, any other voter of the Gram Panchayat may be selected by the members present at the meeting of the Habitation Sabha to preside over the meeting.

Provided that an elected member of a Ward who has failed to convene the meeting when due or was necessary, shall upon a complaint made to the Gram Panchayat, be liable to pay penalty as may be provided in the Act.

(iii) The quorum for the Meeting of a Habitation Sabha shall be a minimum of one-fifth of the total voters or twenty members of the Habitation Sabha, whichever is less, of whom at least thirty percent of the voters shall be women and persons belonging to the Scheduled Castes and the Scheduled Tribes shall be represented in the Meeting of the Habitation Sabha in proportion to their population.

Provided that, no quorum shall be required for an adjourned meeting.

(iv) All resolutions in respect of any subject in the meeting held under this section shall be passed by a majority of the members present and voting.

Provided that the needs outlined by each such representative group at their meetings shall be taken up by the Meeting of the Habitation Sabha and recorded as its own for being presented to the Gram Sabha.

(v) The procedure for convening and conducting the Meetings under this section shall be such as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1) a Special Meeting of the Habitation shall be convened where at least ten percent of the voters of the Habitation make a request in writing, specifying the subject for the meeting.

Provided that no two special meetings shall be held within a period of three months.

(3) Notwithstanding anything contained in sub-sections (1) or (2), an emergency Meeting of the Habitation may be convened whenever a natural calamity has occurred or a matter of urgent public importance has arisen and the elected members of the said Habitation and the Adhyaksha or the Upadhyaksha or any elected members of the concerned Gram Panchayat shall be required to attend such emergency meeting.

(4) Nothing contained in sub-section (1) shall be construed as preventing special representative groups coming together as often as they may, to hold meetings among themselves and outline the developmental needs of their group along with suggestions for addressing them, for being placed before the Gram Sabha at its regular meetings.”

“3E-3. Ward Sabha.- (1) Subject to the general orders of the Government, Ward Sabha shall meet at least once in six months.

(2) The quorum for the meeting of a Ward Sabha shall be not less than one tenth of the total number of members of the Ward Sabha or twenty members whichever is less. As far as may be, not less than thirty percent of the voters attending the Ward Sabha, shall be women. As

far as may be the persons belonging to the Scheduled Castes and Scheduled Tribes shall be represented in proportion to their population in the Ward Sabha.”

(3) Ward Sabha shall, subject to such rules as may be prescribed, exercise the following powers and discharge the following functions, namely:-

(a) to generate proposals and determine the priority of schemes and development programmes to be implemented in the area of the Ward Sabha and forward the same to place it before the Gram Sabha for inclusion in Gram Panchayat development plan;

(b) to identify the most eligible persons from the area of Ward Sabha for beneficiary oriented schemes on the basis of criteria fixed and prepare list of eligible beneficiaries in the order of priority and forward the same to the Gram Panchayat for inclusion in its development plan;

(c) to verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies;

(d) to get information from the officers of the Gram Panchayat as to the services they will render and the works they propose to do in the succeeding period of six months after the meeting of the Ward Sabha;

(e) to get information from the Gram Panchayat on the rational of every decision of the Gram Panchayat concerning the area of the Ward Sabha;

(f) to get information from the Gram Panchayat on the follow up action taken on the decisions of the Ward Sabha;

(g) to provide and mobilize voluntary labour and contributions in cash and kind for development work and supervise such development works through volunteer teams;

(h) to make efforts to ensure that the members of Ward Sabha pay taxes and repay loans to the Gram Panchayat;

(i) to suggest the location of streetlights, street or community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes within the area of the Ward Sabha;

(j) to identify the deficiencies in the water supply and street lighting arrangements in the area of Ward Sabha and suggest remedial measures;

(k) to impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution;

(l) to assist the employees of the Gram Panchayat in sanitation arrangements in the area of Ward Sabha and render voluntary service in the removal of garbage;

(m) to promote programme of adult education within the area of Ward Sabha;

(n) to assist the activities of public health centers in the area of Ward Sabha especially in disease prevention and family welfare and to create arrangements to quickly report the incidence of epidemics and natural calamities;

(o) to promote harmony and unity among various groups of people in the area of the Ward Sabha and to arrange cultural festivals and sports meets to give expression to the talents of the people of the locality; and

(p) to exercise such other powers and discharge such other functions as may be prescribed.

(4) The procedure for convening and conducting the meetings of the Ward Sabha shall be such as may be prescribed.

(5) Every meeting of a Ward Sabha shall be presided over by the member of the Gram Panchayat elected from the area of the concerned Ward Sabha and in his absence by any other member of the Gram Panchayat nominated by it.

(6) All resolutions in respect of any issue in the meeting of the Ward Sabha shall be passed by a majority of the members present and voting.

“3E. Powers of the Ward Sabha: (1) For the effective discharge of their responsibilities enumerated in section 6 and Subject to such rules as may be prescribed, every Ward Sabha shall mutatis-mutandis have the following powers, namely, to:

(i) Seek and secure information from the functionaries of the Gram Panchayat as to the services they shall render, the Programmes and projects they shall implement and the public works they propose to carry out in the succeeding period of six months after the meeting of the Ward Sabha;

(ii) Seek and secure information from the Gram Panchayat on the follow up action taken on the decisions of the Gram Sabha in relation to that Ward;

(iii) Decide the location where the Gram Panchayat may grant license to shops vending liquor or places of gambling;

(iv) Assist the Gram Panchayat to prevent the sale of narcotic drugs or any other activity prejudicial to public interest, health and safety and in locations that are detrimental to the residents of the Ward;

(v) Notwithstanding anything contained in any Act and Rules for the time being in force the Ward Sabha may decide to prohibit liquor and gambling in the area of the Ward;

Provided that such a decision is taken at a meeting of the Ward Sabha where 50% of the total members of the Ward Sabha are present and voting and such a resolution is passed by a majority of not less than 2/3 of the members present; and such resolution shall be forwarded to the Gram Panchayat to initiate necessary action.

(iv) Take such measures and discharge such other functions as may be specified in the Rules.

“3F. Additional Powers of Ward Sabha: The powers of a Ward Sabha shall extend also to the following, namely:

(i) Ensure that the elected members of that Ward represents the concerns of all the constituents of that Ward in the Gram Panchayat as identified by them;

(ii) Demand accountability and transparency of the elected members of that ward in all his dealings as their elected members;

(iii) Obtain information from the elected members about:

- (a) The progress on development plans and implementation of schemes in the Ward;
- (b) The rationale of every decision of the Gram Panchayat concerning the area of the Ward; and
- (c) Information as to the follow up action taken on the decisions of the Ward Sabha by the Gram Panchayat.

(iv) If in the opinion of the Ward Sabha, the said Elected Member has failed to perform her/his duties and obligations imposed under the Act, namely the implementation of plans, utilisation of finances, or represent the concerns of the constituents, the members of the Ward Sabha may file a complaint against the said Elected Member with the State Election Commission and such penalties may extend to her/his removal from office;

Provided that such a complaint, written or otherwise, to the State Election Commission is made by not less than 50% of the total members of the Ward Sabha are present and voting on such a resolution is passed by a majority of not less than 2/3 of the members present.

“3G. Meetings of the Ward Sabha: (1) A Ward Sabha shall meet to transact its business once in six months which shall be at least one month ahead of the meeting of the Gram Sabha and the manner of conduct of the meeting shall be as hereinafter provided, namely:

- (i) Every Meeting held under this section shall be presided over by the member of the Gram Panchayat elected from the area of the concerned Ward and in his/her absence, by any other voter of the Gram Panchayat elected from the said Ward as the case may be, at the Meeting.
- (ii) Where an elected member of the Ward fails to convene and preside over a Meeting of the Ward Sabha as the case may be, when due or is necessary, any other voter of the Gram Panchayat may be selected by the members present at the meeting of the Ward Sabha to preside over the meeting.

Provided that an elected member of a ward who has failed to convene the meeting when due or was necessary, shall upon a complaint made to the Gram Panchayat, be liable to pay penalty as may be provided in the Act.

(iii) The quorum for the Meeting of a Ward Sabha shall be a minimum of one-fifth of the total voters or twenty members of the Ward Sabha, whichever is less, of whom at least thirty percent of the voters shall be women and persons belonging to the Scheduled Castes and the Scheduled Tribes shall be represented in the Meeting of the Ward Sabha in proportion to their population.

Provided that, no quorum shall be required for an adjourned meeting.

(iv) All resolutions in respect of any subject in the meeting held under this section shall be passed by a majority of the members present and voting.

Provided that the needs outlined by each such representative group at their meetings shall be taken up by the Meeting of the Ward Sabha and recorded as its own for being presented to the Gram Sabha.

(v) The procedure for convening and conducting the Meetings under this section shall be such as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1) a Special Meeting of the Ward Sabha shall be convened where at least ten percent of the voters of the Ward make a request in writing, specifying the subject for the meeting.

Provided that no two special meetings shall be held within a period of three months.

(3) Notwithstanding anything contained in sub-sections (1) or (2), an emergency Meeting of the Ward Sabha may be convened whenever a natural calamity has occurred or a matter of urgent public importance has arisen and the elected members of the said Ward and the Adhyaksha or the Upadhyaksha or any elected members of the concerned Gram Panchayat shall be required to attend such emergency meeting.

(4) Nothing contained in sub-section (1) shall be construed as preventing special representative groups coming together as often as they may, to hold meetings among themselves and outline the developmental needs of their group along with suggestions for addressing them, for being placed before the Gram Sabha at its regular meetings.”

4. Amendment of Section 3A - (i)Section 3A as now existing shall be renumbered as Section 3F, and

(ii) for Section 3F as so renumbered, the following shall be substituted, namely:

“3H. Gram Sabha: (1) A Gram Sabha shall consist of all persons whose names are borne on the electoral rolls of a village within the Gram Panchayat.

(2) The Gram Sabha shall be the basic unit of self-government at the village level for ensuring the direct participation of all the citizens of the village in the planning, implementation, monitoring and evaluation of all economic, social, cultural and environmental development Programmes and all State and Central Government schemes implemented in the Gram Panchayat.

5. Insertions of New Sections 3G to 3M: After section 3F so renumbered, the following new sections 3G to 3L shall be inserted, namely:

“3-I. Functions of Gram Sabha: Subject to such rules as may be prescribed, a Gram Sabha shall exercise the powers and discharge the following functions, namely:

(1) The Gram Sabha shall assist the Gram Panchayat to conduct surveys or Participatory Rural Appraisals to collect essential socio-economic data and assess the needs of residents and their requirements for the development of the village in order to enable the Gram Panchayat to compile and draw up a Forward Looking Plan, hereinafter called the Vision Plan;

(2) The Gram Sabha shall render assistance to the Gram Panchayat in collection and compilation of details required, formulation of Annual Development Plans based on the Vision Plan by:

(i) Compiling and considering the needs assessments prepared by the Habitation Sabhas determining the precedence of the economic, social, cultural and environmental development

programmes and schemes to be implemented in the area of the village, taking into account the interests of every group constituting the village after considering the suggestions of the Habitation Sabhas and place them before the Gram Sabha for inclusion in the Vision Plan and the Annual Development Plans of the Gram Panchayat;

(ii) Fixing the location of street lights, street or community water taps, public wells, public sanitation units, irrigation facilities and such other public amenity schemes and to identify the deficiencies in them and to suggest the remedial measures and to report the satisfactory completion of the work, after considering the suggestions of the Habitation Sabhas;

(iii) Ensuring that all plans are inclusive and benefit all sections of the population especially the vulnerable sections and migrant labour;

(iv) Approving plans, programmes and projects for social and economic development after considering the needs and suggestions of the Habitation Sabhas, before such plans, programmes and projects are taken up for implementation by the Gram Panchayat;

(v) Generating consolidated proposals by determining the priority of all schemes and development programmes to be implemented in the Panchayat Area as per the 'Priority Ranking' method after considering the needs, recommendations and suggestions of the Habitation Sabhas; and

(vi) Be responsible for the identification and selection of the most eligible beneficiaries from the village area under poverty alleviation and other welfare programmes such as pensions and subsidies on the basis of criteria fixed and prepare a list in the order of priority as per the 'Priority Ranking' method prescribed after considering the needs, recommendations and suggestions of the Habitation Sabhas and forward the same to the Gram Sabha for inclusion in its development plan in the order of priority sent by the Habitation Sabhas. Such list shall be binding on the concerned Panchayat.

(3) The Gram Sabha shall support all activities of the Gram Panchayat in implementing the plans and schemes by:

(i) Providing voluntary labour and contributions in cash and kind for development works and to supervise such development works through volunteer teams;

(ii) Assisting the functionaries of the Gram Panchayat in providing sanitation arrangements in the Panchayat area and mobilising voluntary service in the removal of garbage in the area of the village;

(iii) Promote Programmes of adult education, increasing literacy and education levels within the area of village;

(iv) Promoting programmes for family counselling, character building and de-addiction among the youth, adults and senior citizens within the area of the village;

(v) Ensuring that no traditional, social and religious practices that denigrate the rights, dignity and freedom of any individual, especially women and children from the scheduled castes and the scheduled tribes and all weaker sections, are performed in the village;

(vi) Assisting the Gram Panchayat in its efforts to prevent practice of un-touchability and social boycotts of any kind;

(vii) Assisting in the activities of school betterment committees, anganwadis, Mahila Samara, youth associations, self-help groups and organisations working for the development of the scheduled castes and the scheduled tribes, other backward classes, senior citizens, the differently abled, women, children and youth in the Panchayat area;

(viii) Coordinate the activities of public health centres in the Panchayat area, especially in disease prevention and family welfare, population control and prevention of cattle diseases and report the incidence of epidemics and natural calamities immediately to the concerned functionaries; and

(ix) Persuading members of the Gram Sabha to pay taxes and other dues and repay loans.

(4) The Gram Sabha shall ensure an environment that upholds social justice and is safe and congenial for all citizens and especially for people of the vulnerable sections of the society, to exercise their rights in a free and fair manner and suggest measures to the Gram Panchayat and their elected members or officials of the departments, or both, so that appropriate action is taken to protect them from abuse and exploitation.

(5) Address issues of child work and labour as defined by the Child Labour (Prohibition and Regulation) Act 1986 if any residing or working within the area of the Gram Panchayat and address the concerns of working children;

(6) Prevent Child Marriages whenever foreseen and protect children from the practice by alerting the Gram Panchayat and their elected members or the concerned officials, or both, so that appropriate action may be taken;

(7) Assist the Gram Panchayat in its efforts to prevent practice of un- touchability, social boycotts or social exclusions and promote harmony and unity among various groups of people in the area of the village;

(8) Organising cultural festivals, literary activities and sporting events that promote and nurture local games, athletics, the literature, arts and culture of the area and provide opportunities for the residents to give expression to their talents; and

(9) Prevent activities of illegal money lending in the Panchayat area and alert the Gram Sabha and Gram Panchayat to take necessary action.

“3J. Duties of Gram Sabha: A Gram Sabha shall undertake and perform the following duties, namely:

(i) Impart awareness among the citizens in matters of public interest such as cleanliness, preservation of the environment and ecology, prevention of public nuisance, pollution and ensuring public peace, safety and security of all people within the area of the village;

(ii) Spread awareness on issues of water conservation, preservation of natural surroundings and recycling of bio-degradable waste and ensure that the area is plastic free;

(iii) Promote village, small and medium industries, businesses and commercial enterprises in discussion with associations of women, youth and senior citizens and provide training and

capacity building opportunities for their gainful employment and present proposals before the Gram Panchayat for action;

(iv) Conserve and maintain public properties such as gomaala, pasture lands, tanks, tank beds, ground water, roads, bridges, mines etc., within the area of the Gram Panchayat;

(v) Promote the revival and growth of folk arts, handicrafts, home industries and cottage industries in the village area;

(vi) Ensure the safety, security and freedom of the residents of the village in an environment that is clean and hygienic;

(vii) Be able to safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution;

(viii) Initiate action to prevent discrimination among people on the basis of caste, creed, religion and gender etc.; and

(ix) Prevent activities of illegal money lending in the Panchayat area and inform the Gram Sabha and Gram Panchayat to report to the concerned authorities for taking necessary action.

“3K. Powers of Gram Sabha: (1) For the effective discharge of its functions, duties and obligations a Gram Sabha shall have powers to:

(i) Be consulted by the Gram Panchayat before:

(a) taking steps to acquire land for development projects and for re-settling or rehabilitating persons affected by such in the Village Area;

(b) taking steps to acquire land for the re-settling or rehabilitating persons of the weaker sections who are landless in the Village Area;

(c) granting prospecting licenses or mining leases for minor minerals in the Village Area;

(d) before granting prospecting licenses or mining leases for quarrying in the Village Area;

(e) before granting concessions for the exploitation of minor minerals by auction in the Village Area;

(f) before granting licences for liquor shops and bars in the Village Area.

(ii) Notwithstanding anything contained in any Act and Rules for the time being in force the Gram Sabha may decide to prohibit liquor and gambling in the area of the village;

Provided that such a decision is taken at a meeting of the Gram Sabha where 50% of the total members of the Gram Sabha are present and voting and such a resolution is passed by a majority of not less than 2/3 of the members present; and

(iii) Discuss and approve the budgetary provisions, the details of plan outlay and the subject wise allocation of funds and also the details of the estimate and cost of materials of the works executed or proposed to be executed in the village area in a special meeting of all the Gram Sabhas in the month of October each year.

(iv) Discuss and approve the Annual Statement of Accounts of the preceding financial year, the last Audit Report and replies thereto and the Panchayat jama-bandi report action taken, in a special meeting of all the Gram Sabhas in the month of April each year.

(v) Provide utilisation certificates for work satisfactorily completed in all respects after a technical assessment of the quality of the work and examination of income and expenditure statements.

(vi) Monitor and evaluate the progress of all initiatives, plans and schemes being implemented in the Panchayat area by the Central or State Government or any Panchayat body or any other body or institution or elected member in furtherance thereof:

(a) Organise Committees, within the Gram Sabha, to oversee the execution of works under the various schemes and projects, monitor the progress of work and report to the Gram Sabha. Such Committees shall consist of the beneficiaries of the scheme or project, assisted by persons with technical experience or expertise who can measure and inform the progress from stage to stage against preset indicators; and

(b) Require and secure from the Gram Panchayat a certification of utilisation of funds by that Panchayat in respect of the plans, programmes and projects undertaken.

(vii) Seek and secure information from:

(a) the Gram Panchayat on the rationale of every decision of the Gram Panchayat concerning the Panchayat Area;

(b) the Gram Panchayat on the follow up action taken on the decisions of the Gram Sabha; and

(c) the officers of the Gram Panchayat as to the services they will render and the works they propose to do during the next six months after the meeting of the Gram Sabha.

(2) The decisions, views, recommendations or suggestions obtained at the meetings of the Gram Sabhas shall be communicated to the Gram Panchayat for implementation and the priorities set by the Gram Sabha shall not be changed.

“3L. Meetings of Gram Sabha: (1) The Adhyaksha of the Gram Panchayat shall convene the first meeting of all the Gram Sabhas as far as may be within sixty days and thereafter the next meetings on such date as decided by the Gram Sabha, however that not more than six months shall intervene between two meetings.

(2) Notice of the meetings shall be displayed in public places so all members are informed of such meetings and other media such as TV, radio and newspapers shall also be used.

(3) The quorum for an ordinary meeting of the Gram Sabha shall be not less than one-tenth of the total number of voters in the Gram Sabha or one hundred members, whichever is less.

Provided that if at the time appointed for the meeting if there is no quorum the presiding authority shall wait for thirty minutes and thereafter there is no quorum, the presiding authority shall adjourn the meeting to the following day or some other day which is not a public holiday, on such adjourned meeting no quorum shall be required.

(4) At least ten members from each Ward Sabha within the Panchayat Area shall attend the meeting of whom not less than thirty percent of the members attending the Gram Sabha shall be women; and persons belonging to the scheduled caste and the scheduled tribes in proportion to their population in the Gram Sabha.

(5) Every meeting of the Gram Sabha shall be presided over by the Adhyaksha of the concerned Gram Panchayat and in his/her absence by the Upadhyaksha and in the absence of both Adhyaksha and Upadhyaksha, by any other member elected by the members present at the Meeting.

(6) The elected members of that area shall be present at every Gram Sabha meeting.

(7) The officers of the Gram Panchayat shall attend the meetings of the Gram Sabha as may be required by the Adhyaksha and such officer of the Panchayat as is specifically nominated as convener of the Meeting shall assist in convening and conducting its meetings, recording proceedings in the minutes book and on video-graph and that the decisions shall be recorded and shall be authenticated by the Adhyaksha.

(8) All resolutions in respect of any subject in the meetings of the Gram Sabha shall be passed by majority of the members present and voting and the Gram Panchayat shall adopt such resolutions of the Gram Sabha as if its own and implement them in order of the priority indicated by the Gram Sabha.

(9) Such officers of the Gram Panchayat as the Adhyaksha may require shall attend every meeting of the Gram Sabha.

(10) All meetings of the Gram Sabha shall be held in a free and fair manner, with the active participation of all citizens, especially those belonging to the vulnerable sections of the society.

3M. Special Meeting of the Gram Sabha: (1) Nothing contained in sub-section 3-J (1) shall be construed as preventing representative groups of women, the Scheduled Castes and the Scheduled Tribes, and the Farming and the Artisan populations, the youth and the elderly populations etc., within the Gram Sabha come together as often as may be to hold meetings among themselves and outline their needs of the group for development along with suggestions for meeting them, for being placed before the Gram Sabha at its regular meetings.

Provided that the needs outlined by each such representative group at their meetings shall be taken up by the Gram Sabha and followed up as its own for being presented to the Gram Panchayat.

(2) Without prejudice to anything contained in the other provisions of this section,

(i) Meetings of Gram Sabhas for drafting plans and Programmes for empowerment, separately, of the Scheduled Castes and the Scheduled Tribes, Women and the Children shall be convened to discuss issues related to each of them separately, at least once in a year before the Gram Panchayat Meetings.

(ii) Special Meetings of the Gram Sabha shall be convened whenever a request is made by not less than ten percent of the members of the Gram Sabha specifying the subject for discussion in such request, so however that there shall be an interval of at least three months between any two Special Meetings.

(iii) Special Budget meetings of all the Gram Sabhas may be called twice a year in the months of April and October to consider the plans and finances of the Gram Panchayat;

(iv) The budget allocated to the SC/ST shall be in proportion to their population in the given Gram Panchayat and shall be decided in their Special meeting of the Gram Sabha.

Provided, if this fund is underutilised or not utilised for reasons of non-requirement of development plans by the said special Gram Sabha, this fund may be utilised in accordance with the Karnataka Special Component Plan and TSP Act No (1) of 2014.

(v) The budget for women and children shall be decided based on the needs, plans and suggestions of the women and children at their Special Gram Sabhas.

CHAPTER III CONSTITUTION OF GRAM PANCHAYATS

6. Amendment of Section 4: In section 4 of the Principal Act,

(a) for the words 'specified' wherever it appears in the section the word 'notified' shall be substituted

(b) in sub-section (1), -

(i) for the words 'not less than five thousand and not more than seven thousand' the words 'between ten thousand and fifteen thousand' shall be substituted

(ii) In the first proviso for the words 'not less than two thousand five hundred' the words 'not less than five thousand' shall be substituted

(iii) In the second proviso for the words 'a radius of five kilometres (diameter of ten kilometres)' the words 'a radius of eight kilometres' shall be substituted

(c) after sub-section (1) the following new sub-section shall be inserted, namely:

7. Amendment of Section 5: In section 5 of the Principal Act, (a)

(i) in sub-section (1), after the words 'shall consist of such number of elected members' the words 'being not less than nine and not more than twenty-five' shall be inserted;

(ii) for the word 'the words 'four hundred population' the words 'six hundred population' shall be substituted

(b) In sub-section (4);

(i) for the words 'Not less than fifty percent of the seats' the words 'One-Half of the Seats' shall be substituted;

(ii) in the first proviso after the words ‘Panchayat area’ the words ‘within the Taluk’ shall be added

(c) in sub-section (5) in clause (d) the words ‘or more’ appearing at the end shall be deleted

8. Amendment of Section 12: In section 12 of the principal Act, clause (j) and the proviso thereto shall be deleted and in its place the following shall be substituted, namely:

“(j) if he is found guilty, directly or indirectly involved in any act of misuse or abuse of power or authority as member of the Panchayat in executing any scheme, plan or project of the Panchayat or of misappropriation of funds or other assets of the Panchayat coming into his hands during the term of his membership.”

9. Amendment of Section 15: In section 15 in sub-section (1), and at all places wherever it occurs in sections 17,18,19,20 23 and 24, for the words ‘the Civil Judge (Junior Division) within whose territorial jurisdiction the Panchayat area concerned or a major portion of the Panchayat area is situated’ the words ‘the designated Court’ shall be substituted.

10. Amendment of Section 24: In section 24 of the principal Act, for the words ‘the Deputy Commissioner’ the words the State Election Commissioner and the concerned panchayat shall be substituted.

11. Amendment of Section 43A: In section 43A of the Principal Act,

(A) the existing provision shall be renumbered as sub-section (1)

(B) in sub-section (1) so renumbered,

(a) for the words ‘The Government’ the words ‘The State Election Commissioner or any officer designated by him/her’ shall be substituted.

(b) for the whole of the provision appearing after the words ‘if such member has’ till the end, the following provision shall be inserted, namely:

‘(i) been guilty of misconduct in the discharge of his/her duties or of any disgraceful conduct,

(ii) become incapable of performing his/her duties as a member, or persistently remiss in performing his/her duties,

(iii) has failed to attend three consecutive meetings of the Panchayat, and in the case an Adhyaksha or Upadhyaksha, failed to convene two consecutive meetings which were either due or were necessary, or

(iv) is in the execution of any work of the Panchayat, contractual or otherwise found involved directly or indirectly with any person who is a nearest relative in the family or otherwise associated in any transaction related to such work as a partner, employee or a member on the Board of such organisation, or otherwise.

Explanation: For the purpose of this clause, ‘nearest relative’ means, in relation to the member, spouse, children and their respective spouses, brothers and sisters and their respective spouses, nephews and nieces and their respective spouses and includes step-sons and step-daughters and their respective spouses.

(C) after sub-section so amended the following new sub-section (2) shall be inserted, namely:

“(2) An Adhyaksha or Upadhyaksha or member so removed shall cease to function as such member and shall be disqualified from contesting election as provided in sections 12, 128 and 167 of the Act to any Panchayat for the next six years”

12. Insertion of New Section 43B: After section 43-A of the Principal Act the following new section 43-B shall be inserted, namely:

“43B. Members to Declare Assets: (1) Every member shall within three months from the date of commencement of his term of office and until the expiry of his term in every calendar year, and within one month of the end of the financial year, file an affidavit of declaration of the assets owned by him and by all the members of his family, before the State Election Commission through the Chief Secretary, Gram Panchayat.

Provided that, where the term of a Member commences before two months of the end of the financial year such member may file his declaration within two months after the commencement of the following financial year.

(2) The Chief Secretary of the concerned Panchayat shall receive the declarations filed by all the members and forward them to the State Election Commission in the first week of May of that year and, in the case of late submissions, in the first week of July of the year, with a statement of members who have filed and who have not filed the declaration.

(3) A member, who after filing a declaration under sub-section (1), acquires or disposes of any property or other asset shall file further declaration to that effect before the State Election Commission through the Chief Secretary of the Panchayat, within forty-five days from the date of such acquisition or disposal, as the case may be, and the Chief Secretary shall follow the same procedure as in sub-section (1).

(4) The State Election Commission shall within two months of the receipt of the declarations and the statement from the Chief Secretary of the concerned Panchayat under sub-sections (1) or (2) above cause the declarations to be verified by the appropriate authorities.

(5) A member who has failed to file his declaration within the time prescribed and in the manner provided, he shall be liable to pay fine as provided in section 278 and for continued default at the rate of one hundred rupees for each day of default.

(6) If the member does not file the declaration or the declaration is found to be false the State Election Commissioner shall after hearing remove him from membership and declare his seat vacant and also order for prosecution as the case may be.

(7) Without prejudice to any action taken under sub-sections (5) or (6), the member suffering an order of removal shall be liable to make good to the State the expenditure incurred on account of his election and such expenditure over the resultant by-election, which shall be recovered from such member as a debt due to the State.

13. Amendment of Section 45: In section 45 of the principal Act, in sub-section (2), for the words “the prescribed judicial officer” the words “the Court designated under section 15” shall be substituted.

14. Amendment of Section 46: In section 46 of the principal Act,

(i) in sub-section (1),

(a) for the words “thirty months from the date of election” the words “five years” shall be substituted.

(b) the proviso to sub-section (1) shall be omitted

(ii) in subsection (2) after the words ‘Adhyaksha and Upadhyaksha’ the words ‘and Chairmen of the Standing Committees’ shall be inserted

15. Amendment of Section 47: In section 47, for the words ‘an officer appointed by the Deputy Commissioner’ the words ‘the Chairman of the Standing Committee for Social Justice of the concerned Panchayat’ shall be substituted

16. Amendment of Section 48: (1) In section 48 of the principal Act, after sub-section (3) shall be inserted as under, namely:

(ii) the following proviso shall be added to sub-section (1), namely,-

“Provided that no Adhyaksha of a Gram Panchayat shall resign his office or membership, except on the grounds of proven physical or mental incapacity certified by a competent authority approved by the State Election Commission”.

(2) After sub-section (1) so amended the following new sub-section (1A) shall be inserted, namely:

(4) for the existing sub-section (4) the following shall be substituted, namely,-

“An Adhyaksha or Upadhyaksha may be removed from office if upon enquiry by the State Election Commissioner; he is found persistently remiss in discharging his duties or guilty of misconduct or is disqualified from being chosen for a period of six years under section 12, 124 and 167 of the Act.”

(5) in sub section 5 of section 48 for the word “government” State election commission shall be substituted.

17. Amendment of Section 49: In section 49 of the principal Act,

(a) the existing provision shall be renumbered as sub-section (1), and in sub-section (1) so renumbered:

(i) in the first proviso for the words ‘one-third’ the words ‘one-half’ shall be substituted.

(ii) in the second proviso for the words “within one year” the words “within the first thirty months” shall be substituted.

(iii) in the third proviso for the words “within one year” the words “ within two years” shall be substituted.

(b) After sub-section (1) so renumbered the following new sub-section (2) shall be added, namely:

(2) Notwithstanding anything said in (1) above, no resolution expressing want of confidence against an Adhyaksha or Upadhyaksha, shall be moved except on specific allegation of misuse or abuse of power or authority in executing any scheme, plan or project of the

Panchayat or of misappropriating funds or other assets of the Panchayat coming into his/her hands during the term of his membership or otherwise indulging in corruption in the course of exercising his functions.”

18. Amendment of Section 52: In section 52 (i) after sub-section (5) the following Explanation shall be added, namely:

“**Explanation:** For the purpose of this section an ordinary or special meeting includes an Extension Meeting”

(ii) after sub-section (6) the following new sub-section (7) shall be inserted, namely:

“(7) Every meeting shall be open to the public unless the presiding authority considers that any enquiry or deliberation pending before the Gram Panchayat should be held in camera and the said authority may at any time order any person to be removed who interrupts the proceedings.”

19. Amendment of Section 53: In section 53 of the principal Act, in sub-section (1) for the existing proviso the following shall be substituted, namely:

“Provided that if any meeting called for the purpose of election of Adhyaksha or Upadhyaksha if there is no quorum at the time appointed for the meeting, the presiding authority shall wait for thirty minutes and if within such time there is no quorum, he/she shall adjourn the meeting to such time on the following day which is not a public holiday and should there be no quorum even on the second adjourned day, adjourned to the third day and on that day election in the meeting shall be conducted.”

20. Amendment of Section 57: In section 57 of the Principal Act, in sub-section (1) the following proviso shall be added, namely:

“Provided that any Resolution of the Gram Panchayat passed in contravention of the provisions of the Act or the Rules made there under shall be void.”

CHAPTER IV FUNCTIONS, DUTIES AND POWERS OF GRAM PANCHAYATS, ADHUYAKSHA AND UPADHYAKSHA

21. Amendment of Section 58: The existing section shall be deleted and the following shall be inserted, namely:

(1) The Gram Panchayat shall be an autonomous unit of government and the State shall endow the Gram Panchayat with the powers, authority, functions, functionaries and funds as may be necessary to enable them to function as institutions of self-government.

(2) It shall be the duty of every Gram Panchayat to meet the needs of people of the Panchayat Area and shall have exclusive powers to administer the matters enumerated in Schedule I and also as elaborated in the Responsibility Map in respect of Gram Panchayats and to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all.

22.Functions of Gram Panchayats: Notwithstanding anything contained in **Schedule I**, it shall be also mandatory on the part of a Gram Panchayat insofar as the Gram Panchayat fund at its disposal will allow, to make reasonable provision within the Panchayat area in regard to the following matters, namely:

- (i) to ensure an environment that is safe and congenial for all citizens to exercise their rights in an atmosphere of freedom and liberty and to act on measures suggested by the respective Habitation Sabha, Ward Sabha and Gram Sabhas to protect its people against every form of abuse and exploitation;
- (ii) to act against hazards identified by the Habitation, Ward and Gram Sabhas and to implement measures for the safety, security and freedom of all the citizens of the Panchayat;
- (iii) to protect the rights and interests of the disenfranchised and the people belonging to the vulnerable sections and also to monitor and prevent practices that tend to violate their rights and to take all measures at their command to safeguard the dignity and freedom of the individual;
- (iv) to ensure that no traditional social and religious practice are performed in the villages that denigrate the rights, dignity and freedom of individuals especially of women, persons belonging to scheduled castes and the scheduled tribes and the weaker sections;
- (v) to make efforts at preventing practice of un-touchability, social boycotts and other types of social exclusions;
- (vi) to make efforts at preventing child marriage and protect children from this practice and practices that violate the rights, dignity and freedom of women or any individual by informing the Gram Panchayat or the elected members and or government officials so that appropriate action shall be taken;
- (vii) to prevent the economic, social, religious or sexual exploitation of any citizen of the Panchayat by any individual or group or establishment;
- (viii) to address issues of child work and labour if any residing or working within the area of the Panchayat;
- (ix) to promote communal harmony and unity among all groups of people in the habitation;
- (x) to ensure that all functions, meetings and dealings of the Gram Panchayat including meetings of the Habitation, Ward and Gram Sabhas are held in an environment that is congenial for the free and active participation of women and the weaker sections and to maintain an environment that is conducive to the participation of women, the scheduled castes and tribes and the backward classes in every office of a Panchayat;
- (xi) to ensure that the office of all Panchayats and public buildings under its management and control have separate toilets for men, women and wheelchair friendly;
- (xii) to identify the capacity building needs of the elected members and the staff of the Panchayat, identify appropriate resources persons and ensure that their capacity is strengthened if necessary with the assistance of the Taluk and Zilla Panchayat;

- (xiii) to ensure that the office of all Panchayats and public buildings under its management and control have ramps for the physically disabled;
- (xiv) to provide for a baby care centre or crèche in the building or complex within the Panchayat area as may be required;
- (xv) to organise and promote cultural festivals, literary activities and sports meets to nurture and promote physical education and the Arts and culture of the area and give expression to the talents of the people of the Panchayat and to equip them with the skills to manage the affairs of the Panchayat in accordance with the act and rules;
- (xvi) to promote Programmes of adult education, de-addiction and family counselling within the Panchayat area;
- (xvii) to spread awareness on issues of water conservation, preservation of natural habitat and recycling of bio degradable waste and ensure that the area is plastic free;
- (xviii) to promote economic development of all with a special focus on women, youth, scheduled castes and scheduled tribes, backward classes and weaker sections through the promotion of agriculture, village industries, small enterprises and cooperatives;
- (xix) to promote cooperation among residents and set-up and oversee all co-operatives in the area with a view to enabling economic development and social harmony;
- (xx) to facilitate the formation of self-help groups for the social and economic advancement of women;
- (xxi) to ensure non-exploitative means to promote banking, credit and savings;
- (xxii) to regulate and monitor money-lending activities that are in violation of the Usurious Loans Act and Money Lending Act and to report to the concerned authorities so as to prevent the exploitation of people in the Panchayat Area;
- (xxiii) to plan and design systems for knowledge management and ensure the maintenance of all records including those related to caste wise population census, crop census, cattle census, census of unemployed persons and persons below poverty line;
- (xxiv) to be a 'front office' for all official requirements of the constituents and attend to their needs either through addressing them if within the purview of the Gram Panchayat or by follow up with other Panchayats or Government agencies;
- (xxv) to be a nodal agencies house for birth, death and marriage certificates, katha, patta, pensions and other such schemes and requirements of residents;
- (xxvi) to take steps to dispose of animal carcasses; and
- (xxvii) to protect and nurture the bio-diversity of the area;

23. Obligatory Functions of Gram Panchayats for Planning: (1) It shall be obligatory on the Gram Panchayat to conduct a survey or Participatory Rural Appraisal [PRA] to collect essential socio-economic data including caste-wise population census, crop census, cattle census, census of unemployed persons and persons below poverty line;

(2) With the assistance of the Habitation, Ward and Gram Sabhas, the Gram Panchayat shall once in five years collate the plans of the Gram Sabhas reflecting the needs of all residents and the requirements for the development of their areas in order to compile and draw up a Forward Looking Plan called the Vision Plan.

(3) In order to determine the priority of the economic, social, cultural and environmental development programmes and schemes to be implemented in the area of the Gram Panchayat, the Gram Panchayat shall collate all the plans approved by the Gram Sabhas taking into account the interests of every group constituting the Gram Panchayat for inclusion in the Vision Plan and the Annual Development Plans of the Gram Panchayat and this plan shall be placed before the Gram Sabha and forwarded to the Taluk Planning and Development Committee (TPDC) with a copy to the Taluk Panchayat;

(4) The Gram Panchayat shall also make provisions for carrying out any other work or programme or take such measures to promote the health, safety, education, comfort, convenience or social or economic well-being of the inhabitants and for the protection of the environment within the Panchayat area.

(5) The plans approved by the Gram Sabhas shall not be changed or altered by Gram Panchayat.

(6) To ensure that the priority of economic, social, cultural and environmental development programmes and schemes to be implemented in the area are based on the 'priority ranking' method, the Gram Panchayat shall take into consideration and give due weightage to backwardness, urgency of need, level of impact and coverage;

24. General Powers of Gram Panchayats: Without prejudice the provisions of sub-section

(1) the general powers of a Gram Panchayat shall extend to:

1. Implementation of Land Reforms: Gram Panchayats shall ensure that the Law in force with regard to Land Reforms is fully complied with.

2. Audit and Jama Bandi: To ensure that all programmes, schemes, works undertaken or implemented in the Gram Panchayat area shall be audited by the Accountant General and that the jama bandhi shall be undertaken every year as prescribed by Rules;

(iv) After sub-section (3), a new sub-section (4) shall be inserted as follows:

“(4) Entrustment of every function to the Gram Panchayat shall result in the vesting of the respective functionaries and funds in the Gram Panchayat”

25. Insertion of New Sections 58B, 58C 58D 58E 58F and 58G: After section 58A of the principal Act, three new sections 58B to 58E shall be inserted, as follows, namely:

58B. Duty of Gram Panchayat to Prevent Sexual Harassment of Women: It shall be the duty of every Gram Panchayat to take appropriate measures at preventing sexual harassment of women in work places, educational institutions and at other public places within the Panchayat Area, by ensuring the effective implementation of the Prevention of Sexual Harassment of Women Act, 2013 or any other Law in force.

58C. Duty to Recover Possession of Encroached Property: Every Gram Panchayat shall take necessary steps to take possession of encroached common property resources either by individuals or by organizations and make all efforts to rejuvenate them with active participation of users of such resources

58D. Duty to Maintain Hygiene: Every Gram Panchayat shall take steps to maintain hygiene to all citizens and for that purpose it shall have powers to inspect and regulate the activities of individuals or establishments that are engaged in the catering of food, water, drugs, beverages and other consumables.

58E. Unlicensed Sale of Liquor: Every Gram Panchayat shall ensure that there is no unlicensed sale of liquor in the Panchayat area and shall take steps together with the appropriate departments such as excise and hold them accountable.

58F. Prohibition: Notwithstanding anything contained in any Act or any other Law for the time being in force the Gram Panchayat may decide to prohibit sale and consumption of liquor and gambling in the area of the Gram Panchayat or in selected areas of the Gram Panchayat as decided by the Gram, Ward or Habitation Sabhas at the meetings of the respective Sabhas where 50% of the total members of the said Sabha are present and voting and such a resolution is passed by a majority of not less than 2/3 of the members present; and forward the resolution to the Government for necessary action.

58G. Dangerous Quarrying Bore Wells, Open Wells and Ponds: It shall be the duty of every Gram Panchayat to check acts of quarrying, drilling bore wells, excavating open wells or ponds as to prevent nuisance or danger to the inhabitants and to take steps together with the appropriate departments such as revenue and hold them accountable to make them secure by fencing, filling them up etc., at the cost of the Panchayat to be recovered from the concerned person who as caused the nuisance or danger, without prejudice to taking any action under law.

59. Transfer of Institutions or Works to Gram Panchayats: After section 1(c) the following shall be inserted (1) Subject to such rules as may be prescribed, the Deputy Commissioner or the Zilla Panchayat or Taluk Panchayat or any private person or body of persons may, with the consent of the Gram Panchayat and subject to such conditions may be agreed upon, make over to it..

(d) the management of any institution or the execution or maintenance of work or the performance of any duty within the area over which it has got control. (e) entrust the Gram Panchayat with the power to implement the harvesting and recharging of ground water in order to prevent depletion.

(f) Transfer such other functions as the Government deems fit from time to time.

Provided further that when any transfer of the management and maintenance of a forest or any facility or public works is made under clause (a) the Government shall direct that any amount required for such management and maintenance or an adequate portion of the income from such forest be placed at the disposal of the Gram Panchayat;

Without prejudice to anything said in the second proviso to clause (e) of sub-section (1), entrustment of a function to the Gram Panchayat under this section shall result in the vesting of the related functionaries and funds in the Gram Panchayat.

60. Without prejudice to the generality of sub-section (1) above, every Gram Panchayat shall have specific powers as herein after provided:

- (i) to levy, revise and collect taxes, rents and fees that are leviable under the Act;
- (ii) to protect and maintain all community assets vested in it;

26. Amendment of Section 59: In section 59 of the principal Act, in sub-section (1):

(a) (i) for the number and words, '(1). The Government may' appearing in the beginning the words "As soon as may be after the commencement of this Act, the Government shall" shall be substituted

(ii) after clause (c) insert the following new clause (ca), namely:

(ca) disbursement of widow pensions and such other pensions under the various poverty alleviation schemes

(ii) Sub-section (2) shall be deleted.

27. Amendment of section 60: In section 60 the existing provision shall be renumbered as sub-section (1) and after sub-section (1) so renumbered the following new sub-section shall be added, namely:

"(2) The Gram Panchayat shall act as a forum for conciliation and arbitration to resolve complaints and grievances of the residents within the Panchayat area.

28. Insertion of new section 60A: After section 60 of the principal Act, the following new section shall be inserted, namely:

"60A. Mode of Making Contracts: (1) Every contract or agreement entered into on behalf of the Gram Panchayat for execution of works or for supply of goods or services shall be in accordance with the provisions of this section.

(2) and the provisions of the Karnataka Transparency in Public Procurements Act, 1999 (Karnataka Act No of)

(3) The Chief Secretary shall execute the contract or agreements on behalf of the Gram Panchayat in respect of matters which he is empowered to carry out under the provisions of this Act and such contract or agreement shall be executed up to such amount of value of the contract or agreement as may be specified by the Government from time to time.

60B. Community Contracts: Notwithstanding anything contained in sub-sections (1) and (2), and on the recommendation of the Gram Sabha, the Gram Panchayat may award any contract for execution of any works of the Panchayat or to supply any goods or services to any group of residents or to a co-operative society or a society registered in Karnataka within the Panchayat area to undertake and execute the works at rates fixed by the Government as a first choice.

29. Amendment of Section 61: In section 61 of the principal Act, (A) in sub-section (1) after clause (iii) the following new clauses shall be inserted, namely,-

“(iv) (1) A Committee to address women’s concerns and issues under the Standing Committee for Social Justice such as the empowerment of women by achieving their social, cultural and economic development and to protect them against crimes of domestic violence, sexual harassment etc., within the Gram Panchayat.

(2) Functions of the Women’s Justice Committee issues shall include advising the Panchayat on:

- (a) Making and enforcing appropriate regulations or bye-laws to check violations and abuse;
- (b) Setting up mechanisms for their prevention and redressal;
- (c) Making spaces at schools, offices, factories, hospitals and other public places gender-friendly by ensuring adequate facilitations for women to work and go about their daily lives in freedom and dignity.

Provided that, the Chairman of the Women’s Justice Committee and at least two-thirds of its members shall be women representing persons belonging to the Schedule Castes and the Scheduled Tribes and the backward classes including minority groups

Explanation: For the purpose of this section ‘woman’ includes adolescent girls, spinsters and aged women.

(d) Similar Committees may be set up under the Standing Committee for Social Justice for the SC/ST, Children, Senior Citizens and the disabled.

“(v) A Committee for supervision of Public Works for investigation and reporting on complaints raised by the Gram Sabha about poor quality, pilferage and misappropriation of funds in the execution of works.

“(vi) An Information and Statistics Committee in every Gram Panchayat that will collate and store the Vision and Annual Plans, data related to the census, surveys conducted, PRAs and data concerning rural development, details of Central and State Government schemes in progress, data relating to agricultural practices and other information of importance to farmers, data concerning Physical Infrastructure Index and Assets and Resources relating the Panchayat Raj System in general and Gram Panchayats in particular that will assist the Gram Panchayat to fine tune their plans and budget outlays.

The Committee shall have power co-opt one or two Computer technicians conversant with web designing and organisation and maintenance of electronic portals”

After sub-section (1A) the following new sub-section (1B) shall be inserted namely ‘the Chairmen of the Standing Committees shall be entitled to receive such salary and emoluments as may be prescribe’.

30. Insertion of New Section 61B: After section 61 the following new section shall be inserted, namely:

“61B. Power of Panchayats Over Decisions of Committees: The Panchayat shall have power to annul, revise or modify any decision taken by any of its committees.

31. Amendment of Section 62: In section 62 Of the Principal Act, after clause (d), the following new clause (e) shall be inserted, namely:

“have power to accord sanction up to a total sum of rupees five lakhs at a time for the purpose of providing immediate relief during natural calamities within the Panchayat area, subject however to the condition that the Adhyaksha shall place the details of it for ratification at the next meeting of the Gram Panchayat”

32. Amendment of Section 64: In section 64 of the Principal Act, (i) in sub-section (1), after the words ‘or to add to any existing building’ the words ‘or set up mobile towers atop or alongside or in any adjacent vacant space within the premises’ shall be inserted.

(ii) Sub-sections (5) and (6) shall be deleted.

33. Amendment of Section 110: In Section 110 of the Principal Act, after clause (e) clause (f) shall be inserted as follows:

(f) The owner of an animal whether it is a pet or domestic animal shall dispose of the carcass on its death.

At the end of the Section for the words Rs. One Hundred, the words “Five Hundred” shall be inserted.

CHAPTER V

KARNATAKA PANCHAYAT ADMINISTRATIVE SERVICE

34. Amendment of Chapter V: In Chapter V of the Principal Act,

(i) the title of the Chapter shall be re-titled as:

(ii) the existing sections 111 to 113 of Chapter V shall stand repealed and in their place the following new sections 111 to 113C shall be enacted and inserted, namely:

111. Panchayat Administrative Service: The Government shall set up in the State a separate cadre of service to be called the Karnataka Panchayat Administrative Service (KPAS) consisting of the staff in all cadres including the officers and other servants that constitute the human resource needs of the Panchayat Raj Institutions in the State.

112. Panchayat Staff Cadres: (1) All the Panchayats in the three tiers shall have a uniform staff pattern consisting of:

(i) Chief Secretaries, who shall function as the administrative heads of the respective Panchayats

(ii) Other officers of the Government appointed to Panchayat Raj Institutions under the Karnataka Panchayat Raj Act, 1993 as on the date of commencement of this Act working as such, who may be absorbed into the Panchayat Administrative Service in accordance with the provisions of section 114, and

(iii) Staff of the Karnataka Panchayat Administrative Service appointed directly, or absorbed through devolution as hereinafter provided under this Act.

(2) The Chief Executive Officer of a Zilla Panchayat, the Executive Officer of the Taluk Panchayat and the Panchayat Development Officer of a Gram Panchayat shall, from the date of commencement of the Amendment Act, carry the designations as Chief Secretaries of the concerned Panchayats in the respective tier.

113. Chief Secretaries of Panchayats and their conditions of service: (1) The Government shall appointment,

(i) An officer of Group-A (Senior) cadres in the Government, not below the rank of a Deputy Commissioner for each Zilla Panchayat, to be the Chief Secretary, Zilla Panchayat;

(ii) An officer of Group-A (Junior) cadres in the Government, not below the rank of an Assistant Commissioner for each Taluk Panchayat to be the Chief Secretary, Taluk Panchayat;

(iii) An officer of the Cadre not below the rank of a Deputy Tahsildar for each Gram Panchayat to be the Chief Secretary, Gram Panchayat;

(3) 50% of the officers referred to sub-section (1) (i) and all the officers in (ii) and (iii) shall be from the RDPR Department.

113D. Karnataka Panchayat Services Board: (1) There shall be established in the State an independent Board to be called the Karnataka Panchayat Services Board for defining the policy governing the human resource and regulating administration and control of staff in the Panchayat Raj Institutions in keeping with the principle of subsidiarity and the spirit of the devolution.

(2) The Panchayat Services Board shall consist of a Chairman and as many members, being not less than three and not more than five, of whom at least one shall be a woman, one a person belonging to the Scheduled Castes and the Scheduled Tribes and one belonging to the backward classes.

(3) The Board shall have power to co-opt one or two other members who are experts in the field of Rural Administration and Human Resource Planning, as special invitees on the Board.

(4) The Government shall, within six months of the commencement of this Act, set up the Board and specify the qualifications, term of office, salary and allowances and conditions of service of the Chairman and other members of the Board.

113E. Functions of the Board: The Board shall, as soon as may be after its constitution, decide on the human resource needs of the Panchayat Raj institutions,

(i) Compile information of all cadres, their strengths, vacant positions, anticipated future vacancies with time lines, job description, Recruitment Rules etc.

(ii) Provide for separate Secretariat for Panchayat Raj services for facilitating the smooth functioning of Panchayat Raj Institutions in the State. The powers, functions and duties of the Commissionerate or Directorate shall be as specified.

- (iii) Determine the Cadres and Posts appropriate to the Panchayat services, staff requirements in each such cadre and post.
- (iv) Prescribe the qualifications for appointment and methods of recruitment to the various cadres keeping in view the existing set up of the Rural Development and Panchayat Raj Department and staff out-lay.
- (v) Make recommendations on rationalisation/convergence of the various cadres to match the growing responsibilities of the Panchayat Raj Institutions.
- (vi) Suggest changes required in the various Rules for Administration, Government Orders, notifications and circulars in force on the date of commencement of this Act for effective implementation of the functions and functionaries in this Act.
- (vii) Prepare and frame Rules to be applicable to the Karnataka Panchayat Administrative Services, for Cadre and Recruitment, service conditions like Pay and Allowances, Leave, Transfers, Travelling Allowance, Misconduct and Domestic enquiry etc., on par with Civil Service Rules in force in the State Government, or otherwise
- (viii) Such Rules shall provide for the ratio of posts in Group-A and Group- B (senior scale) to be filled:
- (a) By posting of officers of All India Services cadres or the Karnataka Administrative Service and the allied services, respectively,
- (b) By promotion of staff of the Panchayat Raj Cadres working in the junior cadres, and
- (c) in accordance with the rules of reservation in force in the State.

Provided that the staff and cadre having experience of working in and possessing aptitude for service in rural areas shall be recruited and posted.

113F. Absorption of Government Officers Working in the Panchayats: (1) Such members of the staff of the Government working in Panchayat Raj Institutions or providing services or implementing programmes in the Panchayat areas in the State as on the date of commencement of this Act, as Executive Officers (non-KAS), Panchayat Development Officers, Accounts Officers, Planning Officers, Engineers and other Technical, Administrative and Accounts Staff shall, subject to their willingness, be absorbed in the Panchayat Administrative Service on the same terms and conditions of service as applicable to them, and form part of the Panchayat Administrative Service.

(2) Vacancies remaining in these cadres after absorption under sub-section (1) and arising later on account of death, retirement, resignation or removal shall be filled by recruitment to the Panchayat Administrative Service by promotion or otherwise by direct recruitment.

Provided that in making appointments under this section the Rules of Reservation in public employment as in force in the State shall be followed

Provided further that all appointments by direct recruitment shall be made by a Recruitment Committee constituted by the Government in consultation with the State Public Service Commission, based on the guidelines stipulated by the Karnataka Panchayat Services Board.

113G. Regulation of Staff: Till such time as the Service Rules for Panchayat Administrative Service are framed under clause (vi) the Rules of recruitment and conditions of service applicable to Government servants as in force on the date of commencement of this Act shall apply mutatis mutandis to the Staff of the Karnataka Panchayat Administrative Service, until regular Cadre and Recruitment Rules and other allied Rules of service are framed separately for the Service in accordance with this Act

113H. Expenditure on Staff Salaries: (1) Expenditure on staff salaries including the Personal Staff of the Adhyakshas shall be met out of the Panchayat Funds of the concerned Panchayat, receivable in the form of Annual Establishment (non-plan) Grants from the Government.

(2) On and from the date of commencement of this Act, the Government shall devolve and transfer the funds required to meet the staff salaries under non-plan, along with the functionaries to be transferred and vested in the Panchayats.

113-I. Arrangement of Additional Technical Staff for Panchayats: (1) The Government may, wherever necessary, draw the officers and officials of the State Civil Service including engineering or technical staff and post them to one or more Panchayats:

(2) If there is shortage of officers or officials for such posting under these sub-cadres, the Panchayat may in the exigencies of service engage the services of technical staff including engineers not belonging to State Civil Service for specific work, on terms and conditions as may be specified by the Government in this regard.

(3) The officers and employees posted to a Panchayat under sub-section (1) shall perform functions and discharge duties as if they are officers and employees of that Panchayat and they shall attend to, in addition to their normal duties any other duty assigned to them by the Panchayat subject to the guidelines, if any, issued by the Government.

(4) The officers and employees posted to a Panchayat under sub-section (2) shall execute works, discharge functions or perform duties involving implementation of any scheme, project or plan of the Government, not assigned to the Panchayat under this Act or any other law.

(5) The Government shall bear the salary, allowances and other dues to officers and officials posted to the Panchayat under sub-section (1)”

113A. Functions, Powers and Duties of the Chief Secretary Zilla Panchayat: (1) Save as otherwise expressly provided by or under this Act, and subject to the superintendence, guidance and control of the Adhyaksha of the respective Zilla Panchayats, the Chief Secretary, Zilla Panchayat shall perform the following functions:

(a) Exercise all the powers specially imposed or conferred upon him by or under this Act, or under any other law for the time being in force;

(b) Overall supervision and control of the officers and officials of, or holding office under, the Zilla Panchayat subject to the general superintendence and control of the Adhyaksha and such rules as may be prescribed.

(c) Discharge all duties imposed and exercise all the powers conferred on him under this Act and the rules made there under and perform such functions entrusted to him from time to time.

(d) Supervise and control the execution of all works of the Zilla Panchayat;

(e) Take necessary measures for the speedy execution of all works and developmental schemes of the Zilla Panchayat;

(g) Have custody of all papers and documents connected with the proceedings of the meetings of the Zilla Panchayat and its Committees;

(h) Draw and disburse monies out of the Zilla Panchayat fund; and

(i) Exercise such other powers and discharge such other functions as may be prescribed.

(2) The Chief Secretary, Zilla Panchayat shall attend every meeting of the Zilla Panchayat and shall have right to attend the meeting of any Committee thereof and to take part in the discussion but shall not have right to move any resolution or to vote.

(3) If in the opinion of the Chief Secretary any proposal or resolution or any order of the Zilla Panchayat or any Committee thereof is made in violation of or, is inconsistent with the provisions of this Act or the rules made thereunder or, is in derogation of the functions and powers of the Zilla Panchayat or its committees or of the Adhyaksha or, is transgressive of any financial regulation or budget provision it shall be the duty of the Chief Secretary to inform the Zilla Panchayat or the committee or the Adhyaksha in the form of a written note containing the reasons for his opinion and specifying the law, rule or other provision with which the proposal or resolution or order is inconsistent.

Provided that where such proposal or resolution or order has been considered and passed by the Zilla Panchayat or the committee or the Adhyaksha before such advice is tendered, the Chief Secretary may resubmit the proposal or resolution or order with his written note after such examination as he considers it necessary.

(4) If the Zilla Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (5) it shall be the duty of the Chief Secretary, notwithstanding any other provisions in this Act, to forward forthwith to the State Government under intimation to the Adhyaksha, a copy of the said resolution or order along with his written note.

113B. Functions of the Chief Secretary, Taluk Panchayat: (1) Save as otherwise expressly provided by or under this Act and subject to the superintendence, guidance and control of the Adhyaksha of the concerned Taluk Panchayat, the Chief Secretary of a Taluk Panchayat shall perform the following function's,-

(a) exercise all the powers specifically imposed or conferred upon him by or under this Act, or under any other law for the time being in force;

(b) perform overall supervision and control the officers and officials of, or holding office under the Taluk Panchayat subject to the general superintendence and control of the Adhyaksha and such rules as may be prescribed.

(c) discharge all duties imposed and exercise all the powers conferred on him under this Act and the rules made there under and perform such other functions entrusted to him from time to time.

(d) supervise and control the execution of all works of the Taluk Panchayat.

(e) take necessary measures for the speedy execution of all works and developmental schemes of the Taluk Panchayat.

(f) have custody of all papers and documents connected with the proceedings of the meetings of the Taluk Panchayat and of its Committees.

(g) draw and disburse monies out of the Taluk Panchayat fund; and

(h) exercise such other powers and discharge such other functions as may be prescribed.

(2) The Chief Secretary shall attend every meeting of the Taluk Panchayat and shall have the right to attend the meeting of any committee thereof and to take part in the discussion but shall not have the right to move any resolution or to vote.

(3) If in the opinion of the Chief Secretary any proposal or resolution before the Taluk Panchayat or any Committee or any order of the Adhyaksha is violative of, or inconsistent with the provisions of this Act, or any other law or rule or order made there under or any financial regulation or budget provision or is in derogation of the functions and powers of the Taluk Panchayat or its committee or the Adhyaksha, it shall be the duty of the Chief Secretary to inform the Taluk Panchayat or the committee or the Adhyaksha in the form of a written note containing the reasons for his opinion and specifying the law, rule, order, regulation or provision with which the proposal or resolution or order is inconsistent and if the proposal or resolution or order has been considered and passed by the Taluk Panchayat or the committee or the Adhyaksha before such advice is tendered, the Chief Secretary may resubmit the proposal or resolution or order with his written note after such examination as he considers necessary.

(4) If the Taluk Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (3) it shall be the duty of the Chief Secretary, notwithstanding any other provisions in this Act, to forward forthwith to the State Government under intimation to the Adhyaksha a copy of the said resolution or order along with his written note.

113C. Functions of the Chief Secretary, Gram Panchayat: (1) Save as otherwise expressly provided by or under this Act and subject to the superintendence, guidance and control of the Adhyaksha the Chief Secretary, Gram Panchayat shall have overall supervision and control over the Village Secretary and the other officials perform all the duties and exercise all the powers imposed or conferred upon him by or under this Act or any rules or bye-laws made there under

(2) Without prejudice to the generality of the provisions under sub-section (1), the Chief Secretary, Gram Panchayat shall perform the following functions, namely:-

- (a) submit to the Gram Panchayat the monthly accounts of the Gram Panchayat before the tenth day of succeeding month;
- (b) furnish returns, statement of accounts and such other information when called for, by the Government or the auditor;
- (c) inspect or cause to be inspected the accounts of institutions under the control of the Gram Panchayat;
- (d) keep records of the Gram Panchayat. Standing committees, and other committees, Gram Sabha and Ward Sabha;
- (e) co-ordinate the preparation of the annual plan and five year plan so that the approved plan is submitted to the District Planning Committee in time;
- (f) disburse Gram Panchayat fund and plan fund to the officers concerned and furnish utilization certificate in the manner prescribed.
- (2) The Chief Secretary shall attend every meeting of the Taluk Panchayat and shall have the right to attend the meeting of any committee thereof and to take part in the discussion but shall not have the right to move any resolution or to vote.
- (3) If in the opinion of the Chief Secretary any proposal or resolution before the Gram Panchayat or any Committee or any order of the Adhyaksha is violative of, or inconsistent with the provisions of this Act, or any other law or rule or order made there under or any financial regulation or budget provision or is in derogation of the functions and powers of the Gram Panchayat or its committee or the Adhyaksha, it shall be the duty of the Chief Secretary to inform the Gram Panchayat or the committee or the Adhyaksha in the form of a written note containing the reasons for his opinion and specifying the law, rule, order, regulation or provision with which the proposal or resolution or order is inconsistent and if the proposal or resolution or order has been considered and passed by the Gram Panchayat or the committee or the Adhyaksha before such advice is tendered, the Chief Secretary may resubmit the proposal or resolution or order with his written note after such examination as he considers necessary.
- (4) If the Gram Panchayat or any of its committees or the Adhyaksha passes the resolution or order without resolving the inconsistency referred to in sub-section (3) it shall be the duty of the Chief Secretary, notwithstanding any other provisions in this Act, to forward forthwith to the State Government under intimation to the Adhyaksha a copy of the said resolution or order along with his written note.”

CHAPTER VI

CONVERSION OF A SMALLER URBAN AREA OR A TRANSITIONAL AREA AND AMALGAMATION (NO CHANGES)

- 35. Amendment of section 119:** In section 119, in sub-section (1) in the proviso, after the words ‘functions over schools’ a comma and the word ‘hospitals’ shall be inserted.

**CHAPTER VII
CONSTITUTION OF TALUK PANCHAYAT**

36. Amendment of Section 120: In section 120, (a) in sub-section (1),-

(i) after clause (iii), a new clause (iii) (a) shall be inserted as follows, namely:

“(iii) (a). The Member of the State Legislative Council representing the Local Bodies constituency” falling within the district.

(ii) in clause (iv) after the words, ‘in the Taluk’ the words ‘of whom one shall be a woman and one from the Scheduled Castes and the Scheduled Tribes’ shall be inserted.

(b) for sub-section (2) the following shall be substituted, namely:

“The Members referred to in clauses (ii) and (iii) of sub-section (1) shall be entitled to take part in the proceedings of the meetings except at meetings convened for the purpose of election of Adhyakshas and Upadhyakshas under sub-section (1) of section 138 or for considering a no-confidence motion under sub-section (3) of section 140: and the election of members of standing committees, and the members referred to in clause (iv) shall be entitled take part in the proceedings and vote at all the meetings of the Taluk Panchayat”

37. Amendment of Section 121: (i) For the words ‘for every ten thousand population’ the words ‘for every population between twelve thousand five hundred and fifteen thousand’ shall be substituted.

38. Amendment of Section 123: In Section 123 of the Principal Act, in sub-section (3),

(i) for the words ‘Not less than fifty percent of the Seats’ the words ‘One-Half of the Seats’ shall be substituted

(ii) in the first proviso, after the words ‘in the Taluk’ the words ‘taking the District as the unit’ shall be added.

39. Amendment of Section 124: In section 124 of the principal Act, at the end of clause (c) the following proviso shall be added, namely

‘Provided that the area of a Gram Panchayat shall not be divided while determining the extent of each territorial constituency of a Taluk Panchayat’

40. Amendment of Section 136: In section 136 of the Principal Act,

the existing provision shall be renumbered as sub-section (1)

for the words ‘The Government’ the words ‘The State Election Commissioner or any officer designated by him’ shall be substituted.

(c) in sub-section (1) so renumbered, for the whole of the provision appearing after the words ‘if such member has’ till the end, the following provision shall be inserted, namely:

‘(i) been guilty of misconduct in the discharge of his duties or of any disgraceful conduct,

(ii) become incapable of performing his duties as a member, or

(iii) has failed to attend three consecutive meetings of the Panchayat and in the case an Adhyaksha or Upadhyaksha failed to convene two consecutive meetings which were either due or were necessary or

(iv) he being a member representing any recognised political party, avoided to receive notice of a whip issued by his party or has at any meeting refused to vote or has voted in violation of the whip issued by his party.

(v) is in the execution of any work or supply goods or services to the Panchayat, contractual or otherwise found involved directly or indirectly with any person who is a close relative in the family or otherwise associated in any business related to such work as a partner, employee or a member on the Board of such organisation, or otherwise.

Explanation: For the purpose of this clause, ‘close relative’ means, in relation to the member, spouse, children and their respective spouses, brothers and sisters and their respective spouses, nephews and nieces and their respective spouses and includes step-sons and step-daughters and their respective spouses”

(c) after sub-section so amended the following new sub-section (2) shall be inserted, namely:

“(2) An Adhyaksha or Upadhyaksha or member so removed shall cease to function automatically and shall be disqualified under section 12, 124 and 167 of the Act for a period of six years.”

41.Amendment of Section 136A: For section 136A of the principal Act, the following shall be substituted, namely:

136A. Members to Declare Assets: The provisions of section 43A shall apply mutatis-mutandis in respect of obligation of Members of Taluk Panchayats to file their declaration of assets before the State Election Commission.

42.Amendment of Section 138: In section 138 of the Principal Act,

(i) in sub-section (3) for the words ‘twenty months from the date of his election’ the words ‘five years’ shall be substituted.

(ii) proviso to sub-section (4) shall be deleted

43.Amendment of Section 143: In section 143 of the Principal Act, (i) in the section heading the word ‘Government’ shall be deleted.

(ii) for the words ‘officers of the Government’ the words “officers of the Government or of State Boards and Corporations and other authorities involved in rural development” shall be substituted.

44.Amendment of Section 145: In section 145 , the existing Section shall be removed and the following shall be inserted, namely:

CHAPTER VIII
FUNCTIONS, DUTIES AND POWERS OF TALUK PANCHAYAT,
ADHYAKSHA AND UPADHYAKSHA

(1) The Taluk Panchayat shall be an autonomous unit of government and the State shall endow the Taluk Panchayat with the powers, authority, functions, functionaries and funds as may be necessary to enable them to function as institutions of self-government.

(2) It shall be the duty of every Taluk Panchayat to meet the needs of people of the Panchayat Area and shall have exclusive powers to administer the matters enumerated in Schedule II and also as elaborated in the Responsibility Map in respect of Taluk Panchayats and to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all.

45. Obligatory Functions of Taluk Panchayats: (1) Notwithstanding anything contained in Schedule II, it shall be also obligatory on the part of a Taluk Panchayat insofar as the Taluk Panchayat fund at its disposal will allow, to make reasonable provision within the Panchayat area in regard to the following matters, namely:

The provision contained in section 58 shall apply mutatis-mutandis.

(i) To consolidate, manage and maintain a data base of all relevant socio-economic information and a map of all natural and other resources and assets within the area and update them periodically to include the information obtained as a result of the surveys and Participatory Rural appraisals conducted in every Gram Panchayat and the surveys and data collection conducted by every Taluk Panchayat.

(ii) To render assistance to the Gram Panchayats for ensuring the safety, security, freedom and rights of all citizens and, in particular, the vulnerable sections of the society.

(iii) To supervise primary health centres, Taluk hospitals, veterinary hospitals and polyclinics in the Taluk with special focus on the health needs of women, children, the aged, sick and the infirm, including implementation of Child Development Programmes at Taluk level.

(iv) To supervise and manage government schools, ashram schools and hostels, orphanages, government industrial, technical and vocational training institutions and education centres and to perform all the attendant functions required such as the supply of text books, study materials and training inputs, recruitment of stop gap, part time, full time and honorary teachers; also the promotion of literacy and access to information through libraries with internet access.

(v) To assist the Gram Panchayats in the establishment and development of home stays, tourist destinations, khadi and village industries, food storage, processing and marketing outlets to create opportunities for self-employment and the alleviation of poverty through rural enterprises and cooperative societies including the management of the public distribution system.

- (vi) To set up and regulate Cooperative Banks for women at the Taluk level for encouraging small business, home and cottage industries by offering loans and promoting savings and to nominate three of its women members on its Board of Directors, ex-officio, of whom one shall be a Member belonging to the Scheduled Castes or the Scheduled Tribes.
- (vii) To assist the Gram Panchayats by providing technical and material support to preserve, protect and nurture the bio-diversity and ecology of the area and plan for social forestry and the establishment and maintenance of multi village solid and liquid waste management plants.
- (viii) To make assessment of all the capacity building requirements of all the Taluk level elected members, their families, Panchayat functionaries and standing and other committees etc., as per guidelines specified in chapter XIII A and to provide for de-centralised capacity building at the Taluk level by accessing the appropriate personnel and relevant expertise in fields such as gender, agriculture, ecology, rural development and industry, low-cost construction, water management, disaster management etc.;
- (ix) To assist and advise the Gram Panchayats to carry out capacity building at the village level and identify appropriate personnel with the relevant expertise in fields such etc.; to build their capacity and design strategies, plans and interventions that are viable and sustainable.
- (x) To promote trade of rural products, produce and livestock thoroughfares, melas, exhibitions and Taluk level public markets and to perform all the attendant functions required.
- (xi) To enable Gram Panchayats to provide clean drinking water and power supply and establish the infrastructure required to ensure the same including the providing of technical assistance.
- (xii) To identify, document and disseminate low cost, indigenous, viable and sustainable technologies for construction of housing, schools and all public works for the use in Taluk and Gram Panchayats and the planning, construction and maintenance of multi-Gram Panchayat and Taluk Panchayat level roads, lanes, footpaths, bus stands, bridges, culverts, drains etc.; and the maintenance of boats, ferries and waterways.
- (xiii) To ensure disaster preparedness in the Taluk, assessing the risks and developing disaster protocols and documenting and disseminating this knowledge through capacity building and providing resources such as medical and other requirements for all types of possible disasters and enlisting the cooperation and participation of the Gram Panchayats and Zilla Panchayats, Non-Government Organisations and men of expertise in the relevant fields.
- (xiv) To requisition vehicles, structures, buildings and personnel to address epidemics and disasters and for natural calamities, and
- (xv) To promote and preserve traditional social and cultural art forms, sports, crafts, skills and practices of all sections of the society at the Taluk level.”

(xvi) To meet the requirements of the Taluk Panchayat area and respond to the needs and requests of the Gram Panchayats and provide assistance to them as necessary in the area in respect of the matters enumerated in the schedule III;

(xvii) To conduct once in five years and along with the urban local bodies concerned, a survey to collect essential socio-economic data, crop census and cattle census, census of unemployed persons and persons below poverty line of the area of the Taluk;

(xviii) Based on its own survey held under clause (i) above, to draw up with the assistance of the Gram Panchayats, its own vision plan consolidating the plans of all the Gram Panchayats within its area and adding to it its own development plan covering its area other than the areas covered by the Gram Panchayats in the Taluk

(xix) To implement and administer schemes such as the construction of roads and bridges and water channels, lift irrigation and minor irrigation schemes that the Gram Panchayats cannot by themselves undertake,

(xx) Take measures to promote the health, safety, education or social and economic well-being of the inhabitants, for the protection of the environment within the Panchayat area and to carry out any other work or Programme necessary or incidental thereto.

46. Insertion of New Sections 145A to 145D: After section 145 of the principal Act the following new sections shall be inserted, namely:

145A. Consolidation and Integration of Plans: (1) The Taluk Panchayat shall draw up a vision plan and annual development plans, indicating the needs in their order of priority, by consolidating the plans presented by the Gram Panchayats, adding their own requirements containing the components of the plans and the estimate of funds required and presenting the same to the Taluk Planning and Development Committee with a copy to the Zilla Panchayat. The plans of the Gram Panchayats shall not be altered except with the concurrence of the Gram Panchayat concerned.

(2) In determining the priorities of development Programmes and schemes to be implemented in the area, the priority ranking method shall be adopted taking into consideration the backwardness, urgency of the need, level of impact and the population.

145B. Dangerous Quarrying, Bore Wells, Open Wells and Ponds: A Taluk Panchayat shall have the power to prevent acts of quarrying, drilling bore wells, excavating open wells or ponds causing nuisance or danger to the inhabitants of the area and to take measures like fencing or filling them to make them secure at the cost of the individual or the person concerned, or from both, as the case may be. This shall also be made as a precondition for issuing licences.

145C. Biodiversity, Social Forestry and Ecology: A Taluk Panchayat shall assist the Gram Panchayats within its area by providing technical and material support to preserve, protect and nurture the biodiversity and ecology of the area and plan for social forestry and the establishment and maintenance of multi village solid and liquid waste management plants.

145D. Knowledge Management: Taluk Panchayat shall consolidate, manage and maintain a data base of all relevant socio-economic information and a map of all natural and other

resource and assets within the area and update them periodically to include the information obtained as a result of the surveys and Panchayat Raj Appraisal Surveys conducted in every Gram Panchayat and the data collection conducted by it.

47. Insertion of New Section 148A: After section 148 of the following new section shall be inserted, namely:

“148A. Power of Panchayats Over Decisions of Committees: The Panchayat shall have power to annul, revise or modify any decision taken by any of its committees.

48. Amendment of Section 152: In section 152 of the Principal Act, after clause (d), the following new clause (e) shall be substituted, namely:

“have power to accord sanction up to a total sum of rupees ten lakhs at a time for the purpose of providing immediate relief during natural calamities within the Panchayat area, subject however to the condition that the Adhyaksha shall place the details of each sanction for ratification before the Taluk Panchayat at its next meeting.

49. Amendment of Section 154: For section 154 of the principal Act, the following shall be substituted, namely:

154. Mode of Making Contracts: Provisions of section 60-A shall *mutatis-mutandis* be applied to contracts related to all development works of the Taluk Panchayat.

50. Amendment of Chapter IX: Chapter IX of the Principal Act, with all its provisions, namely, sections 155 to 157 shall be deleted.

**CHAPTER IX
STAFF OF TALUK PANCHAYAT**

(NO CHANGE)

**CHAPTER X
ZILLA PANCHAYAT CONSTITUTION OF ZILLA PANCHAYAT**

51. Amendment of Section 159(2): The provisions of section 120(2) shall apply *mutatis-mutandis* to this section.

52. Amendment of Section 160: In section 160 of the Principal Act,

(i) for the words ‘for forty thousand population’ the words ‘for every population between thirty five thousand and forty-five thousand’ shall be substituted.

53. Amendment of Section 162: In Section 162 of the Principal Act, in sub-section (3):

(i) for the words ‘Not less than fifty percent of the Seats’ the words ‘One-Half of the Seats’ shall be substituted

(ii) in the first proviso after the words ‘District’ the words ‘taking the State as the unit’ shall be added

54. Amendment of Section 163: In section 163 of the principal Act, at the end of clause (c) the following proviso shall be added, namely

‘Provided that the area comprised in a constituency of a Taluk Panchayat determined under section 124, shall not be divided while determining the extent of each territorial constituency’

55. Amendment of Section 175: In section 175 of the Principal Act,

(a) the existing provision shall be renumbered as sub-section (1)

(b) for the words ‘The Government’ the words ‘The State Election Commissioner or any officer designated by him and after the words Zilla Panchayat’ or otherwise shall be substituted.

(c) in sub-section (1) so renumbered, for the whole of the provision appearing after the words ‘if such member has’ till the end, the following provision shall be inserted, namely:

‘(i) been guilty of misconduct in the discharge of his duties or of any disgraceful conduct,

(ii) has failed to carry out his duties, functions and obligations as a member, or

(iii) has failed to attend three consecutive meetings of the Panchayat and in case an Adhyaksha or Upadhyaksha failed to convene two consecutive meetings which were either due or were necessary or

(iv) he being a member representing any recognised political party, avoided to receive notice of a whip issued by his party or has at any meeting refused to vote or has voted in violation of the whip issued by his party.

(v) is in the execution of any work or supply of goods or services to the Panchayat, contractual or otherwise found involved directly or indirectly with any person who is a near relative in the family or otherwise associated in any business related to such work as a partner, employee or a member on the Board of such organisation, or otherwise.

Explanation: For the purpose of this clause, ‘near relative’ means, in relation to the member, his spouse, children and their respective spouses, brothers and sisters and their respective spouses, nephews and nieces and their respective spouses and includes step-sons and step-daughters and their respective spouses”

(c) after sub-section so amended the following new sub-section (2) shall be inserted, namely:

“(2) An Adhyaksha or Upadhyaksha or member so removed shall cease to function in office and shall be disqualified under section 12, 124 and 167 of the Act for a period of six years.”

56. Amendment of Section 175A: For section 175-A of the principal Act, the following shall be substituted, namely:

175A. Members to Declare Assets: The provisions of section 43-A shall apply mutatis-mutandis in respect of obligation of Members of Zilla Panchayats to file their declaration of assets and liabilities before the State Election Commission.

57. Amendment of Section 177: In section 177 of the Principal Act,

(i) in sub-section (3) for the words 'twenty months from the date of his election' the words 'five years' shall be substituted,

(ii) after sub-section (3) the following new sub-section (3A) shall be inserted, namely:

“(3A) An Adhyaksha of a Zilla Panchayat shall have the status of a Minister of State and shall be entitled to salary or other emoluments as may be prescribed.

58. Amendment of Section 182: In section 182 of the Principal Act,

(i) in the section heading the word 'Government' shall be deleted.

(ii) for the words 'officers of the Government' the words "officers of the Government or of any Board or Corporation involved in rural development" shall be substituted.

CHAPTER XI

FUNCTIONS, DUTIES AND POWERS OF ZILLA PANCHAYAT ADHYAKSHA AND UPADHYAKSHA

59. Amendment of Section 184: (1) In section 184, the existing Section shall be removed and the following shall be inserted, namely:

(2) The Zilla Panchayat shall be an autonomous unit of government and the State shall endow the Zilla Panchayat with the powers, authority, functions, functionaries and funds as may be necessary to enable them to function as institutions of self-government.

(3) It shall be the duty of every Zilla Panchayat to meet the needs of people of the Panchayat Area and shall have exclusive powers to administer the matters enumerated in Schedule II and also as elaborated in Responsibility Map in respect of Zilla Panchayats and to prepare and implement schemes for economic, social, cultural development for the realisation of social justice for all.

60. Obligatory Functions of Zilla Panchayats: (1) Notwithstanding anything contained in Schedule III, it shall be also obligatory on the part of a Zilla Panchayat insofar as the Zilla Panchayat fund at its disposal will allow, to make reasonable provision within the Panchayat area in regard to the following matters, namely:

The provision contained in section 58 shall apply mutatis-mutandis.

61. Insertion of New Sections 184A to 184C: After section 184 as so amended, the following new sections 184A to 184E shall be inserted, namely,-

184A. Certain Obligations of Zilla Panchayats: Notwithstanding anything contained in schedule III, or in section 184, it shall be also obligatory on the Zilla Panchayat so far as the Zilla Panchayat fund at its disposal will allow, to make reasonable provisions within the area under its jurisdiction, in respect of the following matters, namely:

(1) The Zilla Panchayat shall meet the requirements of the Panchayat area and respond to the needs and requests of the Gram and Taluk Panchayats and provide assistance to them as may be necessary in the area in respect of the matters enumerated in the Schedule III

(2) It shall be obligatory on the Zilla Panchayat to engage itself in the process of Planning as envisaged.

184B. Powers of the Zilla Panchayat: (1) Without prejudice to the regulations of the other provisions of the Act a Zilla Panchayat shall have exclusive power to administer the matters enumerated in Schedule III and to do all acts necessary for or incidental to the carrying out of the functions entrusted, assigned or delegated to it.

(2) The functionaries responsible for carrying out the functions enumerated in schedule-III along with the funds shall be allocated by the State Government to implement the respective duties and functions vested in the Zilla Panchayats that include the following:

(i) providing assistance to the Taluk and Gram Panchayats to ensure the safety, security, freedom and rights of all adults and children residing in the vicinity of the village.

(ii) establishment and maintenance of community health centres and district hospitals at the district level and to perform all the attendant functions required with due attention to the care of special categories and the differently abled including Programmes for the development and empowerment of women and children at district level.

(iii) establishment, maintenance and management of First Grade Colleges, Pre University Colleges, Polytechnics, Industrial Training Institutes, Ashram Schools, Hostels, Orphanages, Government Industrial, Technical And Vocational Training Institutions for youth and rural artisans and education centres and to perform all the attendant functions required such as the supply of text books, study materials and training inputs, recruitment of stop-gap, part-time, full-time and honorary teachers and also the promotion of literacy and access to information through libraries with internet facilities.

(iv) assisting the Taluk and Gram Panchayats to develop and establish tourist destinations and promote the same, to promote khadi and village industries, establish food storage, processing and marketing outlets and create opportunities for self-employment and the alleviation of poverty through rural enterprises and cooperative societies.

(v) supporting the Taluk Panchayats to set up and manage Women's Cooperative Banks or Societies for Women separately at the Taluk level to promote small business, small and medium scale industries.

(vi) assisting the Taluk and Gram Panchayats by providing technical and material support to preserve, protect and nurture the biodiversity and ecology of the area and plan for social forestry and the establishment and maintenance of multi village solid and liquid waste management plants and the prevention of drilling of irrigation bore wells in the vicinity of drinking water wells to ensure adequate drinking water, especially in lean season.

(vii) ensuring that a needs assessment of all the capacity building requirements are made for all the Zilla level elected members, Panchayat functionaries and standing and other committees, etc. as per the guidelines specified in chapter (Capacity Building) and to that end, the Zilla Panchayat shall have the power to provide de-centralised capacity building at the district level for all persons by taking access to appropriate personnel and relevant

expertise in the fields such as gender, agriculture, ecology, rural development and industry, low-cost construction, water management, disaster management etc.;

(viii) assisting and advising the Taluk Panchayats to carry out capacity building at the village level and identify appropriate personnel with the relevant expertise in fields such etc.; to build their capacity and design strategies, plans and interventions that are viable and sustainable.

(ix) promoting trade of rural agricultural and industrial products, produce and livestock, organising thoroughfares, melas, and exhibitions at the district level and to perform all the attendant functions required.

(x) enabling the Taluk and Gram Panchayats to provide clean drinking water, toilets and power supply and establish the infrastructure required to ensure the same including the providing of technical assistance for the following, namely:

(a) Construction of underground water re-charging structures to ensure availability of water in the drinking water wells;

(b) The establishment of mega drinking water projects, setting up water testing labs and the development of ground water resources; and

(c) Construction and maintenance of minor irrigation schemes and the establishment of large conventional and non-conventional energy units including the sale of conventional and non-conventional energy.

(xi) Identification, documentation and dissemination of low cost, indigenous, viable and sustainable technologies for construction of housing, schools and all public works for the use in Zilla, Taluk and Gram Panchayats and the planning, construction and maintenance of large road, bridges, culverts, drains etc.; and the maintenance of boats, ferries and water ways at the district level.

(xii) developing and implementing epidemic and disaster management systems and disaster preparedness in all Taluks and villages of the district, assessing the risks and developing disaster protocols that include capacity building and resource availability such as medical and other requirements for all types of possible disasters and enlisting the cooperation and participation of Taluk and Gram Panchayats, NGOs and experts in the relevant fields.

(xiii) Requisitioning vehicles, structures, buildings and personnel to address epidemics and disasters and for election purposes

(xiv) promoting, preserving and showcase traditional social and cultural art forms, sports, crafts, skills and practices of all sections of society at the district level.

(xv) consolidation, management and maintenance of data base of all relevant socio-economic information and a map of all natural and other resources and assets within the area and updating them periodically to include the information obtained as a result of the surveys and participatory rural appraisals conducted in every Gram Panchayat and the surveys and data collection conducted by every Taluk and Zilla Panchayat.

(3) Incidental to the above, powers of a Zilla Panchayat shall extend also to:

- (a) Incurring expenditure on education or medical relief outside its jurisdiction;
- (b) Providing for carrying out any work or measure likely to promote the health, safety, education, comfort, convenience or social or economic or cultural well-being of the inhabitants of the district;
- (c) Contributing to associations of all National, State or inter-state level, concerned with the promotion of local government and to exhibition, seminars and conferences within the district related to the activities of Gram Panchayat, Taluk Panchayat and Zilla Panchayat; and
- (d) Rendering financial or other assistance to any person for carrying on in the district any such activity which is related to any of the functions of the said bodies.

184C. Dangerous Quarrying Bore Wells, Open Wells and Ponds: A Zilla Panchayat shall have the power to prevent acts of quarrying, drilling bore wells, excavating open wells or ponds causing nuisance or danger to the inhabitants of the area and to make them secure by measures like fencing or filling them up etc., and recovering the cost from the individual or the person concerned who is responsible for such nuisance or danger.

62.Amendment of Section 193: In Section 193 of the Principal Act, in clause (e) for the words ‘rupees one lakh’ in a year the words rupees fifteen lakhs’ at a time shall be substituted.

63.Amendment of Section 195: For section 195 of the principal Act, the following shall be substituted, namely:

195. Mode of Making Contracts: Provisions of section 60-A shall mutatis-mutandis apply to contracts and agreements related to development works of the Zilla Panchayat.

64.Amendment of Chapter XII: Chapter XII of the Principal Act, in all its provisions, namely, sections 196 and 197 shall be deleted.

CHAPTER XII STAFF OF ZILLA PANCHAYAT

65. Amendment of Chapters XIII, XIV and XV: (1) In the principal Act, the existing Chapters XIII, XIV and XV shall be deleted and in their place the new regulations as hereinafter following shall be re-enacted and inserted, namely:

“CHAPTER XIII CAPACITY BUILDING

199. Capacity Building Grant: (1)The State Government shall make a budgetary allocation of funds necessary for Capacity Building of the elected members and staff of all three tiers of Panchayats by imparting of the required knowledge, attitude and skills to fulfil their responsibilities.

200. Constitution of Karnataka Panchayat Raj Administrative and Technical Service Board: (1) For purposes of providing well equipped and efficient personnel for the

administration of Panchayats, the Government shall constitute a board namely “Karnataka Panchayat Raj Administrative and Technical Service Board” consisting of:

1. The Chief Minister, who shall be the Chairperson
2. The Minister for Panchayat Raj and Rural Development, Vice Chairperson
3. Three state Adhyakshas representing the Association of Adhyaksha and Upadhyakshas of Gram Panchayat, Taluk Panchayat and Zilla Panchayat respectively.
4. The Director, Abdul Nazir Sab State Institute for Rural Development and Panchayat Raj, Mysore
5. The Director, Karnataka Administrative Training Institute, Mysore
6. One Representative of the Karnataka State Planning Board
7. One Member who is an expert in the field of Rural Development Administration
12. The Director of Information and Publicity
13. The Principal Secretary, Department of Rural Development and Panchayat Raj, who shall be the Member Secretary

201. The Functions of the Karnataka Panchayat Raj Administrative and Technical Service Board: (1) The functions of the Karnataka Panchayat Raj Administrative and Technical Service Board shall be:

- (2) To issue certificates to participants of all programmes of Capacity Building conducted by the Gram, Taluk or Zilla Panchayats or any other institution authorised by them.
- (3) To compile information related to all cadres, their strengths, their capacity building needs, existing vacancies and anticipated future vacancies with time lines, job descriptions, Recruitment Rules etc.
- (4) Make recommendations related to personnel rationalization including convergence of various cadres.
- (5) Suggest changes required in Administrative Orders and rules, etc. for implementing the accepted recommendations.
- (6) Develop a set of guidelines with regard to statutory and procedural issues that each group requires for smooth and effective discharge of duties.
- (7) Design and conduct Training for Trainers (TOT) where required, based on the needs assessment carried out by the Panchayats.
- (8) Assist with the design and development of out-reach and information generation programmes on Door Darshan, All India Radio and other audio video channels for sustained, wide-spread broadcast of media products for the benefit of all the persons and the stakeholders.
- (9) Door Darshan, All India Radio and other audio video programmes to be addressed to teachers, anganwadi Workers, members of women’s Self Help Groups and such other

community based organisations, children, family members of the elected members, especially women, and all members of the Hamlet, Wards and Gram Sabhas.

(10) Assist the Panchayats to identify resource persons or resource groups that can provide Capacity Building in their Panchayat areas, in a wide range of issues that are tailor made to specific local needs and in synchrony with the trainees' levels of development.

(11) Design, plan and conduct seminars on themes that will enhance the knowledge of the members or relevant issues relevant to rural development and administration, in partnership with the Zilla Panchayat at the District level.

(12) Design, plan and manage, a State wide Panchayat Raj Helpline with a toll-free number to provide guidance and assistance, including clarifications related to technical, administrative and legal procedures.

(13) Design, plan and conduct Training of Trainers for Rural Development Course for Panchayat Raj.

(14) Design and begin a two year course for the Chief Secretaries of all tiers of Gram Swaraj in a recognised University or Staff College.

202. Policy Guidelines for Achievement: (1) The principles of Gram Swaraj shall be the basis of all Capacity Building Programmes.

(2) The Capacity Building Programmes shall be decentralised as far as possible and in situ programmes will be mandatory. (2) The aim of capacity building is not standardisation but the meeting of local specific needs and conditions to fulfil the overall aim.

(3) Capacity Building shall be ongoing and periodic Refresher courses shall be built into the programme.

(4) The thrust of the whole exercise shall be on inculcating the attitude and mind-set required to internalise devolution and local self-governance, enhancing their skills to handle day to day administrative issues and increasing their knowledge of the subject.

(5) The syllabi and curricula for the various capacity building components and the personnel to receive the training shall be as prescribed by rules.

203. Gram Panchayat's Obligations for Capacity Building: (1) The Gram Panchayat shall ensure that the Capacity Building needs of its Elected members and Functionaries are met.

(2) The Gram Panchayat shall also identify local capacity building resource persons and resource institutions for conducting Capacity Building.

(3) The Gram Panchayat shall ensure that Capacity Building Programmes are conducted in a location and as per timings that are convenient for their Members and Staff, especially women.

(4) The Gram Panchayat shall also ensure the awareness and sensitisation of their constituencies.

(5) It shall be the duty of the Gram Panchayat to guarantee that all their members' and functionaries' capacities are built so that discharge their duties efficiently and effectively and for the improvement and benefit of their constituents.

204. Taluk Panchayat's Obligations for Capacity Building: (1) The Taluk Panchayat shall ensure the implementation of Programmes for the Capacity Building needs of all their elected members and functionaries and assist all Gram Panchayats in their area on their request and as identified by them.

(2) The Taluk Panchayat shall ensure that Capacity Building Programmes are conducted in a location and as per timings that are convenient for the Members and Staff, especially women of the Panchayats.

(3) The Taluk Panchayat shall also assist Gram Panchayats with the awareness and sensitisation of the constituency members in their Habitats, Wards and Gram Sabhas; Standing Committees and other committees and all others who may require them.

(4) It shall be the duty of the Taluk Panchayat to guarantee that all their members' and functionaries' capacities are built so that discharge their duties efficiently and effectively and for the improvement and benefit of their constituents.

205. Zilla Panchayat's Obligations for Capacity Building: (1) The Zilla Panchayat shall ensure that the Capacity Building needs of their Elected members and Functionaries and assist the Taluk Panchayats on their request.

(2) The Zilla Panchayat shall identify resource persons and resource institutions for conducting Capacity Building.

(3) The Zilla Panchayat shall assist the Karnataka Panchayat Raj Administrative and Technical Service Board to design, plan and implement Capacity Building and sensitisation Programmes for Door Darshan, All India Radio and other audio video channels to manage the Help Lines in the District.

CHAPTER XIV RESOURCE MANAGEMENT

206. The Panchayat Fund: (1) Every Gram Panchayat, Taluk Panchayat and Zilla Panchayat shall have a Fund called the Panchayat Fund into which, shall be credited:

(a) all amounts transferred to the Panchayat by appropriation from out of the Consolidated Fund of the State;

(b) all grants, assignments, loans and contributions made by the Union and State Government;

(c) all fees and penalties paid to or levied by or on behalf of the Panchayat under this Act and all fines imposed under this Act;

(d) all rents from lands or other properties of the Panchayat;

(e) all amounts which may be granted by the Union or State Government under the provisions of this Act or any other Act, or on any other account;

- (f) all Plan and Scheme Funds;
- (g) all resources accruing to the Panchayat by way of share of taxation, taxation, fees and levies;
- (h) the proceeds of all land, securities and other properties sold by the Panchayat including tax, rate and fee imposed by the Panchayat;
- (i) all sums received by the Panchayat from the Government or any other body or Authority or any person or by way of interests, profits and contributions and all other moneys accruing by gifts, grants, assignments or transfers from private individuals or institutions;
- (j) income deriving from rent or other charge, or sale proceeds of any immoveable or movable property owned by or vested in the Panchayat;
- (k) income by way of profits or dividends from industrial or business undertakings established by the Panchayat may; and
- (l) Contributions from corporate sector, including public sector undertakings functioning in the Panchayat area, for undertaking and implementing programmes under Corporate Social Responsibility.
- (m) all other sums received to the credit of the Panchayat from any source whatsoever.

(2) The amount at the credit of the Panchayat Fund shall be kept in a Co-operative bank or a Scheduled bank or in a branch of any Banking Institution run or managed by the State or the Union Government and operating in the Panchayat area or a neighbouring Panchayat area.

(3) Surplus funds in the hands of the Panchayat that is not immediately required for payment of current charges may be kept in Term Deposits with any Cooperative bank or a Scheduled bank or invested in Bonds or other securities floated by the Government of India or the State Government.

207. Budget Heads: The budget prepared by each Panchayat in each of the three tiers shall follow budget heads that correspond to the Panchayat activity enumerated in Schedules I, II and III.

209. Discretionary Grant: The Government may make discretionary grants to every Panchayat on account of any specific purpose or purposes as may be decided by it, on such terms and conditions as are specified based on size population and needs of the Panchayat.

210. Manner of Making Grants: (1) The Government shall make annually a grant to each Panchayat in each of the three tiers of such amount, allocated by the concerned District Planning Committee as is necessary for each Panchayat to fulfil the requirements of its annual plan.

(2) The annual grant shall also be based on the prioritised needs under beneficiary schemes, Programmes and plans taking into consideration backwardness, urgency of need and the size and level of impact of such scheme, Programme or plan.

(3) The Government shall make an establishment grant to every Panchayat, each year in such measure as is adequate to cover the expenses of:

- (i) Payment of salaries to staff including personal staff of the Adhyakshas;
 - (ii) Payment of honorarium to members;
 - (iii) Payment of salaries and allowances to the Adhyaksha and Upadhyaksha;
 - (iv) Cost of the establishment that include building rents, electricity charges, supply of drinking water to residents providing public conveniences at the offices of the Panchayat and other administrative expenses.
- (4) The Government shall also make discretionary grants to the Panchayats for any specified purpose of rural development, empowerment or capacity building and on such terms and conditions as may be determined by it for meeting the purpose effectively.

211. Disbursal of Allocations from the Consolidated Fund: (1) The State government shall disburse the amount directly to the account of each Panchayat immediately upon the conditions prescribed of grant or release of the funds by the State government being met by the Panchayat.

(2) The transfer of funds shall be:

(a) Commensurate with the transfer of functions and responsibilities, which shall be not less than thirty percent of the Plan allocation of the State budget out of which not less than fifty percent shall be in the form of untied grants based on formula suggested by the State Finance Commission that takes into consideration parameters such as, size, population and backwardness of the Panchayat.

(b) Be linked to development benchmarks established by local, State and Central Governments

(3) For this purpose, the State Government shall set up an expenditure information network as a grant release, monitoring and accounting system for the funds disbursed by the State Government to the Panchayats.

(4) Allocations to Panchayats shall comprise of the following categories of funding, namely:

(a) 'Devolution' of funds in the form of block grants over which the Panchayats have flexibility in planning and expenditure,

(b) 'Entrusted' or 'transferred' schemes, where the Panchayats function as agencies of the State in implementation and are subject to the conditions as imposed by the State.

(5) The above allocations shall be indicated by the State in the form prescribed

212. Transparency in Fiscal Allocations by the Government: (1) Financial allocations to Panchayats shall be made in a transparent manner by annexing to the annual financial statement, a statement indicating the allocations made to each Panchayat under the various budget heads.

(2) Funds allocated against one budget head shall not be transferred by the Panchayat to serve any other budget head, except with the prior permission of the Government.

Provided that nothing contained in this section shall be construed as restricting a Panchayat to utilise funds allocated against one sub-head against any other sub-head Funds

allocated against one budget head shall not be transferred by the Panchayat within a budget head

Provided further that funds allotted against the head 'Social Justice' shall not be transferred to any other budget head in any circumstance.

213. Allotment and Review Sessions: Every Panchayat shall hold its Budget Sessions, once in the month of October each year when the budget for the forthcoming year is drawn up, discussed and finalized by the Government based on the annual Plans drawn up, consolidated and integrated at each level of planning and the second time in April of each year when the income and expenditure for the preceding year shall be reviewed according to the specified outcome indicators by each Panchayat.

B. Resource Building

214. Panchayats may acquire, hold and dispose of property etc: (1) A Panchayat shall have the power to acquire, hold, rent, lease and dispose of property both movable and immovable whether within or without the limits of the area over which it has authority, to lease, sell or otherwise transfer any movable or immovable property which may have become vested in or been acquired by it, and to contract and to do all other things necessary for the purpose of this Act.

Provided that twenty-five percent of transfers by way of lease or rent shall be earmarked for persons belonging to the Scheduled Castes and the Scheduled Tribes

215. Vesting of property in Panchayats: (1) It shall be competent for the Government, with the concurrence of the Panchayat from time to time to direct that any property vesting in the Government, shall vest in the Panchayat either conditionally or otherwise:

(2) Every work constructed by a Panchayat out of the Panchayat fund shall vest in such Panchayat:

216. Decision of claims to property by or against a Panchayat: (1) In any Panchayat area to which a survey of lands other than lands ordinarily used for the purpose of agriculture only has been or shall be extended under any law for the time being in force, where any property is claimed by or on behalf of the Panchayat, or by any person as against the Panchayat, it shall be lawful for the District Panchayat Tribunal after enquiry of which due notice has been given, to pass an order deciding the claims.

(2) Any person aggrieved by an order made under sub-section (1) may appeal to the Karnataka Appellate Tribunal (KAT) and the decision of KAT shall be final.

(3) It shall be deemed that any person to whom a notice of any enquiry or order under this section is required to be served has been duly served, if notice has been given in the prescribed manner.

217. Application of Panchayat Fund and Property: (1) Subject to the provisions of this Act and the rules made there under, all property owned by or vested in the Panchayat under this Act and all funds received by it and all sums accruing to it under the provisions of this Act or any other law for the time being in force, shall be applied for the performance of

functions specified in the respective Schedules and functions assigned to each and for any other purpose for which by or under this Act, or any other law for the time being in force, powers are conferred or duties are imposed upon the Panchayat

Provided that no expenditure shall be incurred out of the Panchayat Fund unless provision there-for has been made in the budget of the Panchayat or funds are obtained by re-appropriation duly approved, except in such cases as may be prescribed;

Provided further that a development fund that is proportionate to the population of Scheduled Castes and the Scheduled Tribes in any given Panchayat shall be set aside by the Panchayat to be utilised for the plans and programmes drawn up for the advancement of the Scheduled Castes and the Scheduled Tribes as decided in their special Gram Sabhas taking into consideration the priorities determined proportionate to their population.

(2) The Panchayat Fund and all property held or vested in the Panchayat under this Act shall be applied, for the payment of:

(a) Any amount falling due on any loan contracted by the Panchayat;

(b) For the purposes specified in the Act

(c) All other purposes for which by or under this Act or the rules or regulations made there under or by or under any other law for the time being in force, powers are conferred or duties are imposed upon the Panchayat;

(d) For any other purposes for which the application of such property or fund is necessary in public interest.

(3) Any fund granted to the Panchayat by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may specify either generally or specially in this behalf.

218. Duty on Transfer of Immovable Properties: (1) The duty on transfers of immovable property shall be levied in the form of a surcharge at the rate of three percent of the duty imposed under the Karnataka Stamp Act, 1957 on instruments of sale, gift, mortgage, exchange and lease, of immovable property situate within the limits of a Panchayat area in the State:

(2) The Government may, by notification, specify the rate of duty on transfers leviable under sub-section (1), from time to time.

(3) On the introduction of the duty on transfers, section 28 of the Karnataka Stamp Act, 1957 shall be read as if it specifically required particulars to be set forth separately in respect of the property situated within and without the limits of the Panchayat area.

(4) The entire amount collected under sub-section (1) as duty on transfers in respect of the lands and other properties situated in the Panchayat area shall be transferred to the Gram, Taluk and Zilla Panchayats in the State in the ratio of 50:30:20 respectively as untied funds.

(5) The Government may make rules for regulating collection of duty on transfers and the payment thereof.

219. Rents and Fees: Save as otherwise provided in this Act and subject to the regulations made in this behalf, a Panchayat may charge fee for any license or permission issued by it under this Act, and the rules made there-under and levy rent and fee for the occupation or use of land or other property placed under its control or vested in it or maintained out of the Panchayat Fund.

220. Levy of Local Cess etc: (1) The Government may levy a local cess at the rate equal to the land revenue on all items of land revenue the entire amount of which collected from a Panchayat area shall be transferred to the Panchayat of that area:

Provided that if there is an overlap of jurisdiction between two or more Panchayats or between the Gram, Taluk and/or Zilla Panchayat, the cess shall be divided in the ratio of 50:30:20 namely Gram Panchayat, Taluk Panchayat and Zilla Panchayat.

(2) The provision of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) and the rules, notifications and orders made there under shall be applicable for payment and recovery of the local cess levied under this section as if the local cess is in addition to the land revenue payable in respect of the land concerned.

221. Taxes and Rates: (1) Gram Panchayat, Taluk Panchayat and Zilla Panchayat may levy taxes and rates on the items listed in schedule IV in keeping with the prevalent market rates in a given area.

(2) The Gram Panchayat, Taluk Panchayat and Zilla Panchayats may revise these taxes and rates if required as specified in clause 225

222. Panchayat to Raise Loans and Form a Sinking Fund: A Panchayat may, with the previous sanction of the Government and subject to the conditions imposed by it from time to time, raise loans for the execution of any work or for the purposes of carrying out any of the provisions of this Act and form a sinking fund in the prescribed manner for the repayment of such loans.

223. License and Permissions: (1) Save as otherwise provided in this Act, every application for a license or permission under this Act or under any rule, bye-law or regulation made there under, or for the renewal thereof, shall be made not less than thirty days and not more than ninety days before the earliest date with effect from which, or the commencement of, the period (being a year or such less period as is mentioned in the application) for which the license or permission is required.

(2) Save as aforesaid, for every such license or permission, fees may be charged on such units and at such rates as may be fixed by the Panchayat or the collector, as the case may be, provided that the rates shall not exceed the maximum, if any prescribed.

Provided that for every license for hoardings, the fees may be charged at such rates as in schedule IV

(3) Save as aforesaid, if orders on an application for any such license or permission are not communicated to the applicant within thirty days or such longer period as may be prescribed in any class of cases after the receipt of the application by the Chief Secretary, the application shall be deemed to have been allowed for the period, if any, for which it would have been

ordinarily allowed and subject to the law, rules, bye-laws and regulations and all conditions ordinarily imposed.

(4) The acceptance of the pre-payment of the fee for any such license or permission shall not entitle the person making such prepayment to the license or permission, but only to a refund of the fee in case of refusal of the license or permission.

(5) If an act, for which any such license or permission is necessary is done without such license or permission, or in a manner inconsistent with the terms of the license or permission obtained, then-

(a) The Chief Secretary of the Panchayat may by notice require the person so doing such act to alter, remove, or as far as practicable restore to its original state, the whole or any part of any property, movable or immovable, public or private affected thereby within a time to be specified in the notice; and further.

(b) if no penalty has been specially provided in this Act for so doing such act the person so doing it shall be punishable with the fine not exceeding five hundred rupees for such offence.

(6) Whenever any person is convicted of an offence in respect of the failure to obtain any such licence or permission, the Magistrate shall, in addition to any fine which may be imposed, recover summarily and pay over to the Panchayat the amount of the fee chargeable for the license or permission, and may, in his discretion, also recover summarily and pay over to the Panchayat such amount, if any, as he may fix as the costs of the prosecution.

C. Taxes and Fees

224. Levy of Taxes, Rates, etc: Without prejudice to the provisions of Chapter XIV,(1) Every Panchayat shall in such manner and subject to such exemptions as may be prescribed in Schedule IV levy tax on buildings and lands which are not subject to agricultural assessment, within the limits of the Panchayat area:

Provided that where an owner of the building or land has left the Panchayat area or cannot otherwise be found, the occupier of such building or land shall be liable for the tax leviable on such owner.

(2) A Panchayat may levy water rate and charges for consumption for supply of water for drinking and other purposes.

(3) A Panchayat may also levy all or any of the following taxes and fee at such rates as the Panchayat may by law determine and in such manner and subject to such exemptions as may be prescribed, namely:

(a) Tax on entertainment other than cinematograph shows;

(b) Tax on vehicles, other than motor vehicles;

(c) Tax on advertisement and hoardings;

(d) Pilgrim fee on person attending the jatras, festivals, etc., where necessary arrangements for water supply, health and sanitation are made by the Panchayats;

(e) Market fee on persons who expose their goods for sale in any market place;

(f) Fee on the registration of cattle, goat's sheep, pigs and other poultry animals brought for sale in any market place;

(g) Fee on buses and taxies and auto-stands provided adequate facilities for the travellers by the Panchayat; and

(h) Fee on grazing animals in the grazing lands.

225. Revision of Taxes and Rates: It shall be competent for every Panchayat to revise the taxes and rates leviable under section 224, at least once in two years in respect of building and lands and at least once in an year on other items, as mentioned in Schedule IV.

226. Recovery of Taxes and Other Dues: (1) Recovery of Taxes owed to the Panchayat shall be primary obligation of the Panchayats and where such recovery falls short of eighty percent of the tax recoverable the Panchayat shall, subject to the regulation of section 230, investigate and make the Bill collectors and the Chief Secretary and other officials concerned, of the Panchayat responsible and liable for disciplinary action for failure to discharge their duties and obligations.

(2) When any tax, cess, rate or fee becomes due, a Panchayat shall, with the least practicable delay, cause to be presented to the person liable for the payment thereof a bill for the amount due from him, specifying the date on or before which amount shall be paid.

(3) If any person fails to pay any tax or fee or any other sum due to the Panchayat under this Act or the rules or bye-laws on or before the specified date of payment the Panchayat shall levy interest on the amount of arrears at the rate of twelve per cent per annum.

(4) The presentation of every bill under sub-section (1) and the service of every notice of demand under sub-section (2), shall be effected by the Secretary or an officer duly authorized by him in this behalf:

(a) by giving or tendering the bill or notice to the person to whom it is addressed; or

(b) if such person is not found, by leaving the bill or notice at his last known place of abode, if within the limits of the Panchayat area or by giving or tendering the bill or notice to some adult member or servant of his family; or

(c) if such person does not reside within the limits of the Panchayat area and his address elsewhere is known to the person directing the issue of the bill or notice, then by forwarding the bill or notice to such person by registered post, to the said address; or

(d) if none of the means aforesaid be available then by causing the bill or notice to be affixed on some conspicuous part of the building or land, if any, to which the bill or notice relates.

(5) If the tax, rate, fee or other amounts for which a notice of demand has been served is not paid within thirty days from the date of such service, the Panchayat may recover the amount due along with a penalty of ten percent of the sum due, by the distraint and sale of the movable or immovable property of the defaulter in the prescribed manner.

(6) Fees for:

(a) every distraint made under sub-section (4);

(b) every notice of demand issued under sub-section (2); and

(c) cost of maintaining any live-stock seized under sub-section (4), shall be chargeable at such rates as may be prescribed.

(7) Notwithstanding anything contained in the foregoing sub-sections, any tax, rate or fee payable to a Panchayat shall be recoverable on first charge, as a debt due to the Government.

227. Appeal against Assessment, etc: Subject to such rules as may be prescribed, any person aggrieved by the assessment, levy or imposition of any tax, rate or fee under section 199 may appeal to the prescribed authority, whose decision shall be final.

228. Agency for Collection: The tax, rate, fee or other amount payable to a Panchayat may be collected by such agency as the Panchayat may appoint in this behalf, provided that it shall be lawful for a Panchayat to lease the right to levy and collect any tax, rates, fees or other amount that may be imposed under this Act, by public auction or by tender, subject to the rules prescribed and the amount due under such lease shall be recoverable in the manner provided in this chapter.

D. Levy of Cess

229. Levy of local cess on land revenue etc:

(1) The Government may levy a local cess at the rate equal to the land revenue on all items of land revenue.

(2) The provision of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) and the rules, notifications and orders made thereunder shall be applicable for payment and recovery of the local cess levied under this section as if the local cess is in addition to the land revenue payable in respect of the land concerned.

(3) The entire amount collected under sub-section (1) from a Panchayat area shall be transferred to the Panchayat of that area

230. Levy of local cess on Development of industries: The State Government may levy a local cess of development of medium and small industries in Gram Panchayat Areas at such rate as it may decide and transfer the entire amount collected from a Panchayat Area shall be transferred to the Gram Panchayat of that Area.

231. Levy of taxes, rate, etc. by Gram Panchayat: (1) Every Gram Panchayat shall in such manner and subject to such exemptions as may be prescribed by Rules shall levy tax upon building and lands based on Capital value of the property which are not subject to agricultural assessment within the limits of the Panchayat area:

Provided that where an owner of the building or land has left the Panchayat area or cannot otherwise be found, the occupier of such building or land shall be liable for the tax leviable on such owner.

(2) A Gram Panchayat shall levy water rate for supply of water for drinking and other purposes.

(3) A Gram Panchayat shall levy all or any of the following taxes and fees at such rates in such manner as prescribed by Rules and subject to such exemptions as may be prescribed, namely,-

- (a) Tax on entertainment other than cinematograph shows;
- (b) Tax on vehicles, other than motor vehicles;
- (c) Tax on advertisement and hoarding;
- (d) Pilgrim fee on persons attending the jatras, festivals, etc., where necessary arrangement for water supply, health and sanitation are made by the Gram Panchayats;
- (e) Market fee on persons who expose their goods for sale in any market place;
- (f) Fee on the registration of cattle brought for sale in any market place;
- (g) Fee on buses and taxis and auto-stands provided adequate facilities are provided for the travellers by the Gram Panchayat; and
- (h) Fee on grazing cattle in the grazing lands.
- (i) Toll tax on earth movers, mining vehicles, garbage vehicles, other heavy duty vehicles.
- (j) Tax/Fee on Mobile towers, Airport, Motor vehicle stand/parking, Petrol bunk, Commercial Industries, Rice Mill, Flour Mill, Cyber café, Wind Mill, Solar Park, Toll Road, Sand Mining, Other Commercial Purpose Buildings, Commercial vacant sites, Commercial and individual pipe lines, gas lines, optical fiber cables. Weigh bridges, Timber yards,
- (k) Tax/Fee on all kinds of Factories/Industries including KIADB Industrial Area and such other properties.
- (l) Development charges on layouts.
- (m) Any others specified by rules in this behalf.

CHAPTER XV PROPERTIES AND FUNDS OF PANCHAYATS

66. Amendment of Chapter XVI: Chapter XVI shall be re-titled as

CHAPTER XVI Transparency and Accountability

67. Amendment of Section 232: Section 232 of the Principal Act, as in force, shall be deleted and in its place the following new section shall be substituted:

“232. Transparency and Accountability: (1) The Adhyaksha, Upadhyaksha or any person presiding over a Meeting of a Zilla Panchayat, Taluk Panchayat or a Gram Panchayat shall

- (a) have the proceedings of the meetings of the Panchayat over which he/she presides, video-graphed and kept on record for public inspection.

(b) keep an abstract of the subjects and the resolutions passed thereon at each meeting and also keep the Resolution Book open for inspection

(2) Every Panchayat shall keep open all records for inspection by any person, and extracts of any part thereof shall be furnished to any person applying for such, extracts within three days.

(3) It shall be the duty of every Adhyaksha or Upadhyaksha to arrange for making video recording of the execution of every scheme and the works undertaken by the Panchayat through the course of its progress

(4) Every Panchayat shall set up a web site of its own into which particulars of plans and estimates of all works undertaken by the Panchayat, before they are taken up for execution, as also the phases of execution of all works and the video-recorded versions of the recordings under sub-section (3) shall be uploaded and displayed on the Panchayat web-site forthwith and in the public domain.

(5) Without prejudice to the other provisions of the Act enforcing accountability, an Adhyaksha, Upadhyaksha or Member of a Panchayat found negligent, indifferent or dishonest in the discharge of his functions, duties and responsibilities in relation to the execution of any scheme, works or project shall besides being liable for action in law, be accountable to the public and liable to make good the loss of benefit due to the target beneficiaries in such manner as may be prescribed.

(6) All licences issued permits granted, contracts awarded etc., shall be listed and entered in a book and the related records kept open for inspection by the public; copies of any record shall be supplied to any person making an application therefor.”

68. Deletion of Section 235: Section 235 of the Principal Act, shall be deleted

69. Amendment of Section 238: In section 238 of the Principal Act, in sub-section (1), after the words ‘The Government may by general or special order’ the words ‘made under or in accordance with the provisions of the Karnataka Transparency in Procurement of Goods and Services Act’, shall be inserted.

CHAPTER XVII FINANCIAL CONTROL AND AUDIT

70. Amendment of Section 267: In section 267 of the Principal Act in sub-section (8), at the end the following words shall be inserted namely: ‘at the immediate next session’

71. Introduction of new Chapters XVIII and XIX: After Chapter XVII of the Principal Act, the following new Chapters XVIII.

**“CHAPTER XVIII
DISPUTE SETTLEMENT MECHANISM**

295A. District Panchayat Tribunals: (1) The Government shall set up a Tribunal in each District to be called the District Panchayat Tribunal for adjudication of,-

- (a) Disputes arising between the citizens and the Panchayat and Vice-Versa, and
- (b) Inter-class and Inter-community conflicts arising within a village or within any part of the area of a Panchayat or different Panchayats within the area of the Zilla Panchayat concerned.
- (c) Between one Panchayat and another Panchayat

(2) The Tribunal shall consist of:

- (i) A sitting or a retired District Judge or if no such District Judge is available, then a retired Judge of the Karnataka Judicial Service who at the time of retirement was qualified to be a District Judge who shall be the Chairman.
 - (ii) Two other Members who are experts in the field of Panchayat Raj administration of whom one shall be a woman and one from the Scheduled Castes and the Scheduled Tribes
- (3) The District Tribunal shall not entertain any case unless filed within thirty days of the arising of the cause of action.

Provided that the District Tribunal may entertain the petition if filed after thirty days if on an application made for condonation of the delay the Tribunal is satisfied of the reasons furnished for condoning the delay

295B. Inquiry into affairs of Gram Panchayat, Taluk Panchayat, Zilla Panchayat: (1) The District Panchayat Tribunals may, at any time for reasons to be recorded, cause an inquiry to be made by any of its officers in regard to any Gram Panchayat, Taluk Panchayat or Zilla Panchayat on specific matters concerning it, or any matter with respect to which the sanction, approval consent or orders of the District Panchayat Tribunals is required under this Act.

(2) The Officer holding such inquiry shall have the powers of the Civil Court under the Code of Civil procedure, 1908 to take evidence and to compel attendance of witnesses and production of documents for the purpose of the inquiry.

(3) The District Panchayat Tribunals may make orders as to the costs of inquiries made under sub-section (1) and as to the parties by whom and the funds out of which they shall be paid and such order may, on the application of the Chief Executive Officer or of any person named therein be executed as if it were a decree of a Civil Court.

295C. Power of suspending execution of unlawful orders or resolution.- (1) If in the opinion of the Adhyaksha of Taluk Panchayat the execution of any order or resolution of a Gram Panchayat or any order of any authority or officer of the Gram Panchayat or the doing of anything which is about to be done, or is being done, by or on behalf of a Gram Panchayat is unjust,, unlawful or improper or is causing or is likely to cause injury or annoyance to the

public or to lead to a breach of peace, he may by order suspend the execution or prohibit the doing thereof.

(2) When the Adhyaksha of Taluk Panchayat makes an order sub-section(1), he shall forthwith forward to the Adhyaksha of the Zilla Panchayat and the Gram Panchayat affected thereby a copy of the order with a statement of the reasons for making it, and the Adhyaksha of the Zilla Panchayat may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as he thinks fit:

Provided that no order of the Adhyaksha of Taluk Panchayat passed under sub section (1) shall be confirmed, revised or modified by the Adhyaksha of the Zilla Panchayat without giving the Gram Panchayat concerned a reasonable opportunity of showing cause against the proposed order.

(3) If in the opinion of the Adhyaksha of the Zilla Panchayat, the execution of any order or resolution of a Taluk Panchayat or any order of any authority or officer of the Taluk Panchayat or the doing of anything which is about to be done, or is being done, by or on behalf of a Taluk Panchayat is unjust, unlawful or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of peace he may by order suspend the execution or prohibit the doing thereof.

(4) When the Adhyaksha of the Zilla Panchayat makes an order under sub- section (3), he shall forthwith forward to the District Panchayat Tribunals and the Taluk Panchayat affected thereby a copy of the order with a statement of the reasons for making it, and the District Panchayat Tribunals may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as it thinks fit:

Provided that no order of the Adhyaksha of the Zilla Panchayat passed under sub section(3) shall be confirmed, revised or modified by the Government without giving the Taluk Panchayat concerned a reasonable opportunity of showing cause against the proposed order

(5) If x x x the District Panchayat Tribunal is of the opinion that execution of any order or resolution of Zilla Panchayat or the doing of anything which is about to be done, or is being done by or on behalf of a Zilla Panchayat is unjust, unlawful or improper or is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace, it may, by an order suspend the execution or prohibit the doing thereof.

(6) When the District Panchayat Tribunals makes an order under sub-section (5), it shall forthwith forward to the Zilla Panchayat affected thereby a copy of the order with a statement of reasons for making it and the District Panchayat Tribunals may confirm or rescind the order or direct that it shall continue to be in force with or without modification permanently or for such period as it thinks fit:

Provided that no order under this sub-section shall be passed by the District Panchayat Tribunals without giving the Zilla Panchayat concerned, a reasonable opportunity of showing cause against the said order

295D. Summary Nature of Proceedings: (1) Every proceeding before the Panchayat Tribunal shall be summary in nature

(2) The Tribunal shall have the powers of a Civil Court to summon the parties or witnesses to appear before it and also summon requisite records from an office of the Government to ascertain facts relevant to the issues involved in the cases before it.

(3) The Tribunals shall have power to pass orders, award compensation and impose fines

(4) An Appeal may also be preferred to the District Panchayat Tribunal from orders passed under section 269 provided such revision is filed within thirty days of the order. The Tribunal shall dispose of such revision petitions by not later than sixty days from the date of filing.

(5) An Appeal shall be preferred to the Karnataka Appellate Tribunal against every order passed by the District Tribunal, provided such Appeal is filed within thirty days from the date of the Order appealed against.

Provided that the Appellate Tribunal may entertain the Appeal if filed after sixty days if on an application made for condonation of the delay the Appellate Tribunal is satisfied of the reasons furnished for condoning the delay.

(6) All proceedings pending before the Executive Officers and as the case may be the Assistant Commissioners shall from the date of commencement of this Act stand transferred to the District Panchayat Tribunal.

295E. Panchayat Lokayukta (Ombudsperson): Grievances and complaints against Panchayats, elected members and officials of Panchayats shall be investigated and decided by the Panchayat Lokayukta (Ombudsperson) set up under section 296-A and in the manner provided under sections 296-B to 296E.

72. Amendment of section 298: In section 298 of the Principal Act,

(i) in sub-section (1) for the words 'five hundred rupees' and 'five rupees' the words 'five thousand rupees' and 'fifty rupees' shall respectively be substituted.

(ii) in sub-section (2) for the words 'five rupees' the words 'fifty rupees' shall be substituted.

(iii) in sub-section (3) in clause (a) for the words 'five hundred rupees' the words 'two thousand rupees' shall be substituted.

73. Amendment of section 308: In section 308 of the principal Act, - (i) in sub-section (1) for the words 'shall be vested in the State Election Commission consisting of a State Election Commissioner to be appointed by the Governor' the words 'and the power of delimitation of territorial constituencies and enforcement of the code of conduct in respect such elections, shall be vested in the State Election Commission.

(2A) The Commissioner may resign his office by writing under his hand and addressed to the Governor, but he shall continue in office until his resignation is accepted by the Governor.

(2B) A casual vacancy created by the resignation of the Commissioner under sub-section (5) or for any other reason may be filled by fresh appointment.

Provided that such appointment shall be made as soon as may be, within one month from the date of arising of the vacancy

(2C) The Governor shall prescribe the financial powers of the State Election Commissioner and allocate funds commensurate with the functions and responsibilities, for incurring establishment and election related expenditure, ensuring flexibility for getting procurements needed for conduct of elections and also freedom to divert funds between different heads of account.

(2D) The State Election Commission shall determine its own procedure.

(iv) in sub-section (3) the following provisos shall be added, namely:

“Provided that the State Election Commissioner may also draft employees of State Undertakings in the Public Sector for conducting elections to Panchayats and to debar any class of public servants including the local police from being employed in election duties relating to Panchayats.

74. Renumbering of sections 308A, 308B and 308C: Sections 308A, 308B and 308-C of the principal Act shall be renumbered as section 308D, 308E and 308-F respectively.

75. Insertion of new sections 308A, 308B and 308C: Before section 308D as renumbered the following three new sections 308A 308B and 308C shall be inserted, namely:

“308A. Staff of certain Authorities to be made Available for Election Work: (1) The authorities specified in sub-section (2) shall, when so requested by the State Election Commissioner make available to any Returning Officer such staff as may be necessary for the performance of any duties in connection with an election

(2) The following shall be authorities for the purpose of sub-section (1), namely:

(i) every local authority

(ii) every University established under law

(iii) a Government Company

(iv) any other institution, concern or undertaking under law which is controlled or financed directly or under control of the Government

“308B. Schedule of Elections: The State Election Commission shall complete the election process before the expiry of the term of the panchayat and shall announce the Reservation of Seats and the Schedule of Elections, not less than forty five days before the issuance of notification of Calendar of Events.

“308C. Appointment of Dates for Nominations etc: (1) As soon as the notification calling upon a constituency to elect a member is issued the State Election Commission shall, by notification in the Official Gazette, appoint –

(a) the last date for making nominations shall be the third day after the date of publication of the first mentioned notification, or if that day is a public holiday, the next succeeding day which is not a public holiday;

(b) the date for the scrutiny of nominations, which shall be the day immediately following the last day for filing nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(c) the last date for the withdrawal of nominations, which shall be the second day after the date of scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(d) the date or the dates on which a poll shall, if necessary, be taken or the first of which shall be a date not earlier than in the case of Gram Panchayat the fifth day, and in case of Taluk Panchayat and Zilla Panchayat the seventh day, after the last date for the withdrawal of candidatures;

(e) the date before which the election shall be completed

(f) The process of election of members to the Panchayats shall, as far as may be, conclude within ten working days of the issue of the Notification of election.

308D. Preventing Corrupt Practices During Elections: (1) With a view to preventing corrupt practices like bribery and undue influence during elections, the State Election Commission shall order the following steps, namely:

The Code of Conduct to be in force from the date of notification of election to the date of declaration of results

(a) Returning Officers at the polling booths shall ensure video-graphic recording of the proceedings of the election at each polling station

(b) All liquor shops and liquor manufacturing units within the Panchayat area where the code of conduct is in force shall be completely closed over the entire period of the code.

The owners, occupiers and the managers as the case may be of the liquor shops and liquor manufacturing units shall seal their units over the period the code of conduct is in force and deposit the seal and the keys with the Deputy Commissioner or the jurisdictional Executive Magistrate

Anybody found in possession of liquor or creating public nuisance after consuming liquor during the ban shall be kept in preventive custody till completion of the polling date.

Violations of the code during the period shall amount to offences, cognisable and non-bailable and be punishable with fine and imprisonment as by law provided.”

“308E. Election Campaign Expenditure: The State Election Commission shall arrange campaign meetings for candidates contesting Panchayat elections at the headquarters of the Gram Panchayats to which the candidate belongs at State cost on such scale as may be determined differently for the elections to the Taluk Panchayats and the Zilla Panchayats”.

76. Amendment of section 309: In section 309, after sub-section (3), two new sub-sections (4) and (5)

“(4) All planning shall be done to meet the needs from the village level bottom up leading up to the State level, through the Taluk Planning & Development Committees and the District Planning Committees”.

“(5) Gram Panchayats shall strictly comply with the mandatory provision of the Town & County Planning Act in the matter of issue of building licence and approvals of housing layouts. Non-compliance shall result in disciplinary action, disqualification of the concerned official, elected functionary and the Panchayat”.

77. Insertion of New Chapter XIX: After section 309 The following new Chapter with Sections 309-A to 309-L shall be inserted

CHAPTER XIX PANCHAYAT PLANNING AND REPORTING

309A. Interpretation Clause: For the purpose of this Chapter and the Schedules I, II and III, the following terms shall carry the meanings assigned to them against each, below:

“Human Development Index” means the statistical tool used to measure a country’s overall achievement in its social and economic dimensions of a country and is based on the health of people, their level of education attainment and their standard of living.

(2) “Participatory Rural Appraisal” involves the study, analysis and appraisal of factors undertaken in relation to the long term visual plan or the annual plans of Panchayats under this Act

(3) “Performance Management System” means a scientifically based, data-oriented management system consisting of three primary elements-measurement, feedback and positive reinforcement and includes activities which ensure that goals are consistently being met in an effective and efficient manner through a process of aligning resources, systems and employees to achieve strategic objectives and priorities.

(4) “Priority Ranking Matrix” gives the indicators for assessing the priorities in the selection of beneficiaries, schemes, Programmes and plans using the ‘priority ranking method’

(5) “Priority Ranking Method” means the course of prioritising of beneficiaries under the various schemes, Programmes and plans taking into consideration the backwardness, urgency of need, level of impact and coverage.

(6) “Responsibility Map” means the model of the detailed department-wise enumeration of responsibilities of the three tiers of Panchayat Raj Institutions prescribed by the First Rule published with the Act.

(7) “Social Infrastructure Index” means community facilities, services and networks that help individuals, families, groups and communities meet their social needs, maximise their potential for development, and enhance community wellbeing. Social infrastructure includes common facilities and services such as education, training, health, welfare, social services, open space, recreation and sport, safety and emergency services, learning, arts and cultural facilities, civic and democratic institutions, and community meeting places; lifecycle-targeted facilities and services, such as those for children, young people and older people e.g. early childhood centres and retirement villages; and targeted facilities and services for groups with

special needs, such as families, people with disabilities, and people from culturally diverse backgrounds.

309B. Decentralised Planning for Panchayats: (1) Panchayats as institutions of self-government shall achieve all-round development coupled with social justice, empowered by total and simultaneous devolution of functions functionaries and funds to them Panchayats.

(2) Development shall be planned from the grassroots level to assess determine and prioritize the needs of all sections of the people with emphasis on the interests of the vulnerable sections.

309C. Vision Plan: (1) Every newly elected Gram Panchayat shall, within three months of assuming office, enable the members of the Habitation and Gram Sabhas to carry out a Participatory Rural Appraisal that maps the resources, population and needs of its area.

(2) Gram Panchayat shall prepare a forward looking Vision Plan for the whole term of the Panchayat based on development benchmarks established by local, State and Central Governments to set targets and develop outcome indicators for measuring them using Performance Management System.

(3) The Vision Plan shall form the basis of constructing needs-based Annual Plans for each year for the next five years of its term. Prioritisation of issues shall be based on Priority Ranking as put down in the Responsibility Map.

(4) Every Gram Panchayat shall forward their Annual Draft Plans to the Taluk Planning and Development Committee for consolidation and integration.

309D. Taluk Panchayat Plan: (1) The Taluk Panchayats shall be responsible for consolidating the plans of all Gram Panchayats at the Taluk level to place them before the Taluk Planning and Development Committee.

(2) The Taluk Panchayat shall also send a copy of this plan to the Zilla Panchayat.

309E. Taluk Planning and Development Committee: (1) There shall be established in every Taluk for the purpose carrying out integration of Panchayat planning at the Taluk level, a Taluk Planning and Development Committee consisting of:

1. Chairperson The Adhyaksha of the Taluk Panchayat
2. Co-Chair person The President of the largest urban local-self-government at the headquarters of the Taluk
3. Vice-Chairperson One Adhyaksha from a Gram Panchayat selected by lot from among the Adhyakshas of all the Gram Panchayats in the Taluk;
4. Members Members of the House of People and the State Legislative Assembly representing a part or whole of the Taluk, whose constituencies lie within the Taluk;

 Members of the Council of States and the State Legislative Council who are registered as electors within the Taluk, and the members of the State Legislative Council elected from the Local

Authorities constituency in the district.

The Upadhyaksha of the Taluk Panchayat.

One Chairperson of a Standing Committee of the Taluk Panchayat selected from among the Chairpersons of all the Standing Committees of the Taluk Panchayat, by lot

One Adhyaksha selected by lot from the Gram Panchayats situated within each of the Zilla Panchayat constituencies in the Taluk.

From Gram Panchayat Adhyakshas so nominated at least one shall be a woman and one a person from the Scheduled Castes or the Scheduled Tribes.

Provided that an Adhyaksha who was a member under this clause for one term shall not be eligible to become member for a second term during the remainder of his term of office as Adhyaksha.

Two members nominated from among all the Members of the Taluk Panchayat of whom at least one shall be a woman

Two members nominated from among its members of the Urban Local Governments of whom at least one shall be a woman

5. Special Invitees

One Representative of the local Agricultural Produce Marketing Committee nominated by the President

One Representative of the PCARD Bank nominated by the President

One Representative of the Taluk Agricultural Produce Cooperative Marketing Society nominated by the President

One representative from the District Lead Bank nominated by the Bank

Three Experts, one from the industry and service sector, one from rural development and one from among social scientists, who are eminent persons in their field

(2) Among the nominated Representatives at least one from the Taluk Panchayat, one from the Urban Local Government shall be women, and among others one shall be a person belonging to the Scheduled Castes and the Scheduled Tribes and at least one belonging to the backward class minority groups

309F. The Planning Process: (1) The Taluk Planning and Development Committee shall receive the Draft Annual Plans submitted by all the Panchayats and the Urban Local Governments; consolidate them sector-wise identifying the priorities of each sector at the Taluk level.

(2) The process of integration at the intermediary level shall be achieved by means of prioritisation of issues following the method of Priority Mapping and consolidation of the plans.

(3) Nothing contained in this section shall be construed as authorising the Taluk Planning and Development Committee to change, modify or alter the demands or priorities indicated in the plans of the Gram Panchayats, Taluk Panchayat or Urban Local Governments as the case may be.

(4) Planning at the intermediate level shall be the result of consolidation with the object of identifying the priorities of each individual unit of self-government that shall involve:

(a) Spatial integration, meaning integration of schemes that run through one or more local authorities,

(b) Sectoral integration, which integrates several schemes relating to a larger sector.

(c) Cross-sectoral integration, aimed to ensure maximum impact from different interventions, by drawing resources from various schemes.

(d) Vertical integration, which separates out what has to be done at higher Panchayat levels, which have the advantage of scale, and which cannot be done by the lower tiers of local government.

(e) Integration of resources, which looks at identifying and planning the channelization of several schemes both Centrally sponsored and State sponsored, which Panchayats can utilise, integrate into local plans and to which they can contribute additional resources.

309G. Prioritizing the Areas for Consolidation: (1) Prioritising the areas for consolidation shall identify possible commonalities in the functional responsibilities of the Panchayats and the Municipalities in the rural-sectoral and urban-spatial planning in the following priority areas, namely:-

(a) Highway and transport linkages to maximise connectivity;

(b) Water resources planning, which would cover issues of sharing of resources, rights over resources, distribution responsibilities, user charges, planning for growth and addressing environmental impact;

(c) Protection of rural water bodies and agricultural land from urban sewage and toxic waste;

(d) Waste disposal, land fill locations and their management and drainage;

(e) Land use zoning in rural areas for growth of urban areas, industrial allocations, acquisitions, SEZ allocations, protection of multi-crop land and ecologically vulnerable areas;

(f) Environment protection of lakes, tanks, wetlands, forest areas, agricultural land, flora and fauna;

(2) Matters listed in the Eleventh Schedule and in the Twelfth Schedule can be clustered to identify overlaps in Panchayat and Municipal functions in the manner prescribed.

309H. Method of Identification of Priority Areas: (1) Identification of priority areas for consolidation should focus on the needs of the urban and rural local government structures, Habitation and Gram Sabhas and the processes should address:

- (i) Prioritization of each sector sub-component using the Priority Ranking Matrix,
- (ii) Matching goals with resources available, personnel, expertise, etc.,
- (iii) Planning and implementation,
- (iv) Sources of funds and manpower,
- (v) Maintenance of assets and activities.

(2) The Taluk Planning and Development Committee shall forward the completed Taluk Development Plan to the District Planning Committee.

309-I. Zilla Panchayat Plan: The Zilla Panchayats shall be responsible for preparing the Draft Plan of the Zilla Panchayat and consolidating the plans of the Taluk Panchayats at the District level and place them before the District Planning Committee.

309J. District Development Plan: (1) The District Planning Committee shall prepare the draft development plan with regard to:-

- (a) The matters of common interest between the Panchayats, and Urban Local Authorities in the district, including spatial planning, sharing of water and other physical and natural resource, the integrated development of infrastructures and environmental conservation; and
- (b) The extent and type of available resources whether financial or otherwise.

(2) The District Planning Exercise shall link the plans of Panchayats and Urban Local Bodies and other planning units to provide for mutual consultation and negotiations between them and also provide the framework for integrating the sectoral and spatial aspects of urban and rural plans.

(3) The process of consolidation and integration by the District Planning Committee shall not alter the plans prepared by the Taluk Planning and Development Committee.

(4) The District Planning Committee may, while preparing the consolidated plan, consult such institutions and organisations as the Governor may, by order, specify.

(5) Soon after the process of consolidation and integration is completed, the District Planning Committee shall forward the Consolidated Plan of the District to the State Government through the decentralized Planning and Development Board for integration into the State Plan.

309K. Sector-wise Consolidation Committees: (1) The District Planning Committee may constitute as many Sector-wise Consolidation Committees as there are planning sectors, for purposes of consolidating the planning related to the different sectors identified for undertaking planning.

(2) Each such Committee shall consist of at least one member of the District Planning Committee selected from among its members, one Departmental Officer to represent the

sector and one External Technical Resource Person. Each such Sectoral Consolidation Committee shall be chaired by a Member of the DPC.

(3) Each Sector-wise Consolidation Committee will screen the sectoral plans submitted by the Panchayats and Urban Local Governments to identify projects that require consolidation and integration using the checklist in the Form prescribed. The processes of integration shall be achieved as described in the workflow chart in the form prescribed

(4) Each Sector-wise Consolidation Committee shall identify the issues relating to inter-sectoral dependencies and relate these dependencies to the Project requiring integration to be submitted to the Integration Committee in the manner given in the format prescribed.

309L. Action Taken Report: (1) Once in six months an Action Taken Report of progress against plans shall be prepared by each tier of the Panchayats stating resource availability, implementation or reasons for inability to implement projects/schemes stated in the Annual Plan against set targets and using the outcome indicators for measuring them.

(2) The Gram Panchayats shall submit their reports to the Taluk Panchayat; The Taluk shall consolidate the reports of the Gram Panchayats and include their own report and present this to the Zilla Panchayat; and the Zilla Panchayats shall consolidate the reports of the Taluk Panchayats and include their own report and present this to the District Planning Committee.

(3) The consolidated report of the Gram Panchayats shall be presented to the Gram Sabha at their next meeting.

(4) Similarly, the reports of the Taluk and Zilla Panchayats shall be made available to the Gram Panchayats for presentation to the Gram Sabhas.

(5) Whoever is responsible for non-implementation of projects and/or schemes shall be dealt with in accordance with the provisions of this Act.

78. Amendment of section 310: In section 310 of the principal Act,

I. (i) in sub-section (2), clauses (a), (b) and (c) the following shall be substituted, namely

“(a) Adhyaksha of the Zilla Panchayat

(b) The President of the Taluk Panchayat who is the ex-officio Chairperson of TPDC

(c) The Vice-Chairperson of the TPDC (elected from the Gram Panchayats of the Taluk), from each Taluk in the district”

(ii) in clause (e) after the words ‘Taluk Panchayat’ a comma and the words ‘Gram Panchayat’ shall be inserted.

II. For subsection (3) the following shall be substituted, namely:

“The members of the House of people who represent the whole or part of the district, the members of the Council of States who are registered as electors in the district, all the members of the State Legislative Assembly whose constituencies lie within the district, the members of the State Legislative Council representing the district, and the Deputy Commissioner of the District shall be permanent invitees on the Committee”

79. Amendment of section 310A: In section 310-A, in sub-section (2),

(4) Four Chairpersons of Urban Local Bodies one representing the City Corporations, one representing the City Municipal Councils, one representing Town Panchayats and one representing the Town Municipalities

Provided that of the sixteen classed under (4) at least one shall be a woman, one representative of the Scheduled Castes, one a representative of the Scheduled Tribes and one a representative of the other backward classes including minority groups

(5) Ten persons who are experts, one each from the fields of Agriculture and allied activities, Industry, Rural and Urban Development, Gender subjects (who shall be a woman), Child Rights who shall be a child rights activist, Finance, Town and Country Planning and Environment and Water Conservation

Member Secretary The Principal Secretary, Planning

(3)The functions of the Karnataka State Decentralised Planning & Development Board shall be as follows:

(a) The Karnataka State Decentralised Planning and Development Board (KSDPDB) shall link the plans of districts and other planning units to provide for mutual consultation and negotiations between them and also provide the framework for integrating the sectoral and spatial aspects of urban and rural plans.

(b) The process of consolidation and integration by the KSDPDB shall not alter the plans prepared by the districts.

(c) The Board may, while preparing the consolidated plan, consult such institutions and organisations as the Governor may, by order, specify.

(d) Soon after the process of consolidation and integration is completed, the Board shall forward the Consolidated to the State Planning Board for integration into the State Plan.

(e) The Board shall also look after formulation of policy matters related to local development and regional development, co-ordination of District and State plans and designing policies to strengthen local bodies.

81.Amendment of Section 311: In section 311 of the principal Act, in sub-section (1) the following provisos shall be added at the end, namely:

“Provided that the Responsibility Map drawn up in the course of review of the Principal Act and published as ‘First Rules’ under the amendment Act shall be deemed to be Rules duly made under this section.

‘Provided further that no Schedule or any entry in any Schedule shall be omitted otherwise than in exercise of express power conferred by law made by the Legislature of the State.’

82. Amendment of Section 312: In section 312 of the Principal Act, shall be deleted.

83. Chapter number XVIII on “Miscellaneous” has been renumbered as Chapter XX.

CHAPTER XX MISCELLANEOUS

84. Amendment of Section 269: In section 269 of the Principal Act, in subsection (2),

(i) for the words ‘Appellate Authority’ the words the ‘District Panchayat Tribunal’ shall be substituted, and

(ii) sub-section (3) shall be deleted

85. Amendment of Section 278: In section 278 of the Principal Act, in sub-section (3) for the words ‘on conviction’ appearing in the last sentence, the words ‘after enquiry’ shall be inserted.

86. Insertion of New Section 282A: After section 282 of the Principal Act, the following new section 282A shall be inserted, namely:

“282A: Penalty for Acts in Contravention of the Provisions of the Act and Rules: Whoever does any act in contravention of the express provisions of this Act or of any Rules made there under or obstructs, induces or causes an Adhyaksha, Upadhyaksha or any member of a Panchayat or any of the officers to act in transgression of such provisions shall be punishable with simple imprisonment which may extend to a term of six months or to fine which may extend to five thousand rupees, or both and in every case of second or subsequent offence with imprisonment which extend to one year or fine which may extend to ten thousand rupees, or both.

87. Insertion of new Chapter XVIIIA: After section 295 of the existing Act the following new Chapter XVIII-A with sections 295-A to 295-C shall be introduced.

88. Amendment of Schedules: The existing Schedules I, II and III shall be omitted and in their respective places the following new Schedules I, II and III shall be inserted:

*** (New Schedules I, II and III shall be put here)

Schedules for PRIs

Gram Sabha

1. General

- (1) Gram Sabha shall prepare the perspective plan and the annual plan of the Gram Panchayat monitor their implementation, review whenever necessary.
- (2) Gram Sabha is empowered to constitute expert committees to perform its function under number 1.
- (3) Selection of eligible beneficiaries in respect of all beneficiary based programmes being implemented in the Gram Panchayat's jurisdiction.

2. Agriculture, Horticulture and Sericulture.

- (1) Participation in the planning process and approval of the final plan.

3. Minor Irrigation.

- (1) Development of minor irrigation, canal system and water management.
- (2) Approval and management of Gram Panchayat minor irrigation plan.
- (3) Formation of beneficiary's committees.

4. Animal Husbandry, Dairy, Poultry Farm and Fisheries.

- (1) Preparation and approval of Animal husbandry, Dairy and Poultry, Fisheries development plan.

5. Social Forestry, Farm Forest and Management of Bio-Diversity.

- (1) Preparation, approval, monitor and implementation of Gram Panchayat social forest and Farm Forest plans.
- (2) Constitution of Gram Panchayat Forest Management Committee.
- (3) Constitution of Gram Panchayat Bio-diversity Management Committee.
- (4) Participation in the preparation of Gram Panchayat Bio-diversity registers.
- (5) Preparation of Gram Panchayat's Bio-diversity conservation plan.

6. Social Justice

- (1) Preparation and approval of plan and programmes for ensuring social Justice to the marginalised groups such as SC, ST, women, children, senior citizens, differently able people, minority communities and other back ward communities

7. Tourism

- (1) Identification of Gram Panchayat specific tourism
- (2) Preparation and approval of tourism in the Gram Panchayat area

8. Small Scale, Rural Industries and other non agricultural activities.

- (1) Preparation of plan and approval for the promotion of small scale and rural industries including traditional Gram Panchayat specific industries and non agricultural activities.

9. Rural Housing.

- (2) Identification of families eligible for extending benefit of rural housing. (2) Preparation of rural housing plan and its approval.

10. Drinking Water

- (1) Identification of water scarcity areas.
- (2) Preparation and approval of drinking water supply projects.

11. Public Works and Country Planning.

- (1) Preparation of comprehensive country plan and its approval.
- (2) Selection of works under public works.

12. Rural Electrification, Power and Energy

- (1) Preparation and approval of rural electrification projects including promotion of non-conventional sources of energy.

13. Poverty Alleviation

- (1) Identification of eligible beneficiaries under various poverty alleviation programme of the Governments.
- (2) Preparation and approval of Gram Panchayat's poverty alleviation projects.
- (3) Approval of BPL List

14. Public Distribution System

- (1) Constitution of Gram Panchayat's food security committee and center wise vigilance committees and supervision of PDS

15. Education

- (1) Preparation and approval of Gram Panchayat's education plan including adult literacy, vocational education.
- (2) Taking appropriate measures for providing education for all and all-round development of the schools for securing quality education.

16. Library and Reading Room

- (1) Collection of books and magazines from donors for the Gram Panchayat Library
- (2) Initiate programmes for cultivation of reading habit among communities.

17. Sanitation

- (1) Preparation and approval of Gram Panchayats sanitation plan for liquid and solid waste.
- (2) Securing participation and cooperation of Non-Governmental Organisations and citizens of the Panchayat for liquid and solid waste management.

18. Women and children development

- (1) Preparation and approval of programmes for ensuring the welfare of 0-6 children, women, pre and post natal care of children and women.
- (2) Preparation and approval of plan for adolescent care.

19. Development of Schedule Castes and Schedule Tribes

- (1) Formulation of comprehensive SC and ST development plan for their development.
- (2) Creation of awareness in the Gram Panchayat towards prevention of atrocity, social and cultural discrimination.

20. Cooperation

- (1) Preparation of plan for strengthening, supporting cooperative movement and cooperative institutions so as to enable them to play an effective roll in the economic development of the village.
- (2) Selection of SC, ST, Minority, OBC beneficiaries for grant of subsidy for enrolment in cooperative societies as members.

21. Planning

- (1) Formation of Planning Team, Consideration of draft proposal of the plan made by that team and their approval.
- (2) Monitoring and evaluating the implementation of perspective and annual plan.

22. Knowledge Management

- (1) Creation of expert committee for the knowledge management
- (2) Participation in the process of knowledge management.

23. Micro Finance Activities

- (1) Propagation of and encouragement to formal micro finance activities in Gram Panchayat area.
- (2) Initiate action against complaints of malpractices or illegal practices followed in the management of self-help groups.

24. Environment and Ecology

- (1) Formulation of an environment and ecology policy.
- (2) Preparation of plan for conservation of environment and eco system.
- (3) Creation of awareness in the proper management of environment and eco system.

25. Resource Mobilisation.

- (1) Identification of resources.
- (2) Monitoring periodical levy of taxes, fees and rates.
- (3) Encouragement community participation in development activities.
- (4) Mobilisation of contributions in cash, kind and human resource form.

Schedule 1: Gram Panchayat

General

- It shall be the duty of the Gram Panchayat to meet the requirements of the Gram Panchayat area in respect of the matters enumerated in the Schedule 1 and also as elaborated in responsibility mapping in respect of Gram Panchayats
- Subject to the other provisions of this Act and the guidelines and assistance financial, Technical or otherwise, of the government, the village panchayat shall have exclusive Power to administer the matters enumerated in Schedule 1 and to prepare and Implement schemes relating thereto for development and social justice
- The functionaries who are appointed to carry out the functions enumerated in schedule 1 along with the funds to be allocated to implement the respective functions shall be vested in the Gram Panchayats

1. Agriculture, Horticulture and Sericulture

- Preparation and execution of a comprehensive village agricultural and horticultural plan in consultation with Gram Sabha so as to increase agricultural, horticultural and vegetable production
- Preparation and execution of plans to ensure optimum utilisation of land including waste land
- Establishment and maintenance of nurseries
- Preparation and implementation of plan for farm mechanization
- Establishment of group farming cooperatives
- Preparation and execution of plans for soil, water and seed protection
- Watershed management
- Display of market price
- Preparation of Agriculture insurance plans and its implementation

2. Minor irrigation

- Planning, construction, renovation and maintenance of all minor irrigation projects within the area of GP
- Maintenance and implementation of timely and equitable distribution and full use of water of all minor/ micro irrigation projects in GP level
- Development of plan and implement ground water recharging and rain water harvesting
- Management of records of all water sources including its mapping at Grama Panchayat Area

3. Animal husbandry, dairy, poultry farm and fisheries

- Implementation of plans for the development of dairy, poultry, piggery and sheep farms
- Implementation of schemes of cattle development
- Establishment and/or running of veterinary sub centres

- Take preventive measures to control epidemics and contagious diseases.
- Implementation of programmes to develop fisheries in irrigation works vested in GPs
- Implementation of plans for the development of fisheries
- Construction and maintenance of rural fish markets
- Fodder development

4. Social forestry

- Afforestation of waste land
- Development of social forestry, farm forestry, establishment, maintenance and disposal of social forestry produce
- Growing trees for cattle feed, fire wood and growing of fruit trees.
- Implementation of farm forestry
- Establishment of nurseries and management
- Management of minor forest produce
- Planning and implementation of social forestry and farm forestry projects
- Providing expert and technical inputs for the GPs

5. Tourism

- Identification and development of tourist spots in the GP area
- Formulation of village tourism policy and regulation of tourism activities
- Providing basic amenities at tourist centres
- Establishment and maintenance of tourist attractions
- Deployment of tourist guides, green police, watch and ward, life savers at tourist spots
- Collection of entry fees, parking fees

6. Small scale and rural industries –khadi, handicrafts, village industries and food processing industries

- Promotion of cottage and khadi industries, handicrafts, village industries, food processing industries and other non-agricultural activities.
- Organizing marketing facilities
- Implementation of schemes of state boards, all India boards for cottage, khadi, handicrafts, village industries and food processing industries
- Collection of information data on available raw materials and value added products
- Conducting market surveys, dissemination of information among the people
- Regulating food processing and product marketing activities

7. Rural housing

- Identification of houseless and site less people, migrant workers
- Implementation of all rural housing programmes including fishermen housing schemes
- Implementation of house up gradation

- Implementation of seasonal housing facilities for seasonal migrant workers
- Promotion of rural housing cooperative societies
- Identification of government land, development of layouts ,distribution of housing sites to houseless
- Sanctioning of all rural housing plans

8. Drinking water supply

- Collecting the required data, information and planning
- Implementation and maintenance of water supply schemes within GPs
- Prevention, protection and control of water pollution
- Maintenance of traditional drinking water sources
- Collection of water samples from drinking water sources for testing.
- Periodical purification of drinking water sources
- Construction of water supply systems and providing tap water to households, commercial establishments on collection of user fees.

9. Public works, town and country planning (roads, bridges, ford, water-ways and other connecting ways)

- Planning, construction and maintenance of
 - Footpaths/ lanes
 - Village roads
 - Bridges, culverts
 - Buildings
 - Drainages
- Construction and maintenance of
 - Passenger waiting shed/ parking space
 - Play ground
- Construction and maintenance of all types of burial ground/ cemetery, formation of rules and regulations for the utilisation of all burial ground/ cemetery at Grama Panchayat Level
- Maintenance of boats, ferries , water ways and canals
- Maintenance of storm water drainage
- Establishment of community need based infrastructures/ facilities like bathing ghat, public market etc
- Habitat development
- Creation of housing layouts
- Planning, construction and management of school buildings, hospitals and other public institutions within GPs

10. Rural electrification/power and energy

- Installation and maintenance of streetlights at public streets and places
- Planning, establishment, maintenance and promotion of small conventional and non-conventional energy units like solar, biogas, wind mill, hydro electricity plants.

- Sale of excess non-conventional energy to others
- Rural electrification by volunteering GPs

11. Poverty alleviation

- Identifying the poor and implement poverty alleviation programmes
- Identification of beneficiaries for all poverty alleviation programmes
- Facilitating GS for selection of beneficiaries under various programme at GP level
- Planning, implementation, supervision, monitoring and distributing benefits of poverty alleviation programmes
- Providing infrastructure facilities for self employment programmes
- Organising and empowering SHGs, neighbourhood groups
- Poverty alleviation need assessments
- Planning and implementation of self employment and wage employment programmes
- Providing basic minimum needs under various schemes

12. Public distribution system (PDS)

- Distribution of food grains and other daily necessities
- Selection of agencies for food grains and other daily necessities
- Regulation and monitoring of public distribution system
- Construction and maintenance of godowns and rural ware houses

13. Disaster management

- Conducting survey to identify disaster prone localities
- Creation and maintenance of disaster management facilities
- Identification of local as well as outside experts in disaster management
- Providing relief to victims of disasters

14. Education (primary and high school education, technical and professional education, adult and informal education)

- Planning, establishing, managing both conventional and non-conventional education at Panchayat level
- Forwarding of proposals and getting sanctions from competent authority for the establishment of lower and upper primary schools
- Management of govt. Lower and upper primary schools
- Construction and maintenance of buildings of govt. Lower and upper primary schools
- Collection and updating of data of children
- Implementation of literacy programmes, non-formal and formal education programmes
- Management, supervision of quality control including administration
- Planning and establishment, management of ashram schools / hostel schools up to higher primary level and orphanage

- Survey and evaluation of education activities at GP level
- Planning, establishment, management of ashram schools / hostel schools up to higher primary level for backward class and groups, girls, specially abled and for minority groups
- Promotion of rural artisan and vocational trainings
- Planning and implementation of programmes of adult literacy and non-literacy education programmes
- Recruitment of stop gap teachers, part time teachers, honorary teachers for institutions under GP

15. Libraries

- Planning, implementation and establishment management and monitoring of GP level libraries and reading rooms
- Recruitment of librarians and other staff

16. Sports and cultural activities

- Identification of arts and culture forms
- Protection and reviving cultural heritage at GPs
- Promotion of youth clubs
- Assisting and protecting poor and indigent artist
- Maintenance of communal and religious harmony
- Construction and management of cultural centers, community halls, open air theatres at GP and cluster level
- Organisation of youth festival at GP and cluster level
- Providing life skill education, leadership training and conducting recreational activities for youth

17. Market and fair including cattle fairs

- Establishment and management of public markets, market facilities at GP
- Regulation and conducting fairs and festivals including cattle fair
- Management and promotion of rural farm products, craft products
- Providing storage facilities for products

18. Public health (health including hospitals, PHCs) and family welfare

- Planning, establishing and managing both conventional and nonconventional health facilities at Panchayat level
- Forwarding of proposals and getting sanctions from competent authority for the establishment of health sub center at GP level, facilitating health services, providing dispensaries
- Management of health sub center at GP level, facilitating health services, providing dispensaries
- Implementation of family welfare programmes at GP level
- Carrying out immunization and other preventive measures

- Implementation of prevention and remedial measures against epidemics.
- Implementation of sanitation and waste management programmes at GP level
- Establishment and management of maternity and child welfare centre
- Planning and implementation of family welfare programmes at GP level

19. Sanitation

- Cleaning and preservation of public roads, drains, tanks, wells, ponds and other public places.
- Establishment and maintenance of burial and cremation ground.
- Establishment and maintenance of liquid waste disposal system.
- Collection, segregation and transport of solid waste to multi village solid waste management plants
- Construction of individual, community toilets and bathrooms
- Planning and implementation of GP level sanitation programme including household, public places and all local institutions
- Development of health and sanitation policy and its implementation.
- Disposal of unclaimed corpses and carcasses

20. Women and child welfare, especially abled and mentally challenged welfare

- Planning, implementation and management of women and child welfare programmes
- Planning, implementation and management of school health and nutrition programmes.
- Planning, implementation of a system to include local development agency, private agencies, voluntary organizations in women and child development and empowerment programmes.
- Forwarding of proposals and getting sanctions from competent authority for the establishment of Anganwadis
- Management of Anganwadis.
- Selection of beneficiaries under various social security measures like pension to destitute, widows, specially abled, manaswini etc. and sanctioning and disbursement.
- Implementation of group insurance scheme for the poor.
- Planning, Implementation of social welfare programmes including especially abled, mentally challenged and socially ostracized groups.

21. Scheduled castes, Scheduled tribes and other back ward caste development

- Management, monitoring and evaluation of nursery schools for SC/ST at GP level.
- Providing basic facilities in ST/SC colonies.
- Providing educational assistance to ST/SC students.
- Formulation and implementation of programmes to create legal awareness among weaker sections of the society.
- Implementation of programmes for the welfare of weaker sections.
- Management of GP level hostels for ST/SC and backward communities.

22. Construction and maintenance of cattle farms, car/auto and bus stands, cart stands

- Construction and maintenance of cattle farms, village bus stand, rickshaw, taxi/auto stand, cart stand

23. Registration of births and deaths

- Registration of births and deaths

24. Registration of marriages

- Registration of marriages under all Marriages Acts

25. Issue of all certificates

- Issue of certificates such as Residence Certificate, Caste Certificate, Income certificate, NOC for mines & geology, Electrification, excise, biodiversity, land conversion etc. Licenses for Home stay, resorts, bar and restaurants, hotels, liquor shops, Burial / cremation ground and crematorium, slaughter house etc.

26. Management of statistics

- Collection, tabulation, updating of all statistics relating to the village

27. Planning

- setting up a team of technical and subject experts for perspective people's plan, Preparation of perspective people's plan and yearly plan

28. Cooperation

- Preparation and implementation of programmes to popularise, strengthen cooperative movement

29. Rural environment and ecology

- Planning and implementation for protection and preservation of rural environment and ecology
- Establishment of GP biodiversity management committee
- Preparation of Peoples' Biodiversity Register
- Preparation and implementation of plans and programmes for the conservation of biodiversity
- Protection of ecologically sensitive areas
- Preparation and implementation of plans for the protection of environment

30. Income generation activities

- Taking up various income generation activities for the augmentation of own resources

31. Knowledge management

- Collection and compilation of household data and maintaining database.
- Recording of the history, culture, heritage of the village
- Conducting surveys and studies to determine the human development of the village
- Periodical calculation of human development index
- Making available all data to the people of GP

32. Community Asset Management

- Management of community assets at Grama Panchayat Level, its mapping, measurement, comprehensive documentation and its maintenance
- Systematic documentation and protection of records of all assets such as ponds, water groove , canals, agriculture pits, well, bore-well and other wells, pasture, forest, plantation etc.

Schedule 2: Taluk Panchayat

General

- It shall be the duty of the taluk panchayat to meet the requirements of the taluk panchayat area in respect of the matters enumerated in the Schedule 2 and also as elaborated in activity mapping in respect of taluk panchayats
- Subject to the other provisions of this Act and the direction of the government the taluk panchayat shall have exclusive power to administer the matters enumerated in Schedule 2 and to prepare and implement the schemes on the subject specified therein for the economic development and social justice
- The functionaries who are appointed to carry out the functions enumerated in schedule 2 along with the funds to be allocated to implement the respective functions shall be vested in the Taluk Panchayats

1. Agriculture, Horticulture and Sericulture

- Conducting general and technical training at the GP level for the preparation and execution of a comprehensive village agricultural and horticultural plan
- Conducting agricultural exhibitions.
- Providing technical support through technical personnel and by conducting training
- Establishment of Godowns and cold storages, establishment of taluk level agriculture cooperative societies and its registration, establishment and maintenance of agriculture market, establishment and maintenance of infrastructure at taluk level
- Consolidation of data collected by grama panchayats, preparation for taluk level plans of agriculture production and marketing

2. Minor irrigation

- Implementation and maintenance of all lift irrigation schemes and minor irrigation schemes covering more than one grama panchayat.

3. Animal husbandry, dairy, poultry farm and fisheries

- Establishment and/or maintenance of veterinary hospitals and polyclinic in taluk including mobile clinic
- Providing vaccines, medicines, medical aid to GPs to take preventive measures to control epidemics and contagious diseases.
- Providing technical experts support and conducting trainings
- Establishment cooperative societies for the activities of Animal husbandry, Dairy, Poultry farm and fisheries
- Credit plan with low interest rates to purchase lands for animal husbandry activities

4. Social forestry

- Planting and preservation of trees on the sides of roads and other public lands under its control.

- Produce and distribute saplings, seedlings and saplings to GPs when required
- Conducting trainings, workshops for providing technical knowledge to GPs

5. Tourism

- Identification and development of inter village tourist spots in taluks
- Formulation of taluk tourism policy and regulation of tourism activities
- Providing basic amenities at tourist centers
- Establishment and maintenance of tourist attractions
- Deployment of tourist guides, green police, watch and ward, life savers at tourist spots
- Collection of entry fees, parking fees

6. Small scale and rural industries –khadi, handicrafts, village industries and food processing industries

- Establishment of support mechanism for cottage and khadi industries, handicrafts, village industries, food processing industries and other non agricultural activities.
- Establishment of mini industrial estates
- Formulation and implementation of self employment schemes
- Creation of input service and common facility centres for GP clusters or for group of GPs
- Providing financial support to cluster level common facility centres
- Management of common facility centres in block or hobli level

7. Rural housing

- Adopting appropriate low cost housing technologies and dissemination among the GPs
- Rendering technical assistance and inputs to GPs
- Promotion of taluk level housing cooperative societies

8. Drinking water supply

- Construction of drinking water supply systems beyond cluster level
- Providing inputs and technical support to GPs for implementing drinking water supply.
- Implementation of multi village drinking water schemes

9. Public works, town and country planning (roads, bridges, ford, water-ways and other connecting ways)

- Planning, construction and maintenance of multi GP level and taluk level
 - Roads
 - Footpaths/ lanes
 - Taluk roads

- Bridges, culverts
- Buildings
- Drainages
- Maintenance of boats, ferries and water ways within multi GPs
- Planning, construction, and maintenance of high school buildings, taluk hospitals and other taluk level public institutions

10. Rural electrification/power and energy

- Coordinating with power supply agencies to ensure quality and uninterrupted power supply during prime crop seasons, on special occasions
- Planning, establishment and maintenance of medium scale conventional and non-conventional energy units.
- Sale of conventional and non-conventional energy to others

11. Poverty alleviation

- Providing technical inputs to GPs to implement poverty alleviation programmes
- Providing infrastructure facilities for self-employment programmes at taluk level

12. Public distribution system (PDS)

- Allotment of food grains and other daily necessities to Public distribution system (PDS)

13. Disaster management

- Conducting training to GP and TP level functionaries in disaster management programmes

14. Education(primary and high school education, technical and professional education, adult and informal education)

- Planning establishing and managing both conventional and nonconventional education at Taluk level.
- Forwarding of proposals and getting sanctions from competent authority for the establishment Of high schools
- Management of govt. High schools
- Management of technical, vocational education centres
- Planning, establishment and management of ashram schools / hostel schools at high school level and orphanage
- Coordination of centrally and state sponsored programmes related to education
- Construction and maintenance of govt. High school buildings
- Establishment and management of govt. Industrial training institutions
- Providing necessary support like supply of books, study materials, training inputs to schools at GP Level.

- Planning, establishment, management of ashram schools / hostel schools at high school level for backward class and groups, girls, specially abled and for minority groups
- Recruitment of stop gap teachers, part time teachers, honorary teachers for institutions under TP

15. Libraries

- Planning, implementation and establishment management and monitoring of TP level libraries and reading rooms
- Recruitment of librarians and other staff

16. Sports and cultural activities

- Setting up platform for arts and cultural teams including youth to exhibit their talent
- Conducting youth mela at taluk level
- Establishment of taluk level youth centre for youth

17. Market and fair including cattle fairs

- Establishment and management of taluk level public markets
- Regulation and conducting fair and festivals at taluk level including cattle fair

18. Public health (health including hospitals, PHCs) and family welfare

- Forwarding of proposals and getting sanctions from competent authority for the establishment of primary health centre and taluk hospitals
- Management of primary health centre and taluk hospitals
- Establishment of a system / mechanism for continuous support to GP to manage health services and sanitation programmes
- Setting up facilities and centres for the care of special categories, specially abled and mentally disabled people
- Establishment of TP level laboratories and investigation service and providing them to GPs.
- Planning and implementation of family welfare programmes at TP level

19. Sanitation

- Establishment and maintenance of multi village solid and liquid waste management plants

20. Women and child welfare, specially abled and mentally challenged welfare

- Planning, implementation and management of ICDS programmes at taluk level.
- Establishment and promotion of programmes in relation to development and empowerment of women and children at taluk level.
- Promotion of school health and nutrition programmes.
- Establishment, maintenance and monitoring of pre-metric hostels

21. Scheduled castes, Scheduled tribes and Other Backward caste development

- Planning, establishment and management of hostels for ST/SC and backward communities, Ashrama schools at Taluk level
- Establishment and management of pre-matric and post matric hostels.
- Implementation of programmes for the preservation and promotion of social, cultural, traditional practices of ST/SC and backward communities at taluk level
- Establishment, maintenance and monitoring of pre-metric hostels

22. Construction and maintenance of cattle farms, car/auto and bus stands, cart stands

- Construction and maintenance of taluk bus stands car/auto and bus stands, cart stands

23. Management of statistics

- Consolidation of taluk statistics

24. Planning

- Formation of Taluk level planning committee to consolidate planning received from GPs, preparation of taluk level plan, approval and submission to ZP
- Providing technical experts support to GPs to collect data, information and for planning

25. Cooperation

- Registration and supervision of all block or taluk level cooperative societies

26. Rural environment and ecology

- Providing technical support to GPs for the protection rural environment and ecology

27. Income generation activities

- Creation of assets and renting them out at Taluk headquarters

28. Knowledge management

- Collection and compilation of taluk data and maintaining database.
- Recording of the history, culture, heritage of the taluk
- Conducting surveys and studies to determine the human development of the taluk
- Periodical calculation of human development index
- Making available all data to the people

Schedule 3: Zilla Panchayat

General

- It shall be the duty of the Zilla panchayats to meet the requirements of the Zilla panchayat area in respect of the matters enumerated in the Schedule 3 and also as elaborated in activity mapping in respect of Zilla panchayats
- Subject to the other provisions of this Act and the directions of the government, the Zilla panchayat shall have exclusive power to administer the matters enumerated to Schedule 3 and to prepare and implement the schemes in the subjects specified therein, for economic development and social justice.
- The functionaries who are appointed to carry out the functions enumerated in schedule 3 along with the funds to be allocated to implement the respective functions shall be vested in the Zilla Panchayats

1. Agriculture, Horticulture and Sericulture

- Development of infrastructure for increase of agriculture and horticulture production, marketing and the application of biotechnology
- Integrated water-shed management in water sheds covering more than one taluk panchayat area.
- Providing for agricultural inputs such as finance water, seeds and fertilizers.
- Marketing of agricultural products
- Conducting programmes to popularise innovative field trials and pilot projects.
- Conducting locally appropriate research and development.

2. Minor irrigation

- Development of ground water resources.
- Construction and maintenance of minor irrigation schemes covering more than one taluk panchayat.
- Command area development.

3. Animal husbandry, dairy, poultry farm and fisheries

- Establishment and/or management of district level veterinary hospitals and labs
- Promotion of district milk cooperative societies
- Conducting district level trainings
- Providing medicines, medical aids and vaccine

4. Social forestry

- Formulation of guidelines for social forestry and biodiversity management for the use of GPs and TPs

5. Tourism

- Identification and development of inter taluk tourist spots in districts

- Formulation of district tourism policy and regulation of tourism activities
- Providing basic amenities at tourist centres
- Establishment and maintenance of tourist attractions
- Deployment of tourist guides, green police, watch and ward, life savers at tourist spots
- Collection of entry fees, parking fees

6. Small scale and rural industries –khadi, handicrafts, village industries, food processing industries and other non agricultural activities.

- Establishment and management of district industrial centre
- Establishment of mechanism for the development of cottage industries
- Conducting training, providing technical input and other relevant skills and knowledge to the GP level and TP level
- Establishment of marketing for cottage, khadi, village industries and handicrafts
- Development of linkages for the implementation of schemes of state boards and all india boards and commissions for development of village and cottage industries.
- Conducting district level entrepreneur programmes
- Implementation of credit schemes for industrial development

7. Rural housing

- Mobilisation of housing finance and distribution to GPs
- Acting as liaison institution
- Promotion of district level housing cooperative societies

8. Drinking water supply

- Establishment of mega drinking water projects or multi taluk drinking water projects
- Setting up drinking water testing labs
- Financial support to GPs and TPs for the implementation of water supply schemes

9. Public works, town and country planning (roads, bridges, ford, water-ways and other connecting ways)

- Planning, construction and maintenance of ZP level
 - Roads other than national highways and state highways
 - Bridges, culverts
- Passing through or relating to more than one taluk, of all district roads other than district major roads
- Providing technologies to GPs and TPs for construction and maintenance. Introducing new technologies, designs on demand of GPs and TPs
- Construction and maintenance of multi taluk level civic amenities such as markets, play ground, stadium etc.
- Formation of district level policy and regulation for essential town and country planning

10. Rural electrification/power and energy

- Planning, establishment and maintenance of large conventional and non-conventional energy units.
- Sale of conventional and non-conventional energy to others

11. Poverty alleviation

- Skill up-gradation of the poor identified by GPs
- Conducting technical training programmes
- Planning and implementation of employment assurance schemes in partnership with GPs

12. Public distribution system (PDS)

13. Disaster management

- Creating infrastructure required for disaster management

14. Education(primary and high school education, technical and professional education, adult and informal education)

- Planning, establishing and managing both conventional and non-conventional education at district level.
- Forwarding of proposals and getting sanctions from competent authority for the establishment of
- PU colleges, ITI, polytechnic colleges
- Construction and maintenance of govt. PU colleges, ITI, polytechnic colleges
- Planning, establishment, management of hostels for institutions under ZP
- Coordination of centrally and state sponsored programmes related to education
- Establishment and management of rural artisan and vocational trainings
- Providing technical input, materials financial support to GP and TP
- Planning establishment and management of hostel schools for PUC children, vocational and technical education for children belonging to backward class and groups, girls, specially abled and for minority groups
- Recruitment of stop gap teachers, part time teachers, honorary teachers for institutions under ZP
- Establishment of special schools and hostels for specially abled children and its management.

15. Libraries

- Planning, implementation and establishment management and monitoring of ZP level libraries and reading rooms
- Recruitment of librarians and other staff

16. Sports and cultural activities

- Documentation of rural products of arts and cultural activities, and craftsmen
- Protecting and reviving cultural heritage which are almost extinct

- Construction and maintenance of cultural centres at district level and conducting artisan fair
- Organising youth festivals at district level
- Start sports schools at district level
- Institution of annual award to those GPs who keep best track record of communal and religious harmony, protection of children minorities, women against violation of rights, atrocity, discrimination.

17. Market and fair including cattle fairs

- Establishment and management of district level public markets
- Regulation and conducting fair and festivals at taluk level including cattle fair

18. Public health (health including hospitals, PHCs) and family welfare

- Planning, establishing and managing both conventional and non-conventional public health facilities at district level.
- Forwarding of proposals and getting sanctions from competent authority for the establishment of community health center and district hospitals
- Management of community health center and district hospitals
- Procurement of equipments, drugs and other medicines, supply of medicines, medical equipments and other medical aids and materials to TP level, cluster level and GP level health service centres
- Planning and implementation of district level epidemic management system
- Establishment of district level laboratories and investigation service
- Implementation and management of district level maternity and child health programme
- Coordination of centrally and state sponsored programmes at district level
- Setting up centres for the care of special categories of specially abled and mentally disabled people
- Planning and implementation of family welfare programmes at ZP level

19. Sanitation

- Consolidation of district sanitation plans,
- Essential support to TPs and GPs
- Formation of district policy and regulations, its regulation and evaluation

20. Women and child welfare, specially abled and mentally challenged welfare

- Implementation of programmes to provide technical input.
- Implementation of empowerment of women and children programmes.
- Providing support for school health and nutrition programmes.
- Establishment, maintenance and management of post-metric hostels

21. Scheduled castes, Scheduled tribes and other backward caste development

- Implementation of programmes for the preservation and promotion of social, cultural, traditional practices of ST/SC and backward communities at district level
- Establishment and management of post-metric hostels at district level.
- Management of vocational training centers for ST/SC and backward communities.
- Establishment, maintenance and management of post-metric hostels

22. Construction and maintenance of cattle farms, car/auto and bus stands, cart stands

23. Issue of all certificates

- Consolidation of district statistics

24. Management of statistics

- Consolidation and finalization of district perspective plan based on TP plans

25. Planning

- Formation of District level planning committee to consolidate planning received from TPs, preparation of district level plan, approval.
- Providing technical experts support to GPs to collect data, information and for planning

26. Cooperation

- Registration and supervision of all district level cooperative societies

27. Rural environment and ecology

- Providing technical support to GPs and TPs for the protection rural environment and ecology

28. Income generation activities

- Creation of assets and renting them out at District headquarters

29. Knowledge management

- Collection and compilation of district data and maintaining database.
- Recording of the history, culture, heritage of the district
- Conducting surveys and studies to determine the human development of the district
- Periodical calculation of human development index
- Making available all data to the people

89. Amendment of Schedule IV: For Schedule IV to the Principal Act, the following shall be inserted.